

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
MAY 14, 2007  
6:30 P.M.  
AGENDA**

CALL TO ORDER: At 6:30 p.m., the work session of Genoa Township Planning Commission was called to order. Present constituting a quorum were Chairman Pobuda, James Mortensen, Teri Olson, Steve Morgan and Dean Tenge. Also present was Jeff Purdy of LSL, Tesha Humphriss of Tetra Tech and Kelly VanMarter, Planning Director.

APPROVAL OF AGENDA: Upon motion of James Mortensen and support by Teri Olson, the agenda is approved as submitted. **Motion carried unanimously.**

DISCUSSION: of Agenda items of the regular meeting of the Planning Commission

DISCUSSION: of general items

ADJOURNMENT: The work session of the Genoa Township Planning Commission was adjourned at 6:45 p.m.

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
MAY 14, 2007  
7:00 P.M.  
AGENDA**

CALL TO ORDER: At 7:00 p.m., the work session of Genoa Township Planning Commission was called to order. Present constituting a quorum were Chairman Pobuda, James Mortensen, Teri Olson, Steve Morgan and Dean Tenge. Also present was Jeff Purdy of LSL, Tesha Humphriss from Tetra Tech and Kelly VanMarter, Planning Director.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited, followed by a moment of silence.

APPROVAL OF AGENDA: Upon motion by James Mortensen and support by Teri Olson, the agenda was approved as submitted. **Motion carried unanimously.**

**CALL TO THE PUBLIC: (Note: The Board reserves the right to not begin new business after 10:00 p.m.)**

Monica, a student from Howell High School introduces herself as an observer for government class.

**OPEN PUBLIC HEARING # 1**... Review of extension of site plan approval for a proposed 16-unit single-family site condominium development located north of Cunningham Lake Road, East of Sundance Trail in Section 34, petitioned by Doyle Homes, Inc. (Mountain Top Estates) (07-12)

Petitioner present and requests an extension of one year. Jeff Purdy and Tesha Humphriss have no objections and advise that this meets with the ordinance.

**Planning Commission disposition of petition**

- A. Recommendation of impact assessment extension.
- B. Disposition of site plan extension.

**Motion** by James Mortensen to recommend to the Township Board that they extend the impact assessment for Mountain Top Estates for one year. This impact assessment was reviewed by the Planning Commission on 4/10/06. Support by Steve Morgan. **Motion carried unanimously.**

**Motion** by James Mortensen to adopt the site plan extension reviewed by the Planning Commission on 4/10/06 for one year. Support by Teri Olson. **Motion carried unanimously.**

**OPEN PUBLIC HEARING # 2**...Review of a site plan application, impact assessment and site plan for a 7,000 sq. ft. retail auto parts store located at 2797 E. Grand River, Sec. 6, petitioned by WXY Retail Group. (07-07)

David Barbour, Attorney for applicant is present. Brad McLean of WXY Retail Group is present, as well. Additionally, Keith Talto, the consultant is present.

Mr. Barbour addresses the Planning Commission's concerns regarding the driveway easement and how it aligns with that of the dealership across Grand River. He believes petitioner's peak hours will be late afternoon and Saturdays and Sundays, first thing in the morning. He believes the precedent set by CVS/Big Boy's driveway conflict is different in that there is a constant flow of traffic, rather than peak hours. If the driveway is moved east, the driveway would be too close to the driveway of the property to the east. He requests that the site plan be approved as proposed.

Brad McLean addresses the Planning Commission and indicates that the peak hour typically has thirty-five trips per hour. This would be thirteen entering trips

and eighteen exiting trips. He presents a second traffic study that indicates a volume of 31 vehicles in the peak hour of 5-6 p.m.

Mr. Talto addresses the Planning Commission and indicates that petitioner has attempted to meet all contingencies and would request the petition be approved.

Chairman Pobuda asks petitioner if they met with the adjacent property owner. James Mortensen indicates that how we got to this point is irrelevant. Petitioner indicates they met with the landowner and attempted to get cooperation, but they were unable to obtain an easement.

James Mortensen asks petitioner to indicate where the existing curb cut is. Tesha Humphriss concurs that the proposed curb cut is almost in the exact location as the proposed curb cut. Jeff Purdy indicates the existing driveway is residential and not commercial. The change in use alone (not accounting for the building), would require a change in the driveway and site plan review.

Steve Morgan asks about moving the driveway west to the extent that the conflict would then become 15' rather than 40'. Petitioner indicates that would create a problem with the radius. Mr. Talto suggests that if the curb cut were pushed that way, they would have to get permission from the property owner. Steve Morgan doesn't believe that would be the case. Mr. McLean indicates MDOT would require permission by the property owner of the adjacent property. Petitioner has a final permit letter from MDOT for the curb cut as proposed.

James Mortensen asks about changing the driveway to the eastern side of the property, which would create a different problem that is slightly better according to Tesha Humphriss. The offset would then affect the traffic turning left onto Grand River from the driveways, rather than the traffic turning left off of Grand River into the driveways.

Chairman Pobuda asks the Planning Commission their feelings about the curb cut as proposed. Steve Morgan indicates he thinks it's at the worst possible place. He suggests moving it to the east. Petitioner indicates this would interfere with shipping. Additionally, it would affect the driveway slopes and grading.

Dean Tenge suggests that if MDOT approved this site plan, then perhaps the Planning Commission should acknowledge their authority and experience.

Tesha Humphriss indicates there is no ideal spot for a curb cut on this particular parcel. She finds that to be the inherent problem with this parcel. MDOT would allow the petitioner a curb cut in a not-ideal situation because there is no ideal situation within the constraints of the property lines.

Dean Tenge indicates he can live with the proposed site plan. Chairman Pobuda does, as well. Teri Olson says she can live with it, since MDOT has

approved it. She finds it's not ideal, but she can live with this. Steve Morgan agrees. James Mortensen cannot.

Steve Morgan would like petitioner to provide a cross-axis easement in writing at the appropriate time.

Jeff Purdy says 1 additional tree and 40 additional shrubs are needed in the front area. Petitioner will have his landscape architect contact LSL. Additionally, rooftop mechanical equipment should be screened. Petitioner asks if that means front two sides. It does per Jeff Purdy.

### **Planning Commission disposition of petition**

- A. Recommendation regarding impact assessment.
- B. Disposition regarding site plan.

**Motion** by Dean Tenge to recommend to the Township Board approval of the impact assessment received May 4, 2007. Support by Steve Morgan. Ayes: Tenge, Olson, Morgan. Nays: Mortensen. **Motion Carried 3-1-0.**

**Motion** by Steve Morgan to approve the site plan from Advanced Auto, subject to the following:

1. All conditions of planner's letter be met, including specifically rooftop screening and also noting that the signage presented on the ground sign is not approved and will require an additional permit;
2. All landscape areas be properly irrigated;
3. Samples of materials be left with Township staff; and
4. Petitioner will provide/submit a cross-axis across the 26' aisle way to the east and west in recordable form to the Township unless the township attorney deems another document appropriate.

Support by Teri Olson. Ayes: Tenge, Olson, Morgan. Nays: Mortensen. **Motion carried 3-1-0.**

**OPEN PUBLIC HEARING # 3...** Review of rezoning application, impact assessment, conceptual PUD plan and PUD agreement to rezone 10.4 acres located on the South-West corner of Sterling Drive and Dorr Road, (11-15-200-018) from IND (Industrial) to MUPUD (Mixed Use Planned Unit Development) to construct a 16,101 sq. ft. retail, 5,935 sq. ft. office and a 41,966 sq. ft. industrial buildings, petitioned by Sterling Development Properties, L.L.C. (07-11)

Pat Keough with Advanced Engineering, Bob King with Lindhout and Mike Kelly addressed the Planning Commission.

Jeff Purdy goes through the proposed uses for building "A" and "F": retail uses up to 60,000 sq feet and also pharmacies with drive-thru windows, dealerships, banquet halls, private clubs. Chairman Pobuda asks specifically about dealerships. Petitioner indicates if it was inappropriate, permission wouldn't be granted. James Mortensen would scratch out pharmacies, dealerships, funeral home. Petitioner wouldn't want to exclude pharmacies or a moped dealership. James Mortensen clarifies he meant pharmacy with a drive-thru should not be approved, but a pharmacy that does not have a drive-thru would be fine.

Jeff Purdy indicates all drive-thru businesses should not be approved.

James Mortensen addresses the moped or other recreational vehicle sale creates a problem in that outside storage would not be permitted. Dean Tingle asks if the intent is to limit outside storage or outside display. James Mortensen suggests that the test driving would be problematic, as well. Petitioner indicates he will not argue the point and will give up on that.

Petitioner agrees no funeral homes.

Laundromat, personal business services, dry cleaners without drive-thru services would all be permitted. Sit-down restaurants would be permitted, as well as bars and restaurants with open front windows. Restaurants with outdoor seating is permitted. No drive thru or drive-in restaurants. Carry out would be permitted. Artist and photographer's studios, tattoo parlors would be fine. Tool and equipment rental would be deleted. Medical use would be permitted. Construction equipment rental would be excluded, but high tech rental items would be permitted with a special use permit.

Leasing and rental of autos, trucks and trailers would not be permitted. Adult day care facilities and banks, credit unions, financial institutions, savings & loans without drive thru services would be permitted. Non-profit agencies, medical services & equipment rental would be permitted. Medical urgent care facilities are permitted. Medical offices and professional offices are permitted. Veterinary clinics, hospitals and related offices are permitted. The site is not configured for motion picture theaters. Public parks and open spaces, indoor recreation, arcades, bowling, etc., would be permitted. Health clubs would be permitted. Commercial schools and studios for various arts is fine. Vocational and technical training facilities would be appropriate. Bus passenger station should be deleted due to the long term parking issue. Churches and other similar places of worship would be fine. Shelters and rehab centers for philanthropic and non-profit institutions should be removed. Essential public services and structures would be fine, as well as essential public buildings and government buildings. Accessory uses would exclude drive-thru services. Tent sales and sidewalk

sales should be permitted. Fuel storage and use/storage of hazardous materials should be excluded.

James Mortensen asks about accessory uses of building and structures incidental to any of the above. Jeff Purdy indicates the waste receptacle enclosure or shed to hold lawn mowers are accessory structures. This should be removed. Accessory uses and structures customarily incidental to any of the above would be permitted.

Manufacturing category is fine, except remove cement, concrete, gypsum, plaster and nonmetallic mineral products manufacturing. Salvage yard and junk yard is removed.

Commercial category is fine.

Public or Institutional category is fine.

Accessory uses is fine, except fuel storage should be stricken.

Petitioner asks about paper/allied products manufacturing. This is permitted. Petitioner asks about cement, concrete, gypsum, plaster. This was stricken. Jeff Purdy indicates this is all subject to the zoning ordinance.

Jeff Purdy indicates PUD suggests 25% and it's actually 50% open space, which is provided for on this site.

James Mortensen asks about the PUD agreement and attempts to reconcile the square footage on the PUD against the square footage on the site plan. This is due to the 2<sup>nd</sup> story on building A. Article 2.3 will be changed to 50% open space. The internal sidewalk along Dorr Road goes through petitioner's property. Jeff Purdy indicates that an easement would be necessary, but he would prefer the sidewalk be built between the building and Dorr Road, rather than running behind building "F." Jeff Purdy indicates it would be problematic with a bike path. Chairman Pobuda indicates this was previously discussed and petitioner addressed this already. James Mortensen indicates that although this is not ideal, he has no issues with that.

Steve Morgan indicates if there will be condominiums, this could be addressed within that paperwork. Steve Morgan indicates it could be put into the PUD agreement, rather than creating easements for all of these sidewalks.

Steve Morgan asks what setback is 10' as it relates to building "A." Petitioner indicates this 10' is from the sewer easement and 6' away from the right-of-way, for a total of 16'. Jeff Purdy indicates it's a minimum 10' setback, so it's more than the minimum and complies with the table.

Jeff Purdy addresses the building materials. The efis is only to be used for trim work, although the Township is allowing more efis on industrial buildings. Building "A" and "F", shall comply with the town center architectural requirements.

James Mortensen discusses the proposed ground sign. Kelly indicates the proposal is smaller than the ordinance allows and that it would look appropriate.

James Mortensen asks if the R.E.U. fees are correct and Kelly indicates they are. It is common to lock-in the R.E.U. rates in developments.

Jeff Purdy addresses the reference to final site plan on page one to conceptual site plan. Petitioner asks if ultimately, it'll be signed with the word final in there and Chairman Pobuda indicates yes. Jeff Purdy explains the process to petitioner.

Steve Morgan asks how Jeff Purdy's comments are included in the PUD plan. Jeff Purdy indicates they're covered in the table.

Tesha Humphriss indicates she has nothing to contribute regarding the PUD. Referring to the May 9<sup>th</sup> letter, petitioner's site plan has been reviewed. Drainage and grading is being referred to the Drain Commissioner's office. Petitioner has not submitted the plans at this time. Petitioner will do so. Tetra Tech was not able to do that because it's not within their jurisdiction. This is required for final approval.

Tesha Humphriss discussed traffic as it relates to the proposed layout of the site. Tesha Humphriss did a trip generation for the proposed uses presented. There is a peak hour evening figure of 337 and therefore, a traffic study is required to determine if a passing lane is needed and as it relates to the queuing out of building "A" and Sterling Drive. Chairman Pobuda asks if a formal study is required. Pursuant to the ordinance, it is.

Steve Morgan asks about the 25' setback for wetland encroachment being addressed in the motion.

Petitioner asks if the morning peak flow affects the traffic flow. Tesha Humphriss indicates it does. The biggest generator will be the retail shop center. 17 trips in morning and 188 in the evening peak hours is estimated. Petitioner asks if passing lane would make any difference given that the peak hours would be between 4 and 6 in the evening.

Phil Glied introduces himself as a partner of petitioner. He addresses the traffic assessment study is actually penalizing them for being first developer out of the gate. He asks for consideration. Chairman Pobuda indicates it is necessary. James Mortensen says there is no way to provide assistance for that. Jeff Purdy

indicates the study is for this site alone. When the development to the north comes in, they will have to do a traffic impact study for their own development, as well.

**Planning Commission disposition of petition**

- A. Recommendation regarding rezoning application.
- B. Recommendation regarding PUD Agreement.
- C. Recommendation regarding conceptual PUD Plan.
- D. Recommendation regarding impact assessment.

**Motion** by James Mortensen to recommend to the Township Board the rezoning of the property west of Dorr Road and south of Sterling Drive to a mixed use PUD subject to:

- 1. Approval by the Township Board of the PUD agreement;
- 2. Approval of the Township Board of the conceptual PUD plan and impact assessment.

Support by Dean Tengle. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the PUD received by the Township on 4/25/07, subject to the following:

- 1. Approval by the Township Board of the rezoning, conceptual PUD plan and associated impact assessment;
- 2. Review and approval of township attorney;
- 3. The following revisions:
  - a. In the third paragraph, the words will be changed from final site plan to conceptual site plan;
  - b. On page three, article 2.3, language will be revised to indicate 50% open space;
  - c. On page five, the language will be revised to include that the internal sidewalk in the vicinity of the southeast part of the property will be for public use;
  - d. Also on page five, article 7.1, reference will be made to the requirements that buildings A & F meet town center architectural requirements;
  - e. The schedule of permitted and special land uses for buildings A and F in the general commercial and buildings B, C, D, & E in the industrial district will be revised as discussed with the Planning Commission this evening.

Support by Dean Tengle. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the conceptual site plan for the mixed use planned unit development reviewed this evening and dated April 25, 2007 and architectural plan of the same date, subject to:

1. Approval by the Township Board of the rezoning application PUD agreement and impact assessment;
2. Approval to allow grading within the wetland setback area is acceptable;
3. The requirements set forth in Tetra tech's letter dated May 9<sup>th</sup>, 2007 will be complied with, with particular reference to the requirements for a traffic impact study during final site plan.

Support by Steve Morgan. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the impact assessment submitted by Sterling Properties with a revision date of 4/24/07, subject to: approval by the Township Board of the rezoning application PUD agreement and conceptual PUD plan. Support by Teri Olson. **Motion carried unanimously.**

**OPEN PUBLIC HEARING #4...** Review of a special use application, impact assessment and site plan for a proposed fire substation and warning siren located east of Chilson Road between I-96 and Beck Road, Sec. 7, petitioned by Genoa Township. (07-13)

David Richardson from Lindhout Associates addresses the Planning Commission. This property is real estate donated by Neal Nielsen and the proposed fire station will be roughly the size of the one currently located near the Township Hall. Traffic concerns are addressed.

Tesha Humphriss indicates only fire trucks would exit the north side of the property. All other traffic will be through the other entrance/exit. The site slopes and the water outlets to a ditch near the road and ends up at the wetlands across the road. There is a wooded area which will need to be cleared for the drives. The woodlands grow more dense further from Chilson Road. The parcel running along side this parcel is owned by MDOT. It will connect to municipal water and sanitary sewer. A siren will be installed for emergencies and tests, but not for typical fire runs. The tower height is 47', which is well below township requirements.

Steve Morgan asks if there are samples of the building materials. They will be the same as building #34. This building will be the same. Sealed plans need to be submitted to the Township.

A release is needed for the adjoining drive on the entrance to the property. Tesha Humphriss indicates the drive would be moved slightly to accommodate the property adjoining or an easement would be obtained. The outlets do not have details into the fore bay outlets. Tesha Humphriss indicates the catch basin outlets are on the storm water page. There is no detail or invert into the Road Commission ditch. Tesha Humphriss indicates that's correct regarding the fore bays. The outlet control structure is not detailed, either. Tesha Humphriss will have those added to the plans.

Steve Morgan requests a letter from Tetra Tech indicating that the reviewer is not the plan designer.

Steve Morgan indicates the legal description needs to be corrected to reflect Chilson Road rather than Challis Road.

Steve Morgan addresses the easement on the southeast side of the property and indicates he is now clear on that and the plans should note that property is MDOT owned.

Petitioner submits a photograph of the station this proposed building will be patterned after. The proposed drawings are submitted, as well. The use and nature will be similar to what exists in the other building.

Chairman Pobuda asks if the site is large enough to handle potential expansion. Tesha Humphriss indicates a third bay could be added. There is potential for expansion.

Petitioner indicates the second floor has a storage area that could house a small bunk area in the future, if necessary.

Jeff Purdy indicates that they coordinated with Tetra Tech earlier regarding this matter. The land use is appropriate, but would require a recommendation to the Township Board.

Jeff Purdy did not see anything with regard to signage.

There is no dumpster. Residential curb carts are used.

Lighting use is consistent with existing fire station.

Steve Morgan indicates the impact assessment was not signed by a drafter and would like a signed one filed.

Steve Morgan asks about hazardous materials and where they might be stored.

May 14, 2007 PC Minutes Approved

Jeff Purdy says that is addressed in the impact assessment. Chief Deloche addresses the Planning Commission's concerns regarding hazardous materials. They are stored inside of the building.

Chief Deloche indicates 1%-4% of runs are on I-96. Most are on Chilson, Latson and up and down Grand River.

Freddie Bailey, 1539 Chilson Road addresses the Planning Commission. He appreciates the effort to make it a safer place to live, he believes the traffic would be a problem. He believes it's absurd to put a substation there and not address the speed limit. He thinks the speed limit should be reduced. He would like the Board to have traffic studies done.

Jim McCartney, 2960 Beck Road addresses the Planning Commission. He asks what provisions are made for water, septic and disposal at the substation.

Jerry Shipley, 1320 Chilson Road addresses the Planning Commission. He asks about lighting. He believes it's a wetland area. He has lived there since 1977 and has seen water always in the woods. He indicates that 2 yrs ago, a ramp onto I-96 was turned down. He believes that the removal of the trees will cause an increase in the noise from the expressway. He suggests there is no water, gas, sewer or cable in that area but they want to put a fire substation there. He would like those also. He believes that a flashing light or some other warning should be placed on Chilson Road to advise drivers that a fire truck may be exiting onto Chilson Road.

Tesha Humphriss addresses speeding and traffic on Chilson Road. She agrees there are site distance issues, but it is the best site distance available on that parcel.

Chairman Pobuda asks if there are warning signs or lights available to place on Chilson Road. Tesha Humphriss indicates there are signs for that. The Road Commission has agreed to install the signs with a picture of a fire truck and the distance ahead the substation is. The Road Commission determines the posted speed on Chilson Road. Chairman Pobuda indicates that with the fire department going onto Chilson Road, the Township should write a letter requesting a review of the speed limit. Kelly VanMarter agrees.

Chairman Pobuda asks Chief Deloche how long it takes to get the fire department out of the driveway and onto the road. Chief Deloche indicates the trucks stop before entering onto the main road.

Water, sewer and septic will be served with an individual supply well and municipal sanitary sewer.

The wetland is not a marked wetland. Tesha Humphriss indicates the drainage splits off to the north and out towards Chilson, but water does collect in a hole before flowing that way. The water collects near the entrance drive and the very edge of the parking area. Tesha Humphriss indicates the water path will be changed to direct it to Chilson Road.

Tesha Humphriss shows the Planning Commission what changes would be made in the tree line and wooded areas. 18 trees and 60 shrubs would be added.

Tesha Humphriss shows the plans for the proposed grinder pump and forced main to the Planning Commission.

Paul Perosi, Beck Road addresses the Planning Commission. He discusses traffic at the hill near Beck Road and Chilson Road.

Jerry Shipley addresses the Board again, discussing the train stopping at times and blocking Chilson Road. He is hopeful that the fire department would stop that.

#### **Planning Commission disposition of petition**

- A. Recommendation regarding Special Use.
- B. Recommendation regarding Impact Assessment.
- C. Recommendation regarding Site Plan.

**Motion** by James Mortensen to recommend to the Township Board approval of a special use permit to build a fire substation on Chilson Road between I-96 and Beck Road, subject to:

1. Approval by the Township Board of the impact assessment and site plan. This recommendation to the board is made because the proposed special use permit is consistent with section 19.03 of the township ordinance. Further, location of the fire substation in this area of the Township will permit service in the western portion of Genoa Township on a side of I-96 that is difficult to reach from the existing fire substation.

Support by Dean Tenge. **Motion carried unanimously.**

**Motion** by James Mortensen approval of the impact assessment for a fire substation on Chilson Road dated May 9<sup>th</sup>, 2007, subject to approval by the Township Board of the special use permit.

Support by Teri Olson. **Motion carried unanimously**

**Motion** by James Mortensen to recommend to the Township Board approval of the site plan reviewed with the Planning Commission this evening and the architectural renderings dated May 2, 2007 subject to:

1. The plan should be signed by an official of Tetra Tech, other than the reviewer;
2. The reference to Challis Road should be revised to Chilson Road;
3. An easement should be obtained for the southerly driveway or the driveway should be moved northerly to not encroach upon the property at the south;
4. There are three outlet structures on the plan that do not have details on their construction and these should be provided.

Support by Dean Tenge. **Motion carried unanimously.**

**Administrative Business:**

- *Planners report presented by LSL Planners*
- *Approval of April 9, 2007 Planning Commission meeting minutes. Upon motion of James Mortensen and support by Teri Olson, the minutes of April 9, 2007 were approved.*
- *Member Discussion. The next meeting will be July 9, 2007.*

Adjourned at 9:50 p.m.

Respectfully submitted,

Kristi Cox  
Recording Secretary