

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting and Public Hearing
May 4, 2015
6:30 p.m.

AGENDA

Call to Order:

Pledge of Allegiance:

Call to the Public*:

Approval of Consent Agenda:

1. Payment of Bills.
2. Request to Approve Minutes: April 20, 2015

Approval of Regular Agenda:

3. Public hearing on the Northshore Development Road Improvement Project.
 - A. Call to the Public
 - B. Request for approval of Resolution No. 3 [Approving the project, cost estimates, special assessment district and causing the special assessment roll to be prepared.]
 - C. Request for approval of Resolution No. 4 [Acknowledging the filing of the special assessment roll, scheduling the second hearing, and directing the issuance of statutory notices.]
4. Request for approval of a rezoning (Ordinance Z-15-01), PUD agreement amendment, site plan, and environmental impact assessment for a proposed 3,848 sq. ft. Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, Michigan 48443, # 4711-05-400-025. The request is petitioned by PKJJ, LLC.
 - A. Public hearing and adoption of Ordinance Z-15-01 to rezone parcel 4711-05-400-025 from Regional Commercial District (RCD) to Non-Residential (NR-PUD).
 - B. Disposition of PUD Agreement Amendment dated March 12, 2015.
 - C. Disposition of Environmental Impact Assessment dated April 25, 2014.
 - D. Disposition of Site Plan dated April 29, 2015.
5. Request for approval of PUD agreement amendment, environmental impact assessment, and site plan for the proposed redevelopment of an existing outparcel to create two (2) outlots and construct a 4,283 sq. ft. restaurant building for Panera Bread, located at 3950 E. Grand River Avenue, Howell, Michigan 48843, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.
 - A. Disposition of PUD Agreement Amendment dated March 12, 2015.
 - B. Disposition of Environmental Impact Assessment dated April 28, 2015.

C. Disposition of Site Plan dated April, 28, 2015.

6. Request for approval of a special use, environmental impact assessment, and sketch plan for proposed outdoor storage, sales, and display, including mulch, landscape supplies, and brick pavers, located at 7949 W. Grand River, Brighton, Michigan, parcel # 4711-13-400-025. The request is petitioned by Nelligan's Outdoor Services.

A. Disposition of Special Land Use Permit.

B. Disposition of Environmental Impact Assessment dated April 09, 2015.

C. Disposition of Sketch Plan dated April 9, 2015.

7. Request to enter into a closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

Correspondence
Member Discussion
Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: May 4, 2015

| | |
|---|---------------------|
| TOWNSHIP GENERAL EXPENSES: Thru May 4, 2015 | \$79,798.76 |
| April 24, 2015 Bi Weekly Payroll | \$78,754.97 |
| May 1, 2015 Monthly Payroll | \$11,879.31 |
| OPERATING EXPENSES: May 4, 2015 | \$149,310.89 |
| TOTAL: | <u>\$319,743.93</u> |

| <u>Check Number</u> | <u>Vendor No</u> | <u>Vendor Name</u> | <u>Check Date</u> | <u>Check Amount</u> |
|---------------------|------------------|--------------------------------|-------------------|---------------------|
| 31646 | RELIANCE | Reliance Standard Life Insuran | 04/15/2015 | 2,876.84 |
| 31647 | Unum | Unum Provident | 04/15/2015 | 10,424.40 |
| 31648 | A T & T | A T & T | 04/15/2015 | 148.12 |
| 31650 | BROWN | Douglas Brown | 04/15/2015 | 49.68 |
| 31651 | BullsEye | BullsEye Telecom | 04/15/2015 | 294.37 |
| 31652 | Election | Election Systems & Software | 04/15/2015 | 1,235.10 |
| 31653 | ETNA SUP | Etna Supply Company | 04/15/2015 | 14,040.00 |
| 31654 | FED EXPR | Federal Express Corp | 04/15/2015 | 246.36 |
| 31655 | LC REG D | Livingston Co. Register Of Dec | 04/15/2015 | 21.00 |
| 31656 | MASTER M | Master Media Supply | 04/15/2015 | 178.75 |
| 31657 | RELIANCE | Reliance Standard Life Insuran | 04/15/2015 | 2,283.77 |
| 31658 | Unum | Unum Provident | 04/15/2015 | 2,606.10 |
| 31659 | VERIZONW | Verizon Wireless | 04/15/2015 | 329.58 |
| 31660 | LAKESIDE | Lakeside Service Company, Inc. | 04/16/2015 | 1,567.50 |
| 31661 | LSL | LSL Planning, Inc. | 04/16/2015 | 3,069.35 |
| 31662 | Mancuso | Mancuso & Cameron, P.C. | 04/16/2015 | 6,063.00 |
| 31663 | MICOM | Michigan.com | 04/16/2015 | 375.00 |
| 31664 | Allstar | Allstar Alarm LLC | 04/21/2015 | 270.00 |
| 31665 | BLUE CRO | Blue Cross & Blue Shield Of Mi | 04/21/2015 | 28,295.16 |
| 31666 | Brighton | Brighton Analytical , L.L.C. | 04/21/2015 | 97.00 |
| 31667 | K&J ELECT | K & J Electric, Inc. | 04/21/2015 | 185.00 |
| 31668 | LIVCTTR | Livingston County Treasurer | 04/21/2015 | 93.15 |
| 31669 | MASTER M | Master Media Supply | 04/21/2015 | 683.91 |
| 31670 | Tetra Te | Tetra Tech Inc | 04/21/2015 | 1,858.00 |
| 31671 | VERIZONW | Verizon Wireless | 04/21/2015 | 309.29 |
| 31672 | ARCHINAL | Michael Archinal | 04/27/2015 | 500.00 |
| 31673 | AT&T Fax | AT&T | 04/27/2015 | 49.46 |
| 31674 | BRANVAN | Brandon VanMarter | 04/27/2015 | 150.00 |
| 31675 | CARDM | Chase Card Services | 04/27/2015 | 432.67 |
| 31676 | COMC | Comcast | 04/27/2015 | 136.87 |
| 31677 | DTE EN | DTE Energy | 04/27/2015 | 138.47 |
| 31678 | LEO'S CU | Leo's Custom Sprinkler Service | 04/27/2015 | 475.10 |
| 31679 | PETTYCAS | Petty Cash | 04/27/2015 | 25.00 |
| 31680 | WALMART | Walmart Community | 04/27/2015 | 290.76 |

Report Total: 79,798.76

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: CINDY

Printed: 04/16/2015 - 14:36

Bank Account: 101CII

| Check | Vendor No | Vendor Name | Date | Invoice No | Amount |
|--------------------|-----------|------------------------------|------------|------------|--|
| 13311 | EFT-FED | EFT- Federal Payroll Tax | 04/24/2015 | | 8,134.42 4,605.58 4,605.58 1,077.11 1,077.11 |
| Check 13311 Total: | | | | | 19,499.80 |
| 13312 | EFT-PENS | EFT- Payroll Pens Ln Pyts | 04/24/2015 | | 2,904.13 |
| Check 13312 Total: | | | | | 2,904.13 |
| 13313 | EFT-PRIN | EFT-Principal Retirement 457 | 04/24/2015 | | 1,095.00 |
| Check 13313 Total: | | | | | 1,095.00 |
| 13314 | EFT-ROTH | EFT-Principal Roth | 04/24/2015 | | 1,115.00 |
| Check 13314 Total: | | | | | 1,115.00 |
| 13315 | EFT-TASC | EFT-Flex Spending | 04/24/2015 | | 1,133.04 |
| Check 13315 Total: | | | | | 1,133.04 |
| 13316 | FIRST NA | First National Bank | 04/24/2015 | | 3,340.00 49,668.00 |

Check 13316 Total:

53,008.00

Report Total:

78,754.97

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cindy

Printed: 04/22/2015 - 10:33

Bank Account: 101CH

| Check | Vendor No | Vendor Name | Date | Invoice No | Amount |
|--------------------|-----------|---------------------------|------------|------------|--|
| 13317 | EFT-FED | EFT- Federal Payroll Tax | 05/01/2015 | | 1,995.59 722.55 722.55 168.98 168.98 |
| Check 13317 Total: | | | | | 3,778.65 |
| 13318 | EFT-PENS | EFT- Payroll Pens Ln Pyts | 05/01/2015 | | 394.21 |
| Check 13318 Total: | | | | | 394.21 |
| 13319 | EFT-ROTH | EFT-Principal Roth | 05/01/2015 | | 200.00 |
| Check 13319 Total: | | | | | 200.00 |
| 13320 | EFT-TASC | EFT-Flex Spending | 05/01/2015 | | 83.33 |
| Check 13320 Total: | | | | | 83.33 |
| 13321 | FIRST NA | First National Bank | 05/01/2015 | | 7,423.12 |
| Check 13321 Total: | | | | | 7,423.12 |
| Report Total: | | | | | 11,879.31 |

