

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
October 28, 2002  
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, Curt Brown, and Bill Litogot. Also present was Michael Archinal, Township Manager; and Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. 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 Litogot, to approve the Agenda with the following corrections:

1. Agenda Item #3 is tabled as recommended by the Township Manager.
2. Agenda Item #1 shall have the following changes.
  - a. Recommendation regarding PUD rezoning action will be added
  - b. Item B shall be changed to "Recommendation regarding PUD amendment"
3. Agenda Item #2 shall have the following actions added:
  - a. Recommendation regarding rezoning
  - b. Recommendation regarding final 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 7:02 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 rezoning application, environmental impact assessment, and site plan to rezone property located in Section 4 & 9, at the west side of Lawson Drive, 8.62 acres, approximately 450 feet north of Grand River Avenue, petitioned by Gerald Heximer. The request is to rezone property from IND (industrial) to PUD (industrial). (PC 02-18)

- **Planning Commission disposition of petition**
  - A. Recommendation regarding rezoning
  - B. Recommendation regarding conceptual PUD plan
  - C. Recommendation regarding PUD amendment
  - D. Recommendation regarding impact assessment

Chairman Pobuda noted that Commissioner Burchfield requested he be excused from the table during this hearing due to his capacity as attorney for the PUD material. All members were in favor.

Mr. Neil Plante and Jerry Heximer were present to represent the petitioner. They have resolved the setback issues with staff and have added that language to the PUD Agreement. They will be allowed the 25-foot front yard setback for the buildings where parking is in the rear; however, this language still needs to be added to the PUD. The funding of the road has been resolved and has been added to the PUD Agreement.

Commissioner Mortensen asked about the fifth parcel on this site that is not being included in the PUD Agreement. Mr. Plante advised the fifth parcel is the site of the Media One tower and it will not be developed. Mr. Mortensen feels it should still be part of the PUD Agreement. He asked who owns the property. Mr. Heximer owns the property and has granted an easement to Media One.

Mr. Purdy suggested adding to the agreement language stating that if the tower were taken down, the easement parcel would become part of Parcel #3.

Mr. Purdy reviewed his letter of October 16, 2002.

1. The requested PUD is consistent with the Master Plan, which designates this site for PUD.
2. The PUD site plan provides a road linkage between the service road in the Lorentzen PUD and Lawson Drive, which will benefit traffic circulation in the surrounding developments.
3. A list of light industrial, office, and neighborhood commercial uses were presented at the last Planning Commission. These have been approved and this list needs to be added to the PUD agreement.
4. The setback and greenbelt requirements have been reflected in the PUD Agreement. He reiterated that the buildings that have parking only in the rear are allowed a 25-foot front yard setback; however, there needs to be a berm added to the front greenbelt.
5. A name should be designated for the road along the south side of the site. Part of the road is currently named White Horse Drive, however,

Singh Development Company has suggested naming this last portion of the road Singh Drive. Commissioner Mortensen suggested keeping the name of the road consistent throughout, although no recommendation as to what the name should be was made.

6. Sidewalks will be installed with the development of each individual lot.

The call to the public was made at 7:18 p.m. with no response.

**Moved** by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the rezoning Section 4 & 9, 8.62 acres, known as the Heximer Property, from industrial to PUD industrial as it would be consistent with the Master Plan and will enhance travel between Lawson and Latson Roads without the requirement of traffic onto Grand River Avenue. The uses proposed under the PUD will establish more of a land use compatibility with the surrounding land uses. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Litogot, to recommend to the Township Board approval of the conceptual PUD plan dated October 1, 2002 subject to the qualification and requirements that will be made during final site plan recommendation for approval this evening. **The motion carried unanimously.**

**Moved** by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the amended and restated Summerfield Pointe PUD Agreement with a draft date of October 1, 2002 with the following conditions:

1. The list of light industrial office uses that will be permitted will be shown as an exhibit to the Agreement.
2. The setbacks and greenbelts will be revised to permit a 25-foot front yard setback where there is no parking provided.
3. Should the easement for the current telecommunications tower cease to be used for the purpose of a wireless communication facility, said easement shall be recombined to the four parcels shown on the plan.
4. Sidewalks will be installed with the development of each individual lot.

**The motion carried unanimously.**

**Moved** by Figurski, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment dated June 5, 2002 for the Heximer Property Addition to the Existing Summerfield Pointe Planned Unit Developed. **The motion carried unanimously.**

**Open Public Hearing #2...**Review of rezoning application, environmental impact assessment, and site plan to rezone .69 acres, located on the northwest corner of Grand River Avenue and Euler Road, Section 13. The request is to rezone property from IND (industrial) to OSD (PUD) office service PUD) petitioned by Grand Euler, Inc. (PC 02-33)

- **Planning Commission disposition of petition**
  - A. Recommendation regarding rezoning

- B. Recommendation regarding conceptual PUD plan
- C. Recommendation regarding PUD agreement
- D. Recommendation regarding Impact Assessment
- E. Recommendation regarding final Site Plan
- F.

Mr. Ron Godair of Grand Euler Investment was present to represent the petitioner. They are proposing to remove the existing buildings on this site and construct a new building. He stated it was the Planning Commission's recommendation to change their original plan of seeking variances and request a PUD Agreement. They have made the appropriate changes and submitted the documents to the Township.

Chairman Pobuda advised the document is dated **November 13, 2002**. Mr. Godair advised that is a typographical error and it should read **October 13, 2002**.

There was a brief discussion regarding the fact that the plans and the PUD Agreement do not show all of the changes that were made as well as there being no engineer stamp and signature on the plans. Chairman Pobuda advised Mr. Godair that if this request is recommended for approval this evening, it would be conditioned upon those things being added to the plans and Agreement prior to the Township Board meeting. He listed those items.

1. Floor plan of the building
2. Details of the sign, which will be a monument sign constructed of materials that will match the building
3. The existing curb cuts on Grand River are to be removed and relandscaped.
4. Samples of the building materials need to be shown at the Board Meeting. Mr. Godair advised they are proposing to use the same materials that were used for the Genoa Township hall.

Commissioner Figurski feels the Planning Commission is rushing this request through. Building materials have not been shown, some things are missing, the dates are wrong, and there is no engineer stamp or signature on the plans.

Commissioner Mortensen does not feel this is ready for submission to the Planning Commission.

Commissioner Brown would prefer to have a perfect package, but he feels the petitioner accomplished 80 percent of what was expected and is comfortable with recommending approval with conditions.

Commissioner Burchfield agrees. The Planning Commission told the petitioner that we were willing to work with him as he does not have the backing of some of the larger developers that come before us. He feels the trade off of removing an eyesore from the Township and acting on this issue this evening is worth it. He

advised that the Planning Commission needs to make it clear that the Township Board needs to have all of the details before submission to them.

Commissioner Litogot feels the Planning Commission is going to look bad to the Township Board. It is the Planning Commission's job to make sure all of these conditions are met and not the Township Board's.

Chairman Pobuda advised he is willing to work with the petitioner. He agrees with Commissioner Burchfield with regard to the Township getting rid of an eyesore, but he advised the petitioner that all of these items need to be in place and in order prior to submission to the Township Board.

There was a discussion regarding "Exhibit D" of the PUD Agreement, which states what uses would be permitted on this site. The following uses will be permitted:

1. Professional offices of lawyers, engineers, architects; insurance and real estate agents, financial consultants and brokers; advertising offices; accounting and bookkeeping services, clerical and stenographic services, sales offices; other types of executive or administrative offices; and similar or allied professions.
2. Offices of non-profit professional, civic, social, political, and religious organizations
3. Banks, credit unions, savings and loans and similar financial institutions without drive through teller windows
4. Business services such as mailing, copying, data processing, and retail office supplies.
5. Personal and business service establishments such as dry cleaning drop-off centers (without processing), barber shop, beauty parlor, tailor, dress maker, shoe repair shop with a combined gross floor area up to 25 percent (25%) of the gross floor area of a permitted office building.
6. Accessory uses, buildings, and structures customarily incidental to any of the above uses, as defined in Article 3, General Provisions, Sections 3.31-3.36 shall be permitted.

It was agreed that there will be no Special Land Uses allowed on this site as it is not large enough to accommodate any of them.

The call to the public was made at 8:02 p.m. with no response.

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of rezoning of .69 acres located on the northwest corner of Grand River Avenue and Euler Road, Section 13 to OSD (PUD). **The motion carried (Litogot – yes; Burchfield – yes; Figurski – no; Mortensen – yes; Brown – yes; Pobuda – yes)**

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment dated September 10, 2002 prepared by Atwell-Hicks, Inc. on behalf of the petitioner. **The motion carried (Litogot – yes; Burchfield – yes; Figurski – no; Mortensen – yes; Brown – yes; Pobuda – yes)**

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the Conceptual PUD Agreement by Grand Euler Investments, LLC for .69 acres located on the northwest corner of Grand River Avenue and Euler Road, Section 13 with the following conditions:

1. Approval from the Township Board of the Impact Assessment and PUD Amendment as recommended by motion this evening.
2. Petitioner shall provide a five-foot wide concrete sidewalk with curb cuts on its intersection with Euler Road along the entire Grand River frontage within the Grand River right-of-way to be constructed prior to the petitioner being approved for occupancy.
3. Architectural detail shall be added to the site plan to demonstrate that the east side façade has a similar appearance to the building's Grand River elevation.
4. The five trees to be added along Euler Road will consist of four trees being relocated along the hedgerow as shown on the site plan and the fifth tree to be relocated along the north property line.
5. Satisfaction of the Township staff that the petitioner's floor plan provides for temporary waste disposal prior to building occupancy.
6. Manufacturer's cut sheets for the lighting fixtures shall be provided.
7. A photometric grid shall be provided to staff demonstrating that the outside lighting does not exceed one footcandle at the property lines.
8. One monument sign shall be permitted, which shall be subject to all setback requirements and approval of Township staff and engineer as to the location and shall be constructed to match the brick that is used on the building.
9. Petitioner is to remove the existing pavement and building on the site and relandscape that area.
10. The petitioner shall comply with all Township engineer requirements
11. The written PUD Agreement shall be reviewed and approved by the Township attorney.
12. All water softening is to be done with potassium regenerated softeners and no direct discharge of softened water shall enter into the sanitary sewer system.
13. The building colors and materials are to be all as presently used on the Genoa Township hall.
14. The written PUD Agreement shall incorporate permitted uses as Exhibit D and as revised by the Planning Commission at this evening's meeting, which shall include no Special Land Uses.
15. Dust control measures shall be added to the site plan and construction plan.

16. All plans are to be signed and sealed by a licensed architect or engineer.
17. The first sentence in Section 6.1 shall be changed to read “....service to the **building** on this property”
18. The second sentence in Section 6.1 shall be changed to read “Existing public utility lines in existing easements may be permitted overhead so long as the building is serviced from underground”.
19. Conditions #5, #7, #11, and #15 are to be completed prior to submission to the Township Board.

**The motion carried ((Litogot – yes; Burchfield – yes; Figurski – no; Mortensen – no; Brown – yes; Pobuda – yes)**

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the final site plan by Grand Euler Investments, LLC for .69 acres located on the northwest corner of Grand River Avenue and Euler Road, Section 13 subject to the conditions required in the Planning Commission’s previously-adopted motion regarding the conceptual PUD plan. **The motion carried ((Litogot – yes; Burchfield – yes; Figurski – no; Mortensen – no; Brown – yes; Pobuda – yes)**

**Moved** by Figurski, seconded by Mortensen, to approve the minutes of October 15, 2002 with the addition of page numbers. **The motion carried unanimously.**

**Member Discussion**

Mr. Archinal distributed revised copies of the Township Ordinance.

The meeting adjourned at 8:25 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary