

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
APRIL 10, 2000
6:30 P.M.
(Revised)
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, John Cahill, Gary McCririe and Ken Burchfield. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc.; and Kevin Fern from McNamee, Porter, & Seeley. 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 7:05 p.m.

The Pledge of Allegiance was recited.

Moved by McCririe, seconded by Figurski to approve the Agenda.

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

OPEN PUBLIC HEARING # 1... Review of a special use application from Perry Butcher and Associates for lease development for the former Wal-Mart site. (PC 00-10)

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

Mr. Jeff Brown of Elder Beerman Stores gave a brief overview of the Elder Beerman Company and their plans for subleasing 77,000 feet of the old Wal-Mart Store. They are looking forward to bringing a new level of fashion to the area. They carry clothes, house wares, appliances, and shoes. They are a competitor of Jacobson's.

Mr. Purdy reviewed his letter of March 16, 2000. A building over 30,000 square feet requires approval from the Township Board. The Planning Commission needs to make a recommendation regarding a special use permit.

They would like to ensure that the landscaping along Grand River is up to standards. Mr. Brown stated that they will comply with any landscaping that needs to be done around the building. He supports the change and has conveyed that to the developer of the shopping center, but does not feel that the leaser should be financially responsible for this.

They are also requesting that an eight-foot wide bike path be put along Grand River. The petitioner has the same feeling regarding the bike path as he did with the landscaping.

Mr. Purdy also stated the planned service drive connection to the adjacent McDonald's side should be required.

Commissioner McCririe asked if Elder Beerman is offering to install the street trees as suggested? Mr. Brown stated that they are willing to work on the landscaping issues around the building. After a discussion, it was decided that Mr. Purdy will work this out administratively.

Mr. Purdy stated that the Planning Commission has the discretion with regard to color and materials of the building. He feels the colors should be of an earth tone color similar and complimentary to the shopping center. Mr. Brown will comply with this request.

Commissioner McCririe has some concerns regarding the other 40,000 square feet of building that is not going to be occupied. He asked about the lighting. Mr. Brown stated there is only one entryway and they will be lit up with wall sconces with back lighting. All of the other lighting that is there will remain. Mr. Brown stated they will comply with all of the lighting requirements.

Commissioner McCririe asked about the sign lighting. The sign will be eight feet high by 44 feet long, neon, with no neon exposed. There was a discussion regarding the height of the signage on the building. Mr. Purdy stated the recommendation is 200 square feet, they petitioner is at 340 square feet. Mr. Brown stated if their sign was 200 square feet, it would not be able to be read from the road.

Commissioner Cahill asked what is going to happen to the rest of the building that is not being developed by Elder Beerman. Who is responsible for that? The developer? Wal-Mart? He feels that person needs to be here.

Mr. Purdy stated that Wal-Mart should be responsible for painting the remainder of the building.

Commissioner Cahill feels that we should not proceed tonight not knowing what is going to happen to the rest of the building, and the proposed materials are not present tonight.

Mr. Archinal suggested tabling the motion tonight but granting the petitioner a permit to get started on working on the inside of the building.

Mr. Brown stated they will paint the entire building.

All of the Commissioners agreed that this project cannot go forward without more information. The engineers and planners need to review this further. Commissioner McCririe stated that he appreciates the petitioner stepping up on the offering to paint the entire building. It shows that they are a good neighbor.

Mr. Archinal stated this will be on the agenda for the Planning Commission Meeting in two weeks.

Chairman Pobuda would like the petitioner to show a picture of what the entire building will look like.

The call to the public was made with no response.

Moved by McCririe, seconded by Figurski to table the review of a special use application from Perry Butcher and Associates for lease development for the former Wal-Mart site. The motion was unanimously carried.

OPEN PUBLIC HEARING # 2... Review of a split application and an application for a private road, located on the north side of Grand River west of Bendix Road, petitioned by Delcor Development. (PC 00-11)

- **Planning Commission disposition of Delcor Development petition**
 - A. Disposition of private road application.**

Mr. Ralph Stoy of Delcor Development reviewed their plans for this site. Mr. Bruce Wallace, planner and civil engineer, joined him. They would like to develop an entire 18 acres of land, and the first step is to put in a private road and that is what they are asking for this evening.

Mr. Purdy reviewed his letter of April 3, 2000. The site plan information needs to include details of signs, lighting, and landscaping treatments at the front of the road.

Mr. Stoy stated they will show improvements at the first phase site plan application. Mr. Purdy stated the road will have to be approved with no signage and lighting.

Mr. Purdy stated that the tree survey has been provided, however he would like to see the plans for the road include tree protection measures that will be taken. The petitioner will comply with this request.

Mr. Purdy stated the petitioner has requested a reduction in the right-of-way easement from 66 feet to 50 feet. The Planning Commission has the discretion to approve this modification. Commissioner Cahill asked what the necessity was for the width reduction. Mr. Stoy stated the width of the property would not allow for the proper frontage as the road was 66 feet.

Mr. Purdy stated the petitioner is requesting the road be 20 feet wide. The Road Commission requires industrial roads be 30 feet wide from face to face of curb to ensure safe circulation of all type of vehicles. There was a discussion regarding parking on the street. Mr. Stoy stated they will post a sign prohibiting street parking. There will be adequate parking in the parking lots of each building. There would be no need to park on the street. After a discussion it was decided that the width of the road will be 30 feet.

Mr. Purdy stated that the proposed cul-de-sac has a turning radius of 50 feet. Fifty-four feet is what is recommended. The petitioner will comply with the 54 feet.

Mr. Purdy stated that the private road should extend to the northern property line to allow for future expansion. He stated the Planning Commission may waive this because the property to the north is zoned residential.

Mr. Purdy stated that an agreement needs to be submitted stating who is going to be responsible for maintaining the road. Mr. Stoy stated they own the road so they would maintain it. They would have no one to have an agreement with. Mr. Purdy stated that they would like specifics stating that the roadway will be maintained to Township standards. This would be an agreement with the Township. Mr. Stoy asked to be provided with the requirements and he will comply with them.

Mr. Purdy stated the five-foot wide sidewalks along Grand River can be part of this site plan approval or it can be added to phase II. He suggested adding it to the second phase. Mr. Stoy will add this to the plans.

Mr. Kevin Fern reviewed his letter of March 31, 2000. He recommends the utilities go around the pavement in case there are ever maintenance issues with regard to the utilities. The petitioner stated that it is common practice to put them under the pavement. They would like to have the utilities go straight under the cul-de-sac. Commissioner McCririe stated it is their road and if there were any maintenance issues, they would have to be the ones to maintain it. All of the Commissioners agreed.

Mr. Fern stated that the radius of the right of way needs to be changed on the plans to reflect the 54-foot cul-de-sac.

The call to the public was made with no response.

Moved by McCririe, seconded by Figurski to approve the split application and an application for a private road, located on the north side of Grand River west of Bendix Road, petitioned by Delcor Development as depicted on Atwell-Hicks, Inc. drawing of February 29, 2000 with the following conditions:

1. Township Engineer review and approval of all plans.
2. No lighting, signage, or landscaping shall be installed at this time except for a stop sign at Grand River
3. The petitioner shall provide tree protection measures and limits of grading on their plan along with the correction of the tree numbers that are to be removed sighting Langworthy, Strader, LeBlanc's letter of April 3, 2000 – Item #2.
4. The road width easement shall be 50 feet and the petitioner shall provide 15 feet of utility easement on each side of the road
5. The road paving cross section shall be 30 feet and the cul-de-sac shall be a 64-foot radius with a 54-foot turning radius.
6. Petitioner shall provide private road maintenance agreement satisfactory to the Township and Township Engineer.
7. Petitioner shall provide a letter of agreement for the installation of a sidewalk, including curb cuts at the entrance and to the far east property line, along Grand River at the time Parcel #2 is developed.
8. The petitioner shall provide a hold harmless agreement to the Township Engineer for maintenance of the utilities under the roadway.

The motion was unanimously carried.

OPEN PUBLIC HEARING # 3... Review of a site plan application for a 7,000 sq ft studio on the south side of Grand River, west of Champion Chevrolet, petitioned by Hicks Studio. (PC 00-12)

- **Planning Commission disposition of Hicks Studio petition**
 - A. **Recommendation regarding impact assessment.**
 - B. **Disposition of site plan.**

Mr. Archinal stated that Mr. Miller has been contacted by MDOT for the potential for a right of way easement at the property for the I-96/Chemung exit. He would recommend tabling this issue tonight and he is committed to getting this to the Planning Commission at the next meeting in two weeks. He is working with MDOT to get more information.

Chairman Pobuda stated the Planning Commission is sympathetic to Mr. Miller's cause but does not want to agree to a building that might be torn down. He added that we need to expedite this petition as soon as possible.

Mr. Miller stated they were aware of this but were told to go ahead because this is not in MDOT's five-year plan.

Mr. Archinal stated since that time, it has been put on MDOT's plan. He recommends a two-week tabling motion.

Moved by Figurski, seconded by Cahill to table the site plan application for a 7,000 sq ft studio on the south side of Grand River, west of Champion Chevrolet, petitioned by Hicks Studio until the April 24, 2000 Planning Commission Meeting. **The motion was unanimously carried.**

OPEN PUBLIC HEARING # 4... Review of a site plan application for a drive up ATM kiosk, to be located in the Meijer parking lot at the northwest corner of Grand River and Latson roads, petitioned by Michigan National Bank. (PC 00-14)

- **Planning Commission disposition of Michigan National petition**
 - A. Recommendation regarding impact assessment.**
 - B. Disposition of site plan.**

Mr. Don Glennie of Michigan National Bank stated Michigan National would like to add an ATM kiosk in the Meijer parking lot. The need for this was expressed by customers who no longer have the option of a drive-up ATM as well as commercial night drop. He added that they have addressed the lighting issues, the landscaping issues, and showed the proposed colors for the kiosk. He stated that the Township requested a pitched roof, but all of the other roofs in that area are flat roofs. They had wanted four signs on the kiosk, but it is not a problem to change this. They would prefer two signs.

Commissioner Figurski stated she does not want to see a kiosk in any parking lots. It was not part of the original PUD with Meijer.

There was a discussion regarding the PUD for Meijer. Mr. Purdy stated that banks are allowed. Chairman Pobuda stated that there is already a bank in Meijer. Commissioner Cahill asked what is the need for this when there is a bank in Meijer. Mr. Glennie stated the customers want the convenience of a drive-thru. Also, there is a safety concern with commercial cash drops. Most of these happen late at night and it is safer for the employee to drop the money at a drive-thru rather than having them walk through the parking lot with the money.

Commissioner Cahill stated he would like Meijer to be here to explain why they want this on their property. He noted the trash problem that has been created since Meijer has opened. He does not feel that Meijer is being a good neighbor. Mr. Glennie stated that the kiosk will not add to the trash problem. Commissioner Cahill stated before he is willing to approve something, he would like Meijer to be here. Mr. Archinal stated the problem with Meijer can be dealt with administratively. Chairman Pobuda agreed that we have a responsibility to the neighbors in that area and the Planning Commission is upset with the care and quality of the service to the neighborhood. We will follow up administratively to take the necessary steps to alleviate the problem. Commissioner

Cahill reiterated his request to have Meijer here because they are the ones that want to lease the land to Michigan National.

Commissioner Burchfield asked if the bank drop can be installed in the bank currently in Meijer. Mr. Glennie said yes but it would require modification to the space.

Commissioner Burchfield asked if Michigan National would be willing to disclose the written requests from the customers. Mr. Glennie stated surveys were done and it is a very strong concern of the retail customers.

Chairman Pobuda stated this was not on the original Meijer request. Mr. Glennie stated they are catching up. They have put it in the PUD for a Meijer that is going to be opening up in Auburn Hills.

Chairman Pobuda noted that Meijer received 100,000 customers per month. He asked what is the number of people that Michigan National is receiving compared to when it was a stand-alone building. Mr. Glennie stated there has been a decline in customers. They have not benefited from Meijer's 100,000 customers. He cannot give accurate percentage of decrease.

Commissioner Burchfield asked what Michigan National's lease term was with Meijer. They have a five-year lease with a five-year renewal option. They have been there since fall of 1999.

Commissioner Figurski asked about the traffic problems that might be caused by this kiosk. Mr. Glennie stated there is a drive lane that is going to meet the ordinance for this type of structure. Chairman Pobuda noted that it will increase the number of people going through that parking lot.

Commissioner McCririe stated we need to determine if this is an appropriate use of this site. We need to look at the PUD and the ordinance. On Page 8, Section 7.1, they speak about the overall appearance. His concerns are regarding the overall appearance. He feels this gives rise to the "coffee drive thru" and "fast photo drive in" buildings, etc. He is not in favor of this use in this location. Mr. Glennie stated they are proposing this kiosk to service Michigan National as well as the customers in the area.

Mr. Archinal asked if this was to be approved, what would this leave as building area on the NW corner of Latson Road. Mr. Purdy answered that not much would be able to be put there.

The call to the public was made at 8:54 p.m.

Mr. Bob Hadju stated that Meijer is the one who requested the PUD and did not put the kiosk in the request. Michigan National did not have the ability to do that. He would like the Planning Commission to look at this request on Michigan National's behalf of meeting the needs of the community.

The call to the public was closed at 8:56 p.m.

Moved by McCririe, seconded by Figurski to recommend to the Township Board denial of the impact assessment application for a drive up ATM kiosk, to be located in the Meijer parking lot at the northwest corner of Grand River and Latson Roads, petitioned by Michigan National Bank sighting the following reasons:

1. Taking from the PUD Agreement signed between the Township and Meijer, Page 8, the petition as presented does not satisfy the requirements of aesthetics for the overall character of the PUD that was anticipated at the time of it's inception. And with the Township Zoning Ordinance, Section 13.01, statement of purpose, the petitioner does not meet the requirements for design contained under the site plan review under Paragraph 2 in that section.

The motion was unanimously carried.

Commissioner Cahill reiterated his concerns regarding the littering at Meijer.

Moved by McCririe, seconded by Figurski to recommend to the Township Board denial of the site plan application for a drive up ATM kiosk, to be located in the Meijer parking lot at the northwest corner of Grand River and Latson Roads, petitioned by Michigan National Bank sighting the same reasons as stated in the motion above. **The motion was unanimously carried.**

Moved by Figurski, supported by McCririe to approve the minutes of the March 13, 2000 meeting with the following changes:

1. Correct the name "Brish".
2. Page 6, Paragraph 4, "sewer" system

The motion was unanimously carried.

Administrative Business

Mr. Archinal reviewed his letter regarding the Hamburg Township Joint Meeting. He noted that pavement width has a very detrimental affect on the environment so that is something that the Planning Commission needs to consider. As the width of the road increases, so does the speed at which cars travel.

Commissioner Figurski noted she likes the attention that is being paid to higher landscaping requirements, bike paths, and walking paths.

Chairman Pobuda noted that Jim Mortensen is no longer a member of the Planning Commission. Commissioner Figurski suggested sending a letter to Mr. Mortensen recognizing his service to the Planning Commission. **Moved** by Figurski, seconded by Cahill to direct the Township Manager to recognize Jim Mortensen for his service to the Planning Commission. **The motion was unanimously carried.**

Commissioner Figurski asked about noting the dust control measures on the site plan. It is already on the impact assessment, but the people doing the work do not get a copy

of the impact assessment, but they do get a copy of the site plan. Commissioner Cahill agrees.

Chairman Pobuda asked how can we more enforce what is said at these meetings, i.e. painting, materials, landscaping, etc. Mr. Archinal suggested holding the Certificate of Occupancy if they do not comply.

Chairman Pobuda welcomed Ken Burchfield to the Planning Commission.

Commissioner Cahill asked if the requirements should be revised reflecting the road width. Mr. Purdy stated some changes have been forwarded to the Township Board regarding "preservation of natural features, on-street parking", etc. Mr. Archinal feels that it is good to have the standard high and then revise it for future use.

Commissioner Cahill stated we should have some type of drawing or colored artist rendering of what they are proposing it will look like when it is built. Commissioner McCririe stated that after the Commission approves a color for a building to be painted, they can go and change the color after they receive the approval. Can we require materials only be used where the color is permanent. Mr. Purdy stated that when someone proposes concrete block, we ask that the block be intracal colored, where the color is in the block. Commissioner McCririe stated this should be put in the ordinance.

Mr. Archinal stated that the new Super Wal-Mart is in violation of their PUD. There were 19 trailers there today.

The meeting was adjourned at 9:25 p.m.

Submitted By: Patty Thomas, Recording Secretary

Signed By: Barbara Figurski, Secretary