8:16 AM

#592 OAK POINTE WATER/SEWER FUND

Payment of Bills

April 13 - 26, 2015

| | | | | | |
|-----------------|------------|------|-----------------------------------|---|--------------------|
| Bill Pmt -Check | 04/15/2015 | 3290 | AT&T(2) | Telephone Service | -79.52 |
| Bill Pmt -Check | 04/15/2015 | 3291 | Bullseye Telecom | 003CA32, 003CACC | -374.39 |
| Bill Pmt -Check | 04/15/2015 | 3292 | DTE ENERGY | Electric bill | -37.32 |
| Bill Pmt -Check | 04/15/2015 | 3293 | DUBOIS COOPER ASSOCIATES INCORP | Impeller Kits | -1,510.00 |
| Bill Pmt -Check | 04/15/2015 | 3294 | EJ USA, Inc. | Supplies | -36.80 |
| Bill Pmt -Check | 04/15/2015 | 3295 | NORTHWEST PIPE AND SUPPLY, INC. | SUPPLIES | -3.94 |
| Bill Pmt -Check | 04/15/2015 | 3296 | STANDARD ELECTRIC | | -58.09 |
| Bill Pmt -Check | 04/15/2015 | 3297 | TLS Construction LLC | Oak Pointe Water Tower | -1,230.00 |
| Bill Pmt -Check | 04/15/2015 | 3298 | Utilities Instrumentation Service | Invoice # 530345323 | -254.03 |
| Bill Pmt -Check | 04/20/2015 | 3299 | Genoa Twp Oak Pointe Sewer Bond | Payment on Sewer Bond | -104,291.00 |
| Bill Pmt -Check | 04/21/2015 | 3300 | AT & T | Telephone Internet Service April 12 thru May 11, 2015 | -65.00 |
| Bill Pmt -Check | 04/21/2015 | 3301 | MHOG UTILITIES | Feb and March 2015 | -22,175.10 |
| Total | | | | | -130,115.19 |

8:23 AM

#595 PINE CREEK W/S FUND

Payment of Bills

April 13 - 26, 2015

| Type | Date | Num | Name | Memo | Amount |
|------|------|-----|------|------|--------|
|------|------|-----|------|------|--------|

no checks issued

8:20 AM

#503 DPW UTILITY FUND

Payment of Bills

April 13 - 26, 2015

| Type | Date | Num | Name | Memo | Amount |
|-----------------|------------|------|--------------------------------|--|-------------------|
| Bill Pmt -Check | 04/15/2015 | 3178 | Advanced Auto Parts | BRK Cleaner, Antfrz | -95.44 |
| Bill Pmt -Check | 04/15/2015 | 3179 | Chase Card Services | | -2,542.77 |
| Bill Pmt -Check | 04/15/2015 | 3180 | HOWELL TRUE VALUE HARDWARE | Supplies | -17.39 |
| Bill Pmt -Check | 04/15/2015 | 3181 | LOWE'S | Supplies | -2,324.44 |
| Bill Pmt -Check | 04/15/2015 | 3182 | NORTHWEST PIPE & SUPPLY | | -469.44 |
| Bill Pmt -Check | 04/15/2015 | 3183 | PAETEC | Account #2119355 | -32.74 |
| Bill Pmt -Check | 04/15/2015 | 3184 | Port City Communications, Inc. | Call Center Services 4-1 to 4-30-15 | -316.23 |
| Bill Pmt -Check | 04/15/2015 | 3185 | Roys Autoworks | DPW Truck \$#1 | -576.00 |
| Bill Pmt -Check | 04/15/2015 | 3186 | Staples Credit Plan | Office supplies | -110.71 |
| Bill Pmt -Check | 04/15/2015 | 3187 | Tractor Supply Co. | Supplies | -35.97 |
| Bill Pmt -Check | 04/15/2015 | 3188 | WEX Bank | Fuel Purchases thru 3-31-2015 | -2,565.11 |
| Bill Pmt -Check | 04/15/2015 | 3189 | Verizon Wireless | DPW Phone | -286.83 |
| Bill Pmt -Check | 04/15/2015 | 3190 | Jonny Sharp | Mileage-Lindens wastewater plant | -23.00 |
| Bill Pmt -Check | 04/15/2015 | 3191 | Mancuso & Cameron | | -364.00 |
| Bill Pmt -Check | 04/15/2015 | 3192 | U.S. POSTMASTER | Jan , Feb, March 2015 | -1,508.66 |
| Bill Pmt -Check | 04/23/2015 | 3193 | Boyne USA Resorts | Hotel Conference Miller, Tatara, Humphriss | -822.00 |
| Bill Pmt -Check | 04/23/2015 | 3194 | MWEA | Conference Reg Miller, Tatara, Humphriss | -735.00 |
| Total | | | | | -12,825.73 |

8:18 AM

#593 LAKE EDGEWOOD W/S FUND

Payment of Bills

April 13 - 26, 2015

| Type | Date | Num | Name | Memo | Amount |
|-----------------|------------|------|--------------------------------|-------------------------------------|------------------|
| Bill Pmt -Check | 04/15/2015 | 2730 | DTE Energy | Electric Bills | -3,714.63 |
| Bill Pmt -Check | 04/15/2015 | 2731 | GENOA TWP-OAK POINTE OPERATING | GRINDER PUMP REPAIR Oct1 to Dec 31- | -1,232.00 |
| Bill Pmt -Check | 04/15/2015 | 2732 | MHOG Utilities | 7817 Bendix | -14.15 |
| Bill Pmt -Check | 04/20/2015 | 2733 | Brighton Analytical L.L.C. | Laboratory costs | -77.00 |
| Bill Pmt -Check | 04/20/2015 | 2734 | BullsEye Telecom | 03-10- to 4-09-2015 | -309.24 |
| Bill Pmt -Check | 04/20/2015 | 2735 | GENOA TWP DPW FUND | Water and Sewer Admin Fees | -1,022.95 |
| Total | | | | | -6,369.97 |

Draft

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

April 20, 2015

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: McCririe, Skolarus, Hunt, Ledford, Rowell, Mortensen and Smith. Also present were: Township Manager Mike Archinal; Township Attorney Frank Mancuso; Township Assistant Manager Kelly VanMarter; and four persons in the audience.

Call to the Public was made with the following response: Don Thompson and Doug Sargent addressed the Board concerning the Cromaine District Library and a millage request of .77 mills for the expansion of the library. Brochures were offered to the Board concerning the millage request and reasons for passage.

Approval of Consent Agenda:

Moved by Mortensen and supported by Ledford, to approve all items under the consent agenda and move the approval of the Minutes to the regular agenda for discussion. The motion carried unanimously.

1. Payment of Bills.

2. Request for a fireworks display permit submitted by Calvin Heckman Jr. for a display scheduled July 18, 2015 at Mt. Brighton sponsored by the Brighton Alumni Reunion.

3. Request for a fireworks display permit submitted by Calvin Heckman Jr. for a display scheduled July 4, 2015 with a rain date of July 5, 2015 at Tri-Lakes Association.

Approval of Regular Agenda:

Moved by Ledford and supported by Mortensen to approve for action all items listed under the regular agenda with the addition of the Minutes from April 6th and two resolutions related to the establishment of a special assessment district for Northshore Development. The motion carried unanimously.

4. Request to Approve Minutes: April 6, 2015

Moved by Rowell and supported by Smith to restate the comments made by Skolarus within the election commission meeting, amend the minutes and add language that approval for election

officials be for one last election. The motion carried with Skolarus opposed. *Note: The Election Commission has sole responsibility for elections. Ms. Rowell does not sit on the Election Commission and the language requested is not what was stated in the opening statement by Skolarus. The MTA confirms this position and no approval is required of the Township Board with regard to the appointment of election officials.*

5. Introduction for a proposed rezoning of 1.11 acres of land located at 3838 E. Grand River (Parcel #4711-05-400-025) from Regional Commercial District (RCD) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 4, 2015.

McCririe suggested that there be deed restriction with this rezoning. VanMarter said that deed restrictions could be part of the site plan. Moved by Smith and supported by Ledford to introduce the ordinance and to set a public hearing before the Township Board on Monday, May 4, 2015 for the purpose of considering the proposed zoning map amendment (Z-15-01) which involves the rezoning of 1.11 acres of land located at 3838 E. Grand River Avenue (Parcel 4711-05-400-025) from Regional Commercial District (RCD) to Non-Residential Planned Unit Development (PUD) as requested. The motion carried unanimously.

6. Request to direct staff to initiate a special assessment district for the completion of the West Northshore reconstruction project.

A. Request for approval of Resolution No. 1 (to Proceed with the project and Direct Preparation of Plans and Cost Estimates).

Moved by Ledford and supported by Skolarus to approve the Resolution as requested with minor changes to the parcel total and cost. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

B. Request for approval of Resolution No. 2 (to Approve the project, Scheduling the First Hearing and Directing the Issuance of Statutory Notices).

Moved by Rowell and supported by Mortensen, to approve Resolution No. 2 as requested with minor changes to the parcel total and cost. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

7. Discussion regarding litter in the rights-of-way in Genoa Township.

Archinal will contact the local sheriff for assistance in this matter.

8. Consider approval of employment contracts.

Moved by Skolarus and supported by Ledford to approve a contract for Ron Akers with minor changes to item 11 as recommended by Township Attorney Frank Mancuso and coordinated

with Kelly VanMarter. The motion carried as follows: Ayes – McCririe, Skolarus, Hunt, Rowell, Mortensen and Ledford. Nay – Smith.

Moved by Smith and supported by Ledford to table discussion of contracts for Archinal, VanMarter, Rojewski and Mroczka until the next regular meeting of the board. The motion carried unanimously.

The meeting was adjourned at approximately 7:25 p.m.

Paulette A. Skolarus, Clerk
Genoa Charter Township

Resolution No. 3 – Northshore Road Improvement Project
Reimbursement Special Assessment Project (Winter Tax Roll 2015)

TOWNSHIP OF GENOA

At a regular meeting of the Township Board of the Township of Genoa, Livingston County, Michigan, (the “Township”) held at the Township Hall on May 4, 2015, at 6:30 p.m., there were

PRESENT: McCririe, Skolarus, Hunt, Smith, Rowell, Mortensen and Ledford

ABSENT: None

The following preamble and resolution were offered by _____ and seconded by _____.

Resolution Approving Project, Cost Estimates, Special Assessment District and Causing the Special Assessment Roll to be Prepared

WHEREAS, preliminary plans and cost estimates for the Project have been filed with the Township Clerk;

WHEREAS, the Township Board has tentatively determined to proceed with the Project as described in Exhibit A and in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, The Board of Trustees of the Township has declared its intention to make the improvement and tentatively designated the special assessment district against which the cost of the improvement Northshore Road Improvement Project is to be assessed is described in Exhibit A.

WHEREAS, on May 4, 2015 a public hearing was held to hear any objections to the Northshore Road Improvement and to the special assessment district and notice of the hearing was provided pursuant to the requirements of Act No 188, Michigan Public Acts of 1954, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board approves the completion of the Project and approves the plans and cost estimates for the Project, which are on file with the Township Clerk and which are identified as “Plans and Cost Estimates for the Northshore Road Improvement Project and Reimbursement Special Assessment Project (Winter 2015 Tax Roll).”

2. The Township Board determines that the Special Assessment District for the Project shall consist of the parcels identified in Exhibit B. The term of the Special Assessment District shall be for one year.

3. The Township Board has determined to advance the costs of the Project from Township funds and to use special assessments to raise the money necessary to reimburse the Township for the advance of such funds;

4, The Township Supervisor is directed to prepare the Special Assessment Roll for the Special Assessment District identified in Exhibit B. The Special Assessment Roll shall describe all the parcels of land to be assessed with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each parcel of land. When the Township Supervisor completes the Special Assessment Roll, he shall affix his certificate to the roll stating that the roll was made pursuant to a resolution of the Township Board adopted on a specified date, and that in making the assessment roll the supervisor, according to his or her best judgment, has conformed in all respects to the directions contained in the resolution and the statutes of the State of Michigan.

5. All resolutions or parts of resolutions in conflict with this resolution are hereby rescinded.

A vote on the foregoing resolution was taken and was as follows:

YES: Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe.

NO: None.

ABSENT: None.

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Paulette A. Skolarus, Genoa Township Clerk

EXHIBIT A

NORTHSHORE IMPROVEMENT PROJECT

DESCRIPTION OF PROJECT A ONE-YEAR SPECIAL ASSESSMENT DISTRICT WITH PROJECTED COSTS AS FOLLOWS:

The project (the "Project") will consist of:

The cost for the project will consist of the following:

Approximately 13,000 square feet

- Pulverize existing asphalt
- Fine grade and compact
- Haul away spoils
- Pave with 2 ½ inches compacted bituminous 13-A asphalt
- Pave with 1 ½ inches compacted bituminous 36-A asphalt

The one-year estimated cost is projected to be \$31,728.00 (including publications and mailings for the establishment of the special assessment district)

EXHIBIT B

NORTHSHORE ROAD IMPROVEMENT PROJECT PARCELS INCLUDED IN THE SPECIAL ASSESSMENT DISTRICT

The Project is being designed to serve the properties in the Special Assessment District, which district includes the specific properties that are identified by the following permanent parcel numbers:

| | | |
|-----------------|-----------------|-----------------|
| 4711-21-201-001 | 4711-21-201-107 | 4711-21-204-001 |
| 4711-21-201-002 | 4711-21-201-108 | 4711-21-204-002 |
| 4711-21-201-003 | 4711-21-201-109 | 4711-21-204-003 |
| 4711-21-201-004 | 4711-21-201-110 | 4711-21-204-004 |
| 4711-21-201-005 | 4711-21-201-111 | 4711-21-204-005 |
| 4711-21-201-006 | 4711-21-201-112 | 4711-21-204-006 |
| 4711-21-201-007 | 4711-21-201-113 | 4711-21-204-007 |
| 4711-21-201-008 | 4711-21-201-114 | 4711-21-204-008 |
| 4711-21-201-009 | 4711-21-201-115 | 4711-22-101-001 |
| 4711-21-201-010 | 4711-21-201-116 | 4711-22-101-002 |
| 4711-21-201-011 | 4711-21-201-117 | 4711-22-101-003 |
| 4711-21-201-012 | 4711-21-201-118 | 4711-22-101-004 |
| 4711-21-201-013 | 4711-21-201-119 | 4711-22-101-005 |
| 4711-21-201-014 | 4711-21-201-120 | 4711-22-101-006 |
| 4711-21-201-015 | 4711-21-201-121 | 4711-22-101-007 |
| 4711-21-201-016 | 4711-21-201-122 | 4711-22-101-008 |
| 4711-21-201-017 | 4711-21-201-123 | 4711-22-101-009 |
| 4711-21-201-018 | 4711-21-201-124 | 4711-22-101-010 |
| 4711-21-201-019 | 4711-21-201-125 | 4711-22-101-011 |
| 4711-21-201-020 | 4711-21-201-126 | 4711-22-101-012 |
| 4711-21-201-021 | 4711-21-201-127 | 4711-22-101-013 |
| 4711-21-201-022 | 4711-21-201-128 | 4711-22-101-014 |
| 4711-21-201-023 | 4711-21-201-129 | 4711-22-101-015 |
| 4711-21-201-024 | 4711-21-201-130 | 4711-22-101-016 |
| 4711-21-201-025 | 4711-21-201-131 | 4711-22-101-017 |
| 4711-21-201-026 | 4711-21-201-132 | 4711-22-101-018 |
| 4711-21-201-027 | 4711-21-202-001 | 4711-22-101-019 |
| 4711-21-201-028 | 4711-21-202-002 | 4711-22-101-020 |
| 4711-21-201-029 | 4711-21-202-003 | 4711-22-101-021 |
| 4711-21-201-030 | 4711-21-202-004 | 4711-22-101-022 |
| 4711-21-201-031 | 4711-21-202-005 | 4711-22-101-023 |
| 4711-21-201-032 | 4711-21-202-006 | 4711-22-101-024 |

| | | |
|-----------------|-----------------|-----------------|
| 4711-21-201-033 | 4711-21-202-007 | 4711-22-101-025 |
| 4711-21-201-034 | 4711-21-202-008 | 4711-22-101-026 |
| 4711-21-201-035 | 4711-21-202-009 | 4711-22-101-027 |
| 4711-21-201-036 | 4711-21-202-010 | 4711-22-101-028 |
| 4711-21-201-037 | 4711-21-202-011 | 4711-22-101-029 |
| 4711-21-201-038 | 4711-21-202-012 | 4711-22-101-030 |
| 4711-21-201-039 | 4711-21-202-013 | 4711-22-101-031 |
| 4711-21-201-040 | 4711-21-202-014 | 4711-22-101-032 |
| 4711-21-201-041 | 4711-21-202-015 | 4711-22-101-033 |
| 4711-21-201-042 | 4711-21-202-016 | 4711-22-101-034 |
| 4711-21-201-043 | 4711-21-202-017 | 4711-22-101-035 |
| 4711-21-201-044 | 4711-21-202-018 | 4711-22-101-036 |
| 4711-21-201-045 | 4711-21-202-019 | 4711-22-101-037 |
| 4711-21-201-046 | 4711-21-202-020 | 4711-22-101-038 |
| 4711-21-201-047 | 4711-21-202-021 | 4711-22-101-039 |
| 4711-21-201-048 | 4711-21-202-022 | 4711-22-101-040 |
| 4711-21-201-049 | 4711-21-202-023 | 4711-22-101-041 |
| 4711-21-201-050 | 4711-21-202-024 | 4711-22-101-042 |
| 4711-21-201-051 | 4711-21-202-025 | |
| 4711-21-201-052 | 4711-21-202-026 | 4711-22-102-133 |
| 4711-21-201-053 | 4711-21-202-027 | 4711-22-102-134 |
| 4711-21-201-054 | 4711-21-202-028 | 4711-22-102-135 |
| 4711-21-201-055 | 4711-21-202-029 | 4711-22-102-136 |
| 4711-21-201-056 | 4711-21-202-030 | 4711-22-102-137 |
| 4711-21-201-057 | 4711-21-202-031 | 4711-22-102-138 |
| 4711-21-201-058 | 4711-21-202-032 | 4711-22-102-139 |
| 4711-21-201-059 | 4711-21-202-033 | 4711-22-102-140 |
| 4711-21-201-060 | 4711-21-202-034 | 4711-22-102-141 |
| 4711-21-201-061 | 4711-21-202-035 | 4711-22-102-142 |
| 4711-21-201-062 | 4711-21-202-036 | 4711-22-102-143 |
| 4711-21-201-063 | 4711-21-202-037 | 4711-22-102-144 |
| 4711-21-201-064 | 4711-21-202-038 | 4711-22-102-145 |
| 4711-21-201-065 | 4711-21-202-039 | 4711-22-102-146 |
| 4711-21-201-066 | 4711-21-202-040 | 4711-22-102-147 |
| 4711-21-201-067 | 4711-21-202-041 | 4711-22-102-148 |
| 4711-21-201-068 | 4711-21-202-042 | 4711-22-102-149 |
| 4711-21-201-069 | 4711-21-202-043 | 4711-22-102-150 |
| 4711-21-201-070 | 4711-21-202-044 | 4711-22-102-151 |
| 4711-21-201-071 | 4711-21-202-045 | 4711-22-102-152 |
| 4711-21-201-072 | 4711-21-202-046 | 4711-22-102-153 |
| 4711-21-201-073 | 4711-21-202-047 | 4711-22-102-154 |
| 4711-21-201-074 | 4711-21-202-048 | 4711-22-102-155 |
| 4711-21-201-075 | 4711-21-202-049 | 4711-22-102-156 |

