

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
June 28, 2004
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, Barbara Figurski, James Mortensen, Curt Brown, Mark Snyder, Teri Olson and Dean Tengel. Also present was Kelly Kolakowski, Township Planner; Jeff Purdy and Tom Dabareiner from Langworthy, Strader, LeBlanc & Associates, Inc. and Debra McAvoy 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 7:05 p.m.

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

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

1. Agenda Item #3 will have the following removed:
 - a. Item C. Recommendation regarding site plan.

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 7:06 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 site plan application, site plan, and environmental impact assessment for proposed 30,000 sq. ft. Cancer Center addition to existing Woodland Health Center, located in Sec. 13, along the north

side of Grand River Ave. between Hacker and Euler Rd, petitioned by St. Joseph Mercy Health System. (PC 04-11)

Planning Commission disposition of petition

A. Recommendation regarding impact assessment.

B. Recommendation regarding site plan.

Mr. Wayne Perry of Desine, Inc. was present to represent the petitioner.

Mr. Perry gave a review of the approved Conceptual PUD Plan specifically referencing what was approved in the PUD, what has been completed and how the proposed addition fits in with the overall plan. He explained that they are proposing a 30,000 square feet addition to the existing building and an expansion of the parking by 120 spaces.

Commissioner Mortensen questioned whether or not the plans for the balance of the phases will be different than what was conceptually approved. Mr. Perry indicated that at this point they don't know. The office and medical buildings in the conceptual plan were shown as building envelopes.

Commissioner Mortensen questioned if the parking for the proposed addition matches what was shown on the conceptual plan. Mr. Perry stated that it is the same.

Chairman Pobuda questioned if the height of the addition will match the existing building. Mr. Perry indicated that the rooflines will be the same with the exception of the proposed treatment area in the rear of the building which is a single story.

Mr. Purdy reviewed his letter of June 16, 2004.

1. Planning Commission approval will be required for the building architecture. The Commissioner's agree that the architecture is acceptable.
2. The Planning Commission may wish to require that the applicant complete the sidewalk along Grand River Avenue. Mr. Perry stated that they would prefer not to install the sidewalk now. When required, the extension of the loop road will change the grading of the hill which, if the sidewalk were installed now, would require its removal. Commissioner Mortensen questioned at what phase of development would the completion of the loop road occur. Mr. Perry indicated that the loop road would be completed when the second entrance from Grand River is installed. He anticipates the second entrance will be required when the Ambulatory Health Center is built-out. Commissioner Brown would like to set a deadline for the completion of the sidewalk in case they decide not to expand. The Commissioner's agreed to set a deadline that the sidewalk

be installed within 3 years or the petitioner will be required to come back to request an extension.

3. The cover sheet and landscape plan need to have consistent sheet numbers. The petitioner indicated they will comply.
4. The Planning Commission can require the applicant to provide an updated Traffic Count with the next phase of development.
5. The northeasterly parking space in the lot south of the proposed addition needs to have dimensions consistent with other spaces in the lot. The petitioner indicated they will correct the inconsistency.

Mrs. Humphriss reviewed her letter of June 23, 2004.

1. The 28-foot wide driveway was approved in previous phases and remains acceptable.
2. The existing detention pond has the capacity to accommodate the proposed improvements.
3. The proposed addition yields 5 REU's.
4. Construction plan review will be required for the proposed water main and sanitary sewer additions.

The call to the public was made at 7:23p.m. with no response.

Moved by Figurski, seconded by Mortensen, to recommend to the Township Board approval of the Impact Assessment dated May 10, 2004 for a proposed 30,000 sq. ft. Cancer Center addition to existing Woodland Health Center, located in Sec. 13, along the north side of Grand River Ave. between Hacker and Euler Rd, petitioned by St. Joseph Mercy Health System with the following conditions:

1. The attached Pollution Incident Prevention Plan, Tree Survey, Traffic Study, Lighting Information and Storm Water Calculations are included in the approval.
2. Page 5, Item F. - Police Protection is provided by the Livingston County Sheriffs Department.
3. Page 5, Item F. - Fire Protection is provided by the Brighton Area Fire Authority.

The motion carried unanimously.

Moved by Mortensen, seconded by Brown, to recommend to the Township Board approval of the Site Plan dated June 4, 2004 for a proposed 30,000 sq. ft. Cancer Center addition to existing Woodland Health Center, located in Sec. 13, along the north side of Grand River Ave. between Hacker and Euler Rd, petitioned by St. Joseph Mercy Health System with the following conditions:

1. The building materials for the addition shall match those of the existing building.
2. The sidewalk along Grand River Avenue will be constructed concurrent with construction of the east entrance or by July 1st, 2007, whichever is earlier.

3. The cover sheet and landscape plan will have consistent sheet numbers.
4. An updated Traffic Study will be required with the next phase of the PUD development.
5. The northeasterly parking space in the lot south of the proposed addition will have dimensions consistent with other spaces in the lot.
6. Prior to the Township Board meeting, the Township Attorney and Township staff will review the plans to determine if an Amendment to the PUD is appropriate.
7. The REU's have been calculated to be five (5) by the Township Engineer.
8. Construction plan review will be required for the proposed water main and sanitary sewer additions.
9. Dust control measures will be added to the site plan.

The motion carried unanimously.

OPEN PUBLIC HEARING # 2...Review of sketch plan application, sketch plan, and environmental impact assessment for proposed site lighting and landscaping modifications to an approved site condominium plan for the Copperleaf Subdivision located in Sec. 34, on the north side of Cunningham Lake Road, petitioned by The Terra Land Group, LLC., and Gordon Builders. (PC 04-12)

Planning Commission disposition of petition

A. Recommendation regarding impact assessment.

B. Disposition of sketch plan.

Aaron Tassell of Terra Land Group and David Holdwick of Gordon Builders were present to represent the petitioners.

Mr. Tassell gave a presentation stating that they are requesting a change in their landscaping and lighting plan. The changes include 4 lights, a sign, brick walls and landscaping at the Cunningham Lake Road entrance and 5 lights, a sign, brick walls, and landscaping at the Eggert Place entrance. The original plan had little to no landscaping at the entrances.

Chairman Pobuda questioned why they deviated from the plan and made the changes without first requesting Township approval. Mr. Tassell stated that it was an oversight on their part. They designed the entrances after site plan approval.

Chairman Pobuda questioned when the lights were installed. Mr. Tassell indicated that they were installed in September 2003. Chairman Pobuda asked when the lights were turned on. Mr. Tassell responded in late fall 2003.

Chairman Pobuda asked if the fixtures are the same as what was originally approved. Mr. Tassell stated that they are the same fixtures.

Mr. Purdy reviewed his letter dated May 26th, 2004.

The intent of the approved site plan was to provide uniform lighting throughout the development, not clustered at the entrances. The current request raises concern regarding the lack of light internal to the development. Chairman Pobuda questioned the footcandle amounts. Mr. Purdy replied that the existing lighting exceeds 1 footcandle at the property line. Mr. Tassell noted that the revised plans involve changing the fixture and bulb to reduce the footcandles.

Commissioner Mortensen questioned the level of the footcandles with the changed fixtures. Mr. Tassell replied that the changed fixtures produce a footcandle level of 0.2 at the property line.

Mr. Purdy advised that it appears that they are proposing to reduce the intensity of the lights by adding internal reflectors to help direct the light. This will reduce the impact of the lights at the entrances however, he is still concerned regarding the lack of lighting at the interior intersections. Mr. Tassell stated that they would be happy to add lighting to the interior intersections if the Planning Commission would like to see them.

Chairman Pobuda questioned if there would be any lighting on the homes. Mr. Holdwick responded that there would be typical coach lighting on the homes that would be operated by individual homeowners. Other than what's proposed at the entrances, there will be no other automatic lighting.

Mrs. Humphriss stated that they have no outstanding issues.

Commissioner Mortensen asked what the cost of removing the lights would be. Mr. Tassell stated that it would cost \$600.00 per light to retrofit the lights. To remove the lights it will cost \$23,000; \$10,000 for the lights and \$13,000 for site work.

Commissioner Mortensen questioned if the lights will light up the sky. Mr. Tassell stated that they would install reflectors in the lights to direct the light downward.

Commissioner Brown questioned if the lights have already been changed. Mr. Tassell replied that the fixtures have not been changed. They received a violation letter from the Township in February and they have been turned off since.

Mr. Holdwick stated that they have had a vandalism problem in the development. The lights have helped to deter the vandals when they are on. There has been vandalism of the entrance sign and landscaping since the lights have been turned off.

Chairman Pobuda questioned if the Cunningham Lake Road entrance lights have been on and if the gates have been closed. Mr. Holdwick replied that those lights have remained on and that the gates have been closed at night because they have had a problem with people dumping.

Commissioner Tenge questioned why they installed 5 lights instead of the 2 at the Eggert Place entrance. Mr. Holdwick responded that it was because of the schematics of the landscaping. They concentrated the landscaping at that entrance therefore they also concentrated the lighting in that area.

The call to the public was made at 7:48p.m.

Mrs. Rona Szydzik of 5714 Eggert has lived there for 7 years. None of these lights were approved and they should be removed. They are ten feet tall and shine into the neighboring houses and bedrooms. They will be on everyday. If these lights are approved, the Planning Commission will be setting a precedent for developers to be able to deviate from their approved site plan and then seek approval after the fact. She would like to see all the fixtures and the spotlight on the sign removed.

Mr. George Otto of 5330 Pine Lake Drive is concerned about the lights on Cunningham Lake Road. When you are driving down the road it goes from pitch black to bright lights to pitch black and this causes a problem because you can't see oncoming traffic after you pass the lights.

Mr. Floyd Oldford of 5579 Mountain Drive stated that the lights at Eggert Place are like 5 beacons shining into his house. When he bought his home he liked the fact that it was dark and he could see the stars. If the intensity of the lights is reduced and it no longer affects him, he would be satisfied.

Mr. Bob Herbst of 5390 Mountain Drive can see the glow of the lights through the trees when they have no leaves. Cunningham Lake Road was supposed to be the main entrance, instead they are directing everyone through Mountain Drive creating a traffic concern. He questioned what is the main entrance to the subdivision and which entrance are they promoting as the main entrance. He likes the darkness of this area. He understands the importance of lights at intersections, but not 5 lights at one location.

Ms. Jan Fultz of 5571 Mountain Drive can see the lights. There is no need for the lights, the landscaping is enough to distinguish themselves.

Mr. Gerald McNew of 5587 Mountain Drive stated that they were approved for 6 and a major entrance at Cunningham Lake Road. They deviated without the permission of the Township and now they want you to approve those changes.

The call to the public was closed at 8:00p.m.

Chairman Pobuda questioned which of the entrances was considered to be the main entrance. Mr. Holdwick replied that only construction traffic was restricted to the Cunningham Lake Road entrance.

Chairman Pobuda requested an explanation of the sign lighting. Mr. Holdwick stated that the signs are illuminated with ground mounted 300-watt floodlights. These lights are directed at the signs.

Mr. Tassell suggested that he could replace the fixtures and the bulbs in an effort to show the neighbors the impact once the changes are made. He also indicated that if the lights internal to the development need to be provided, he would do so. Mr. Purdy replied that he believes the internal lights should be provided. Commissioner Mortensen questioned if the internal lights will increase the footcandles. Mr. Purdy replied that they would not increase the footcandles because they are interior to the development.

Commissioner Figurski read into the record the following letters from residents:

1. John Scott and Delores Brauer of 5709 Eggert Place live right next to the lights on Eggert and they are against the lights in their current location. They endorse the original plan that was approved by the Township.
2. G. C. McNew of 5587 Mountain Road expressed that Terra Land Group must adhere to what was approved with no lights at the Eggert Place border.
3. Jim Rowell of 5240 Mountain Road has lived there 5 years. He moved there because it was a quiet, dark neighborhood. He is against the proposed amendment.
4. Vernon Boyajian of 5421 Mountain Road is against the proposed amendment to the site plan. The lights do not lend themselves to their neighborhood. There are no streetlights on Mountain Drive and the concentration of lights at Eggert is excessive.

Commissioner Brown questioned if they were planning on changing the fixtures at the Cunningham Lake Road entrance. Mr. Tassell stated that they were not planning on it, but they will if the Commission wants.

Commissioner Brown stated that he believes it is a good idea to table this item to have the petitioner change out the existing fixtures so that the residents of the area can see their impact.

Chairman Pobuda questioned how long it would take to have the lights changed. Mr. Tassell indicated that it would take 4 to 6 weeks.

Chairman Pobuda suggested that they come back in August after the lights have been changed and include the addition of the interior lights in their request.

Commissioner Mortensen advised that even if they change the lights there remains the possibility that they may be unacceptable.

Chairman Pobuda questioned if the color and illumination of the proposed lights will be similar to those at Oak Pointe. Mr. Purdy replied that they are proposing metal halide, which is a white light rather than a yellow light.

Commissioner Tenge noted that he has not heard a compelling reason to approve any changes to the plan. He is not in favor of the change.

Commissioner Figurski stated that she agrees with Mr. Tenge. We spend a lot of time going through these and then they change and ask us to approve the changes.

Commissioner Brown noted that he looks at this differently because he feels that if they would have come to the Commission before installing the lights and if the lights conformed to the ordinance he would have supported the changes.

Moved by Mortensen, seconded by Figurski to table to the August 23, 2004 meeting the request for the proposed site lighting and landscaping modifications to an approved site condominium plan for the Copperleaf Subdivision located in Sec. 34, on the north side of Cunningham Lake Road, petitioned by The Terra Land Group, LLC., and Gordon Builders so the petitioner can make the changes to the lighting so the residents and Commissioners can see their impact.

The motion carried (Tenge – no; Brown – yes; Mortensen – yes; Figurski – yes; Pobuda – yes; Olson – yes; Snyder – yes).

OPEN PUBLIC HEARING # 3...Review of special use application, site plan, and impact assessment for proposed Dr. Schneider Automotive Systems, Inc. located in the Brighton Industrial Center at 5775 Brighton Pines Court, Sec.15, petitioned by Dr. Schneider Automotive Systems, Inc. (PC 04-14)

Planning Commission disposition of petition

A. Recommendation regarding special use.

B. Recommendation regarding impact assessment.

Mr. Brian Demming of Arcadis and Ms. Lori Bianco of Dr. Schneider were present to represent the petitioner.

Ms. Bianco gave a brief overview of the operations of Dr. Schneider. Dr. Franz Schneider International is the parent company which is privately held in Germany. Dr. Schneider manufactures interior automotive trim components; mainly, the vent components for the cockpits of higher-end vehicles. Overall, Dr. Schneider employs 1800 employees and they are looking at the Genoa site as the location for their North American Headquarters. The Genoa Township

location will employ 70-80 people and will be used to supply Daimler Chrysler with parts for the M-Class Mercedes.

Mr. Demming indicated that both of the Special Use Permits requested for this location are required for the paint shop operations within the facility. He stated that there will not be a constant use of water. Instead the tanks will be filled and used for a period of time and then will be refilled. There will be a 1½" diameter supply line to the paint chamber which has a 3200-gallon water tank. This 3200-gallon tank will be filled once a year and it would take approximately 2 hours to fill.

Commissioner Mortensen questioned if they use a water-based paint. Mr. Demming replied yes.

Mr. Purdy reviewed his letter dated June 18, 2004.

1. The applicant needs to obtain an air quality permit from the MDEQ. Mr. Demming indicated that this has been done.
2. The applicant provided the Pollution Incident Prevention Plan (PIPP) on Friday and it is acceptable. Chairman Pobuda noted that the PIPP incorrectly referenced the City of Brighton instead of Genoa Township. Mr. Demming indicated that they will correct those mistakes.
3. The Township Engineer needs to determine the impact on water and sewer as a result of the proposed use.
4. The applicant should provide the Township Engineer with information regarding the on-site industrial pretreatment of waste discharges.

Mrs. Humphriss reviewed her letter dated June 23, 2004.

1. They are proposing to occupy the Uni-Boring building which was approved in 2001.
2. The paint line emissions require a permit from the MDEQ. This permit has been reviewed and is on file with the Township.
3. The traffic produced by this use will be the same as was planned for the original development.
4. It is good to hear that they will be using a batch process for filling their water tanks, however the Township will still need historic usage data to determine the number of REU's.
5. The petitioner indicated in the PIPP that there will be no industrial waste streams connected to the sanitary sewer system.

The call to the public was made at 8:25p.m. with no response.

Moved by Mortensen, seconded by Figurski to recommend approval to the Township Board of the special use permit to use water in a batch process for painting and for the storage and use of hazardous materials for a proposed Dr. Schneider Automotive Systems, Inc. located in the Brighton Industrial Center at

5775 Brighton Pines Court, Sec.15, petitioned by Dr. Schneider Automotive Systems, Inc. with the following conditions:

1. All Federal, State, and Township regulations and ordinances will be complied with. Particularly in regard to noise and odor.
2. The Pollution Incident Prevention Plan shall be approved by the Township Engineer and any other appropriate governmental authorities.
3. Historical water usage data shall be provided to the Township for REU calculations.
4. No industrial waste shall be connected to the sanitary sewer.
5. Applicant will comply with the Fire Department Letter dated June 21, 2004.

The motion carried unanimously.

Moved by Figurski, seconded by Tengle to recommend to the Township Board approval of the Impact Assessment for a proposed Dr. Schneider Automotive Systems, Inc. located in the Brighton Industrial Center at 5775 Brighton Pines Court, Sec.15, petitioned by Dr. Schneider Automotive Systems, Inc. with the following conditions:

1. The Nutro paint line, MDEQ permits, and Pollution Incident Prevention Plan are included with the approval.

The motion carried unanimously.

OPEN PUBLIC HEARING # 4...Review of sketch plan application, sketch plan, and environmental impact assessment for existing 10,000 sq. ft. building located at 895 Grand Oaks Drive, Sec. 5, to be used as an antique store and art gallery, petitioned by Sarah M. Cross. (PC 04-15)

Planning Commission disposition of petition

A. Recommendation regarding impact assessment.

B. Disposition of sketch plan.

Dale Cooper, representing the property owner and Sarah Cross, representing the business operators were present to represent the petitioner.

Mr. Cooper reviewed the proposal. The building has been empty for 2 to 2½ years. Behind the building there is approximately 132 feet to the property line. One of the parking spaces will be designated as a barrier free space. The drawing as submitted was reduced therefore had lost its scale. Due to the nature of the business, antiques and art, they do not need all the parking required in the ordinance. If, at a later date, they do need additional parking, they will come back to ask for the expansion. They hope to clean up the neighborhood and make this building look nice. The applicant is looking to sign a 3-year lease with the option to buy.

Commissioner Mortensen stated that he wished that we had approached this item differently. He questioned if Planning Commission approval was even necessary. The consultant letter is a bit of overkill, perhaps the lighting issue is the only relevant item.

Mr. Purdy reviewed the key points from his letter dated June 23, 2004.

1. The parking spaces they don't need can be deferred. They should have enough parking to handle their business.
2. They need at least one barrier free parking space.
3. One additional canopy tree should be added in the front. Mr. Cooper agreed to add the tree.
4. The existing wall-pack flood lighting should be changed to downward directed fixtures. Mr. Cooper stated that he does not know what type of expense that would be. They have no residential neighbors and would prefer to leave the lights. Commissioner Mortensen stated that they will be shoebox, downward directed lights unless another solution can be agreed upon with Township staff.

The call to the public was made at 8:45p.m. with no response.

Moved by Figurski, seconded by Mortensen to recommend to the Township Board approval of the Impact Assessment date received June 28, 2004 for an existing 10,000 sq. ft. building located at 895 Grand Oaks Drive, Sec. 5, to be used as an antique store and art gallery, petitioned by Sarah M. Cross with the following conditions:

1. A hard copy of the sketch plan drawn to scale will be provided to the Township Board.
2. The hours of operation will be added (9:00a.m. to 6:00p.m. everyday except 9:00a.m. to 9:00p.m. on holidays).

The motion carried unanimously.

Moved by Mortensen, seconded by Figurski to approve the sketch plan for an existing 10,000 sq. ft. building located at 895 Grand Oaks Drive, Sec. 5, to be used as an antique store and art gallery, petitioned by Sarah M. Cross with the following conditions:

1. The parking currently provided on site is sufficient. The Planning Commission approves the banking of any additional parking.
2. One barrier free space will be provided.
3. One canopy tree will be added to the front greenbelt.
4. The light fixtures will be replaced with downward directed fixtures unless another option is determined by staff to be acceptable.
5. All signage will conform to the ordinance.
6. All conditions of the Fire Department letter dated June 22, 2004 shall be complied with.

The motion carried unanimously.

Moved by Figurski, seconded by Mortensen to approve the minutes of June 14, 2004. **The motion carried unanimously.**

Member Discussion

Chairman Pobuda noted that Conely Engines and Enterprise Rent-a-Car appear to be in violation of the conditions of their site plan approval.

The meeting adjourned at 9:05p.m.

Submitted by: Kelly Kolakowski, Planning Coordinator

Approved by: Barbara Figurski, Secretary