

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
January 14, 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, John Cahill, and Bill Litogot. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Mark Coleman 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 7:07 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed for all of the victims of the September 11, 2001 attacks.

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

1. Open Public Hearing #2 shall have the following revisions:
 - a. Recommendation regarding revised PUD
 - b. Recommendation regarding impact statement
 - c. Recommendation regarding revised PUD conceptual plan

2. The election of Planning Commission Officers will be conducted by Mike Archinal after the Call to the Public.

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 7:10 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

Chairman Pobuda turned the meeting over to Mike Archinal for the purpose of electing officers.

Commissioner Litogot nominated Don Pobuda for Chairman. It was supported by Mortensen and the vote was unanimous to elect Don Pobuda as Chairman.

Commissioner Litogot nominated Ken Burchfield for Vice Chairman. Commissioner Burchfield declined the nomination.

Commissioner Litogot nominated John Cahill for Vice Chairman. Commissioner Cahill declined his nomination and nominated Bill Litogot for Vice Chairman. Commissioner Litogot declined the nomination. Commissioner Mortensen supported the nomination of John Cahill for Vice Chairman and the vote was unanimous to elect John Cahill as Vice Chairman.

Commissioner Burchfield nominated Barbara Figurski for Secretary. Jim Mortensen supported the nomination and the vote was unanimous to elect Barbara Figurski as Secretary.

Mr. Archinal returned the meeting to Chairman Pobuda.

OPEN PUBLIC HEARING # 1...Review of Site Plan extension, requested by Dennis R. Hull, United Properties of Michigan, LLC.

- **Planning Commission disposition of petition**
 - A. Disposition of Site Plan extension request.

Mr. Dennis Hull was present to represent the petitioner. He is asking for a one-year extension to his approved site plan due to the fact that they thought they had a tenant for this site, however, because of the economy, they have not started building.

Moved by Litogot, seconded by Figurski, to extend the site plan approval for Dennis R. Hull, United Properties of Michigan, LLC. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 2... Review of site plan application, site plan, and environmental impact assessment, for proposed 192 attached condominium units located in Section 4, 60.4 acres at the end of Lawson Drive north of Grand River Ave., petitioned by Adler Enterprises Co., LLC. (PC 01-35)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding revised PUD
 - B. Recommendation regarding impact statement
 - C. Recommendation regarding revised PUD conceptual plan

Commissioner Burchfield advised the Planning Commission and the public that he will abstain from any comment and/or vote on Public Hearing #2 due to the fact that he represents the petitioner as legal counsel.

Moved by Figurski, seconded by Litogot, to approve Commissioner Burchfield's request to abstain from comment and/or vote on Public Hearing #2. **The motion carried unanimously.**

Mike Boss was present to represent the petitioner.

Chairman Pobuda notified the petitioner that a revised PUD Agreement needs to be provided to the Township in order to approve this item this evening.

Mr. Boss concurred with Chairman Pobuda and advised that he is hoping to gain conceptual site plan approval this evening.

Mr. Boss stated that Mr. Adler has been unable to market the apartments that were previously approved by the Planning Commission. He is now proposing 192 attached condominium units for this site. He pointed out that the density of this project is less than what was approved for the apartments. He would like the Planning Commission to advise if the density is appropriate and give their input to his conceptual site plan so they can go forward with this project. He showed colored drawings and floor plans of the proposed buildings.

Mr. Boss noted Mr. Purdy's concern regarding the access point to the park area. They would like to keep the proposed access point. The only other location for the access would be to the west of the building and then it would be along the property line of the proposed apartments in the other development.

Commissioner Mortensen asked if Mr. Boss was aware of the Fire Department's letter stating the proposal is unsatisfactory due to the positioning of the fire hydrants and the on-street parking. Mr. Boss reviewed a copy of the letter and stated they will comply with Mr. Rodwell's requests. Mr. Coleman stated the fire hydrants are depicted on the plans, however, their positions need to be adjusted.

Mr. Purdy reviewed his letter of December 18, 2001.

The proposed density is 3.17 units per gross acre, which conforms to the Master Plan.

The revised perimeter setbacks need to be added to the PUD Agreement. The petitioner will comply.

