

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
February 28, 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, Barbara Figurski, Curt Brown, Teri Olson, and Mark Snyder. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Tesha Humphriss from Tetra Tech, MPS. By the end of the work session, there were a few persons in the audience.

Items scheduled for action during the regular session of the commission were discussed.

GENOA TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
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.

**Moved** by Figurski, seconded by Brown, to approve the Agenda with the following changes:

1. Public Hearing #2 will be changed as following:
  - A. Recommendation regarding PUD Amendment
  - B. Recommendation regarding Impact Assessment (dated 1/15/05)
  - C. Recommendation regarding Site Plan (dated 1/27/05)

**The motion carried unanimously.**

The call to the public was made to discuss items not on the agenda. There was no response and the call to the public was closed at 7:04 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

**OPEN PUBLIC HEARING #1...** Review of revised preliminary site plan for a proposed 96-unit condominium development located at the northeast intersection

of Chilson Road and the Chesapeake & Ohio Railroad line. Sec. 6, petitioned by Bayfield Homes of Howell, Inc. (PC 05-03)

**Planning Commission Disposition of Petition**

A. Recommendation regarding revised preliminary Site Plan (dated 2/1/05)

Mr. David Zimmerman of Bayfield Homes was present to represent the petition. He stated that they thought the speed limit on Chilson Road was 35 MPH; however, they were notified by the Road Commission that it is 55. The Road Commission wanted them to move the entrance approximately 250 feet toward the railroad tracks. They were unable to incorporate the boulevard due to this, but feel they are still maintaining a nice entrance to the development.

Commissioner Mortensen noted the Township Engineer's comment #1 in their letter dated February 23<sup>rd</sup>. They are recommending that an L or T-type dead-end street at the end of the roadway near Buildings #1 and #8 be added to allow ease of vehicles backing out of these buildings. There is currently approximately 8 feet of road extension near these buildings and Commissioner Mortensen suggested adding approximately two more feet. Mr. Zimmerman feels this is a reasonable request and will make that change.

Mr. Purdy reviewed his letter of February 22<sup>nd</sup>. Since the boulevard has been taken out the entry drive faces directly into the garage of Unit #80. This will be the first thing that people see when they drive into the development. He would like to see this shifted. Mr. Zimmerman stated there is no room to shift anything on this site. It is very tight. After a brief discussion, all commissioners agreed to allow the roadway and Unit #80 to remain where proposed.

Three more canopy trees are required along the Chilson Road frontage. The petitioner will comply.

Ms. Humphriss stated her only concern was mentioned by Commissioner Mortensen and this has been resolved.

The call to the public was made at 7:19 p.m. There was no response and the call to the public was closed.

**Moved** by Mortensen, seconded by Brown, to approve the revised preliminary Site Plan dated February 1, 2005 for a proposed 96-unit condominium development located at the northeast intersection of Chilson Road and the Chesapeake & Ohio Railroad line. Sec. 6, petitioned by Bayfield Homes of Howell, Inc. with the following conditions:

1. Approval shall be obtained from the County Drain Commissioner regarding the proposed relocation of the drain easement and that the effected properties will be able to have 10 x 14' wide decks.
2. The Southwest Gas Storage Company must agree, in writing, to the site plan with regard to the road and utilities crossing their easements, with

such written documentation being provided at the time of final Site Plan review.

3. The Southwest Gas Storage Company must agree, in writing, to vacate the access easement, which will be replaced by an easement by the developer to permit the gas company to have access to its wellhead, and such easement will be recorded by the time of final Site Plan submittal.
4. The conditions of the Howell Fire Marshall shall be met.
5. The proposed building materials reviewed by the Planning Commission this evening are acceptable. Brick will be used on 100% of the rear of the buildings and will cover the entire garage front, with the exception of the garage door, on one garage of every duplex unit. The balance of the buildings will be vinyl siding.
6. The wellhead easement will be fenced.
7. Shrubbery and plantings in the detention pond, wellhead, and elsewhere will be shown on the final Site Plan and will be consistent with the Township Ordinance. The Planning Commission grants the developer to substitute evergreens in 50% of the required greenbelt plantings.
8. The conditions noted in the Township Engineer's letter of January 4, 2005 will be complied with by the time of construction plan submittal.
9. Three canopy trees will be added along Chilson Road.
10. The roadways in front of Units #1 and #38 will be extended approximately two feet to provide more backing out space for vehicles.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #2...** Review of a site plan application, environmental impact assessment and site plan for a proposed retail building located on the south side of Grand River Avenue at Lawson Drive. Sec. 9, petitioned by Boggio and Associates. (PC 05-06)

**Planning Commission Disposition of Petition**

- A. Recommendation regarding PUD Amendment
- B. Recommendation regarding Impact Assessment (dated 1/15/05)
- C. Recommendation regarding Site Plan (dated 1/27/05)

Mr. Michael Boggio, the architect for the project, and Mr. Harvey Weiss, the property owner, were present.

Mr. Boggio stated they are proposing to develop on Outlot #1 of the Genoa 24 development. They would like to build a 6,700 square-foot building with 3,700 square feet of retail space and 3,000 square feet for a coffee shop. They are providing 46 parking spaces, no access onto Grand River, and two driveways off of Lawson Drive.

He showed a colored site plan, outlining the landscaping and dumpster location. They are proposing one drive-thru window for the eastern most tenant of the building.

He showed building material samples and colored elevations. They are including accent awnings, but they will not be used for signage. He noted that the Planner suggested a shingled roof as opposed to the metal roof they were proposing, and they can make that change if the Planning Commission prefers.

Chairman Pobuda noted that Section 9.5 of the PUD Agreement states that a total overview of the site is supposed to be presented each time a project is brought before the Planning Commission. Mr. Weiss agrees that is the case and it was an oversight on his part. He does not feel that Lot #1 will affect the overall site.

Chairman Pobuda stated that since the building is twice the size as the last building approved, they do not have a new site plan showing if the size of Lot #1 has increased and how it will appear with regard to the overall site. Mr. Weiss stated there has been no change in size to Lot #1. The size is the same and the property division lines have not changed at all.

Mr. Purdy reviewed his letter of February 14, 2005.

- He agrees with the proposed building materials; however, he would like to see a shingled roof. Mr. Boggio showed a sample of the material that would be used if a shingled roof were required.

A discussion regarding the architecture of the building ensued. Chairman Pobuda feels it is a basic brick building and this is the gateway to the Township. Mr. Weiss respectfully disagreed. It is a high quality architecture building. Commissioner Brown agrees with Chairman Pobuda. He feels this building should have three fronts.

Commissioner Mortensen advised the he does not like the two curb cuts on Lawson Drive and does not feel the drive-thru would work because the building is twice the size of the previous building proposed on this site. There is a traffic flow problem on this site. He is very concerned about that. This is the first issue that needs to be dealt with.

Mr. Weiss noted that the coffee shop drive-thru traffic is very different than a fast food restaurant. Commissioner Brown disagreed. He has seen coffee shop drive-thrus with 20 cars stacked in the morning hours. Commissioner Mortensen reiterated his feeling that the drive-thru is the first issues that needs to be resolved.

Chairman Pobuda noted that currently there are no drive-thru privileges for this entire PUD. Mr. Weiss stated they received drive-thru approval with the Krispy Kream restaurant. Chairman Pobuda noted that this building is larger, there are four tenants, and that the PUD Amendment for the drive-thru was for Krispy Kream only.

Chairman Pobuda asked the commissioners their opinion of the drive-thru. Commissioner Brown stated he is not in favor of the drive-thru. He approve it for the Krispy Kream because it was one specific use and now this building is incorporating three other tenants also. Commissioner Snyder agrees. It is a large building to have a drive-thru. Commissioner Olson agrees also. She does not feel there is enough room for stacking. Commissioner Figurski agrees and referred to item #2 of Mr. Purdy's letter stating the drive-thru does not provide sufficient stacking spaces. Commissioner Mortensen is not in favor of the drive-thru for this building.

Ms. Humphriss stated that the circulation for this site around the building is better with this plan than with the Krispy Kream proposal because there is only one road around the building; however, the additional curb cut proposed as well as the stacking for the drive-thru will cause concerns.

Mr. Boggio showed his plans for the traffic on the site and how he designed it. The first drive will be in and out and the second one will be an exit only. It is a one way for the drive-thru and then the parking is exiting traffic from the drive-thru, which will flow very well. He noted that 10 spaces for stacking of the drive-thru may be excessive for this use.

Chairman Pobuda noted that all seven commissioners present this evening would not approve the drive-thru. Mr. Weiss stated he would still like to move forward this evening and then discuss the issue of the drive-thru being denied with the future coffee shop tenant, Caribou Coffee.

Chairman Pobuda noted that there are a lot of issues that need to be resolved, such as traffic patterns, the drive-thru, rear elevation, etc. He suggested that this be tabled this evening. He advised the petitioner that he would not be approving anything that is not a one-tenant building as that is what was implied by the petitioner would be developed when the PUD was originally presented and approved. Commissioner Mortensen noted that the PUD Agreement does not state that each building needs to be a one single user. He feels the main issue is if the Planning Commission would approve a drive-thru on this site. He does not feel there is enough information with regard to traffic flow, curb cuts, etc. for a decision to be made.

Mr. Weiss questioned the Commission that if the traffic flow and stacking issues could be addressed, would a drive-thru be approved for this location. Commissioners Snyder, Olson, Mortensen, and Brown answered yes, and Chairman Pobuda and Commissioner Figurski answered no.

Mr. Archinal reiterated that the multi-tenant outlots are common and the PUD does not specify that single use buildings need to be developed. Chairman Pobuda agrees; however, he noted that it was implied by the petitioner at the beginning that high end buildings and users were going to occupy these outlots.

Mr. Weiss understands the Chairman's position; however, he never committed verbally or in writing that the outlots would only be developed as a single user.

**Moved** by Figurski, seconded by Mortensen, to table Agenda Item #2 at the petitioner's request. **The motion carried unanimously.**

**Moved** by Figurski, seconded by Mortensen, to table the minutes of February 14, 2005 as they were just received by the Commissioners this evening. **The motion carried unanimously.**

### **Member Discussion**

Commissioner Figurski feels that the Crystal Gardens building is very white and there are a lot of lights. It is very bright. Mr. Purdy stated the light levels can be checked to ensure that they comply with the ordinance.

Commissioner Figurski also questioned the material used for the dumpster enclosure at Lynn's Carpets. Mr. Archinal will have this reviewed.

Commissioner Mortensen advised the Commission that the Oak Pointe water tank was approved; however, the amount of additional trees along Brighton Road will be determined by Staff.

The meeting adjourned at 8:26 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary