

GENOA TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
January 28, 2002
7:00 P.M.
MINUTES

The Planning Commission meeting was called to order by Vice-chairman Jack Cahill at 7:00 p.m. The following commission members were present constituting a quorum for transaction of business: Barbara Figurski, James Mortensen, John Cahill, 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.

The Pledge of Allegiance was recited.

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

OPEN PUBLIC HEARING #1.... Review of conceptual PUD plan, environmental impact assessment, and revised PUD agreement for proposed 192 attached condominium units located in Section 4, 60.4 acres at the end of Lawson Drive north of Grand River Avenue, petitioned by Adler Enterprises Co., LLC (PC 01-35)

- Planning Commission Disposition of Petition
 - A. Recommendation regarding impact assessment
 - B. Recommendation regarding revised PUD agreement
 - C. Recommendation regarding conceptual PUD plan

Mr. Brent Lavanway from Boss Engineering was present to represent the petitioner, Adler Enterprises. They have made revisions to the plan and have highlighted the changes that were made. They have also submitted a revised PUD Agreement. They have made the following revisions:

1. They have noted a private storm drainage system will be utilized
2. Units #14 and #15 have been shifted slightly to the north in order to provide a 25-foot buffer to a small finger of wetlands from the west.
3. The detention pond has been revised to meet the proposed new drain commission standards.

Vice-chairman Cahill noted that the Planning Commission appreciates the changes being highlighted on the plans. All Commissioners agree.

Jeff Purdy reviewed his letter of January 28, 2002. The petitioner has addressed a majority of their issues for conceptual site plan approval. He noted the following outstanding concerns:

1. Buildings #14 and #15 have been shifted closer to the park access easement. There should be at least a 15-foot setback to provide between the units and the easement to allow for additional landscaping.
2. They recommend the proposed landscaping for the park access should be changed to have the three arborvitae on the sides of Buildings #14 and #15 be replaced with three six-foot evergreen trees.

Mr. Lavanway stated they feel the 50-foot wide easement for landscaping and an access path is sufficient. They do not anticipate a driveway being installed in this area. Mr. Purdy suggested moving Buildings #8 and #9 to the south in order to move #14 and #15 further apart. This will also allow a clear, open space at the front of the T in the road that dead-ends between Buildings #8 and #9. Mr. Lavanway stated this is possible, but they would prefer not to do this because then Building #8 will be quite close to Building #7. Commissioner Mortensen suggested changing the easement to 40 feet. After a brief discussion, it was decided that the easement will be shifted five feet and Buildings #8 through #14 will be shifted 10 feet to the south.

There was a discussion regarding the landscaping for Buildings #14 and #15. Jeff suggested replacing the three arborvitae with three six-foot tall evergreen trees. The petitioner will comply with this request.

Commissioner Figurski stated dust control measures should be on the site plan. The petitioner will comply.

Mr. Archinal has two issues that need to be addressed in the revised PUD Agreement and should be noted in the Planning Commission's motion for approval this evening.

1. The REU's will be calculated in a manner acceptable to the Township Engineer and Township Board.
2. The conveyance of the open space to the Township shall be handled in a manner acceptable to the Township Attorney and Township Board.

Mr. Purdy noted that the PUD should state the east side setback is 75 feet from the lot line.

The call to the public was made at 7:38 p.m.

Ms. Elaine Grote of 612 Sunrise Park Drive asked where the private drainage system is being located. Mr. Lavanway showed the public on the plans where it

will be located. It will be 100 feet from one of the wetlands and 200 feet from the other.

She also asked about the lighting for this development. Mr. Archinal stated that this issue will be determined at final site plan approval. He added that Boss Engineering is very familiar with the Township Ordinance and any lighting will have to be within the ordinance.

Mr. James Linton of 792 Sunrise Park Drive asked if the streetlights will be hooded. He also asked if the roads will be private or public and who will be responsible for maintaining them. The streetlights will have to comply with the Township ordinance and the roads will be private.

Mr. Linton asked about the setbacks from the buildings to the Sunrise Park property. Mr. Purdy answered that all but one condominium will be 120 feet. One lot will have an 85 foot setback, but this will not be adjacent to Sunrise Park.

Mr. Gary McCririe, Genoa Township Supervisor, presented a memorandum from him to the Planning Commissioners regarding this issue. He suggested the following changes be made to the plan as proposed.

1. Paragraph 1.6 – Language should be added to reflect that any changes shall be governed by the zoning ordinance that is in effect at the date the PUD agreement is executed.
2. Paragraph 2.2 should read "...permitted on the property are a **maximum of** 192 attached condominium..."
3. Paragraph 8.3 should read "Owners shall construct **and pay for** the infrastructure..."
4. Paragraph 8.5 – The amount for the sewer assessment is incorrect. It should be \$4,536.00.
5. Paragraphs 9.1 and 9.2 – The Nature Preserve will have some language stating the applicant is offering to convey the property to the Township and the Township is accepting the offer. There should also be language governing the use of the property and the necessary access agreements for the public's interest. This language can be negotiated between the Township Board and staff.

The call to the public was closed at 7:52 p.m.

Moved by Figurski, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment with a revision date of 12/04/01 for proposed 192 attached condominium units located in Section 4, 60.4 acres at the end of Lawson Drive north of Grand River Avenue, petitioned by Adler Enterprises Co., LLC (PC 01-35). **The motion carried unanimously.**

Moved by Mortensen, seconded by Litogot, to recommend to the Township Board approval and execution of the revised PUD agreement for proposed 192

attached condominium units located in Section4, 60.4 acres at the end of Lawson Drive north of Grand River Avenue, petitioned by Adler Enterprises Co., LLC (PC 01-35) with the following conditions:

1. Article 2.3 will be revised to indicate that the setback on the east side of the property will be a minimum of 75 feet and the setback on the west and south setbacks shall be a minimum of 30 feet.
2. Paragraph 1.6 – Language should be added to reflect that any changes shall be governed by the zoning ordinance that is in effect at the date the PUD agreement is executed.
3. Paragraph 2.2 shall read “...permitted on the property are a **maximum of 192 attached condominium...**”
4. Paragraph 8.3 shall read “Owners shall construct **and pay for** the infrastructure...”
5. Paragraph 8.5 – The amount for the sewer assessment is incorrect. The Township Supervisor will prepare an assessment payment schedule to be included in the agreement.
6. The Township Supervisor, Township staff, and the petition will negotiate and anticipate conveyance, usage restrictions and appropriate related language regarding the Nature Center.
7. The language of the PUD shall be reviewed by the Township Attorney.

The motion carried unanimously.

Moved by Mortensen, seconded by Figurski, to recommend to the Township Board approval of the Conceptual PUD Plan for a proposed 192 attached condominium units located in Section4, 60.4 acres at the end of Lawson Drive north of Grand River Avenue, petitioned by Adler Enterprises Co., LLC (PC 01-35) with a revised dated of January 24, 2002 with the following conditions:

1. Buildings #8 through #14 will be shifted 10 feet to the south.
2. The easement to the nature preserve will be reduced to 40 feet and shifted to provide a minimum 10-foot setback from Buildings #14 and #15.
3. A note will be added to the site plan that there is no parking on one side of the road due to the road being 27 feet wide.
4. Dust control measures shall be added to the plan.
5. Five of the arborvitae on the landscape plan on each side of the access easement will be replaced with three six-foot tall evergreen trees in the rear yards of Buildings #14 and #15.

The motion carried unanimously.

Member Discussion

Commissioner Figurski noted that McDonalds has a new moving display sign on Grand River. She also noted that Wilson Marine on Grand River and Hughes is in violation due to the lights they now have under the red awnings.

The meeting adjourned at 8:10 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary