

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
July 10, 2023**

MINUTES

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:35 p.m. Present were Chris Grajek, Diana Lowe, Marianne McCreary, Eric Rauch, Tim Chouinard, Jeff Dhaenens and Glynis McBain. Also present was Township Manager Kelly VanMarter, Planning Director Amy Ruthig, Brian Borden of Safebuilt and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC:

The call to the public was made at 6:36 pm with no response.

OLD BUSINESS:

OPEN PUBLIC HEARING # 1... (REQUESTED TO BE POSTPONED UNTIL THE SEPTEMBER 11, 2023 PLANNING COMMISSION MEETING) Consideration of special land use application, environmental impact assessment and sketch plan to allow for a proposed Bed and Breakfast located at 7854 Collingwood Drive, just west of Grand River Avenue. The request is petitioned by Nazmiye Yapici.

- A. Recommendation of Special Use.
- B. Recommendation of Environmental Impact Assessment (5-14-23)
- C. Recommendation of Sketch Plan (5-17-23)

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to postpone Open Public Hearing #1 until the September 11, 2023 Planning Commission meeting. **The motion carried unanimously.**

NEW BUSINESS:

OPEN PUBLIC HEARING #2... Consideration of a rezoning application, amendment to the Latson Road PUD Agreement, Environmental Impact Assessment and conceptual PUD Plan for a proposed rezoning and conceptual plan approval to expand the existing Planned Unit Development. The rezoning request is from Country Estates (CE) to Interchange Campus Planned Unit Development (CAPUD) and Interchange Commercial Planned Unit Development (ICPUD) for approximately 138 acres of undevelopment land. The request involves Parcel 4711-09-300-046 which is located at the southeast intersection of Latson Road and Beck Road. The remaining parcels are located ~~south-north~~ of Crooked Lake Road and west of Latson Road consisting of the following Parcel ID#s: 4711-17-200-006, 4711-17-200-002, 4711-17-400-015, 4711-17-400-013, and 4711-17-400-014. The request is petitioned by Todd Wyett.

- A. Recommendation of rezoning
- B. Recommendation of PUD Agreement Amendment
- C. Recommendation of Environmental Impact Assessment (6-21-23)
- D. Recommendation of Conceptual PUD Plan (5-31-23)

Mr. Todd Wyett, Mr. Eric Lord, from Atwell Hicks, and Mr. Brad Strader, with MKSK Studios were present. Mr. Wyett stated they have an existing PUD Agreement for approximately 200 acres for a high-tech industrial park and commercial development. They are requesting rezoning an additional 138 acres. He showed a video describing the original proposal. He stated it is consistent with the Master Plan and he has been working on this development with the township for 11 years. This will bring in high-paying employment, commercial development and residential properties to the township.

Mr. Strader stated they have been marketing Phase I of the project, and now an opportunity has come up to expand the development and amend the PUD. He showed how this project is consistent with the existing Master Plan, the two phases of the proposed development, the proposed rezoning, draft land use summaries and their transition from one type of use to another, the revised entry sign and landscaping, the requested allowable uses and prohibited uses for each of the different zoning districts, and open space concepts for both phases. He presented the traffic impact study, which shows that most intersections will operate at a grade of D, some will need improvements, Latson Road would need to be widened, and traffic signals would need to be upgraded. They will work with the township and the Road Commission to make these improvements.

Mr. Lord stated new water and sanitary sewer mains were installed south of the interchange to the proposed development site last year. He provided a review of the additional water and sewer improvements that will be made by the developer.

Mr. Strader stated they have received the requested changes to the PUD Agreement. They will make those changes prior to it being presented to the Township Board if recommended for approval by the Planning Commission.

Mr. Borden reviewed his letter dated July 5, 2023.

1. PUD Qualifying Conditions (Section 10.02):
 - a. Based on his review of the revised submittal, the Ordinance standards are generally met.
2. Rezoning Criteria (Section 22.04):
 - a. The proposed zoning designations of ICPUD and CAPUD are consistent with the Future Land Use Map and goals of the Township Master Plan.
 - c. Rezoning is necessary to implement the vision and goals of the I-96/Latson Road Subarea Plan.
 - d. He noted that Mr. Strader addressed his comment regarding the clarification/additional discussion on the “auto services” and “self-storage” uses as part of this PUD; however, he would still request they provide more detailed definition to these uses as neither one of them are shown as uses in the Ordinance.
3. Conceptual PUD Plan (Section 10.03.06):
 - a. The applicant has addressed the comments from his initial review letter.
 - b. The PUD Agreement needs to incorporate language addressing compatible uses, per Section 10.03.06(c)2(c).
 - c. The PUD Agreement needs to incorporate language addressing expansion into the future transition area, per Section 10.03.06(i).
 - d. The applicant must address staff’s and/or the Township Attorney’s comments on the restated and amended PUD Agreement.
 - f. The proposal includes changes to the previously approved gateway/development highway sign, which is subject to Planning Commission approval.

He stated that the applicant must address any technical comments provided by the Township’s Engineering Consultant, Utilities Director, Brighton Area Fire Authority, and the Livingston County Road Commissioner as appropriate.

He added that this is a conceptual plan and each time a site is proposed to be developed, it will need to be reviewed by himself, the Township Engineer, and other agencies and be presented to the Planning Commission and Township Board for review and approval.

Ms. Byrne reviewed her letter dated July 5, 2023.

1. The site plan provided is very conceptual and all future developments within the PUD will need to have their own site plan review and approval.

2. What Mr. Lord stated this evening and what the impact assessment notes regarding the water and sewer service are correct.
3. Figures 2 and 3 in the impact assessment are outdated and no longer show existing infrastructure accurately. Some of the water main and force main shown as proposed is now existing. These figures also don't match with the latest concepts that the Township has, which have been attached separately for reference. The impact assessment and concept plans should provide more detail on how the proposed expansion area will be served with water and sanitary sewer service, including updated concepts or alternatives on how water and sewer would be routed to the entire PUD area.
4. The impact assessment states that a stormwater management plan will be prepared for the entire development. The master plan will have central detention facilities. The detention sizing should be determined based on the entire site to ensure that there will be proper storm management as the property develops rather than developing individual stormwater management plans for each new building. The site naturally drains to the Marion Genoa Drain that is a county maintained and operated drain. The Livingston County Drain Commissioner's office will need to be included in the stormwater master plan development process.
5. The general layout of the on-site roadways and intersections with Latson Road appear to be well thought out and provide for circulation through the site. The final layout may vary from this concept once end users of the sites are determined.
6. A detailed traffic impact study was completed for the proposed amended PUD. The proposed development is anticipated to cause multiple intersections in the study area to operate at level of service E or F with the increase in traffic. The traffic impact study includes a list of recommended improvements to mitigate the increase in traffic in section 11. These improvements will need to be considered by the Township as the PUD develops in the future. Any site drive or intersection recommendations should be included in future site plans for approval.
7. Improvements to Latson Road are subject to LCRC approval and should be submitted for review and comment by the Township. Since this parcel is the first major development on the south side of Latson, and as such is the gateway to Genoa Township, we recommend additional concepts be considered to promote the township with either monument signage or landscaping details as part of the overall development plan.
8. The Innovation Interchange preliminary Latson Road concepts show one of the site driveways lined up directly with Sweet Road. The property directly to the west of Sweet Road is not within the proposed PUD area, so lining up the intersection will not be possible as shown.

The Fire Marshal's letter dated July 6, 2023 [that was emailed to staff and provided to the Commissioners on July 10](#) stated," Comments herein are generic to the overall PUD concept. BAFA will provide additional comments at each specific phase of the development as it relates to fire safety, water supply, fire hydrants and emergency vehicle access. All the previous PUD comments presented by the fire authority have been addressed in writing or acknowledged by

the applicant. The fire authority has no opposition to the PUD approval and will review each portion of the project as they are submitted.”

Commissioner Dhaenens requested additional details regarding the residential portion of the development. Mr. Wyett said the multi-family would not be developed until after the industrial park development has started. He does not believe they can start the single-family residential because of the difficulty to extend the water and sewer into that area before the other development is completed.

Commissioner McCreary questioned the timeline of the project. Mr. Wyett stated he is unsure. It could take 5 to 20 years to complete.

The call to the public was made at 7:35 pm.

Ms. Colleen Quinn of 4042 Brookstone Court is concerned with a proposed high-tech battery plant and questioned. Will this be a China-based company? Where will the workers be coming from? This will cause traffic issues. The residential renderings presented looked cheap.

Ms. Aubrey Kugler of Cooper Riester PLC who represents Veronica and Frank Godwin of 2482 Latson Road stated they are concerned with the buffers between this development and their home. They are also concerned with the traffic and the difficulty they would have entering and exiting their property. They are also concerned that this development will cause drainage issues on their property.

Mr. Bill Reiber of 3154 Stillriver Drive stated that hospitals, housing, restaurants, and hotels are not needed in this area. New ones have just been built. There are a lot of vacant buildings already in the township. He asked who will be paying for the road improvements. This new housing could increase the population by over 4,000 people.

Mr. Kevin Wetzel of 390 Natanna Drive is concerned with a battery plant being developed here. He asked if the asphalt plant will be allowed to be built on this property, could the residential portion be rezoned to industrial or will it remain residential, and will the businesses own or rent the buildings.

Mr. Tim Quinn of 4042 Brookstone Court asked who did the needs study for this property. He is concerned for the children at the school.

Ms. Jane Locke of 3401 Pineview Trail is a precinct delegate and represents approximately 3,000 residents. All her constituents are against this development. The proposal is inconsistent with the current Master Plan and future land use map. This will affect property values. She noted that online, the zoning shown for the property is already changed to the new zoning.

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Ms. Debra Towles of 3210 Pineview Trail agrees with everyone's concerns. She is also concerned that the description is listed incorrectly on the agenda. The properties are north of Crooked Lake Road and the southwest corner of Latson and Beck Road. The people who live west of these properties are not being considered. They are zoned country estates and high density residential will be next to it.

Mr. Carl Hauss of 16880 Hauss, Eastpointe, MI stated that the township has an opportunity to embrace a unique use of these properties. It will create good jobs and housing opportunities. His property of 42 acres is immediately east of these properties at Latson and Crooked Lake Road. He would like similar uses to be considered for his property and would like some REU's to be designated for him. This will be a positive for the community.

Mr. Leo Nicholas of 2290 South Latson Road has lived here for 45 years. He anticipated the changes to Latson Road were going to be detrimental to his property, but it was not. He is in favor of change and this proposal.

Ms. Susan Nichols of 4935 Fairways Dr. agrees with her neighbors. She is concerned with the possibility of a battery plant being developed there. Will this be a Chinese owned plant? This will increase traffic and new apartments were just approved on Grand River at Dorr. She is against this.

Mr. William Vinton of 1990 South Latson Road is in support of this project. It is very well thought out.

Mr. Matt Hurley of 4070 Brookstone Court believes the concern is that the plan is conceptual, and no one is sure of what will be built here. Will there be other properties in the area who will want to be rezoned for this same type of use?

Mr. Eric Wilkinson of 3561 Crooked Lake lives next to the area where the residential development is being proposed. He moved here to avoid being surrounded by density. He questioned how many more meetings will be held when a vote will be taken and what is the date of that meeting.

Ms. Amy Newman of 2510 South Latson Road is concerned that the three maple trees will be removed when the new roadways are put in. This will affect her and her neighbors. She questioned how these businesses will be powered with electricity.

Mr. Tom Jabkowski of 3414 Pineview Trail stated these properties were supposed to remain five-acre parcels. He moved here for country living and now it is being taken away. He is against this proposal.

Ms. Debra Beattie of 3109 Pineview Trail agrees with the people who spoke. This is the country, and it is being proposed to be changed to a city in their backyards.

Mr. Nick Fianni, a member of the Livingston County Board of Commissions, who lives at 5840 Sterling Drive, stated that residents moved here because it was zoned country estates, and they would like to continue to maintain their way of life. He does not see the benefit of this proposal. The residents of Genoa Township are most important.

The call to the public was closed at 8:13 pm.

Commissioner Dhaenens stated that the concerns are traffic and increasing buffer zones to the south and to the west. He advised the members of the public that the first phase has already been approved. Tonight's issue is regarding the second phase. He stressed this is just a conceptual plan and all buildings will need to come before the township for review and approval before they are built.

Mr. Wyett reiterated that the first phase has already been approved. He can increase buffer zones. Many of the residents who spoke live north of the expressway and some who abut this property are in favor of the proposal.

Mr. Strader stated that the traffic study showed what improvements will be needed and the developer will pay for these improvements.

Ms. VanMarter stated that the Livingston County Road Commission will not be paying for any of the improvements. They do not have money to repair existing roads so they will not fund this. She worked on the 2012 new Master Plan and the south Latson Road corridor was part of that. The township held many public meetings and put out surveys to obtain feedback from the residents. It was determined that, except for the small area adjacent to the expressway, this area would not be developed as commercial to keep it separate from the commercial area along Grand River. A part of the discussion for this development was the question of, "what type of employment center the township wants to be". Many residents leave here to go to other places to work, so part of the plan was to attract high tech and high-quality users so that people who live here can work here also. The Master Plan was again updated last year, again with multiple meetings and public hearings being held, and this area remained the same. She encouraged all residents to become involved in the Master Plan process. It is updated every five years.

Mr. Wyett stated that the battery plant is not related to China and this zoning would not allow for an asphalt plant. Ms. VanMarter requested the applicant add an asphalt plant to the list of prohibited uses.

Mr. Wyett stated they would either build to suit or sell property, depending on what the business would like. He answered the question asking if the accessory residential area could be changed to industrial. This would not be allowed. It is zoned transitional.

Ms. VanMarter requested to have Ms. Locke contact her regarding the property showing CAPUD zoning online. She would like to see where that is shown. Regarding the typo on the agenda, that is staff's mistake; however, the correct notices were sent to the correct residents within the required mailing area.

Chairman Grajek stated that the first phase of this development has been approved for almost 12 years. The owner has the right to develop that property as long as it is consistent with the requirements of the township. The issue this evening is Phase II and the owner has the right to request the rezoning.

Ms. VanMarter stated the request is up for a vote tonight. The Planning Commission can vote to recommend approval or denial to the Board and then it would go before them for review and a vote. The Commission can also table the item this evening.

Board Member McCreary questioned the traffic study and would like it explained. She is concerned with the increase in traffic and how it will affect the surrounding area. Mr. Strater stated that the traffic study was done by a model based on the surrounding uses and times and days. He stated they will meet with the Road Commission and make any changes required. Additionally, as development is done, they will do updated traffic impact studies. Mr. Lord stated the traffic study provides what improvements will need to be made at each intersection.

Commissioner Rauch believes this would be a benefit to the community. He noted that the development north of I-96 was done by many different developers and different PUD's whereas this will be done by one and will be able to maintain the same design standards and will have continuity. He suggested a discussion regarding setting a clear southern boundary for the industrial zoning to allow for the transition between the industrial and residential zoning, while allowing for flexibility.

Commissioner McBain is in support of this proposal because it allows for flexibility. She would like the township to determine what the vision is for this area so everyone knows what it will look like in the future when it is complete.

Chairman Grajek believes there are items that need to be finalized before this can move forward this evening. He would also like more information on the traffic study. Commissioner Dhaenens reiterated his concerns regarding buffer zones, traffic, and that the allowable uses are compatible with the zoning and Master Plan.

Moved by Commissioner Dhaenens, seconded by Commissioner Rauch, to postponed Open Public Hearing #2 for the rezoning, PUD Agreement Amendment, Environmental Impact Assessment dated 6-21-23, and the Conceptual PUD Plan dated 5-31-23 until the September 11, 2023 Planning Commission meeting. **The motion carried unanimously.**

Ms. VanMarter advised the public that since it has been postponed until a date certain, a new notice will not be sent out. She encouraged anyone with questions to reach out to her or Amy Ruthig.

OPEN PUBLIC HEARING #3...Consideration of a Zoning Ordinance Text amendment to Article 11 of the Zoning Ordinance, entitled "Solar Energy Collectors and Commercial Solar Energy Systems".

- A. Recommendation of Zoning Ordinance Amendment to Article 11 entitled "Solar Energy Collectors and Commercial Solar Energy Systems.

Ms. VanMarter reviewed the changes that she made to the ordinance since it was presented to the Planning Commission last month. If recommended for approval, these changes will go to the Livingston County Planning Commission and then to the Township Board.

The call to the public was made at 9:30 pm.

Ms. Marsha Leslie lives on Griffith Drive and is a member of the Brighton Garden Club. She asked the Planning Commission consider requiring perennials planted under the panels when a solar farm is being proposed

Mr. Kevin Wetzel of 390 Natanna Drive appreciates the township not allowing solar farms on agricultural land.

The call to the public was closed at 9:34 pm.

Ms. VanMarter stated that the ordinance does require dual use perennial ground cover vegetation to promote ecological benefits, including native plants with substantial root systems to support soil and that turf grass is not permitted as ground cover.

Moved by Commissioner Dhaenens, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Zoning Ordinance Amendment to Article 11 entitled "Solar Energy Collectors and Commercial Solar Energy Systems", including any minor changes made by the Township Manager and Planner. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

Staff Report

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Approved Minutes

Ms. Ruthig stated there will be one item on the August 14 Planning Commission meeting agenda.

She will be sending out information regarding the Planning Conference being held in October for any Commissioners who are interested in attending.

Approval of the June 12, 2023 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the June 12, 2023 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner McBain, seconded by Commissioner Lowe, to adjourn the meeting at 9:39 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary