

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
APRIL 13, 2015  
6:30 P.M.  
MINUTES**

CALL TO ORDER: The meeting of the Genoa Township Planning Commission was called to order at 6:31 p.m. Present were Chairman Doug Brown, James Mortensen, Barbara Figurski, Eric Rauch, Diana Lowe, and Chris Grajek. Also present were Kelly VanMarter, Township Community Development Director and Assistant Township Manager; Brian Borden of LSL; Gary Markstrom of Tetra Tech.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Upon motion of Barbara Figurski and support of James Mortensen, the agenda was approved as submitted. **Motion carried unanimously.**

CALL TO THE PUBLIC: No one wished to address the Planning Commission.  
*(Note: The Board reserves the right to not begin new business after 10:00 p.m.)*

**OPEN PUBLIC HEARING #1...** Review of a rezoning application, environmental impact assessment, and site plan for approximately 4.19 acres in Section 11, located at 6253 Grand River Avenue between Hughes Rd and Kellogg Rd, Howell, Michigan (Parcels 4711-11-300-021, 27, 28). The applicant has requested a rezoning to remove the Town Center Overlay District from the property (GCD/TC to GCD). The request is petitioned by Chestnut Development, LLC.

David LeClair of Livingston Architects and Heather Brandenburg of Lindhout Associates addressed the Planning Commission. The proposed site plan is for professional and medical offices. The project would be built in two phases. Each building is 14,500 square feet approximately. Each building would be split into two or four tenants. The existing drive would be reconfigured to align with the new development. The homes in back of the property have an easement currently and they would receive an easement for a new drive.

The materials are brick with stone banding above and below windows. There is a metal fascia, asphalt shingles and a similar style to the office buildings built at a later time. Photographs of the proposed materials were shown to the Planning Commission.

The petitioner is requesting the Town Center overlay designation be removed. The pond is not a wetland per the DEQ. The petitioner has obtained a permit for the portion of the wetland that will be interrupted. The outlet is to a county drain. The parking calculations reflect an abundance of parking. The petitioner is willing to do banked parking on the property along the back of the building. The front of the site appears to be sufficiently set up for parking. The petitioner believes the proposed plan is in line with what is currently along Grand River.

Mr. Borden reviewed his letter of March 17, 2015. Currently, the zoning and master plan are consistent. If changes are made to the zoning, then it's conceivable other changes may be needed. The two residences to the north are not part of the town center zoning, so they will not need to be considered.

Ms. VanMarter discussed expanding the area. The ordinance does not allow for staff to initiate rezoning. Mr. Mortensen discussed the history of the town center overlay briefly. He is of the opinion that it's time to address the overlay district as a whole. Ms. VanMarter indicated that there have been no inquiries about development in the overlay district in the last year. Chairman Brown expressed concern that the overlay district is proper.

Mr. Grajek discussed the fact that while this parcel is not developed and could be removed from the district easily, the neighboring parcels would not be since they were previously developed. He feels there's a reason that the district was established as it was, but at this point there is no need for a downtown area.

Mr. Rauch is in favor of removing this parcel, but would prefer to protect the areas at Hughes Road and Grand River as well as Dorr Road and Grand River. Ms. Figurski expressed agreement.

A call to the public was made. No one wished to address the Planning Commission regarding this agenda item.

**Planning Commission disposition of petition**

- A. Recommendation regarding Environmental Impact Assessment
- B. Recommendation regarding Rezoning from GCD/TC to GCD.

**Motion** by Barbara Figurski to recommend to the Township Board adoption of the environmental impact assessment dated March 4, 2015. Support by Diana Lowe.  
**Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the rezoning of the property at 6253 Grand River Avenue from Town Center Overlay District to its original underlying zoning of General Commercial District. This recommendation is made because the use is consistent with the existing properties immediately to the east and west. Further, the Planning Commission is of the opinion that a township overlay type of building on this site in the absence of development of township overlay characteristics in the neighboring properties would be inappropriate. Further, the Planning Commission as part of this recommendation encourages Township Staff to commence an investigation and study of the township overlay zoning on all properties in the district for subsequent review by the Planning Commission and possible eventual recommendation to the township board. Support by Barbara Figurski.

Ayes: Lowe, Mortensen, Figurski, Rauch (4)

Nays: Grajek (1)

**Motion carried.**

**OPEN PUBLIC HEARING #2...** Review of a site plan and impact assessment for a proposed 15,480 sq. ft. office building, located at 6253 Grand River Avenue between Hughes Rd and Kellogg Rd, Howell, Michigan (Parcels 4711-11-300-021, 27, 28). The request is petitioned by Chestnut Development, LLC.

Mr. Borden addressed his letter of March 17, 2015 as it relates to this parcel. Approval of this site plan is inherently tied to the requested rezoning. The building will be 100% brick. The petitioner will submit a new drawing. The petitioner is requesting approval of phase one and phase two. Ms. VanMarter believes approval should be sought separately for phase two. Mr. Borden indicated phase one does not have sufficient parking for full occupancy. An area should be set aside for deliveries to occur without disrupting traffic around the site. Mr. LeClair anticipates UPS type deliveries but no other trucks. He will add that to the environmental impact assessment. They are deficient on the parking lot landscaping plan by one tree. Mr. LeClair agreed to add the tree. There is no anticipated outdoor lighting except wall packs on the building. Ms. VanMarter does want to see lighting plans and a photo metric.

Mr. Markstrom of Tetra Tech addressed his letter of April 2, 2015 with the Planning Commission. If a pump station is needed to service the lower building, it can be inside the building and maintained privately. The water main may need to be moved to prevent overlapping on the neighboring property. A lot of the storm water drainage is addressed in phase two, which caused concern. He has requested more information from the petitioner. The sewer line near Bordine's is shallow and this must be taken into consideration when grading. The plans should be re-submitted, splitting up what's done in each phase. Once usage is known, staff will make the final calculations for REU. The rates are \$15,100.00 per REU. (They have been increased).

The letters from the Livingston County Drain Commission and Brighton Area Fire Authority were reviewed. The requirements of the Brighton Area Fire Authority will be met, subject to further conversations regarding fire suppression systems.

Ms. VanMarter indicated that banked parking for phase two should be permitted.

Mr. Rauch inquired about the property immediately west of the phase one building. The parking for phase one encroaches onto that parcel of property. Mr. LeClair indicated that there is reciprocal parking with that neighbor. Mr. Borden reviewed ordinance section 14.06.11 and it indicates the Planning Commission may reduce setbacks where there is shared parking.

A call to the public was made. David Cary of Hughes Road addressed the Planning Commission. His property abuts phase two. His property is also adjacent to the drain for the swamp. He is concerned about runoff. The drain on the west side of Hughes Road is choked with weeds and is working poorly. He is concerned about the flooding risk to his property.

The Drain Commission has met with Tetra Tech and the petitioner regarding the drainage issue and the petitioner has addressed those concerns.

Carol Cary of Hughes Road addressed the Planning Commission, as well. She would like to see mature trees planted in the back corner. She is also concerned about the lighting plan.

**Planning Commission disposition of petition**

- A. Recommendation of Environmental Impact Assessment. (12-01-14)
- B. Disposition of Site Plan. (02-27-15)

**Motion** by Barbara Figurski to recommend to the Township Board adoption of the Environmental Impact Assessment dated 12/01/14, subject to them addressing the following additions:

1. REU's to be noted on the plans;
2. Banked parking;
3. No large trucks using the site;
4. DEQ permit will be provided.

This recommendation is subject to approval by the Township Board of the rezoning request. Support by Diana Lowe. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board adoption of the site plan subject to:

