

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JULY 8, 2019
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Chairman Doug Brown, Jeff Dhaenens, Marianne McCreary, Jim Mortensen, Chris Grajek, and Eric Rauch. Absent was Jill Rickard. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, Brian Borden of SafeBuilt Studio, and Gary Markstrom of Tetra Tech. There were six audience members present.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner McCreary, seconded by Commissioner Grajek, to approve the agenda as presented.

CALL TO THE PUBLIC: The call to the public was made at 6:31 pm with no response.

OLD BUSINESS:

OPEN PUBLIC HEARING #1... Review of an environmental impact assessment and a site plan for a proposed 358 sq. ft. building expansion and parking lot expansion for Enterprise Rental Car located at 7184 Grand River Avenue, Brighton. The request is petitioned by Enterprise Leasing Company.

- A. Recommendation of Environmental Impact Assessment (3-26-19)
- B. Disposition of Site Plan (7-2-19)

Mr. Scott Inman with Enterprise Rental Car and Ryan Rudolph from Rayne Construction were present. Mr. Rudolph believes that they have provided all of the information that was requested by the Township and consultants.

Mr. Markstrom stated that the applicant has addressed his concerns. There are some minor items that he can address with the applicant and revised before presentation to the Township Board.

Mr. Borden stated his items have been addressed; however, he had some points to note that were stated in his letter dated July 1, 2019.

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1. The Commission may allow building materials that do not comply with Section 12.01 (too much vinyl siding) since they will match the existing building.
2. The parking calculations on Sheet C2.0 need to be corrected and 2 additional barrier-free parking spaces are required. Mr. Rudolph stated he can add the spaces per his suggestion.
3. The applicant should provide specification sheets for the proposed light fixtures.
4. The landscape plan is deficient in buffer zone B and detention pond plantings. The applicant did make modifications to the original plan; however, they are still missing the required amount of plantings. The Planning Commission can modify this requirement; however, he recommends that the buffer zone plantings be required. Mr. Rudolph noted that there are existing plantings in that area; however, they can add additional plantings as required.

The call to the public was made at 6:45 pm with no response.

Moved by Commissioner Grajek, seconded by Commissioner Rauch, to recommend to the Township Board approval of the Environmental Impact Assessment dated March 26, 2019 as written. **The motion carried unanimously.**

Moved by Commissioner Grajek, seconded by Commissioner Dhaenens, to approve the Site Plan dated July 2, 2019 with the following conditions:

- Allowing the use of vinyl siding, which does not meet ordinance, due to the existing siding used on the building.
- Two barrier free spaces shall be added and approved by staff.
- Lighting will be converted to LED lighting throughout the development and spec sheets shall be provided.
- Additional plantings shall be included in the buffer zone to the rear, which can be approved by staff.
- Compliance with the Engineer's review letter July 2, 2019.

The motion carried unanimously.

NEW BUSINESS:

OPEN PUBLIC HEARING #2... Review of a special use, site plan and environmental impact assessment for outdoor sales, storage and display for Home Depot. The

property in question is located at 3330 E. Grand River Howell. The request is petitioned by Scott A. Mommer.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment. (6-12-19)
- C. Recommendation of Site Plan. (6-10-19)

Brent LaVanway of Boss Engineering was present. There are three types of storage areas for which they are requesting approval. One is a temporary storage area for materials prior to being brought into the building, permanent product display areas in the front, and then the temporary seasonal storage area, which includes the outside plant and flower area in part of the parking lot.

Mr. Borden reviewed the outstanding issues of his letter dated July 2, 2019.

The revised submittal does not demonstrate full compliance with the landscaping/screening conditions of Section 7.02.02(d). There is not a full Buffer Zone B shown on the plans. The applicant is required to screen the entire height of the outdoor storage.

The applicant should identify the dimensions and square footage of each outdoor area proposed, with an understanding that they will be limited to such areas.

He noted that the reason this item is on the agenda this evening is because the Township has dealt with many years of outdoor storage enforcement issues.

Commissioner Mortensen agrees that this has been an ongoing issue for years and Home Depot is simply doing what they want. He definitely wants the storage in the rear to have screening and what is being proposed is not sufficient.

Commissioner Dhaenens agrees that the specific sizes of the areas for the storage should be noted on the plans. He does not agree with the storage in the middle of the parking lot.

Commissioner Grajek would like to have the sheds moved from the front of the building. He understands that the grade drops and there are trees screening the site, so they can't be seen from the road anyway. He stated that if the items are kept where they are supposed to be and kept organized and neat then there would not be a problem with it, but he agrees with Commissioner Mortensen's comment that it seems Home Depot is doing what they want.

Mr. LaVanway believes that the trees along Grand River provide appropriate screening for the site.

Commissioner Rauch does not agree with the 12-foot chain link fence that is providing security for the rental equipment. He is not in favor of this proposal. He does not want to approve permanent outdoor displays. He suggested that this type of outdoor seasonal storage be reviewed and approved each year as it is done with other uses of this type.

Commissioner McCreary agrees with Commissioner Rauch and she does not approve of the sheds being displayed in the front of the store.

Chairman Brown was surprised when he saw the number of violations that have been issued to Home Depot over many years and that they have not done anything to comply with the ordinance.

Ms. VanMarter referenced Commissioner Rauch's suggestion about the administrative process to obtain a seasonal display. Seasonal display permits area only valid for 28 days, which is why staff recommended that the applicant obtain approval for a formal plan.

She suggested that if the areas are approved, they should be delineated in some way (pavement markings, bollard posts, etc.). When staff is enforcing the site plan, it is difficult to determine if they are staying within the allowable area.

They do receive complaints from drive by traffic due to the staging of the material in the northwest corner of the building.

Commissioner Grajek understands that Home Depot needs to have outdoor storage and seasonal displays in order to do business, but they are good members of the community. He would like the Township to be able to meet with them and come to an agreement. Ms. VanMarter will coordinate a meeting.

Commissioner Rauch noted that the site has over 100 extra parking spaces and suggested that they develop an outdoor and seasonal display area that can be delineated and screened properly.

The call to the public was made at 7:25 pm with no response.

Ms. VanMarter suggested postponing this item until the August 12 Planning Commission meeting.

Moved by Commissioner Grajek, seconded by Commissioner Mortensen, to postpone Open Public Hearing #2, at the applicant's request, until the August 12, 2019 Planning Commission meeting. **The motion carried unanimously.**

OPEN PUBLIC HEARING #3...Review of a special use, site plan and environmental impact assessment for outdoor sales, storage and display for Lowe's. The property in question is located at 1100 S. Latson Road, Howell. The request is petitioned by Lowe's Home Centers, LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (6-18-19)
- C. Recommendation of Site Plan. (6-18-19)

Mr. Todd Simmons of Freeland & Kauffman, the engineer for Lowe's, was present. He is aware of the ongoing issues with the outdoor storage and display at Lowe's. He met with Township staff and developed the plan that was submitted for review this evening. He reviewed the plan, specifically the screening of the areas. Some areas may not have completely met the ordinance; however, they believe their proposal meets the intent of the ordinance.

As it relates to the engineer's concerns that these areas are on utility easements, they understand that if any maintenance needs to be done on the utilities, their items would need to be removed.

Commissioner Mortensen stated he has the same concerns with Lowe's and the numerous violations that they have received that he did with Home Depot.

Mr. Borden reviewed his letter dated July 2.

1. Because this is a PUD, it is suggested that the Township require the applicant to provide a cross-access easement to the outlot adjacent to the east.
2. Aside from the screening requirements (Buffer Zone B), the revised submittal is generally compliant with the conditions of Section 7.02.02(d). There is not a full Buffer Zone B shown on the plans.

3. They request the applicant identify the dimensions and square footage of each outdoor area proposed, with an understanding that they will be limited to such areas.

Mr. Markstrom reviewed his letter dated June 28, 2019.

The proposed quick load area is on top of the existing water main easement and the proposed Area B shown on the east side of the existing building is within the existing sanitary sewer easement. He somewhat agrees with the applicant that if there is maintenance needed, materials would be able to be moved, but that shouldn't have to be done.

Mr. Simmons does not agree with the cross access easement. There is a lot of truck and forklift traffic in that area and Lowe's has safety and liability concerns. Commissioner Grajek stated that if the access easement is not granted, it is putting the residents of the Township in danger, and if it is not done, then he will not vote in favor of the proposal. Commissioner Dhaenens agrees.

Ms. Renee Paul, the store manager, reiterated the safety and liability concerns stated by Mr. Simmons. It would be putting the employees at risk as there is a lot of forklift traffic in this area. She would like to see if there is another location where the drive could be installed. Ms. VanMarter showed on the site plan where the proposed drive would be installed. It would allow traffic to and from Grand Oaks drive to enter the parcel to the east south of where the forklift traffic and quick load area is located.

Commissioner Rauch questioned areas C & D, which area called "corrals". Ms. Paul stated the corrals in Area C are flush to the building, but there is no fencing. The corrals in Area D in the parking lot are plant racks for extra flowers that cannot be brought into the garden center. She can provide pictures of what is being proposed for the corrals.

Commissioner Rauch would approve Areas A through C; however, he would like to see some enhancements to Area C. He also has concerns with Area D. He also would not approve the request without the cross access easement being granted.

Commissioner Grajek stated that the areas should be delineated so that code enforcement can ensure that the storage and display areas are staying within what was approved.

Ms. VanMarter stated she could meet with this applicant to assist them with developing a plan.

The call to the public was made at 8:07 pm with no response.

Mr. Simmons requested to have this item postponed until the August 12 meeting.

Moved by Commissioner Grajek, seconded by Commissioner Dhaenens, to postpone Open Public Hearing #3, at the applicant's request, until the August 12, 2019 Planning Commission meeting. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS

Staff Report

Ms. VanMarter stated the two items postponed this evening and Moretti Estates will be on the August meeting agenda.

Approval of the June 24, 2019 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the June 24, 2019 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

Commissioner Mortensen stated that permanent outdoor displays, sales, and storage has never been allowed before, so if it is going to be approved for Lowe's and Home Depot, the Township must determine specifically what it wants to allow and not allow.

Adjournment

Moved by Commissioner Grajek, seconded by Commissioner Mortensen, to adjourn the meeting at 8:31 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary