

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
AUGUST 11, 2003
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, John Cahill and Bill Litogot. Also present was Kelly Kolakowski, Township Planner; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Jim Miller 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 7:02 p.m.

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

Moved by Figurski, seconded by Litogot, to approve the Agenda as written.

The motion carried unanimously.

The call to the public was made to discuss items not on the agenda.

Vicki Becker, owner of Vic and Bob's Party Store had the following questions regarding Dewey Thomas' Coffee and Pizza store. She has observed beer and wine being delivered to his business and wanted to know if he was approved through the Township Planning Commission.

Commissioner Pobuda referred Ms. Becker to the Township Manager to discuss the details of the approval that Mr. Thomas received. Ms. Kolakowski also offered to meet with Ms. Becker during business hours to review the approved site plan and discuss any zoning violations.

The call to the public was closed at 7:11 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 special use application, site plan, and environmental impact assessment for proposed outdoor storage at Lot 16 of Grand Oaks Industrial Park, 1091 Victory Drive, Howell, Sec. 5, petitioned by Mark 1 Restoration. (PC 02-06)

- **Planning Commission disposition of petition**
- A. Recommendation regarding special use application.
- B. Recommendation regarding impact assessment.
- C. Recommendation regarding site plan.

Mr. Wayne Perry of Desine Engineers and Mr. Scott Evett of Mark 1 Restoration were present to represent the petitioner.

Mr. Perry reviewed the changes to the site plan. He advised the commissioners that they have relocated the storage area at the north end of the property to accommodate the 25-foot wetland setback.

Commissioner Pobuda asked what the lawn area on the plan would be used for. Mr. Evett advised him that a bridge has been constructed and they would like to use the area as a park area for the employees.

Commissioner Litogot would like the existing gravel drive for the Panhandle access demarcated better on the plans. The petitioner agreed.

Mr. Purdy reviewed his letter dated August 5, 2003:

1. ZBA approval is needed for three variances which are the placement of the retaining wall be within the 25-foot wetland buffer, a reduction of the parking lot's front yard setback and the storage area located 8-feet from the property line.
2. Sample building materials and colors must be presented to Planning Commission.
3. The area intended for parking construction equipment is proposed to be gravel, which requires Planning Commission approval.

Mr. Miller reviewed his letter dated August 7, 2003:

1. The proposed retaining wall will be responsible for maintaining the parking area in which it is adjacent. We strongly suggest that the petitioner have a soil investigation preformed by a licensed Geotechnical Engineer, and also have the wall reviewed by a licensed structural engineer.
2. The proposed pavement section for the parking lot should be consistent with the Genoa Township Standards. Currently there is not a bond coat shown between the leveling and top course of the asphalt. Also, the asphalt type is not correct (36A, top coat, 13 A leveling course).

Commissioner Cahill was inquiring what the reason and benefit for the retaining wall. Mr. Purdy advised that there is a steep slope without the wall, without the retaining wall

they could not get close to the wetlands. Also it does not affect the storm water runoff into the wetland.

A call to the public was made at 7:24 p.m.

The call to the public was closed at 7:25 p.m.

Moved by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the special use application for proposed outdoor storage at lot 16 of Grand Oaks Industrial Park, 1091 Victory Drive, Howell, Sec. 5, petitioned by Mark 1 Restoration. With the following conditions:

1. ZBA approvals shall be obtained for the 3 variances;
 - a. Reinstatement of front yard parking setback variance
 - b. 8-foot side yard on the north side of the property;
 - c. Encroachment to within 5 to 6 feet of wetland for retaining wall.
2. Approval of site plan and impact assessment by Township Board.
3. Documentation provided to the Township Board showing authorization by DEQ for the barrier between the wetland and upland storage area.

The motion carried unanimously.

Moved by Figurski, seconded by Mortensen to recommend to the Township Board approval of the Impact Assessment dated 7-21-03 and the PIPP dated 6-6-03 for proposed storage at Lot 16 of Grand Oaks Industrial Park, 1091 Victory Drive, Howell, Sec. 5, petitioned by Mark 1 Restoration.

The motion carried unanimously.