He has concerns regarding the access to the park. He would like it to be more separated from the buildings as well as having the parking on the same side as the park and not across the street as proposed. He noted that if the access is

going to be between two buildings, he would like to see some landscaping to set apart the walkway from the adjoining units as well as providing privacy for these units. Mr. Boss agrees with Mr. Purdy's suggestion for enhanced landscaping and he will comply with this request. All Commissioners agreed.

Preservation areas and limits of grading need to be indicated on the site plan, particularly along the east where it is against Sunrise Park. The petitioner will comply with this request.

The roads are being proposed to be reduced to 27 feet wide. This is within the ordinance, but it requires special approval from the Planning Commission and Township Board. After a brief discussion, it was decided to allow the 27-foot wide roads with parking limited to one side of the street.

The roundabout at the entrance will need to be detailed and will need to be approved by the Road Commission.

Mr. Purdy feels the locations for the visitor parking on the inside of the curves may cause sight distance problems. Mr. Boss stated they can review this issue, but he does not see it as a problem. The speed limit is 25 MPH and there is 130 feet to 150 feet of sight distance in these parking areas. After a brief discussion, all Commissioners agreed with the proposed plan.

Mark Coleman reviewed his letter of December 19, 2001.

The regulated wetlands need to be noted on the plans and the benchmark and its datum should be included. Mr. Boss will comply with these requests.

It is likely that the water main will be extended through Sunset Park so the petitioner should provide an 8-inch stub at the east side of the proposed development to the property line between Units #11 and #12 for future connection. The petitioner will comply with this request.

Mr. Coleman noted the following items are required for future approval:

1. Hydraulic calculations should be provided for the storm sewer system.
2. A detail should be included on the site plan of the outlet structure that shows the orifice hole configuration.
3. Written approval from the Livingston County Drain Commission will need to be submitted for the storm sewer system.

The petitioner will comply with each of these requirements.

Commissioner Mortensen stated he feels this is a great improvement over what was proposed before.

Commissioner Brown stated he likes the project.

Commissioner Cahill feels it is a great improvement.

The Call to the Public was made at 7:39 p.m.

Ms. Elaine Grote of 612 Sunrise Park is concerned about the setbacks of these buildings to Sunrise Park.

Mr. James Linton of 792 Sunrise Park asked that when a building is constructed, is the property from the building up to the Sunrise Park property line the condominium owner's back yard. Also, he asked if the proposed park is for public use, what is the access point for the public.

The Call to the Public was closed at 7:42 p.m.

Mr. Boss stated they are proposing 142 feet of setback along the west property line; however there is an 85-foot setback along one of the curves, but the buildings are more than 150 feet from any residence.

Mr. Boss stated that the public park area will only be from the back of the building to the north. There will be no park to the south and the access to the park is through their proposed development.

Moved by Mortensen, seconded by Figurski, to table the revised PUD plan for a proposed 192 attached condominium units located in Section 4, 60.4 acres at the end of Lawson Drive north of Grand River Ave., petitioned by Adler Enterprises Co., LLC. (PC 01-35). **The motion carried unanimously.**

Moved by Mortensen, seconded by Figurski, to table the impact statement for a proposed 192 attached condominium units located in Section 4, 60.4 acres at the end of Lawson Drive north of Grand River Ave., petitioned by Adler Enterprises Co., LLC. (PC 01-35). **The motion carried unanimously.**

Moved by Mortensen, seconded by Figurski, to table the revised PUD conceptual plan for a proposed 192 attached condominium units located in Section 4, 60.4 acres at the end of Lawson Drive north of Grand River Ave., petitioned by Adler Enterprises Co., LLC. (PC 01-35). **The motion carried unanimously.**

Commissioner Brown advised the Planning Commission and the public that he will abstain from any comment and/or vote on Public Hearing #3 due to the fact that he is an employee of Comerica Bank. He will also abstain from comment and/or vote on Public Hearing #4 as it could be viewed as a competitor.

Moved by Cahill, seconded by Figurski, to approve Commissioner Brown's request to abstain from comment and/or vote on Public Hearings #3 and #4. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 3... Review of a site plan application, site plan, special use, and environmental impact assessment, for proposed 3,300 sq. ft. bank facility with drive-through operations, located in Section 5, on the west side of Latson Rd. in the Livingston Commons PUD consisting of 1.87 acres, petitioned by Comerica Bank. (PC 01-33)

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

Chairman Pobuda informed the petitioner that during the Planning Commission's work session this evening, it was decided that the Planning Commission will not hear the petitioner's presentation this evening.

There is no problem with Comerica Bank as the petitioner, but they are part of a PUD and currently other businesses on the site are not in compliance with the PUD.

Mr. Archinal apologized to the petitioner. He stated they had a very productive staff meeting and this is a good project; however, Wal Mart has been and continues to not be in compliance with the requirements of the PUD Agreement.

Commissioner Cahill stated he has no problems with this project, but there has been continuous problems with the businesses on the PUD and he would not want to approve anything for this site at this time. He suggested listening to the petitioner's presentation this evening.

All Commissioners agreed with John not wanting to approve anything this evening; however, they would prefer to wait until the PUD is in compliance before they hear the petitioner's proposal.

Mr. Jeff Wagner of Comerica Bank asked who they should contact within the Township so they can use their leverage to help Wal Mart become in compliance with the PUD. Mr. Archinal informed Mr. Wagner he is the one to contact.

Moved by Cahill, seconded by Figurski, to table Open Public Hearing #3, for a proposed 3,300 sq. ft. bank facility with drive-through operations, located in Section 5, on the west side of Latson Rd. in the Livingston Commons PUD consisting of 1.87 acres, petitioned by Comerica Bank because of non-compliance of this particular PUD Agreement. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 4... Review of site plan application, site plan, special use, and environmental impact assessment, for proposed 6000 sq. ft. bank facility with drive-through operations, located in Section 5, on the north side

of Grand River between Latson and Grand Oaks, within the Lorentzen PUD, petitioned by TCF National Bank. (PC 01-34)

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

Mr. Michael Rein of Bowers & Rein Associates, Inc., the architect for this project, was present to represent the petitioner. They have worked with TCF Bank for several years designing their buildings. They are proposing a 6,000-square-foot, one-story, all masonry building in front of Meijer on Grand River in Howell.

There will be no curb cuts off of Grand River. There will be two entrances for their bank; one directly across from the Applebee's driveway and one to the north entering from the Meijer parking lot.

He showed proposed building materials as well as pictures of current TCF Bank locations.

They are proposing 5 drive-thru lanes. They have oriented the drive-thru lanes away from the Grand River corridor and have added generous landscaping to shield them from the adjoining businesses. Mr. Rein stated that TCF Bank is focusing on customer service and away from Internet and automatic banking and that is the reason they would like the five drive thru lanes.

Commissioner Figurski asked about the 16 25-foot high lights that are proposed. Mr. Rein stated their lights will match Meijer's lights. They will complete a photometric grid as requested by Mr. Purdy.

Commissioner Figurski does not agree with allowing five drive-thru lanes.

Commissioner Cahill stated the building is beautiful, but he is concerned about the five drive-thru lanes.

Commissioner Burchfield does not like the five drive-thru lanes. He also does not feel the two driveways are necessary. Mr. Rein stated that TCF Bank feels the two drives are critical.

Mr. Purdy reviewed his letter of January 2, 2002.

The five drive-thru lanes require special land use approval by the Planning Commission and the Township Board. The petitioner has added generous landscaping and Jeff feels this has gone a long way toward the screening of this area. He feels they have done an excellent job.

Chairman Pobuda asked the Commissioners for their view on the proposed five drive-thru lanes. Commissioner Litogot does not like the five lanes. He stated they will have only one person working the area anyway.

Commissioner Burchfield is opposed to the five lanes because of the increased roof area and he feels it is unnecessary. He does not feel the drive-thru is very personal. He feels the petitioner has not displayed any compelling reason for the Planning Commission to grant them more drive-thru's than we have given to any other bank in the Township.

Commissioner Figurski will not support the five lanes. She is also concerned about the lighting.

Commissioner Mortensen would prefer four drive-thru lanes.

Commissioner Cahill is very impressed by the design of this building and the location for the drive-thru lanes so they won't be visible from Grand River as well as the generous landscaping proposed to shield them from the parking lot. He will support the five drive-thru lanes.

All Commissioners agree it is a beautiful building.

Mr. Purdy stated the Township is requiring a photometric grid and the area under the drive thru canopy shall not exceed 26 footcandles. The petitioner stated they will meet the requirements of the Township.

