

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JULY 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 Barbara Figurski, James Mortensen, Chairman Brown, Chris Grajek, Diana Lowe, Eric Rauch, and John McManus. Also present were Kelly VanMarter, Community Development Director/Assistant Township Manager; Gary Markstrom of Tetra Tech; and Brian Borden of LSL.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Upon motion by Diana Lowe and support by Barbara Figurski, the agenda was approved as submitted. **Motion carried unanimously.**

CALL TO THE PUBLIC:

OPEN PUBLIC HEARING #1... Review of a special use, sketch plan, and environmental impact assessment for a proposed K-12 Livingston Christian School to be located within the Brighton Church of the Nazarene, located at 7669 Brighton Rd., Brighton, Michigan, parcel # 4711-25-400-058. The request is petitioned by Brighton Nazarene Church.

Motion by Diana Lowe to recuse Eric Rauch from the open public hearing. Support by Barbara Figurski. **Motion carried unanimously.**

Steve Morgan addressed the Planning Commission on behalf of the petitioner. He referred the Planning Commission to Brian Borden's letter outlining the outstanding issues. The issue regarding landscaping was discussed. The required landscaping from the 2013 project has been placed with the exception of the arbor vitae on the west side of the property. The petitioner has filed a petition with the Township for permission to install a fence on the east property line. A sample of the proposed fencing was shown to the Planning Commission.

The vehicular and pedestrian concerns were addressed. The traffic study was reviewed. Mr. Morgan explained how the traffic patterns would flow through the parking lot for the morning drop-off and afternoon pick-up of the children. Mr. Labadie discussed his report.

Mr. Borden addressed the Planning Commission. He believes the petitioner has addressed the major concerns that he had with the prior plans. Mr. Markstrom addressed the Planning Commission, as well. He suggested that the petitioner blatantly designate the drop off and pick up zones. The sidewalk could possibly be widened in the wider drop off/pick up zones. Striping should be redone, as well. It is currently a mess. The concept, he believes, is acceptable. He believes the concerns about traffic on Brighton Road have been adequately addressed. The petitioner will ask Boss Engineering to update the plan to reflect proper striping, etc.

Mr. Borden addressed extending the pedestrian connection to the bike path. He believes it may assist those who walk and/or bike to the site. The petitioner suggested that this be made a part of the motion as it has already been discussed and approved by the church.

A call to the public was made with the following response:

Pastor Ben Walls addressed the Planning Commission. He indicated that Steve Morgan has been asked to address the Planning Commission on behalf of the whole of the congregation and/or school.

Chairman Brown inquired as to the ownership of the school. Ted Nast, superintendent of the school, addressed the Planning Commission. It is a Michigan corporation with a 503-C exception.

The call to the public was closed.

Chairman Brown indicated it has been an onerous petition. The Township Attorney has indicated that the testing facility is not legal and should not be permitted to continue on the property. The letter from Charles Robert Hensley was discussed. Chairman Brown explained the delay was not a tactic, but rather the requirements of the ordinance had not been met.

James Mortensen indicated that his concern has been traffic and he feels ready to support the petition at this point. John McManus expressed his concern about the lack of follow-through on the part of the church. Barbara Figurski expressed her disappointment in the manner this has transpired. She read the following statement:

I cannot in good conscience vote to approve this proposal as submitted. I feel it is not the right place for a school of this size off of Brighton Road. The increase in traffic will become a detriment to the area and a hardship on all adjacent residents. I also am very much afraid this approval will come back to the Township as a problem in the future.

Also, may I add that I was disappointed with the church going ahead with the school and architectural changes prior to being fully approved.

I feel the Township has been very patient with the petitioner throughout this procedure.

Chris Grajek also expressed concern about the lack of follow-through. He thinks a time frame should be required if there is an approval. Diana Lowe feels that the petitioner has met the criteria and her own life experience shows her that this traffic queue works.

Planning Commission recommendation of petition

- A. Recommendation of Special Use
- B. Recommendation of Environmental Impact Assessment (06-15-15)
- C. Recommendation of Sketch Plan (05-20-15)

After the following motion was brought, but prior to support, Chairman Brown allowed Andy Koch to address the Planning Commission. He asked for a year to relocate from the site.

Brian Borden addressed the Planning Commission and indicated that the Planning Commission does not have the authority to grant an extension because it's a violation of the ordinance.

Chris Grajek addressed the Planning Commission.

Amended motion by James Mortensen, supported by Diana Lowe, that the Planning Commission recommends that the Township Board approve the special land use request for inclusion of the Livingston Christian School as an accessory use for the church's property at 7669 Brighton Road, based upon consistency with the standards of section 19.02 of the zoning ordinance. Furthermore, this recommendation is made conditioned upon the following:

1. That the applicant obtains Board approval of the sketch plan and environmental impact assessment;
2. Implementation of an annual traffic control plan that provides safe and adequate onsite circulation and driveway egress. A written report shall be provided to the Township annually;
3. The school will have no more than 32 employees and 250 students;
4. The church is responsible for coordination of uses and events to ensure that peak church and school uses do not overlap;
5. The special use permit expires following the 2016-17 school year;
6. The disposition of the driver's training operation shall be handled by Township Administration.

Ayes: Lowe, Mortensen, Grajek, Brown, McManus

Nays: Figurski

Motion carried.

Motion by James Mortensen to approve the environmental impact assessment dated 6/15/15, subject to:

1. Approval of the Township Board of the sketch plan and special use permit and a correction to 3 lane road in existing conditions.

Support by John McManus.

Ayes: Lowe, Mortensen, Grajek, Brown, McManus

Nays: Figurski

Motion carried.

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

1. Approval by the Township Board of the special use permit and environmental impact assessment;
2. A six foot vinyl fence stretching the eastern length of the property for approximately 700 feet will be added. The materials for the fence reviewed this evening will become Township property.
3. The sketch plan will be modified before the land use permit is granted and prior to the board meeting reflecting the extension of the sidewalk from the

church to the Brighton Road bike path along the western edge of the church driveway;

4. Re-striping of the parking lot and sidewalk for pedestrian paths will be accomplished and coordinated with and approved by the Township Engineer;
5. Any other requirements of the Township Engineer in his letter of 7/7/15 and the Brighton Fire Authority in their letter of 7/2/15 will be complied with.

Support by Diana Lowe.

Ayes: Lowe, Mortensen, Grajek, Brown, McManus

Nays: Figurski

Motion carried.

Eric Rauch returned to the meeting.

OPEN PUBLIC HEARING #2... Review of a sketch plan application for an amendment to the approved building elevations for Brighton Church of the Nazarene, located at 7669 Brighton Rd., Brighton, Michigan, parcel # 4711-25-400-058. The request is petitioned by Brighton Nazarene Church.

Gary Anscombe addressed the Planning Commission. There is no sample of the proposed brick because it has yet to be made. So essentially, the brick on the existing building is the sample.

The blue siding will be changed to the same color as the color on the roof and eaves trim that currently exists.

Brian Borden indicated he's comfortable now that he knows the materials and colors will match the rendering. Also, he is pleased with the contrast of the entrance canopy color. The petitioner requests that the canopy say "children's entrance." Mr. Markstrom inquired about the handrail in the front as shown in the rendering and how it conflicts with the school loading zone. Stairs could be utilized.

Eric Rauch inquired if the petitioner considered a metal canopy rather than the cloth canopy. The petitioner felt the texture added an architectural feel to it, but could put a metal one on.

Barbara Figurski inquired as to the height of the cross on the front of the building. It's 32' according to the petitioner.

A call of the public was made with no response.

Planning Commission disposition of petition

A. Disposition of Amended Site Plan Building Elevations (06-23-15)

Motion by James Mortensen to approve the site plan, subject to:

1. The pictures and renderings reviewed this evening will become Township property;

2. Prior to completion, the applicant will work with the Township Engineer to coordinate the re-stripping of the pedestrian area in view of the installation of handrails.

Support by John McManus. **Motion carried unanimously.**

OPEN PUBLIC HEARING #3... Review of a site plan and environmental impact assessment for a proposed 3,954 sq ft restaurant building, located on a vacant lot south of Grand River Avenue and west of Latson Rd., Howell, Michigan, parcel # 4711-05-400-066. The request is petitioned by Metro Design & Build, Inc.

Ron Nelson of Metro Design and Charles Paisley, the franchisee addressed the Planning Commission. They reviewed the proposed site plan, which was very similar to what was approved in 2011 as tweaked in the Panera plan.

Chris Grajek inquired about expanding the use of the cultured stone, particularly around the drive-thru and sides of the building. The percentage of stone to siding is 32% stone. The ordinance requires 80%. Mr. Mortensen indicated he did not feel this site plan is the same as that in 2011.

Brian Borden addressed his letter of July 8, 2015.

The petitioner is willing to increase the field stone use on the sides of the building near the ring road and the drive-thru, specifically the drive-thru tower and rear elevation. The cornice will be bronze.

The petitioner has demonstrated that the 2 stacking spaces that are deficient would not be required anyway.

The east-west drive aisle was discussed. The width is deficient on the west. Matt Swanko of Landmark Commercial indicated the island near there could be modified, but parking spots may not be eliminated. The petitioner will modify the island.

The landscape plan is deficient by five canopy trees. The petitioner has agreed to provide them, but the landscape architect has been out of the country. The waste receptacle area will be minimized. The pole mounted fixtures will remain the same. Signage was discussed. There is more wall signage than permitted by ordinance. One is permitted. A second may be granted. The petitioner seeks four total. The petitioner will reduce it to two--the north and south sides of the building. The petitioner is to provide a written acknowledgment that they will comply with the electronic sign ordinance. A note on the site plan on the page with the signs would be appropriate.

Menu boards are permitted. Eric Rauch indicated the sizes proposed are what is industry standard, although larger than the ordinance permits.

Gary Markstrom requested a plan that sets forth the easement width. Additionally, he addressed the utility plan. There are two taps on the existing main: a 6" and a 2" tap. He indicated that a 6" would be permissible, split outside of the building. This would be more economical for the petitioner. The details on the sheet should be cleaned up and those that are not applicable should be crossed out.

The letter from the Brighton Fire Authority dated July 1, 2015 was addressed. The petitioner will comply with the requirements outlined therein.

A call of the public was made with no response.

Planning Commission disposition of petition

- A. Recommendation of Environmental Impact Assessment (06-01-15)
- B. Recommendation of Site Plan (06-25-15)

Motion by Barbara Figurski to recommend approval of the environmental impact assessment, subject to the addition of dust control measures.

Support by John McManus.

Motion by James Mortensen to recommend approval of the site plan, subject to:

1. The building materials will be revised to add cultured stone to the drive-thru tower and the entire south of the facility facing Ring Road;
2. The samples viewed this evening will become Township property;
3. The island will be reduced in order to increase the drive aisle to 24';
4. Culvers' experience indicates that the queuing for the drive-thru can be reduced by two from Township standards and that is recommended for approval;
5. In order to avoid driving over the curbs to navigate the site, deliveries will be made off hours and use of smaller trailers will be encouraged;
6. Five additional canopy trees will be provided;
7. The waste receptacle will be reduced and the shed shown there will be eliminated;
8. Lighting on the pole mounted fixtures matching those existing elsewhere on the site will be added to the site plan;
9. Two wall signs will be permitted--one on the north and one on the south side of the facility;
10. A note will be added to the site plan acknowledging compliance with ordinance 16.07.02e for electronic changeable message signs;
11. The menu boards as shown on the site plan are acceptable;
12. The requirements of the Township Engineer addressed in his letter of July 8, 2015 shall be complied with;
13. The requirements of the Brighton Area Fire Authority addressed in their letter of July 1, 2015 shall be complied with;
14. The awnings will be solid colored and the cornice shall be bronze.

Support by John McManus. **Motion carried unanimously.**

Administrative Business:

- *Staff report*
- *Approval of June 8, 2015 Planning Commission meeting minutes. Motion by Barbara Figurski to approve the minutes of June 8, 2015 as corrected. Support by Diana Lowe. **Motion carried unanimously.***
- *Member discussion*
- *Adjournment. Motion by Diana Lowe to adjourn at 9:15 p.m. Support by Barbara Figurski. **Motion carried unanimously.***