Moved by Mortensen, seconded by Litogot to recommend to the Township Board approval of the site plan for proposed storage at Lot 16 Grand Oaks Industrial Park, 1091 Victory Drive, Howell, Sec. 5, petitioned by Mark 1 Restoration with the following conditions:

1. Approval of the ZBA variances listed under the special use approval.
2. Gravel storage will be permitted provided it's adequately maintained.
3. Panhandle Drive from petitioner's premises will be depicted on the revised plans.
4. 2 REU's will apply for the building addition.
5. The single score block presented tonight is acceptable.
6. Soil investigation and wall investigation will be approved by the Township Engineer. The petitioner will provide information as required by the Township Engineer regarding the construction of the retaining wall.

The motion carried unanimously.

Open Public Hearing #2...Review of site plan application; sketch plan, and impact assessment for proposed (Classic Carpet) renovation and 2,875 sq.ft. storage addition to

existing facility located at 2650 E. Grand River, Sec. 6, petitioned by Henry T. Kuderko. (PC 03-17)

- **Planning Commission disposition of petition.**
 - A. Recommendation regarding impact assessment
 - B. Recommendation regarding sketch plan.

Mr. Ted Kuderko of Classic Carpet and Mr. Don Welsch from Daniel and Zermack Associates, Inc. were present to represent the petitioner.

Mr. Welsch described the proposal depicting that they removed the drive up canopy and added a 25' by 91' high-bay storage and work room area.

Mr. Welsch advised the commission that the metal currently on the building is bronze and the petitioner would like to paint it burgundy. There are no changes to the parking lot. Trucks are unloaded with a fork lift so there will not be any trucks backing up to the doors and when the bike path is installed they will try to avoid any obstacles.

Mr. Purdy reviewed his letter dated 8-5-03:

1. Color renderings of the elevation drawings and building material samples need to be presented to the Planning Commission for final site plan review and approval.
 2. A shared access agreement and easement with the property to the west needs to be recorded and provided to the Township for final site plan approval.
 3. The proposed bike path material along Grand River Avenue must be indicated in the site plan. The path should make a more gentle meander or be located in future right of way. The path must be 8-foot wide and constructed of concrete. He advised that the path should be located between the sanitary sewer and overhead utilities.
 4. A total of 10 additional trees or 38 shrubs are required on the site.
 5. A hedge row is required to be planted across the front of the parking lot.
 6. Photometric grid should be provided for existing and proposed lighting.
- The Planning Commission did not think that a photometric grid was necessary.

Mr. Miller reviewed his letter dated 7-17-03.

1. Genoa Township Resident Equivalent Users for a retail building is designated as 0.15 REU per 1,000 sq. ft. The total square footage of the Classic Carpet facility is 6265 square feet. Using this calculation, this development yields 1 REU. There should be no additional fees required for water and sewer.

A call to the public was made at 8:02 p.m.

The call to the public was closed at 8:03 p.m.

Moved by Figurski, seconded by Litiogot to recommend to the Township Board approval of the impact assessment dated 6-25-03 for a proposed (Classic Carpet) renovation and

2,875 sq.ft. storage addition to existing facility located at 2650 E. Grand River, Sec. 6 petitioned by Henry T. Kuderko with the following condition:

1. Actual hours of operation and days shall be included in the revised impact assessment.

The motion carried unanimously.

Moved by Mortensen, seconded by Cahill, to approve disposition to Township Board regarding the sketch plan dated May 22, 2003 for a proposed (Classic Carpet) renovation and 2,875 sq. ft. storage addition to existing facility located at 2650 E. Grand River, Sec. 6, petitioned by Henry T. Kuderko with the following conditions:

1. Township Board approval of the impact assessment.
2. Building materials are acceptable and will become Township property.
3. Bike path will meander to avoid obstructions, will coordinate with the property to the east and will be subject to the approval of the Township staff.
4. Township will receive a copy of the shared access agreement.
5. Up to 10 additional trees will be added subject to coordination with the property to the east. This requirement may be altered by Township staff.
6. A hedgerow will be provided along Grand River Avenue.
7. Lighting will meet Township ordinance with cut-off fixtures and foot candles at property lines.
8. Dumpster enclosure will match the building.
9. Dust control measures will be used during construction and added to the site plan.
10. Signage will meet the Township ordinance.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Review of site plan application, site planned environmental impact assessment for proposed 6,622 sq.ft. Restaurant (Bennigans) locate on the corner of Grand River Ave. and Latson Road within the Livingston Commons PUD, Sec. 5, petitioned by LaBelle Management. (PC 03-18)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding impact assessment.
 - B. Recommendation regarding site plan.

Mr. Brad Hansen of LaBelle Management and Mr. Gary Bartow of Bartow and King were present to represent the petitioner.

Mr. Hansen advised that the petitioner is working on sharing parking to increase landscaping and buffers, they are proposing a V-shaped sign on the corner of Grand River Avenue and Latson Road. The dumpster enclosure and the shed are of brick construction. They have also relocated the building on the site to increase evergreens to screen the back delivery area.

The commissioners agreed that they prefer the “goose neck” lighting on the awning instead of what the petitioner has proposed.

Commissioner Litogot questioned the outdoor speakers. Mr. Hansen advised that the speakers are only for music as you enter the building.

Mr. Purdy reviewed his letter dated 8-5-03.

1. Color building elevations and sample building materials should be presented to the Planning Commission for approval.
2. The site plan proposes to share parking with the Wal-Mart overflow parking lot, the Planning Commission has the discretion to approve this as part of the PUD.
3. A shared access agreement and easement with the property to the west needs to be recorded and provided to the Township.

Mr. Miller reviewed his letter dated 8-7-03.

1. The right-of-way shown on the drawings for Grand River Avenue is 140 feet, however, the impact statement stated the right-of-way is 100 feet. The right-of-way in this area should be verified and shown correctly on the plans and in the impact statement.
2. The petitioner should provide calculations for the runoff coefficient for the proposed site plan to assure consistency with overall PUD plan.
3. The PUD Residential Equivalent Users table for a restaurant with liquor license is 2.5 REU's per 1,000 square feet of building. Using this calculation, this development yields 17 REU's. Water and sewer fees should apply accordingly.
4. All construction activities located in the right-of-way may require approval from the Michigan Department of Transportation and the Livingston County Road Commission.

A call to the public was made at 8:50 p.m.

The call to the public was closed at 8:51 p.m.

Commissioner Litogot stated that the landscaping needs to be irrigated. Petitioner agreed.

Moved by Litogot, seconded by Mortensen to recommend to the Township Board approval of the impact assessment dated 6-27-03 for proposed 6,622 sq. ft. restaurant (Bennigans) located on the corner of Grand River Avenue and Latson Road within the Livingston Commons PUD, Sec. 5, petitioned by LaBelle Management with the following notations:

1. That on page 4, the music speaker sentence be removed.
2. Page 6, traffic should be changed to 140.

The motion carried unanimously.

Moved by Mortensen, seconded by Cahill to recommend to the Township Board approval of the site plan dated June 2003 for proposed 6,622 sq.ft. Restaurant (Bennigans) located on the corner of Grand River Avenue and Latson Road within the Livingston Commons PUD, Sec. 5, petitioned by LaBelle Management with the following conditions:

1. Township Board approval of the impact assessment.
2. Developer for Bennigans will provide authority to speak for the developer.
3. Elevations and building samples area acceptable and will become Township property.
4. 111 on site parking area and 13 overflow off site parking area approved subject to obtaining shared access and overflow agreements from developer.
5. Lighting will be downward directed fixtures. It should be noted that the Planning Commission would be supportive of backlit lighting if additional detail can be provided showing restaurants that use it in the adjacent PUD to the North.
6. Dumpster enclosure will be brick and match the main building.
7. No outside music or loud speakers will be permitted.
8. REU calculation will be 17.
9. All construction activities within Right-of-way will receive approval from Michigan Department of Transportation and the Livingston County Road Commission.
10. Roof top equipment will be screened in all directions.
11. Landscaping will be irrigated.
12. Dust control measures will be added to the site plan.

The motion carried unanimously.

Moved by Figurski, supported by Litogot, to approve the minutes of July 23, 2003. The motion carried unanimously.

Member Discussion

The meeting adjourned at 9:13 p.m.

Submitted by: Amy Ruthig

Approved by: Barbara Figurski, Secretary