1. Approval by the Township Board of the rezoning of this property from Township overlay district back to its original zoning of general commercial;
2. The Planning Commission recommends approval of the building elevations. The materials will be 100% brick rather than the block shown on the lower portion of the building. Petitioner will supply the materials board to the Township and it will become Township property;
3. The parking will be phased-in in such a way as to not be insufficient if sizeable medical use occurs in phase one. Consideration will be given to banking some of the parking in phase two if possible;
4. The petitioner understands that the granting of approval by the Township Board site plan is approved for one year with a potential of renewal each year for the next two years by Township staff;
5. The proposed spacing requirements between the two commercial driveways is recommended for approval in that it's indicated there's compliance with site distance standards;
6. Loading space will be provided at the northeast corner of the building in phase one;
7. One canopy tree will be added to the landscape plan on the west side of the property;
8. The petitioner understands that the lighting must comply with the Township standard in the ordinance. Further, the site plan includes no overhead lighting fixtures and is limited to wall packs on the building;
9. The Planning Commission recommends approval of the removal of the parking setback because of the presence of a shared driveway;

10. Further, this recommendation is conditioned upon the petitioner obtaining the easement to the property to the immediate west and the residential properties to the north;
11. The petitioner will comply with the requirements of the Township Engineer in his letter of 04/2/15. These requirements will be accomplished prior to the submission of the packet to the Board;
12. The requirements of the Livingston County Drain Commissioner in his letter of 03/25/15 will be complied with;
13. The requirements of the Brighton Area Fire Authority in their letter of 03/16/15 shall be complied with. It is understood that the petitioner will be discussing the requirements of a sprinkler system with the fire chief and that item may change.

Support by Barbara Figurski. **Motion carried unanimously.**

**OPEN PUBLIC HEARING #3...** Review of a special use, environmental impact assessment, and site plan for a proposed remote bank ATM in an existing parking lot, located at 3599 E. Grand River Avenue, Howell, Michigan, parcel # 4711-05-400-031. The request is petitioned by Chase Bank.

Andy Andre from Bud Design and John Krissoff from Chase Bank addressed the Planning Commission. They are hoping to install a remote ATM within the Grand River Plaza. The proposed light is smaller than the existing poles in the parking lot. There are three branch offices within 10 miles. They previously had a branch within Meijers, but no longer do.

Mr. Borden addressed the Planning Commission. Because it is a stand-alone ATM, it requires special scrutiny and a special use permit. The general special use standards have been met. The number of stacking spaces caused him concern. He believes a summary of the queuing study should be provided to the Township Board. It would be preferable to have a branch at this site, but the Township cannot require that. Mr. Mortensen inquired as to whether this site interfered with traffic. Mr. Rauch agreed.

Mr. Borden addressed the potential of a blind spot and traffic conflict. He believes it to be the most important consideration. The petitioner will install a "No Right Turn" sign. He believes this is an underutilized portion of the property and therefore, it should not be an issue. Mr. Mortensen disagrees. Moving it down a few traffic spots was discussed. The petitioner indicated that their margin for profit may not allow it.

Mr. Grajek inquired as to whether petitioner would be amenable to adding brick or another material to dress it up. Mr. Rauch asked about the six signs that are currently proposed. Mr. Rauch suggested moving the angle of the drive thru and ATM.

The construction would take approximately three weeks.

A call was made to the public. Rob Vedro from Blue Frog Books addressed the Planning Commission. He would like to see the road between the parking lot and the

Meijers parking lot finished. There is approximately 12 feet unconnected. He feels it would be a better location for the ATM.

**Planning Commission disposition of petition**

- A. Recommendation of Special Use
- B. Recommendation of Environmental Impact Assessment (03-05-15)
- C. Recommendation of Site Plan (02-20-15)

The petitioner requests to table this review. **Motion** by James Mortensen to table this matter until the 05/11/15 Planning Commission meeting. Support by Barbara Figurski. **Motion carried unanimously.**

**OPEN PUBLIC HEARING #4...** Review of a site plan, environmental impact assessment, and PUD amendment for a proposed redevelopment of an existing outparcel to create two (2) outlots and construct a 4,283 sq. ft. restaurant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Jim Blair of RG Properties, Dan Cook with Panera, and Matthew with Arc Vision addressed the Planning Commission. They are seeking approval for the demolishing of a building and to erect a Panera Bread restaurant building with a drive-thru restaurant building next door.

Panera is undergoing design changes for their standard buildings. A materials board was provided. There is a patio planned at this location, as well.

There are two parking spaces that should be deleted. Additionally, the curb should be mountable in order to escape the drive-thru. Mr. Rauch expressed his concerns about the driving lanes. Bo Gunlock pointed out that the curb cuts are existing. Chairman Brown indicated that's already understood. Mr. Rauch showed the petitioner his suggested changes.

Mr. Borden addressed the unresolved issues in his letter of April 6, 2015. There should be some sort of signage about pedestrians, such as "Ped X'ing" on the pavement. The petitioner is proposing to retain existing landscaping in the green belt. There are no details to determine if ordinance has been met. The lighting plan is not specific as to what lights will be used. More detail is needed. There are three monument signs proposed.

A call to the public was made with no response.

**Motion** by James Mortensen to table the petition to April 27. Support by Barbara Figurski.

Ayes: Lowe, Mortensen, Figurski, Rauch (4)

Nays: Grajek (1)

**Motion carried.**

**OPEN PUBLIC HEARING #5...** Review of a sketch plan for a proposed 876 sq. ft. office addition located at 5000 E. Grand River Avenue, Howell, Michigan, parcel # 4711-10-300-007. The request is petitioned by Champion Chevrolet.

Kathy Kaminski addressed the Planning Commission on behalf of Champion Chevrolet. Stan Schafer had to leave the meeting earlier this evening and so she will answer any questions the Planning Commission has.

Brian Borden reviewed his letter of April 2, 2015 with the Planning Commission. Chairman Brown asked Kelly VanMarter to put together a report of how many smaller projects have been requested/performed by the petitioner in the last few years.

Mr. Markstrom discussed his letter of April 7, 2015. He does not have any issues with this proposal except the size of the building is being increased, so there will be a change in REU's.

A call was made to the public. No one was present to address the Planning Commission.

**Planning Commission disposition of petition**

A. Disposition of Sketch Plan. (03-26-15)

**Motion** by James Mortensen to approve the sketch plan subject to:

1. The building materials and colors will match the existing building;
2. Any future modification to the site requiring review and/or approval by the Township Planning Commission will require full site plan review plus a review of whether parking and vehicle storage are consistent with past reviews;
3. Review the possible combination of the three parcels;
4. The requirements of the Township Engineer in his letter of 04/27/15 will be complied with;
5. The requirements of the Brighton Fire Authority in their letter of 04/06/15 will be complied with.

Support by Barbara Figurski. **Motion carried unanimously.**

**OPEN PUBLIC HEARING #6...** Request for review of amendments to the Genoa Charter Township Planning Commission Bylaws.

Kelly VanMarter indicated the only change was that a person abstaining from a vote is not required to leave the room.

**Planning Commission disposition of petition**

A. Disposition of Bylaws

**Motion** by Diana Lowe to approve the amendments to the Bylaws. Support by James Mortensen. **Motion carried unanimously.**

**Administrative Business:**

- *Staff report. Kelly VanMarter made a staff report on the upcoming meeting agenda.*
- *ZBA Annual Report 2014.*
- *Approval of February 9, 2015 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes as submitted. Support by Chris Grajek. **Motion carried unanimously.***
- *Member discussion*
- *Adjournment. **Motion** by Barbara Figurski to adjourn this meeting. Support by Chris Grajek. **Motion carried unanimously. Meeting adjourned at 10:45 p.m.***