Mark Coleman reviewed his letter of January 3, 2002. A note should be added stated all construction methods will be in accordance with the Marion, Howell, Ocala, and Genoa (MHOOG) Design and Engineering Standards and a USGS benchmark should be included on the site plan. The petitioner will comply with these requests.

The call to the public was made at 8:28 p.m. with no response.

Moved by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the Special Lane Use permit to allow for a total of four drive-thru lanes, with the northern most lane not to be covered by an overhead canopy, for TCF National Bank, located in Section 5, on the north side of Grand River between Latson and Grand Oaks, within the Lorentzen PUD as the Planning Commission has found that the applicant has met the Special Lane Use general and specific requirements in order to grand an additional drive-thru lane.

There was a discussion regarding the exact meaning of Commissioner Burchfield's motion. It was decided that there will be four covered drive-thru lanes and the outside lane cannot be utilized as a drive-thru lane.

The motion carried unanimously.

Moved by Litogot, seconded by Burchfield, to recommend to the Township Board approval of the Impact Assessment dated December 27, 2001 for a proposed 6000 sq. ft. bank facility with drive-through operations, located in Section 5, on the north side of Grand River between Latson and Grand Oaks, within the Lorentzen PUD, petitioned by TCF National Bank. (PC 01-34) with the following conditions:

1. Dust control measures shall be added.
2. Item E shall be changed to “four drive-thru lanes”

The motion carried unanimously.

Moved by Burchfield, seconded by Mortensen, to recommend to the Township Board approval of the Site Plan dated December 27, 2001 for a proposed 6000 sq. ft. bank facility with drive-through operations, located in Section 5, on the north side of Grand River between Latson and Grand Oaks, within the Lorentzen PUD, petitioned by TCF National Bank. (PC 01-34) subject to the following:

1. Township Board approval of the Special Lane Use permit as recommended by motion this evening.
2. Township Board approval of the Impact Assessment as recommended by motion this evening.
3. The petitioner shall provide a photometric grid prior to the matter being presented for approval to the Township Board and it shall specifically show not more than 26 footcandles of lighting intensity under the drive-thru canopies.
4. The ground-mounted sign shall be of brick material.
5. The materials for the exterior of the building shall be as submitted this evening
6. All signs will be subject to permits issued by the Township
7. Additional landscaping provided on the Site Plan for the northeast quadrant of the parcel shall remain as indicated.
8. The petitioner shall meet all Township Engineer requirements, which will include approval of REU's for both sewer and water.
9. Dust control measures shall be added to the Site Plan and all construction plans.
10. Signs for one-way circulation shall be installed.

The motion carried unanimously.

OPEN PUBLIC HEARING # 5...Review of request to clear and grade a portion of property owned by the Itsell family approximately across and west from the L.O.C. Credit Union, requested by Kevin Irish, Irish Construction Co., Inc.

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

Mr. Kevin Irish was present to represent the petitioner. He is requesting to be able to fill the site and clear trees in order to create a marketable use for this

property. He will be clearing brush and 24 trees. He will submit a list to the Township of the trees he will be removing.

There was a discussion regarding what Mr. Irish is asking of the Planning Commission and the fact that a precedent is being set with this proposal.

Commissioner Burchfield feels that if we are setting a precedent, the Planning Commission needs more information, there has been no Impact Assessment submitted, and Jeff and Mark have not reviewed the project.

Commissioner Litogot would like to see more information in writing. What kind of material is the site being filled with, Impact Assessment, etc.

Mr. Purdy requested that the grading be consistent for future installation of a sidewalk along Grand River.

Moved by Burchfield, seconded by Litogot, to adopt the Township Manager's request to have this tabled to allow the applicant to work with staff on revising his application. **The motion carried unanimously.**

Moved by Figurski, seconded by Mortensen, to approve the minutes of December 10, 2001. **The motion carried unanimously.**

Member Discussion

Commissioner Burchfield stated he is sorry to see Bill Litogot resign from his position as Vice Chairman and he has much confidence in John Cahill's ability. He also thanked Don Pobuda for his service as Chairman. He thanks Mark and Jeff for their help. The Commissioners rely very heavily on them for information.

Commissioner Litogot stated the Conley Rent-A-Car has used cars for sale and cars on the greenbelt on Grand River. Mr. Archinal stated they are in violation.

The meeting adjourned at 9:25 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary