

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
WORK SESSION
JUNE 26, 2006
6:30 P.M.
AGENDA**

CALL TO ORDER: The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Don Pobuda, Curt Brown, James Mortensen, Teri Olson and Steve Morgan. Also present were Kelly VanMarter, Township Planner, Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc., Tesha Humphriss from TetraTech.

APPROVAL OF AGENDA: **Motion** by James Mortensen to approve agenda. Support by Teri Olson. **Motion carried unanimously.**

DISCUSSION: of Agenda items of the regular meeting of the Planning Commission

DISCUSSION: of general items

ADJOURNMENT: At 7:01 p.m., meeting adjourned.

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JUNE 26, 2006
7:00 P.M.
AGENDA**

CALL TO ORDER: The public hearing of the Planning Commission was called to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by the Board and a moment of silence was observed.

APPROVAL OF AGENDA: Upon motion of James Mortensen and support by Teri Olson, the agenda was approved as presented. Motion carried unanimously.

CALL TO THE PUBLIC: *(Note: The Board will not begin any new business after 10:00 p.m.)*

OPEN PUBLIC HEARING # 1... Review of rezoning application and impact assessment to rezone property from public and recreation facilities (PRF) to low density residential (LDR) located on the south side of Herbst Road, west of Hubert Road, Sec. 23, petitioned by Kevin Goulette. (06-14)

Petitioner present via Ray Lanning. James Mortensen indicates there is a one acre minimum to split property off. It will be split off after the rezoning. Jeff Purdy indicates that the request is consistent with the Master Plan designation. It's a secondary growth area. The property across Herbst Road is zoned manufactured housing. Rev. Lanning indicates there is no pond on the property and that the culvert was plugged after they purchased the property. Tesha Humphriss indicates she has no issues with the application, provided the Health Department and Drain Commission approve it. Chairman Pobuda asks if the church board has approved this and Rev. Lanning indicates there was approval.

Planning Commission disposition of petition

- A. Recommendation regarding rezoning application. (6-7-06)
- B. Recommendation regarding impact assessment. (6-7-06)

Motion by James Mortensen to recommend to the Township Board rezoning of the property at 6740 Herbst Road to LDR. The reason for this recommendation is that it's consistent with the Master Plan and consistent with zoning in the area. Support by Curt Brown. **Motion carried unanimously.**

Motion by James Mortensen to recommend the Township Board approve the impact assessment for the rezoning of 6740 Herbst Road, dated May 5, 2006 provided the following language is included, "Petitioner acknowledges that if this rezoning is approved by the Township Board that a lot split of a minimum of one acre will be required to place another residence on the existing property." Support by Steve Morgan. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 2...Review of special use application, site plan application and impact assessment to construct a 38,400 sq. ft. retail and office building located on the southwest corner of Grand River Avenue and Hubert Road, Sec. 14, petitioned by JWS, LLC. (06-15)

Petitioner present via David LeClair with Livingston Engineering and John Nuchen, project architect and Janice Johns, owner of the parcel. The site will contain 3 entrances – the first off of the entrance to Kil's and two entrances from Hubert Road. 79 parking spaces are required and 4 handicapped. There will be a bank and a furniture store as the larger rentals. There will be room for smaller businesses, as well. There are 3 parking spaces behind the building near the loading dock. Drainage will be collected along Hubert Road side with a detention pond in back of property. It's adjacent to Kil's pond. It'll discharge back to

Hubert Road and into the large wetland complex across from Grand Beach Lake. Township water and sewer will be used.

Brick veneer will be used on the building with split faced block. The majority of façade is insulated glass, mixed in with brick. There will be decorative crown molding, columns, inserts. The canopies will be dark green and the exterior will be hues of light brown. Samples of the brick and split faced block are shown to the Planning Commission. The tones and hues are not final decisions yet, but these are the most likely that will be used. Petitioner is willing to put a band of the split faced block along the back of the building. The windows are all storefront style insulated windows. A major entrance is provided for the furniture store and the retail/office areas. James Mortensen indicates that the building colors and materials will need to be seen before any recommendation can be made to the Township Board because of the prominence of the building on Grand River.

Petitioner indicates the split faced block will be light tan, the brick will be red, the canopies hunter green and the glass a tinted dark gray. James Mortensen continues to suggest it would be appropriate to see the materials. Petitioner doesn't have them.

The sign in front will match the building materials.

Petitioner clarifies the limestone placement for Steve Morgan. Curt Brown inquires if any rooftop items, such as air conditioning units, will be visible. They will have to be screened.

James Mortensen asks if parking is consistent with five retail units. Petitioner indicates it is consistent. Units A-C are office units and D&E are the retail space. The directions in the elevation drawings are incorrect.

Steve Morgan and James Mortensen address the issue of future growth or changes of tenants. Kelly VanMarter indicates that the plans will be reviewed at that time. If the banked parking is installed, it should require the access drive to be installed.

Chairman Pobuda indicates that there should be access doors in the back of the building if the furniture store area is rented to a different type of business.

Tesha Humphriss says there are no concerns with the width of the access drive to service the stores from the rear. Petitioner indicates the turns would not accommodate a turning semi. A forklift would be necessary per Petitioner for loading/unloading.

Petitioner indicates the bump out at the end of the building is for decorative purposes. Curt Brown suggests the façade should wrap around the corner because it's visible from Grand River.

Jeff Purdy refers to his June 19th letter. He notified petitioner of elevation concerns and shared access agreement. Kelly VanMarter is in the process of getting that from Kil's. The sidewalk along Grand River is in the plans, but a sidewalk along Hubert is not addressed. A sidewalk along Hubert is not anticipated in the Master Plan. The Commission will not require sidewalks on Hubert Road.

Petitioner would like to replace some of the required canopy trees with evergreen trees. Petitioner indicates it's along Hubert Road. They would like to place four evergreens along Hubert Road. They have met the minimum standard. They may make the substitution.

Jeff Purdy indicates that the applicant is requesting the Planning Commission to waive the berm or buffer. There are cherry trees, evergreens, white pine. There are no ash or elm trees. James Mortensen requests Jeff Purdy to bring photographs of the existing trees so the Commission can see what is currently on the property. If left in its current state, there would be 7 new and 6 existing canopy trees, plus 10 evergreens and 65 shrubs.

The home on the adjacent property is 70 feet away from the property line and the garage is 10 feet away. Chairman Pobuda requests better screening plans when the petitioner returns. Jeff Purdy suggests perhaps adding more narrow evergreens or a 4' high brick wall against the curb. The wall shouldn't be put on the property line because it would require tearing out the existing plants.

Jeff Purdy wants to see manufacturer cut sheets, which were provided.

Tesha Humphriss asks for dumpster width to be twelve feet, rather than ten. Other than that, the dumpster plans are acceptable.

The roof drains do not comply with engineering standards, but the sizes are approved, provided they are approved by the Building Department.

Petitioner will be hooking up to the Township's water & sewer. Construction plans will be required for public municipal water.

Signage is not a concern per Kelly VanMarter. The petitioner is to bring back a color rendering of the plan, irrigation and roof top lighting and wrap-around façade should be submitted at that time.

There will be no overnight parking or staging, no outdoor sound systems or P.A.'s. No other storage areas will be on the site.

The screening around the detention pond may be shifted to the south side of the property line per Jeff Purdy.

Bill Ross, 2603 Hubert Road, addresses the Board. He has concerns about the drainage pond and why it doesn't flow in the same direction as Kil's. Additionally, he indicates the rear is all scrub and deciduous trees. He indicates continuity should flow from the back of the Michigan Group to the rear of this building. He thinks a fence would be preferable. Mr. Ross indicates he has a quarter acre under water because of the drainage problems along Grand River. Tesha Humphriss indicates that the Drain Commission and Road Commission have found the ultimate outlet from this site to be Hubert Road and into the same storm system the resident is speaking of and goes from there to the south which is very likely on his property. He claims to receive the watershed from Brighton Village, Best Storage, Brighton Community Church, Grand River drainage. If the plan is approved, the volume of water may increase, but the rate of water won't. The Drain Commission would allow it. There is no outlet, it was plugged years ago. Kelly VanMarter indicates this issue was raised before and the resident was referred to the Drain Commission. Tesha Humphriss indicates a drainage district should be established. Tesha Humphriss will discuss the issue with the Drain Commissioner's Office.

Bill Ross indicates the trees in back of the site are deciduous and scrub trees and the building will be visible in the winter. Petitioner agrees that there is a lot of scrub out there. The inventory along the west property contains 11 existing pine trees, there are some white pine, cherry, pine & deciduous trees. Petitioner will work with the Planning Commission as to the landscaping.

Bill Ross addresses parking issues and widening of road. Tesha Humphriss indicates it's a Livingston County road and the petitioner and the Planning Commission would have to consider that option. Petitioner indicates there's an acceleration and deceleration lane as is currently in the plan.

Debbie Duncan, 6987 Rink Drive addresses the Commission. The back of her house faces the empty lot. She requests that they keep the tree line and any additional plantings. She asks what the delivery hours will be. The hours will be 7-10 for retail and 6-5 for the office.

Christian Smith, 6972 Rink addresses the Commission. He would like to keep the tree line, if possible. He expressed concerns regarding the semi truck traffic on Hubert. They are currently unloading on Hubert for the Suzuki dealership and they are not supposed to. Kelly VanMarter indicates she wrote to Suzuki and the owner has admitted that he knew it was a restriction and that he will no longer do it. She asks Mr. Smith to notify the Township of any violations. He asks how the lights will be directed on the south side of the building – they will be shoebox, except for two lights that will be 20' high and facing downward.

Petitioner must provide sample boards of the building materials to the Township.

Petitioner should bring an amended plan with contingencies built within it for future changes of use of the floor space.

Steve Morgan asks that the trees that are to be saved be banded so the Commissioners can view the site.

Planning Commission disposition of petition

- A. Recommendation regarding special use
- B. Recommendation regarding impact assessment (6-7-06)
- C. Recommendation regarding site plan (6-8-06)

Motion by James Mortensen that the Planning Commission table this matter to the July 10, 2006 Planning Commission Meeting. Support by Steve Morgan.
Motion carried unanimously.

OPEN PUBLIC HEARING # 3...Public hearing for the purpose of considering amendments to the Zoning Ordinance text to establish the Genoa Town Center Overlay District.

Jeff Purdy explains the following proposed changes to the Zoning Ordinance text:

Section 9.03.06, mixed use for larger sites is required.

Section 9.04.01 regarding building height for lots with Lake Chemung frontage, the maximum height is reduced from 45' to 35'.

Section 9.06.01, neighborhood street frontage – a provision is added to allow reduction of width from 28 to 24 feet.

Section 9.06.02 street design standards, provisions added for bump outs at intersections and cross walks.

Section 9.09.02 regarding fences, that appears is limited to wood, vinyl that looks like wood, wrought iron or stone. James Mortensen suggests the following language be added, "Changes in fence design and/or materials from adjacent properties requires Planning Commission approval."

Don Harvey is present. He indicates that he requested not to be a part of the Town Center development. He advises the Board that vinyl fencing comes in a multitude of colors now.

Curt Brown inquires about how the fencing would affect curb cut. Jeff Purdy indicates there would still be curb cut under the ordinance and that the Township can require the fencing be taken to the edge of the adjoining property's fence.

The following parcel numbers: 11-11-300-009, 11-14-100-002 and 003 would require both residential and commercial. The rest would not.

Planning Commission disposition of petition

A. Recommendation regarding Zoning Ordinance text

Motion by James Mortensen to recommend to Township Board approval of the revised zoning ordinance text transmitted to the Planning Commission under cover of LSL's letter of May 24th, 2006 with one change, that being that the developer must specify the design and building materials for fences. Support by Teri Olson. **Motion carried unanimously.**

OPEN PUBLIC HEARING #4...Public Hearing on proposed Zoning Ordinance Map Amendment rezoning 49 parcels to the Genoa Town Center Overlay District.

Jeff Purdy indicates that a public hearing was held and a few parcels requested to be opted out of the district. He has reviewed all requests. Kelly VanMarter indicates that a work session was held and one parcel was removed at that time. Now Anchor Bay Development and Mr. Harvey have both requested to be excluded. They are at the extreme southwest of the property, code numbers 11-10-401-010 and 012. Parcel #011 no longer exists.

Mr. Harvey is present and addresses the Commission. He again requests exclusion. He indicates he and the Township have negotiated many things over the past years. James Mortensen advises him if he changes his mind, he'll have to go through the zoning process.

Jeff Purdy indicates it would be logical to exclude these two parcels.

Planning Commission disposition of petition

A. Recommendation regarding rezoning.

Motion by James Mortensen to recommend the Township Board approve rezoning the properties within the Genoa Town Center Overlay District, except 11-10-401-010 and 11-10-401-012. Support by Steve Morgan. **Motion carried unanimously.**

Administrative Business:

- *Planners report presented by LSL Planners.* Jeff Purdy reports that he will be providing additional changes to the zoning ordinances, particularly after the release of the Michigan Rezoning Enabling Act and perhaps a zoning map update. Steve Morgan requests the amendments in advance again.
- *Approval of June 12, 2006 Planning Commission meeting minutes.* **Motion** by James Mortensen to approve minutes of meeting of June 12, 2006. Support by Steve Morgan. **Motion carried unanimously.**
- *Member Discussion.* James Mortensen addresses the Commission regarding the scheduling of meetings. Kelly VanMarter indicates that special meetings create an extra expense. Chairman Pobuda indicates the Commission is here to serve the public. Kelly VanMarter informs the Commission that the Township Board has submitted a letter to the Board of Commissioners asking them to waive their review of Township Zoning Changes. James Mortensen indicates there has been a \$5.00 raise per Commissioner per meeting.

At 9:36 p.m., meeting adjourned.

Respectfully submitted,

Kristi Cox
Recording Secretary