

**GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
NOVEMBER 14, 2005
6:30 P.M.**

MINUTES

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, James Mortensen, Teri Olson, Barbara Figurski, and Steve Morgan. Also present were Kelly VanMarter, Township Planning Director, Brian Borden from Langworthy, Strader, LeBlanc & Associates, Inc. and Tesha Humphriss from Tetra Tech, MPS. By the end of the work session, there were approximately 10 people in the audience.

Items scheduled for action during the regular session were discussed.

The work session was adjourned at 6:53 p.m.

**GENOA TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
NOVEMBER 14, 2005
7:00 P.M.**

MINUTES

The regular session of the Planning Commission was called to order by Chairman Don Pobuda at 7:00 P.M.

The Pledge of Allegiance was recited and a moment of silence was observed.

Chairman Pobuda introduced to the audience the new commission member Steve Morgan.

Moved by Figurski, supported by Mortensen to approve the Agenda as written. **The Motion carried unanimously.**

A call to the public was made with no response.

OPEN PUBLIC HEARING #1... Review of rezoning application and impact assessment to rezone .24 acres, 2426 Grand River, (11-06-200-024) from office service district (OSD) to general commercial district (GCD) and to rezone .62 acres, 51 Chilson

Road, (11-06-200-026) from suburban residential to general commercial district (GCD).
Petitioned by Civil Design Services. (05-32)

Planning Commission disposition of petition

- A. Recommendation regarding rezoning.
- B. Recommendation regarding impact assessment

Mr. Bill Goodreau of Civil Design Services, P.O. Box 163 Fowlerville, MI and Mr. Terry Welker of Eternal Tattoo, 2426 E. Grand River, Howell, MI 48843 were present to represent the petitioner.

Mr. Goodreau stated that Mr. Welker owns the parcel that is located at 2426 E. Grand River and consists of .24 acres. Mr. Welker has an offer to purchase the parcel to the west which consists of .60 acres and a 1500 sq. ft. residence.

Mr. Welker would like to rezone both pieces of property to the General Commercial District. Mr. Welker would be proposing to renovate the residence into a commercial building for supply purposes with an office.

The petitioner has met with the MDOT regarding the entrance off of Grand River. They may need to make some changes but it should be able to work.

Mr. Goodreau stated that they recognize the issue in regards to the Akin and Akin building and that they are willing to work with them on obtaining a joint access agreement.

Commissioner Mortensen stated that he is not thrilled with these 2 curb cuts. The County isn't very thrilled with it either. The conceptual site plan will not be an easy one.

Chairman Pobuda stated to the petitioner that if the rezoning was approved they would need to come back with more details for the roads and driveways. The petitioner agreed.

Mr. Goodreau stated that the petitioner is considering eliminating the left out on to Grand River.

Chairman Poduda asked how many employees are employed at this current time. Mr. Welker answered that there is 6 employees currently and there is no expected increase.

Commissioner Morgan asked the petitioner if they have approached the property to the east which is owned by McKinley Properties. Mr. Welker stated that he has not talked to the owner but would consider doing a joint access with them. Chairman Pobuda stated that would ease some traffic congestion for us.

Mr. Brian Borden from Langworthy Strader and LaBlanc reviewed his letter dated November 4, 2005 with following comments:

1. The current Master Plan designates this location Office; however, the Township is in the process of updating the Master Plan and may want to evaluate land uses at this intersection.
2. The additional depth of commercial from Grand River Avenue would be consistent with (or still less than) the depth of commercial/office on the adjacent site to the east and west.
3. Uses permitted in GC are compatible with most of the adjacent land uses and zoning along Grand River Avenue; however, residential to the south along Chilson Road could be impacted.

Ms. Tesha Humphriss of TTMPs reviewed her letter dated October 18, 2005.

1. The site currently has access through an existing driveway on the south side of Grand River and an existing driveway on the east side of Chilson. The petitioner has submitted a conceptual site plan with the rezoning resubmittal. The conceptual site plan maintains access through the two existing drives; however, it appears that the driveway on Chilson is proposed to be expanded. In addition, a parking lot is shown on the southern parcel. The petitioner should be aware that the driveway dimensions, pavement cross sections, approval from the Michigan Department of Transportation (MDOT) and/ or the Livingston County Road Commission (LCRC) for improvements to the driveways, and the parking lot layout will be reviewed during the site plan review process.
2. The proposed rezoning is not expected to have a negative impact on traffic.

Petitioner understands and agreed to complete all of the above.

Commissioner Mortensen stated that these are concept site plans. I look at the uncertainty about the entrance and I am nervous about rezoning it not knowing what the conceptual plans look like.

Mr. Welker stated that he would work with Akin and Akin for the site plan process.

A call to the public was made at 7:23 with no response and was closed at 7:24.

Commission Morgan questioned whether or not staff has been contacted by any concerned neighbors. Mrs. VanMarter stated that she did speak with Mr. and Mrs. Brennen, 95 Chilson Road, they had some concerns regarding extending the commercial zoning further south and also regarding additional noise from the tattoo parlor.

Moved by Mortensen, supported by Olson, to recommend to the Township Board for approval to rezone .24 acres, 2426 Grand River, (11-06-200-024) from office service district (OSD) to general commercial district (GCD) and to rezone .62 acres, 51 Chilson Road, (11-06-200-026) from suburban residential (SR) to general commercial district (GCD). Petitioned by Civil Design Services. (05-32)

This recommendation is made based on being consistent with Section 22.04 of the Township Zoning Ordinance and will also consist with the zoning of nearby properties.

The motion carried as follows: Ayes- Olsen, Mortensen, Morgan and Poduba. Nays- Figurski.

Moved by Figurski, supported by Mortensen to recommend to the Township Board for approval to rezone .24 acres, 2426 Grand River, (11-06-200-024) from office service district (OSD) to general commercial district (GCD) and to rezone .62 acres, 51 Chilson Road, (11-06-200-026) from suburban residential (SR) to general commercial district (GCD). Petitioned by Civil Design Services. (05-32)

This recommendation is made with the following conditions:

1. Necessitate a revision to the master plan which is currently under review.
2. Parcels are to be combined into one tax code.
3. Including dust control measures and hours of operation.

The motion carried as follows: Ayes- Olsen, Mortensen, Morgan, Pobuda and Figurski.

Commissioner Morgan would like to state that no one was present at the call to the public.

OPEN PUBLIC HEARING # 3...Review of rezoning application and impact assessment to rezone 40 acres from agricultural (AG) to country estates (CE). The property is located on the west side of Kellogg Road between McClements and Golf Club Roads (11-02-200-002). Petitioned by Palace Construction. (05-33)

Planning Commission disposition of petition

- A. Recommendation regarding rezoning.
- B. Recommendation regarding impact assessment.

Mr. Jim Barnwell of Desine Inc, Grand River, Brighton, MI 48116 and Mr. Ray Sharma of Palace Construction, 15195 Farmington Road, Ste 100 Farmington, MI 48185 were present to represent the petitioner.

Mr. Barnwell stated that the petitioner is requesting to rezone the property from Agriculture (AG) with 10 acre minimums to Country Estates (CE) with 5 acre minimums. The property is heavily wooded and relatively flat. The request is consistent with the master plan. There are smaller parcels to the south also across the street.

Chairman Pobuda questioned if the petitioner is only wanting to build 7 sites. Mr. Barnwell responded that the petitioner is looking at building 7 sites which would included some parcels over 5 acres. This would also include a retention pond and road construction. The parcel is not serviced by Township sewer or water.

Chairman Pobuda asked if any of the land consists of wetlands and if any of the 40 acres are going to be left in a natural state or if there is any left to include any parks. Mr.

Barnwell stated that it does not appear to be any wetlands. If there is it is not a significant amount or a regulated wetland. He also stated that the petitioner would approach looking at maintaining a natural state or a park during site plan approval.

Commissioner Mortensen asked for clarification on the location of the Detroit Recreation Camp and Oliveto rezoning in relation to this parcels. Mrs. VanMarter identified their locations on a zoning map.

Mr. Brian Borden of Langworthy, Strader and LeBlanc reviewed his letter dated November 4, 2005.

1. The rezoning from AG to CE is consistent with the Township Master Plan.
2. While this area of the Township is characterized by residential and large parcels there could be conflict between future residents and the surrounding agricultural uses.
3. The site is designated as a high-quality woodland by the Livingston County Natural Features Inventory. As the lowest density residential district, CE would help minimize woodland impacts. Development as a clustered residential PUD would further help preserve the site's natural features.

Ms. Tesha Humpriss of TTMPs reviewed her letter dated October 19, 2005.

1. The petitioner is proposing to split the land into 7 parcels (six parcels of approximately 5 acres in size and one parcel of approximately 9 acres). The petitioner plans to provide access to the 7 parcels through a proposed private road off Kellogg Road. The proposed road appears to be approximately 2,100 feet in length, which exceeds the Township maximum allowed length of 1,000 feet. Planning Commission approval must be obtained for the proposed private road length of 2,100 feet.
2. The petitioner should be aware that the private road shall meet Township standards, as outlined in Article 15 of the Genoa Township Zoning Ordinance. Detailed engineering drawings showing the road profile, proposed drainage, dimensions, and cross section of the proposed road should be submitted for our review.
3. The petitioner should provide proof that the Livingston County Road Commission will allow a private road connection onto Kellogg Road.

Petitioner understands and agreed to complete all of the above.

Commissioner Mortensen stated that if the rezoning gets approved, that they are approving only the rezoning tonight and when the site plan comes they will take a harder look at it at that time.

A call to the public was made at 7:46 with the following response:

Ms. Bev Cooley-178 Kellogg Road, I own the property to the south and we have farmed our property for over 100 years. We were ok with the development on the east end but

not on the west. This area is surrounded by agricultural property and is stocked with organic composts and when the new buyers smell the composts they are sure to have a fit. We are planning on farming our land for at least the next 10 years. There is an area of wetlands on the property with cattails on the south east corner near the road.

Has the property been perked? I know that the property does have perks of 3 feet to 18 feet. If you go from 7 lots now to 14 lots down the road, it could cause a problem when you have residential surrounded by Agricultural.

Terry Shriver- 501 S. Kellogg, I own the pet cemetery and kennel. We have had people complain about the kennel noise. The kennel has been there for over 30 years. We are not for this at all. Have they really researched the wooded and wetland areas?

The call to the public was closed at 7:51 p.m.

Chairman Pobuda asked if the petitioner was aware of the farming and kennel being located close to the property and did they know about the wetlands? Mr. Barnwell stated that the petitioner is aware of the farming and kennel being located in the area and they will look into the wetlands if there is any.

Mr. Sharma stated that he is a realtor also and they are required to disclose stating that they know they are in a farming area.

Moved by Mortensen, supported by Figurski, to recommend approval to the Township Board to rezone parcel 11-01-400-001 from Agricultural to Country Estate. It is consistent with the master plan and meets section 22.04 of the Township zoning Ordinance. **The motion carried unanimously.**

Moved by Figurski, supported by Mortensen, to approve the environmental impact assessment to rezone 40 acres from agricultural (AG) to country estates (CE) dated October 4, 2005 with the addition of dust control measures. **The motion carried unanimously.**

Moved by Figurski, supported by Mortensen to approve the 10-12-05 Planning Commission minutes with changes. **The motion carried unanimously.**

The meeting was adjourned at 8:16 p.m.