

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
January 13, 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, Ken Burchfield, John Cahill, Curt Brown, and Bill Litogot. Also present was Kelly Kolakowski, Michael Archinal, Township Manager, Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc., and Debra Huntley 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 7:06 p.m.

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

Mike Archinal introduced Kelly Kolakowski, the Township Planner. She has received a new contract, which requires that she attend Planning Commission meetings in the future.

**Moved** by Litogot, seconded by Figurski, to approve the Agenda with the following correction.

1. Open Public Hearing #1...Election of Officers shall be added.

**The motion carried unanimously.**

The call to the public was made at 7:08 to discuss items not on the agenda.

Mr. Richard Walter of R&B Walter Associates asked to be heard regarding the sign for the car wash at Genoa Square. They would like to place the sign in a different location from where it was originally proposed as well as increase the height to allow better view of the sign and also to allow a better view for cars entering and exiting the site.

There was a discussion regarding the Township's sign ordinance and the Commissioners comments.

Commissioner Litogot stated the Planning Commission reviewed this site plan many times before approving the placement of the sign. He feels the petitioner should discuss this with the developer and or the engineer for the site.

Commissioners Burchfield and Figurski agree. This should not be before the Planning Commission.

Commissioner Mortensen pointed out that this size sign would not be allowed in the Township based on the current ordinance.

Commissioner Cahill does not feel this is the correct forum for this type of discussion. The call to the public is for public comment. The petitioner should discuss this with the developer before approaching the Planning Commission.

Chairman Pobuda advised Mr. Walter to work with the Township Manager and the engineer and if there is a compelling reason why this should be granted, it could be brought to the Planning Commission again, but it appears that the Commission does not want to make any changes to the original approval.

The call to the public was closed at 7:20 p.m.

#### **OPEN PUBLIC HEARING #1.....Election of Officers**

Chairman Pobuda turned the meeting over to Mike Archinal for the election of officers. Mr. Archinal stated we will be electing a Planning Commission Chairman, Vice Chairman, and Secretary this evening.

**Moved** by Figurski, seconded by Mortensen, to elect Don Pobuda as Planning Commission Chairman. **The motion carried unanimously.**

**Moved** by Figurski to elect Bill Litogot as Vice Chairman. Commissioner Litogot declined the nomination. **Moved** by Figurski, seconded by Mortensen, to elect John Cahill as Planning Commission Vice Chairman. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Litogot, to elect Barbara Figurski as Planning Commission Secretary. **The motion carried unanimously.**

Mr. Archinal turned the meeting back over to Chairman Pobuda.

**OPEN PUBLIC HEARING #2...** Review of site plan application, site plan, and environmental impact assessment for proposed parking lot expansion to serve an existing office building located on the north side of Grand River, east of Euler Road, Section 13, petitioned by Pro-Way Investment LLC (PC 02-38)

- **Planning Commission Disposition of Petition**

- A. Recommendation regarding impact assessment.
- B. Disposition regarding site plan.

Mr. Chris Grzenkowicz from Desine, Inc. and Mr. Don Provenzola of Pro-Way Investment, LLC were present to represent the petitioner.

Mr. Grzenkowicz stated they are requesting an amendment to the original site plan for the addition of 18 parking places along Euler Road. At the original request, the applicant requested additional parking above what was allowed by the ordinance and it was denied by the Township because the tenants were not secured and the applicant could not support the need for the extra parking. Now all of the tenants are moved in and the parking for the employees as well as customers is not sufficient. There are a total of 42 employees on site. There are 39 spaces now and they are requesting a total of 58, including 3 handicap spaces. He stated the sewer, retention pond, and lighting will not be affected by this. Also, the landscaping that is currently there will be transplanted to other parts of the site.

Commissioner Mortensen asked if the parking could be put somewhere else on the site. Mr. Grzenkowicz stated there is no room on the site to add parking.

Commissioner Cahill asked the petitioner if when they were looking for tenants, was their parking needs considered. Mr. Provenzola advised that all of their tenants are within the zoning classification. Commissioner Cahill asked if the petitioner has any documentation of the parking being full. Mr. Provenzola advised that the last tenants moved in within the last few weeks and since then, he has seen the lot full and overflowing on two separate occasions.

Mr. Purdy reviewed his letter of January 2, 2003. The applicant has revised the site plan based on previous review letters, however, there are still two items outstanding.

A variance will be needed from the ZBA because the parking spaces do not meet the 20-foot setback requirement from Euler Road.

There should be a greater setback between the Euler Road hedgerow and the parking spaces. There is only 16 inches provided, which will not allow the plantings to survive and vehicles parking there could possibly damage the landscaping. Mr. Purdy stated the ordinance allows for parking spaces to be shortened by two feet where a car's bumper can overhang the curb. This would reduce the length of the parking space to 16 ½ feet and provide 2 extra feet for the landscaping. This is what he would recommend.

Mr. Purdy noted that the petitioner is asking for 57 parking spots. The zoning ordinance requires 52. He suggested revising the plan and have the petitioner request 52 spaces

as the ZBA would be more inclined to approve the amount of parking required by the ordinance as opposed to more than what is required.

Ms. Huntley stated the petitioner has addressed all of their concerns.

The call to the public was made at 7:37 p.m. with no response.

Commissioner Burchfield agrees with Jeff's suggestion of the petitioner requesting 52 parking spaces instead of 57 as well as shortening the length of the parking spaces so the setback variance being requested is less.

Commissioners Litogot and Mortensen agree.

Commissioner Figurski agrees also. She feels it would be very tight having the parking directly next to the Euler Road entrance. She would suggest having those parking spaces be the ones that are removed.

Commissioner Brown feels that when this site plan was originally approved, there was a "deal" made where the Planning Commission helped the petitioner fit the building that he needed in that area and the parking would be taken out. Mr. Provenzola stated it was discussed during the first approval that if additional parking was required, the site plan could be brought back for modification.

Commissioner Cahill has the same concerns as Commissioner Brown. He would like to take out the spaces near the Euler Road entrance as pointed out by Commissioner Figurski as well as add landscaping as well as shortening the parking space length.

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment by Desine, Inc. dated November 12, 2002 for proposed parking lot expansion to serve an existing office building located on the north side of Grand River, east of Euler Road, Section 13, petitioned by Pro-Way Investment LLC with the following conditions:

1. ZBA approval of the 20-foot setback variance on Euler Road.
2. Site Plan approval by the Township Board.

Commissioner Mortensen asked for a discussion on the motion. He would like to have the second line of the sixth paragraph on Page 5 changed to read ".....of the site plan, 18 additional parking spaces are proposed along the west portion of the existing parking area....." ".....with a total of 57 parking spaces, 3 of which.....". He would also like dust control measures added.

Commissioner Burchfield concurred with this suggestion and **the motion carried unanimously.**

**Moved** by Burchfield, seconded by Mortensen, to recommend to the Township Board approval of the Site Plan for proposed parking lot expansion to serve an existing office

building located on the north side of Grand River, east of Euler Road, Section 13, petitioned by Pro-Way Investment LLC with the following conditions:

1. Township Board approval of the Impact Assessment dated November 12, 2002.
2. The number of additional parking spaces shall be a maximum of 52, including one additional handicap space, which will be relocated across from the two existing handicap spaces.
3. The petitioner shall obtain, before submission to the Township Board, a variance from the ZBA from the parking lot setback requirement.
4. The petitioner shall design the additional parking spaces to provide 3 additional ornamental trees and 12 shrubs in addition to what is shown on the plan to the southwest corner of the site and the southwest corner of the entrance from Euler Road, essentially confining the additional parking between these two landscape areas.
5. The petitioner shall comply with any requirements of the Township Engineer.
6. The parking spaces shall be reduced to 16 ½ feet in length.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING #3...** Review of site plan application, site plan, and environmental impact assessment for proposed 5,600 sq. ft. building addition to the existing Wal-Mart Superstore located on the south side of Grand River, west of Latson Road within the Livingston Commons PUD petitioned by Wal-Mart Stores, Inc. (PC 02-39)

- **Planning Commission Disposition of Petition**
  - A. Recommendation regarding impact assessment.
  - B. Disposition regarding site plan.

Mr. Jim Daniels of Perry Butcher & Associates, Jim Taylor, and Patrick Shanks, Howell Wal-Mart Store Director, were present to represent the petitioner.

Mr. Daniels stated they are requesting to put a 5,600 sq. ft. stockroom on the north side of the building in the parking area just east of the truck well. This will eliminate eight parking spaces. The building materials will be the same as what is currently on the building. They feel this will help with the problem they have been having with regard to outdoor storage and the overnight parking of semi tractor truck trailers.

Chairman Pobuda asked what has been done at Wal Mart to “clean up” the problems that have been occurring.

Mr. Shanks stated the Township and the store have come to an agreement and resolved all of the issues and violations. He has worked very hard to correct these problems and has been without violations for approximately five months. He reiterated that the addition of this storage room will eliminate any further problems.

Commissioner Litogot asked about the notation in the Impact Assessment of hazardous materials being stored. Mr. Daniels advised they have hazardous materials such as household cleaners, pesticides, as well as some packaging materials. They will take the appropriate precautionary measures.

Chairman Pobuda asked if MSDS sheets are available and Mr. Shanks stated they are.

Commissioner Burchfield is concerned that adding 2% more floor space to the building is going to alleviate the reoccurring outdoor storage problems. Mr. Shanks stated they have had no problems with outdoor storage in the past five months, which has been their highest sales period since the store opened. He added that the actual floor space will be more than 5,600 sq. ft. because they will install racks that will store merchandise.

Commissioner Burchfield asked if the building materials are going to be the same. Mr. Daniels advised that he has contacted the manufacturer of the original materials and they will be able to duplicate it as close as possible, as there may be some natural variation in the color of the block. He does not have samples this evening, although they will use the same manufacturer and the same materials.

Commissioner Figurski asked about the outdoor speaker system. Mr. Shanks advised they have a public address system and a speaker in the garden center, but there are no speakers in the parking lot. Commissioner Litogot stated there should be no speaker at all in the garden center. Music can be heard in the parking lot and it is against the Township Ordinance.

Commissioner Litogot asked about any lighting on the addition. The lighting fixtures will be identical to what is currently there. They will be downward facing.

Commissioner Litogot advised that the floodlight furthest to the right that shines on the building is tilted and shines right onto Grand River. He is hoping it can be moved to face the building. Mr. Shanks stated this is a reasonable request and he will correct it.

Mr. Purdy stated the Planning Commission has the discretion to require Wal Mart to install the banked parking if there have been any parking deficiencies experienced at the site since it originally opened. Both Mr. Archinal and Mr. Shanks stated they have had no parking problems.

Ms. Huntley advised they have addressed all of their issues.

The call to the public was made at 8:20 p.m. with no response.

Commissioner Figurski asked if the store still uses the old Wal Mart building for storage. Mr. Shanks stated the building is approximately 1/3 full with merchandise.

**Moved** by Mortensen, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment dated July 1, 2002 for proposed 5,600 sq. ft.

building addition to the existing Wal-Mart Superstore located on the south side of Grand River, west of Latson Road within the Livingston Commons PUD petitioned by Wal-Mart Stores, Inc. with the following change:

1. Paragraph H shall state "Before any hazardous materials are stored at the Wal Mart store in Genoa Township, compliance with state and federal regulations will be demonstrated to the Township Engineer and Township Staff, including the appropriate PIP Plan if required".

**The motion carried unanimously.**

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the Site Plan for proposed 5,600 sq. ft. building addition to the existing Wal-Mart Superstore located on the south side of Grand River, west of Latson Road within the Livingston Commons PUD petitioned by Wal-Mart Stores, Inc. with the following conditions:

1. Approval from the Township Board of the Impact Assessment dated July 1, 2002 as amended by the Planning Commission's motion this evening.
2. The building materials and colors shall be compatible and the same as possible to the existing Wal Mart Structure. The petitioner will specifically purchase the materials from its original source, Fabcon Manufacturing of Minnesota.
3. There are to be three downward-facing, wall-mounted lights on the addition.
4. During construction, the petitioner shall change the outside spotlight furthest to the north so it is redirected away from Grand River.
5. The petitioner shall comply with all Township Engineer requirements.
6. The petitioner shall remove all outside speakers

Mr. Shanks asked to address the Planning Commission with regard to the speaker in the garden center. He would like to keep this speaker as it is his only way to communicate with sales associates in that area. Commissioner Mortensen stated this is the argument that any business would give when requesting outside speakers. There are other ways to communicate with staff besides a speaker system. Chairman Pobuda advised that the Township does not allow outside speakers anywhere.

**The motion carried unanimously.**

Chairman Pobuda advised the petitioner that the Genoa Township Planning Commission and Board usually require a better presentation than they gave this evening. There were no building material samples, colored renderings, etc. He added that he appreciates the effort that the store manager is making with regarding to being a better neighbor.

### **Planner's Report**

Mr. Purdy advised that the Township will be reviewing a Master Plan amendment for the southern portion of the Township within the next few months.

**Moved** by Figurski, seconded by Mortensen, to approve the minutes of December 9, 2002 with the following change:

1. Page 7, Item #3 should read “.....will be provided with a 7 ½ year time duration.....”

**The motion carried unanimously.**

### **Member Discussion**

Commissioner Cahill stated that when we have a petitioner before the Planning Commission who has had a previous approval or denial here, he would like to have materials stated what was done at that time; i.e. a copy of the minutes. Kelly advised she will flag such requests and include background information in the packet.

Mr. Archinal advised that this year's CIP projects are being developed and he would like to receive some input from the commissioners. For example, parkland acquisition, sidewalk installation, road improvements, etc.

Chairman Pobuda noted the group of high school students present this evening. They were receiving extra credit by attending the meeting. He advised that one important aspect of the meeting that occurs, which did not occur tonight, is the call to the public. This is the time when the public can express their views regarding the issues that are presented. It is a very important part of the process and sometimes the room is very crowded.

The meeting adjourned at 8:45 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary