

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
February 26th, 2001
6:30 P.M.
MINUTES

The work session of the Planning Commission was called to order by Vice-Chairman Bill Litogot at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Bill Litogot, Barbara Figurski, John Cahill, Ken Burchfield, and Jerold Joseph. Also present were 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 quite a few persons in the audience.

In the absence of Chairman Pobuda, Vice-Chairman Litogot will serve as Chair.

Items scheduled for action during the regular session of the commission were discussed.

TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
February 26th, 2001
7:00 P.M.
MINUTES

The regular session of the Planning Commission was called to order by Chairman Bill Litogot at 7: p.m.

The Pledge of Allegiance was recited.

Moved by Figurski, seconded by Cahill to approve the Agenda.
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 7:06 p.m. Chairman Litogot noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING # 1...Review of site plan amendment for the Covington Greens Condominiums located east off Hughes Road, north of Grand River Avenue, Section 3, petitioned by Orchards Development Group L.L.C. (PC 00-47)

- **Planning Commission disposition of petition**

- A. Recommendation regarding site plan amendment.

J. Lynch, president of the Covington Green Condominium association, Chuck Apap, vice-president of the Covington Green Condominium association, and Katz Halabu, builder, were all present to recommend the proposal.

Mr. Lynch and Mr. Apap explained that they wished to have a grass path instead of the path of wood chips as was initially suggested and adopted in the original site plan for the condominium project. They presented a petition signed by 24 of the residents which confirmed their agreement with the grass path replacement. Mr. Apap related that at the annual association meeting they had agreed to level the path area and hydroseed it at a cost of \$4,000.00. They claimed that the path constructed of wood chips was not level for walking, and the wood chips rotted underfoot which attracted insects. They maintain that the grass path is now level, and safer to walk on.

Mr. Apap apologized to the commission as they did not realize that they were not conforming to the site plan. They were now satisfied with the grass path, and did not want any other material such as asphalt or cement, claiming that would attract children to ride on it, and might attract users of the nearby golf course to ride golf carts on it.

Commissioner Joseph questioned how the path was maintained, and Commissioner Burchfield asked about the next owners: would they realize that the grass area was a common walking area? Mr. Apap said they had the path mowed along with the other common areas, and that the association could amend their by-laws to reflect that this was a common walking path area.

Jeff Purdy was consulted and said that the walking path was a requirement of the site plan approval, and felt that departures from the original would cause a maintenance problem, i.e , that daily use would make it a dirt path, and his recommendation was to make it asphalt.

Chairman Litogot then made a call to the public for comments, and read a dissenting letter from M. Shook, a Covington Greens Condominium resident.

The call to the public was closed at 7:46 p.m.

Moved by Burchfield, seconded by Cahill, to recommend to the Township Board that the site plan be amended to allow natural surfaces for the pathway, which could include grass. This amendment would be subject to a co-owner plan to this effect, adopted by the Covington Greens Condominium Association in writing and presented to the Township Board by March 14th, 2001 for the March 19th 2001 meeting of the board.

The motion carried unanimously.

OPEN PUBLIC HEARING # 2... Public hearing for the purpose of considering amendments to the Zoning Ordinance text affecting the entire Township of Genoa. The purpose of the public hearing is to explain the proposed changes to the Zoning Ordinance to the public and receive public comment on the proposed changes. (PC 00-44)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding Zoning text amendment.

Jeff Purdy discussed the changes involved in the proposal which originated approximately one year ago as an amendment to the Township Master Plan designating an area to be zoned as a 'regional commercial district'(RCD). He explained that the recommendation for an RCD had come from the planners after observing the development patterns in the township.

There were a few comments from the audience:

Chairman Litogot read aloud a letter from Jack and Jurate Evans protesting the changes in the zoning.

Mrs. Evans, who was in attendance, stated that she felt it was unfair to change property that had already been zoned, and that the new zoning should only apply to land not already zoned.

Gary Mitter opposed the new zoning, complaining that it was just another cost, more meetings, more bureaucracy to go through.

Nick Kovanis wondered what good the changes made?

Commissioner Figurski explained that she felt the changes would actually make less meetings and hopefully less hassle.

Jeff Purdy explained that this meeting involved consideration of the “text” portion of the zoning amendment only, and the “map” portion of the new zoning would involve another meeting.

Moved by Cahill, seconded by Joseph, to recommend to the Township board to approve the text of the amendment to develop the RCD.

The motion carried unanimously.

OPEN PUBLIC HEARING # 3... Review of a site plan PUD (Planned Unit Development) amendment and, environmental impact assessment for a 252-unit apartment complex located on the north side of Grand River Avenue, east of Latson Road Section 4, petitioned by Adler Enterprises Co. LLC/Boss Engineering. (PC 01-04)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding PUD amendment.
 - B. Recommendation Re: revised PUD plan.
 - C. Recommendation regarding environmental impact assessment.

Commissioner Burchfield, who represents Adler Enterprises in legal matters, excused himself and left the room.

Mike Boss was in attendance representing Adler Enterprises Co., LLC to outline the proposed changes to the PUD plan:

1. Change to the type of units from mixed apartments and duplexes to all apartments.
2. Increasing the number of units to 252.
3. Result of above would increase the open area of the property from 66% to 75%.
4. Greater open area would create a larger buffer area for the Sunrise Park inhabitants.
5. New design would eliminate any access drives on Lawson Road, and, while they would add a carport for each unit resulting in at least two parking places per unit, they would actually reduce the amount of impervious surfaces created.
6. They would allow no parking or backing onto Lawson Road.
7. They feel the storm water will now drain more easily into the Del Giudice property and away from Lake Chemung.
8. They would install right and left turn lanes from Lawson Drive onto Grand River and underwrite the cost of any traffic signal needed on Grand River at Lawson Drive.

9. They would dedicate the 'open space' to the public(Township).

There were several questions by the Commissioners: answers by Mike Boss.

Cahill: Who would enforce the "no parking" restriction on Lawson if it is a partially public road? MB: Police. How many total parking spaces? 516

Joseph: "I like the open space" but was not happy about the increased density of the new revision. MB: We hoped the increased open space would help.

Figurski: How wide are the roads? Her concern was about fire trucks having good access. MB: originally 30' when used as parking & backing-up lanes. With no parking and no backing into the roads, they can be reduced to 26' outside width.

Chairman Litogot wanted Mike Boss to define 'open space dedicated to the Township'. MB: the open space would actually be deeded to the Township, provoking the question: "The Township would then be responsible for policing the area?"

Jeff Purdy was called on for his comments. He felt that the "net" density of the project was actually 4.6 units per acre which exceeded the original PUD plan. He felt the board has discretion on this, with the benefit being the 'open space'. The original plan did not include the traffic light on Grand River, and would have to be changed to reflect this. Perimeter setbacks would have to be changed, and perhaps there should be overflow parking on Lawson Road (at 27' rather than 26' width) for guest parking. He also said that the Township Board would have to approve the final agreement.

Mark Coleman had some concern about the increased density regarding the storm sewer capacity. He felt they would have to look at the project again as they had used 2 units per acre for their initial calculations, and now the project was changing to greater than 4 units per acre(upa).

Chairman Litogot asked for audience comments, and there were quite a few:

Elaine Grote worried about the traffic problems being created, and expressed concern about the wetlands on the property which she felt were crucial to the life of Lake Chemung. She was thankful for the greater open area.

Darlene Rogers claimed that the schools would be overburdened. In her experience, apartment dwellers had many children despite Mr. Boss' claim that apartments did not generate school children.

John Warner was concerned about the increased density and the 516 parking spaces.....”leave it natural,” He thought the township should take the open space or “will Adler come back and use up the space left?”

Barb Stork wondered if there had been a traffic study done, and was concerned about the differing opinions expressed by Boss and Coleman about the storm water run-off. MB: traffic will be able to go through the Hampton Ridge area as well as Lawson Road, which will help the traffic flow problem.

Paul Harbarcuk had general concerns about traffic which would be increased, and also commented that there were no speed limit signs on Grand River in that area.

Eleanor Tillman and James Linton were concerned about the schools. Do renters pay school taxes? Mr. Linton asked about a fence between Sunrise Park and Stone Edge.

Chairman Litogot closed the call to the public at 9:01 p.m.

Commissioner Joseph asked about putting the traffic light in as soon as possible. Jeff Purdy noted that the Weiss Group has committed to pay all of the cost of a traffic light which first requires a State traffic study.

He also asked about the distribution of the apartments – how many would be 1 bedroom, 2 bedroom, 3 bedroom? He is still very reluctant to go over 4 units per acre, which would be 242 units rather than 252. MB did not know exact distribution, but felt there would be few 3 BR because they would be expensive.

Commissioner Cahill said he would also like the density brought down to 4upa.

Commissioner Figurski asked Mark Coleman for clarity on the sewage situation, to which he reiterated that they had used 2upa for flow and would now have to re-evaluate with the new density.

Moved by Cahill, seconded by Figurski, to recommend to the Township board to approve the changes to the PUD agreement:

Section 2.2 amended to specify 252 apartments instead of “mix”,

Section 2.3 amended to eliminate the duplex “setback” and amend the medium residential setback to 40’ from west and south property line, and 100’ minimum setback from the east (with footnote: “or larger, as shown on the concept plan presented to the planning commission.)

Section 8.4 revised from 248 units to 252; with reasons for exceeding 4upa:

1. Traffic signal to be installed.
2. Road connection going through Hampton Ridge Condominium project.
3. Changes in density of the area since the master plan last revised.
4. Increase in open area(buffer) from Sunrise Park.

5. Increase in the open space.

The motion failed, Litogot and Cahill assented, Joseph and Figurski opposed.

Moved by Figurski, seconded by Cahill to recommend to the Township Board the same changes as stated except to specify that there would be 248 units.

The motion carried, Litogot, Cahill and Figurski assented, Joseph opposed.

Moved by Figurski, seconded by Cahill, to recommend approval of the PUD concept plan on the condition that the PUD amendment be approved the number of units lowered to 248.

The motion carried, Joseph opposed.

Moved by Figurski, seconded by Cahill, to recommend approval of the Impact Assessment: 12/22/00 revision, item E changed to 248, and after page 5 Item 4 must be changed.

The motion carried, Litogot, Cahill and Figurski assented, Joseph opposed.

OPEN PUBLIC HEARING # 4...Review of a special use application, environmental impact assessment, and site plan for Garden Center Expansion located on the north side of Grand River Ave. between Hughes and Kellogg Section 11, petitioned by Bordine Investment Co. (PC 01-02)

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

After much discussion at the February 12, 2001 Planning Commission meeting, the commissioners voted to table this petition until a letter could be sent to the neighbors giving them 'a more detailed explanation of what the expansion entails and give them and opportunity to attend the public meeting.'

Chairman Litogot noted the receipt of support letters from Howell Machine, Northwest Pipe & Supply, and Chem-Dry of Livingston County.

Corey Bordine and Sam Wardlaw were present to represent Bordine Investment Co. in this matter.

Mr. Bordine and Mr. Wardlaw discussed their plans to add the open-roof or 'cravo' buildings they will be using as greenhouses, and the plan to add 250 parking spaces they feel is needed to cover their 'peak' times. They assured the commission that the waste receptacle is in a sunken area which cannot be seen by the public and that the total light intensity will drop to .5 foot candle at the edges of their property.

Commissioner Figurski wanted to be assured that the cravo buildings would be consistent in height, which Mr. Bordine assured her it was, at 20' height.

Commissioner Joseph wanted to know "why so much parking?" Mr. Wardlaw said that their experience shows that most of their business is on holiday weekends, and they need to prepare for large crowds at those times.

Commissioner Cahill said he liked the plan, and his main concern was about the neighbors.

Chairman Litogot cautioned Mr. Bordine that the waste receptacle enclosure must be 12' wide according to Mr. Rubbish's requirements. He reminded them that there must be no lights pointed on the building, and that there can be no storage or selling in the parking lot, and deliveries must be a loading areas.

Chairman Litogot made a call to the public.

Joe Landini, a Bordine employee and a new Township resident offered that he had received many positive compliments from local people when he mentioned Bordine's opening here in the area.

The call to the public was closed at 9:56p.m.

Moved by Cahill, seconded by Figurski, to recommend the Township Board approve the special land use application, which has satisfied the requirements of Section 12.2526 of the zoning ordinance.

The motion carried, Cahill, Figurski, and Litogot assented, Burchfield opposed.

Moved by Figurski, seconded by Cahill, to recommend the Township Board approve the impact assessment with the addition of Item D: "Dust control measures shall be used during construction."

The motion carried, Cahill, Figurski, Joseph, and Litogot assented, Burchfield opposed.

Moved by Cahill, seconded by Figurski, to recommend to the Township Board to approve the site plans of 1/31/01 with the following conditions:

1. There must be a buffer zone on the north side of the property.
2. There must be screening fences on both sides of the dumpster.
3. Lighting must be .5 foot candle on the east and north, and 1.0 on the south and west.
4. There will be no truck loading in front parking lot.
5. A hedgerow shall extend along front parking lot to enhance appearance.
6. Subject to Township Engineer approval.
7. Subject to Township Board approval of all site plan and environmental impact assessment.
8. Township staff approval of all signage and permits.
9. Dust control noted.

The motion carried, Cahill, Figurski, Joseph, and Litogot assented, Burchfield opposed.

OPEN PUBLIC HEARING # 5...Review of change to PUD (Planned Unit Development) agreement for The Landings of Rolling Ridge, Section 5, north of Grand River, west of Latson, east of Golf Club, to modify setback requirements, petitioned by The Selective Group. (PC 01-10)

- **Planning Commission disposition of petition**
 - A. . Recommendation regarding modifying PUD agreement.

Mike Boss was present to speak for The Selective Group. He explained that they merely wanted to 'stagger' the buildings to make a more pleasing effect and that the buildings themselves would not change. He said the staggered effect would require a reduction of 6' in the back setback (from 30' to 24') but would actually result in a 6' increase in the front setback.

Moved by Burchfield, seconded by Joseph, to recommend to the Township Board that article 2 para. 2.3 of the PUC concerning the Landings of Rolling Ridge be amended to allow for reduction of the rear setback to 24' from 30' provided the dimensions of the buildings as presented on the original blueprint will remain the same.

The motion passed unanimously.

Administrative Business:

Jeff Purdy discussed the 'conflict of interest' issue briefly, and recommended his letter on the subject to the commissioners.

Moved by Figurski, seconded by Cahill, to approve the minutes of February 12, 2001.

The motion carried unanimously.

The meeting adjourned at 10:31 p.m.

Submitted by: Lillian Tubbs

Approved by: Barbara Figurski, Secretary