| | | |
|-----------------|-----------------|-----------------|
| 4711-21-201-076 | 4711-21-203-001 | 4711-22-102-157 |
| 4711-21-201-077 | 4711-21-203-002 | 4711-22-102-158 |
| 4711-21-201-078 | 4711-21-203-003 | 4711-22-102-159 |
| 4711-21-201-079 | 4711-21-203-004 | 4711-22-102-160 |
| 4711-21-201-080 | 4711-21-203-005 | 4711-22-103-001 |
| 4711-21-201-081 | 4711-21-203-006 | 4711-22-103-002 |
| 4711-21-201-082 | 4711-21-203-007 | 4711-22-103-003 |
| 4711-21-201-083 | 4711-21-203-008 | 4711-22-103-004 |
| 4711-21-201-084 | 4711-21-203-009 | 4711-22-103-005 |
| 4711-21-201-085 | 4711-21-203-010 | 4711-22-103-006 |
| 4711-21-201-086 | 4711-21-203-011 | 4711-22-103-007 |
| 4711-21-201-087 | 4711-21-203-012 | 4711-22-103-008 |
| 4711-21-201-088 | 4711-21-203-013 | 4711-22-103-009 |
| 4711-21-201-089 | 4711-21-203-014 | 4711-22-103-010 |
| 4711-21-201-090 | 4711-21-203-015 | 4711-22-103-011 |
| 4711-21-201-091 | 4711-21-203-016 | 4711-22-103-012 |
| 4711-21-201-092 | 4711-21-203-017 | 4711-22-103-013 |
| 4711-21-201-093 | 4711-21-203-018 | 4711-22-103-014 |
| 4711-21-201-094 | 4711-21-203-019 | 4711-22-103-015 |
| 4711-21-201-095 | 4711-21-203-020 | 4711-22-103-016 |
| 4711-21-201-096 | 4711-21-203-021 | 4711-22-103-017 |
| 4711-21-201-097 | 4711-21-203-022 | 4711-22-103-018 |
| 4711-21-201-098 | 4711-21-203-023 | 4711-22-103-019 |
| 4711-21-201-099 | 4711-21-203-024 | 4711-22-103-020 |
| 4711-21-201-100 | 4711-21-203-025 | 4711-22-103-021 |
| 4711-21-201-101 | 4711-21-203-026 | 4711-22-103-022 |
| 4711-21-201-102 | 4711-21-203-027 | 4711-22-103-023 |
| 4711-21-201-103 | 4711-21-203-028 | 4711-22-103-024 |
| 4711-21-201-104 | 4711-21-203-029 | 4711-22-103-025 |
| 4711-21-201-105 | 4711-21-203-030 | |
| 4711-21-201-106 | 4711-21-203-031 | |
| | 4711-21-203-032 | |

Resolution No. 4 – Northshore Road Improvement
Reimbursement Special Assessment Project (Winter 2015 Tax Roll)

TOWNSHIP OF GENOA

At a regular meeting of the Township Board of the Township of Genoa, Livingston County, Michigan, (the “Township”) held at the Township Hall on May 4, 2015, at 6:30 p.m., there were

PRESENT: McCririe, Skolarus, Hunt, Rowell, Mortensen, Smith and Ledford

ABSENT: None.

The following preamble and resolution were offered by _____ and supported by _____:

**Resolution Acknowledging the Filing of the Special
Assessment Roll, Scheduling the Second Hearing,
and Directing the Issuance of Statutory Notices**

WHEREAS, the Board of Trustees of the Township has determined to proceed with the Northshore Road Improvement project within the Township as described in Exhibit A (the “Project”) and in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has determined to advance the costs of the Project from Township funds and to use special assessments to raise the money necessary to reimburse the Township for the advance of such funds;

WHEREAS, the Township Supervisor has prepared the Special Assessment Roll entitled “Special Assessment Roll for the Northshore Road Improvement Program Reimbursement Special Assessment Project (Winter Tax Roll 2015)” (the “Proposed Roll”) and has filed the Proposed Roll with the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board acknowledges that the Township Supervisor has filed the Proposed Roll with the Township Clerk.
2. The Township Board acknowledges that the Township Supervisor has certified that (a) the Proposed Roll was prepared in accordance with the direction of the Township Board and (b) the Proposed Roll was prepared in accordance with the laws of the State of Michigan.
3. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing to review and hear objections on the Proposed Roll.
4. The second public hearing will be held on Monday, May 18, 2015 at 6:30 p.m. at the offices of Genoa Township, Livingston County, Michigan.
5. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the

last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township board of review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before May 6, 2015. Following the mailing of the notices, the Township Clerk shall complete an affidavit of mailing similar to the affidavit set forth in Exhibit C.

6. The Township Clerk is directed to publish a notice of the public hearing in the Livingston County Daily Press & Argus, a newspaper of general circulation within the Township. The notice shall be published twice, once on or before May 8, 2015 and May 15, 2015. The notice shall be in a form substantially similar to the notice attached as Exhibit B.

7. All resolutions or parts of resolutions in conflict with this resolution are hereby rescinded.

A vote on the foregoing resolution was taken and was as follows:

YES: Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe.

NO: None.

ABSENT: None.

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Paulette A. Skolarus, Genoa Charter Township Clerk

EXHIBIT A

NORTHSHORE ROAD IMPROVEMENT PROJECT

DESCRIPTION OF PROJECT
A ONE-YEAR SPECIAL ASSESSMENT DISTRICT
WITH PROJECTED COSTS AS FOLLOWS:

The project (the "Project") will consist of:

Approximately 13,000 square feet

- Pulverize existing asphalt
- Fine grade and compact
- Haul away spoils
- Pave with 2 ½ inches compacted bituminous 13-A asphalt
- Pave with 1 ½ inches compacted bituminous 36-A asphalt

The one-year estimated cost is projected to be \$31,728.00 (including publications and mailings for the establishment of the special assessment district)

EXHIBIT B

Genoa Charter Township
Livingston County, Michigan

NOTICE OF PUBLIC HEARING
ON THE SPECIAL ASSESSMENT ROLL FOR THE
NORTHSHORE ROAD IMPROVEMENT PROJECT

NOTICE IS HEREBY GIVEN:

(1) The Township Board of Genoa Charter Township, Livingston County, Michigan, in accordance with the laws of the State of Michigan, will hold a Public Hearing on May 18, 2015, at 6:30 p.m., at the Genoa Charter Township Offices, 2911 Dorr Road, Brighton, Michigan 48116, to review said assessment roll for the Northshore Road Improvement Project, to hear any objections thereto and to confirm the roll as submitted, revised or amended. The Township Board may also consider objections to the improvement and to the special assessment district.

The project (the "Project") will consist of:

- (1) Approximately 13,000 square feet
 - Pulverize existing asphalt
 - Fine grade and compact
 - Haul away spoils
 - Pave with 2 ½ inches compacted bituminous 13-A asphalt
 - Pave with 1 ½ inches compacted bituminous 36-A asphalt

The one-year estimated cost is projected to be \$31,728.00 (including publications and mailings for the establishment of the special assessment district).

(2) The Project is being designed to serve the properties in the Special Assessment District, which district is illustrated on the map (included) and includes the specific properties that are identified by the following permanent parcel numbers:

| | | |
|-----------------|-----------------|-----------------|
| 4711-21-201-001 | 4711-21-201-107 | 4711-21-204-001 |
| 4711-21-201-002 | 4711-21-201-108 | 4711-21-204-002 |
| 4711-21-201-003 | 4711-21-201-109 | 4711-21-204-003 |
| 4711-21-201-004 | 4711-21-201-110 | 4711-21-204-004 |
| 4711-21-201-005 | 4711-21-201-111 | 4711-21-204-005 |
| 4711-21-201-006 | 4711-21-201-112 | 4711-21-204-006 |
| 4711-21-201-007 | 4711-21-201-113 | 4711-21-204-007 |
| 4711-21-201-008 | 4711-21-201-114 | 4711-21-204-008 |
| 4711-21-201-009 | 4711-21-201-115 | 4711-22-101-001 |
| 4711-21-201-010 | 4711-21-201-116 | 4711-22-101-002 |
| 4711-21-201-011 | 4711-21-201-117 | 4711-22-101-003 |
| 4711-21-201-012 | 4711-21-201-118 | 4711-22-101-004 |

| | | |
|-----------------|-----------------|-----------------|
| 4711-21-201-013 | 4711-21-201-119 | 4711-22-101-005 |
| 4711-21-201-014 | 4711-21-201-120 | 4711-22-101-006 |
| 4711-21-201-015 | 4711-21-201-121 | 4711-22-101-007 |
| 4711-21-201-016 | 4711-21-201-122 | 4711-22-101-008 |
| 4711-21-201-017 | 4711-21-201-123 | 4711-22-101-009 |
| 4711-21-201-018 | 4711-21-201-124 | 4711-22-101-010 |
| 4711-21-201-019 | 4711-21-201-125 | 4711-22-101-011 |
| 4711-21-201-020 | 4711-21-201-126 | 4711-22-101-012 |
| 4711-21-201-021 | 4711-21-201-127 | 4711-22-101-013 |
| 4711-21-201-022 | 4711-21-201-128 | 4711-22-101-014 |
| 4711-21-201-023 | 4711-21-201-129 | 4711-22-101-015 |
| 4711-21-201-024 | 4711-21-201-130 | 4711-22-101-016 |
| 4711-21-201-025 | 4711-21-201-131 | 4711-22-101-017 |
| 4711-21-201-026 | 4711-21-201-132 | 4711-22-101-018 |
| 4711-21-201-027 | 4711-21-202-001 | 4711-22-101-019 |
| 4711-21-201-028 | 4711-21-202-002 | 4711-22-101-020 |
| 4711-21-201-029 | 4711-21-202-003 | 4711-22-101-021 |
| 4711-21-201-030 | 4711-21-202-004 | 4711-22-101-022 |
| 4711-21-201-031 | 4711-21-202-005 | 4711-22-101-023 |
| 4711-21-201-032 | 4711-21-202-006 | 4711-22-101-024 |
| 4711-21-201-033 | 4711-21-202-007 | 4711-22-101-025 |
| 4711-21-201-034 | 4711-21-202-008 | 4711-22-101-026 |
| 4711-21-201-035 | 4711-21-202-009 | 4711-22-101-027 |
| 4711-21-201-036 | 4711-21-202-010 | 4711-22-101-028 |
| 4711-21-201-037 | 4711-21-202-011 | 4711-22-101-029 |
| 4711-21-201-038 | 4711-21-202-012 | 4711-22-101-030 |
| 4711-21-201-039 | 4711-21-202-013 | 4711-22-101-031 |
| 4711-21-201-040 | 4711-21-202-014 | 4711-22-101-032 |
| 4711-21-201-041 | 4711-21-202-015 | 4711-22-101-033 |
| 4711-21-201-042 | 4711-21-202-016 | 4711-22-101-034 |
| 4711-21-201-043 | 4711-21-202-017 | 4711-22-101-035 |
| 4711-21-201-044 | 4711-21-202-018 | 4711-22-101-036 |
| 4711-21-201-045 | 4711-21-202-019 | 4711-22-101-037 |
| 4711-21-201-046 | 4711-21-202-020 | 4711-22-101-038 |
| 4711-21-201-047 | 4711-21-202-021 | 4711-22-101-039 |
| 4711-21-201-048 | 4711-21-202-022 | 4711-22-101-040 |
| 4711-21-201-049 | 4711-21-202-023 | 4711-22-101-041 |
| 4711-21-201-050 | 4711-21-202-024 | 4711-22-101-042 |
| 4711-21-201-051 | 4711-21-202-025 | |
| 4711-21-201-052 | 4711-21-202-026 | 4711-22-102-133 |
| 4711-21-201-053 | 4711-21-202-027 | 4711-22-102-134 |
| 4711-21-201-054 | 4711-21-202-028 | 4711-22-102-135 |

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| 4711-21-201-055 | 4711-21-202-029 | 4711-22-102-136 |
| 4711-21-201-056 | 4711-21-202-030 | 4711-22-102-137 |
| 4711-21-201-057 | 4711-21-202-031 | 4711-22-102-138 |
| 4711-21-201-058 | 4711-21-202-032 | 4711-22-102-139 |
| 4711-21-201-059 | 4711-21-202-033 | 4711-22-102-140 |
| 4711-21-201-060 | 4711-21-202-034 | 4711-22-102-141 |
| 4711-21-201-061 | 4711-21-202-035 | 4711-22-102-142 |
| 4711-21-201-062 | 4711-21-202-036 | 4711-22-102-143 |
| 4711-21-201-063 | 4711-21-202-037 | 4711-22-102-144 |
| 4711-21-201-064 | 4711-21-202-038 | 4711-22-102-145 |
| 4711-21-201-065 | 4711-21-202-039 | 4711-22-102-146 |
| 4711-21-201-066 | 4711-21-202-040 | 4711-22-102-147 |
| 4711-21-201-067 | 4711-21-202-041 | 4711-22-102-148 |
| 4711-21-201-068 | 4711-21-202-042 | 4711-22-102-149 |
| 4711-21-201-069 | 4711-21-202-043 | 4711-22-102-150 |
| 4711-21-201-070 | 4711-21-202-044 | 4711-22-102-151 |
| 4711-21-201-071 | 4711-21-202-045 | 4711-22-102-152 |
| 4711-21-201-072 | 4711-21-202-046 | 4711-22-102-153 |
| 4711-21-201-073 | 4711-21-202-047 | 4711-22-102-154 |
| 4711-21-201-074 | 4711-21-202-048 | 4711-22-102-155 |
| 4711-21-201-075 | 4711-21-202-049 | 4711-22-102-156 |
| 4711-21-201-076 | 4711-21-203-001 | 4711-22-102-157 |
| 4711-21-201-077 | 4711-21-203-002 | 4711-22-102-158 |
| 4711-21-201-078 | 4711-21-203-003 | 4711-22-102-159 |
| 4711-21-201-079 | 4711-21-203-004 | 4711-22-102-160 |
| 4711-21-201-080 | 4711-21-203-005 | 4711-22-103-001 |
| 4711-21-201-081 | 4711-21-203-006 | 4711-22-103-002 |
| 4711-21-201-082 | 4711-21-203-007 | 4711-22-103-003 |
| 4711-21-201-083 | 4711-21-203-008 | 4711-22-103-004 |
| 4711-21-201-084 | 4711-21-203-009 | 4711-22-103-005 |
| 4711-21-201-085 | 4711-21-203-010 | 4711-22-103-006 |
| 4711-21-201-086 | 4711-21-203-011 | 4711-22-103-007 |
| 4711-21-201-087 | 4711-21-203-012 | 4711-22-103-008 |
| 4711-21-201-088 | 4711-21-203-013 | 4711-22-103-009 |
| 4711-21-201-089 | 4711-21-203-014 | 4711-22-103-010 |
| 4711-21-201-090 | 4711-21-203-015 | 4711-22-103-011 |
| 4711-21-201-091 | 4711-21-203-016 | 4711-22-103-012 |
| 4711-21-201-092 | 4711-21-203-017 | 4711-22-103-013 |
| 4711-21-201-093 | 4711-21-203-018 | 4711-22-103-014 |
| 4711-21-201-094 | 4711-21-203-019 | 4711-22-103-015 |
| 4711-21-201-095 | 4711-21-203-020 | 4711-22-103-016 |
| 4711-21-201-096 | 4711-21-203-021 | 4711-22-103-017 |

| | | |
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| 4711-21-201-097 | 4711-21-203-022 | 4711-22-103-018 |
| 4711-21-201-098 | 4711-21-203-023 | 4711-22-103-019 |
| 4711-21-201-099 | 4711-21-203-024 | 4711-22-103-020 |
| 4711-21-201-100 | 4711-21-203-025 | 4711-22-103-021 |
| 4711-21-201-101 | 4711-21-203-026 | 4711-22-103-022 |
| 4711-21-201-102 | 4711-21-203-027 | 4711-22-103-023 |
| 4711-21-201-103 | 4711-21-203-028 | 4711-22-103-024 |
| 4711-21-201-104 | 4711-21-203-029 | 4711-22-103-025 |
| 4711-21-201-105 | 4711-21-203-030 | |
| 4711-21-201-106 | 4711-21-203-031 | |
| | 4711-21-203-032 | |

(3) The Township plans to impose special assessments on the properties located in the Special Assessment District to pay for the costs of the Project.

(4) The preliminary plans and cost estimates for the proposed Project and the boundaries of the Special Assessment District are now on file in the office of the Township Clerk for public examination.

(5) The Board of Trustees of the Township has by Board Resolution decided to proceed with the Project in accordance with Act No. 188, Michigan Public Acts of 1954, as amended.

(6) The Supervisor of the Township has reported to the Township Board of Trustees and filed in the office of the Township Clerk for public examination a special assessment roll prepared by him covering all properties within the Special Assessment District benefited by the proposed Northshore Road Improvement Project (the "Project"). Said assessment roll has been prepared for the purpose of assessing a portion of the costs of the construction of the Project and work incidental thereto within the aforesaid Northshore Road Improvement assessment district as more particularly shown on the plans of the Township engineers on file with the Township Clerk at 2911 Dorr Road, Brighton, Michigan 48116 which assessment is in the total amount of \$37.65. Said roll may be examined at the office of the Township Clerk during regular business hours until the time of said hearing and may further be examined at the hearing.

(7) The assessing officer has further reported that the assessment against each parcel of land within said district is such relative portion of the whole sum levied against all parcels of land in said district as the benefit to such parcels bears to the total benefit to all parcels of land in said district.

(8) Record owners and any party in interest of land have the right to object in person or to file written objections to the special assessment roll, to the improvement and to the special assessment district. Any person objecting in writing to the special assessment roll, the improvement, or the proposed special assessment district shall file the objection with the Township Clerk before the close of the May 18, 2015 hearing or within such further time as the Township Board may grant. Appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the state tax tribunal.

(9) The owner or any person having an interest in the real property who protests in person or in writing at the hearing may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the special assessment roll is confirmed.

This notice is given by order of the Genoa Township Board

Dated: May 18, 2015

Paulette A. Skolarus
Genoa Township Clerk

(Press/Argus May 8, 2015 & May 15, 2015)

NORTHSHORE ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT MAP

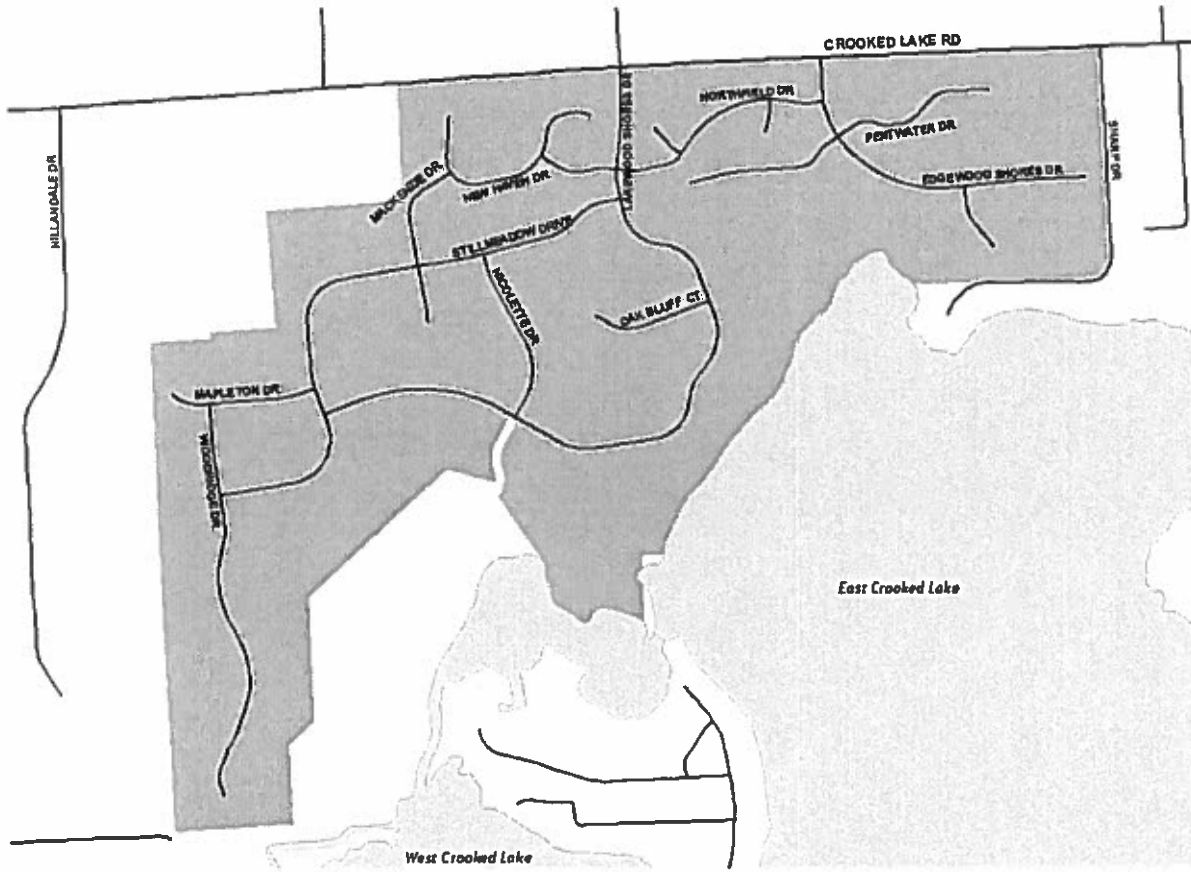


EXHIBIT C
AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

PAULETTE A. SKOLARUS, being first duly sworn, deposes and says that she personally prepared for mailing, and did on May 6, 2015, send by first-class mail, the notice of hearing, a true copy of which is attached hereto, to each record owner of or party in interest in all property to be assessed for the improvement described therein, as shown on the last local tax assessment records of the Township of Genoa; that she personally compared the address on each envelope against the list of property owners as shown on the current tax assessment rolls of the Township; that each envelope contained therein such notice and was securely sealed with postage fully prepaid for first-class mail delivery and plainly addressed; and that she personally placed all of such envelopes in a United States Post Office receptacle on the above date.

Paulette A. Skolarus
Genoa Charter Township Clerk



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

MEMORANDUM

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director

DATE: April 30, 2015

RE: Red Olive Restaurant – Rezoning, PUD Amendment, Environmental Impact Assessment & Site Plan

MANAGER'S REVIEW: 

I have reviewed the proposed rezoning, PUD agreement amendment, revised environmental impact assessment and revised site plan for a proposed 3,848 sq. ft. Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, on parcel #4711-05-400-025.

The rezoning and PUD amendment will allow the subject parcel to become part of the Livingston Commons Phase 1 PUD development and provides access to the internal ring road while restricting the existing driveway on Grand River Avenue to right-in and right-out only. Please note that the amendments to the PUD Agreement address both this project and the proposed Panera Bread/Lot 4 reconfiguration. Both of these items are on the agenda for Monday so that your action will address both projects.

This project was recommended for approval by the Township Planning Commission on January 12, 2015. The rezoning request was reviewed and recommended for approval by the County Planning Commission on February 18, 2015. My review of the revised submittal was focused on compliance with the outstanding items discussed at the Planning Commission and my recommendation is as follows:

REZONING – REQUIRES CALL TO PUBLIC AND ROLL CALL VOTE

I recommend APPROVAL AND ADOPTION of Ordinance No. Z-15-01 for a rezoning from RCD to NR-PUD for Parcel 4711-05-400-025 located at 3838 E. Grand River. The proposed amendment to the Zoning Map is compatible with the PUD zoning of the neighboring properties and has been found to comply with the criteria stated in Sections 10.02.04 and 22.04 of the Township Zoning Ordinance.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

PUD AGREEMENT

I recommend **APPROVAL** of the amendments to the PUD Agreement as they relate to the Red Olive project dated March 12, 2015 subject to the following:

1. Review and approval by the Township Attorney.
2. The PUD Agreement shall be recorded on the subject parcel at the Livingston County Register of Deeds office.

IMPACT ASSESSMENT

I recommend **APPROVAL** of the environmental impact assessment dated April 25, 2014.

SITE PLAN

I recommend **APPROVAL** of the site plan dated April 29, 2015 with the following conditions:

1. The applicant shall endeavor to the best of their abilities to provide written authorization from the property to the east to allow for the trees to be planted within the ingress/egress easement to the east. If unable to secure approvals, the applicant shall work with Township Staff to locate the proposed plantings elsewhere on the property.
2. The applicant shall comply with the requirements of the MHOG Utility system prior to issuance of a Land Use Permit.

Should you have any questions concerning this matter, please do not hesitate to contact me.
Sincerely,



Kelly VanMarter
Assistant Township Manager/Community Development Director

ORDINANCE NO. Z-15-01

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND THE ZONING MAP OF THE CHARTER TOWNSHIP OF GENOA BY REZONING 1.11 ACRES OF LAND LOCATED AT 3838 E. GRAND RIVER (4711-05-400-025) FROM REGIONAL COMMERCIAL DISTRICT (RCD) TO NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT (NR-PUD)

THE CHARTER TOWNSHIP OF GENOA HEREBY ORDAINS that the Zoning Map, as incorporated by reference in the Charter Township of Genoa’s Zoning Ordinance, is hereby amended as follows:

Real property situated on the south side of Grand River Avenue, west of Latson Road which is part of the Southeast 1/4 of Section 5, T2N-R5E, Genoa Charter Township, Livingston County, Michigan, more particularly described as follows:

Commencing at the Southeast Comer of Section 5, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan; thence N02° 11'26"E 548.49 feet along the East line of said Section and the centerline of Latson Rood; thence N60°51'00"W 982.34 feet along the centerline of Grand River Avenue to the POINT OF BEGINNING; thence S 01° 29'10"W 456.45 feet; thence N60°51'00"W 120.00 feet; thence N01°29'10"E 456.45 feet; thence S60°51'00"E 120.00 feet along said centerline of Grand River Avenue to the Point of Beginning. Subject to and together with easements and restrictions affecting title to the above described premises.

Shall be rezoned from RCD (Regional Commercial District) to NR-PUD (Non-Residential Planned Unit Development) Classification.

Severability If any provision of this Ordinance is found to be invalid, than the remaining portions of this Ordinance shall remain enforceable.

Effective Date This Ordinance shall be effective upon publication in a newspaper of general circulation as required by law.

On the motion to adopt the Ordinance the following vote was recorded:

Yeas: _____
Nays: _____
Absent: _____

I hereby approve the adoption of the foregoing Ordinance this ____ day of _____, 2015.

Paulette Skolarus
Township Clerk

Gary McCririe
Township Supervisor

Township Board First Reading: April 20, 2015
Date of Publication of Proposed Ordinance: proposed May 1, 2015
Township Board Second Reading and Public Hearing: May 4, 2014
Township Board Adoption:
Date of Publication of Ordinance Adoption:
Effective Date:



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

GENOA TOWNSHIP

APR 30 2014

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: PKII LLC 1051 Ann Arbor Rd Plymouth MI 48170
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: PKSS, LLC 29329 Paramount Court Farmington Hills MI 48331

SITE ADDRESS: 3838 E. Grand River Ave, Howell PARCEL #(s): 11-05-400-025

APPLICANT PHONE: (248) 755-1408 OWNER PHONE: ()

OWNER EMAIL: PeteGoulas@gmail.com

LOCATION AND BRIEF DESCRIPTION OF SITE: Southside of Grand River Ave approximately 950 feet west of Latson Ave. The existing building (formerly Prairie House Restaurant) will be de commissioned and demolished. A new Red Olive restaurant is proposed.

BRIEF STATEMENT OF PROPOSED USE: A new restaurant, without alcohol and without a drive-thru pickup, is proposed.

THE FOLLOWING BUILDINGS ARE PROPOSED: One building is proposed for the new restaurant.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: PGoulas
ADDRESS: 29329 Paramount & Farmington Hills MI 48331

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

1.) Pete Goulas of Red Olive at Pete Goulas@gmail.com
Name Business Affiliation E-mail Address

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: P. Goulas DATE: 04/28/2014
PRINT NAME: Pete Goulas PHONE: 248 755-1408
ADDRESS: 29329 Paramount Ct Farmington Hills MI 48331



GENOA CHARTER TOWNSHIP
Application for Re-Zoning

GENOA TOWNSHIP
SEP 29 2014

APPLICANT NAME: PKJS LLC ADDRESS: Same
OWNER NAME: PKJJ LLC ADDRESS: 29329 Paramount Ct Farmington Hills Mi 48331
PARCEL #(s): 4711-05-400-025 PRIMARY PHONE: (248) 755-1408
EMAIL 1: PeteGoulas@gmail.com EMAIL 2: _____

We, the undersigned, do hereby respectfully make application to and petition the Township Board to amend the Township Zoning Ordinance and change the zoning map of the township of Genoa as hereinafter requested, and in support of this application, the following facts are shown:

A. REQUIRED SUBMITTAL INFORMATION

1. A legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties;
2. The name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
3. It is desired and requested that the foregoing property be rezoned from:

Regional Commercial District to ~~Non-Residential~~ Planned Unit Development District

4. A site plan illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, steep slope, drainage patterns, views, existing buildings, sight distance limitations, relationship to other developed sites, and access points in the vicinity;
5. A conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
6. A written environmental assessment, a map of existing site features as described in Article 18 describing site features and anticipated impacts created by the host of uses permitted in the requested zoning district;
7. A written description of how the requested rezoning meets Sec. 22.04 "Criteria for Amendment of the Official Zoning Map."
8. The property in question shall be staked prior to the Planning Commission Public Hearing.

B. DESCRIBE HOW YOUR REQUESTED RE-ZONING MEETS THE ZONING ORDINANCE CRITERIA FOR AMENDING THE OFFICIAL ZONING MAP:

1. How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted?

See attached

2. Are the site's physical, geological, hydrological and other environmental features suitable for the host of uses permitted in the proposed zoning district?

See attached

3. Do you have any evidence that a reasonable return on investment cannot be received by developing the property with one (1) of the uses permitted under the current zoning?

See attached

4. How would all the potential uses allowed in the proposed zoning district be compatible with surrounding uses and zoning in terms of views, noise, air quality, the environment, density, traffic impacts, drainage and potential influence on property values?

See attached

5. Are infrastructure capacity (streets, sanitary sewer, water, and drainage) and services (police and fire protection, etc.) sufficient to accommodate the uses permitted in the requested district?

See attached

6. Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district? If yes, explain how this site is better suited for the zoning than others which may be planned or zoned to accommodate the demand.

See attached

7. If you have a particular use in mind, is another zoning district more appropriate? Why should the Township re-zone the land rather than amend the list of uses allowed in another zoning district to accommodate your intended use?

See attached

8. Describe any deed restrictions which could potentially affect the use of the property.

See attached

C. AFFIDAVIT

The undersigned says that they are the Owner (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY:

Pete (Panagiotis) Goulas

ADDRESS:

29329 Paramount Court, Farmington Hills MI 48331

SIGNATURE

P. Goulas

The following contact should also receive review letters and correspondence:

Name:

James M. Barrowell

Email:

desine@desineinc.com

Business Affiliation:

Engineer

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

PROJECT NAME:

Red Olive

PROJECT LOCATON & DESCRIPTION:

3838 E. Grand River Howell MI 48843

SIGNATURE:

P. Goulas

DATE:

09/23/2014

PRINT NAME:

PETE (PANAGIOTIS) GOULAS

PHONE:

248 755-1408

COMPANY NAME & ADDRESS:

P&T Inc 29329 Paramount Ct Farmington Hills MI 48331

- 1) The existing restaurant was constructed on the 1 acre parcel in the mid 1990s and the property is currently zoned Regional Commercial District. The requested rezoning to Non-Residential Planned Unit Development District (NR-PUD) is consistent with the adjoining property. The property to the north across Grand River is zoned Mixed Use Planned Unit Development District (MU-PUD). The inclusion of this parcel into the existing PUD is consistent with Genoa Township Master Plan and studies of the Latson Road / Grand River corridor. The proposed use as a restaurant is consistent with the past use.
 - 2) The site gently slopes from north to south and is served by municipal sewer and water. Storm water currently discharges into the storm sewers serving the surrounding parcels. The site has supported a similar use in the past.
 - 3) The property can support the current and proposed use. The rezoning will permit the inclusion of the parcel into the existing PUD. This will permit a more cohesive integrated redevelopment of the property.
 - 4) The potential uses of the property are commercial uses which are consistent with the restaurants, general merchandise stores in the immediate area.
 - 5) Infrastructure is currently serving the site and will be adequate for the proposed redevelopment. No additional demands on services are expected as a result of redeveloping the property.
 - 6) There is a demand for commercial properties in the Grand River Corridor. This parcel is ideally located to be rezoned to and attached to the existing PUD zoning. The site is currently surrounded by similarly zoned property.
 - 7) The proposed use of the property is for a restaurant. The use is allowed in the current zoning, however, the rezoning will allow for an overall improvement to the access and utilization of the property. Eliminating left turns from Grand River to the site will improve traffic flow on Grand River
 - 8) The property will enter into an Agreement with the existing PUD which will permit a sharing of existing improvements within the existing PUD and a sharing of associated costs.
-

SEP 29 2014



GENOA CHARTER TOWNSHIP APPLICATION
Planned Unit Development (PUD)

APPLICANT NAME: PKJJ, LLC
APPLICANT EMAIL: PeteGoulas@gmail.com
APPLICANT ADDRESS & PHONE: 29329 Paramount Ct. Farmington Hills MI 48331
OWNER'S NAME: same
OWNER ADDRESS & PHONE: 29329 Paramount 248 755-1408
TAX CODE(S): 4711-05-400-025

QUALIFYING CONDITIONS (To be filled out by applicant)

1. A PUD zoning classification may be initiated only by a petition.
2. It is desired and requested that the foregoing property be rezoned to the following type of PUD designation:
 - Residential Planned Unit Development (RPUD)
 - Planned Industrial District (PID)
 - Mixed Use Planned Unit Development (MUPUD)
 - Redevelopment Planned Unit Development (RDPUD)
 - Non-residential Planned Unit Development (NRPUD)
 - Town Center Planned Unit Development (TCPUD)
3. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.

EXPLAIN Proposed one (1) acre to be incorporated with existing 89 acre NB-PUD

4. The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows:
 - A. The minimum area requirement may be reduced to five (5) acres for sites served by both public water and public sewer.
 - B. The minimum lot area may be waived for sites zoned for commercial use (NSD, GCD or RCD) where the site is occupied by a nonconforming commercial, office or industrial building, all buildings on such site are proposed to be removed and a new use permitted within the underlying zoning district is to be established. The Township Board shall only permit the PUD on the smaller site where it finds that the flexibility in dimensional standards is necessary to allow for innovative design in redeveloping the site and an existing blighted situation will be eliminated. A parallel plan shall be provided showing how the site could be redeveloped without the use of the PUD to allow the Planning Commission to evaluate whether the modifications to dimensional standards are the

minimum necessary to allow redevelopment of the site, while still meeting the spirit and intent of the ordinance.

- C. The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:
- preservation of significant natural or historic features
 - a complementary mixture of uses or a variety of housing types
 - common open space for passive or active recreational use
 - mitigation to offset impacts
 - redevelopment of a nonconforming site where creative design can address unique site constraints.
- D. The site shall be served by public sewer and water. The Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department shall be met.

Size of property is 1 (one) acres.

DESCRIBE BELOW HOW THE REQUESTED PUD DESIGNATION COMPLIES WITH AFOREMENTIONED MINIMUM LOT SIZE REQUIREMENTS.

see attached

STANDARDS FOR REZONING TO PLANNED UNIT DEVELOPMENT (RESPOND HERE OR WITHIN THE IMPACT STATEMENT)

1. How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

see attached

2. The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

see attached

3. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township;

see attached

4. The apparent demand for the types of uses permitted in the PUD;

See attached.

AFFIDAVIT

The undersigned says that they are the Owner (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: P. Goulet

ADDRESS: 29329 Paramount Ct. Farmington Hills Mi 48331

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

James M. Barnwell Engineer at desine@desineinc.com
Name Business Affiliation E-mail



FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

PROJECT NAME: Red Olive

PROJECT LOCATON & DESCRIPTION: 3838 E. Grand River Howell Mi 48843

SIGNATURE: P. Goulet DATE: 09/23/2014

PRINT NAME: Panagiotis Goulet PHONE: 248 755-1408

COMPANY NAME & ADDRESS: PKSS LLC.

PUD Application

A Planned Unit Development Agreement was developed with Genoa Township for the surrounding parcels in 1999. The Planned Unit Development Agreement was between Randall L. Gunlock and Glenn C. Gunlock and Township of Genoa and was dated April 6, 1999. This property consisted of approximately 89 acres and is designated as a Non-residential Planned Unit Development (NR-PUD). At that time, the applicants parcel was under different ownership and was not included in the PUD Agreement between the Developer(s) and Genoa Township. Discussion was held at that time about inclusion of this parcel in the overall plan and was referenced as the Prairie House parcel.

The property has recently been acquired by the applicant with the intent of redeveloping the property with a restaurant. The applicants property is currently zoned Regional Commercial District (RCD). The applicant is requesting a rezoning to NR-PUD. Concurrently with this application the applicant is requesting an amendment to the existing PUD Agreement. It is the applicants intent to enter into an Agreement with the adjacent owners which will permit this property to share the existing improvements within the current development. This will improve the traffic circulation and create a more cohesive overall development. The applicants are seeking to amend the PUD Agreement with Genoa Township to allow the redevelopment to occur. The applicants parcel, which is approximately one acre in size would bring the total NR- PUD parcel to over 90 acres.

- 1) The NR-PUD designation is consistent with the surrounding existing growth patterns in the area. The surrounding parcels are currently zoned as a Planned Unit Development. The Latson Road / Grand River Avenue area has seen tremendous commercial growth since the Prairie House Restaurant was constructed. The NR-PUD and surrounding development were constructed subsequent to this development. With the applicant redeveloping the parcel, the integration of this parcel into the larger complex is consistent with the goals and policies of Genoa Township including encouraging cross connections of commercial properties.
- 2) The redevelopment of the property will be to the same use as previously on the property. Negligible negative impacts will occur as a result of the proposed development. A minor increase in impervious area is proposed. The access to Grand River is proposed to be limited to right turn in and out. Access will be provided to the internal NR-PUD drives.
- 3) The redevelopment is consistent with the zoning and master plan for Genoa Township. The use of the property will not compromise the existing infrastructure or services of the Township.
- 4) The additional parcel to the NR-PUD will not impact the character or proposed uses within the existing PUD and/or surrounding area.

and allowing for the May 5, 2015 list of workers to be approved for one final election. The motion carried with Skolarus opposed.

5. Introduction for a proposed rezoning of 1.11 acres of land located at 3838 E. Grand River (Parcel #4711-05-400-025) from Regional Commercial District (RCD) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 4, 2015.

McCririe suggested that there be deed restriction with this rezoning. VanMarter said that deed restrictions could be part of the site plan. Moved by Smith and supported by Ledford to introduce the ordinance and to set a public hearing before the Township Board on Monday, May 4, 2015 for the purpose of considering the proposed zoning map amendment (Z-15-01) which involves the rezoning of 1.11 acres of land located at 3838 E. Grand River Avenue (Parcel 4711-05-400-025) from Regional Commercial District (RCD) to Non-Residential Planned Unit Development (PUD) as requested. The motion carried unanimously.

6. Request to direct staff to initiate a special assessment district for the completion of the West Northshore reconstruction project.

A. Request for approval of Resolution No. 1 (to Proceed with the project and Direct Preparation of Plans and Cost Estimates).

Moved by Ledford and supported by Skolarus to approve the Resolution as requested with minor changes to the parcel total and cost. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

B. Request for approval of Resolution No. 2 (to Approve the project, Scheduling the First Hearing and Directing the Issuance of Statutory Notices).

Moved by Rowell and supported by Mortensen, to approve Resolution No. 2 as requested with minor changes to the parcel total and cost. The motion carried by roll call vote as follows: Ayes – Ledford, Smith, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – None.

7. Discussion regarding litter in the rights-of-way in Genoa Township.

Archinal will contact the local sheriff for assistance in this matter.

8. Consider approval of employment contracts.

Moved by Skolarus and supported by Ledford to approve a contract for Ron Akers with minor changes to item 11 as recommended by Township Attorney Frank Mancuso and coordinated with Kelly VanMarter. The motion carried as follows: Ayes – McCririe, Skolarus, Hunt, Rowell, Mortensen and Ledford. Nay – Smith.



Livingston County Department of Planning

February 19, 2015

Kathleen J. Kline-Hudson
AICP, PEM
Director

Genoa Charter Township Board of Trustees
c/o Polly Skolarus, Township Clerk
Genoa Charter Township Hall
2911 Door Road
Brighton, MI 48116

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

Re: **Planning Commission Review of Rezoning Z-05-15**

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, February 18, 2015 and reviewed the rezoning referenced above. The Livingston County Planning Commissioners made the following recommendation:

Z-05-15 Approval; the proposed NR-PUD rezoning of this site meets the Qualifying Conditions of a PUD according to Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for this site, and consistent with the zoning and land uses immediately to the north, south, east and west of the site. Inclusion of the site in the existing Livingston Commons NR-PUD will improve the functionality of the site, and create a more cohesive NR-PUD development.

Copies of the staff review and draft Livingston County Planning Commission meeting minutes are enclosed. Do not hesitate to contact our office should you have any questions regarding these county actions.

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

(517) 546-7555
Fax (517) 552-2347

Web Site
co.livingston.mi.us

Sincerely,

Kathleen J. Kline-Hudson
Director

Enclosures

c: Doug Brown, Chair Genoa Charter Township Planning Commission
Kelly VanMarter, Assistant Township Manager/Community Development
Director, Genoa Charter Township

Meeting minutes and agendas are available at:
<http://www.livgov.com/plan/Pages/agendas.aspx>

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER SPARKS TO RECOMMEND NO ACTION, ENCOURAGE FURTHER REVIEW. The motion failed due to lack of support. COMMISSIONER ANDERSON MOVED FOR APPROVAL WITH CONDITIONS, SECONDED BY KENNEDY-CARRASCO.

Conditions of Approval being:

- 1.) Revise the last sentence of 8.27.1 to read: The following regulations shall apply to all accessory dwelling units *whether on conforming or non-conforming lots of record*:
- 2.) Revisions to 8.27.1 (A.) to clarify meaning and eliminate reference to permit duration, to read: *The principal dwelling or the accessory dwelling unit must be declared the main residence of the owner of the property.*
- 3.) Number or letter the ADU Hearing Table and reference it in the text.
- 4.) Revise text amendment to allow ADU's as a permitted use in the WFR and NR zoning districts except when a property is within a flood plain or abuts a water body.

All in favor, motion passed. 4-1 (Nay – Sparks)

B. Z-05-15 GENOA CHARTER TOWNSHIP: REZONING

Current Zoning: RCD Regional Commercial District

Proposed Zoning: NR-PUD Non Residential Planned Unit Development

Proponents: PKJJ, LLC

TOWNSHIP MASTER PLAN: The Genoa Township Master Plan adopted in 2013 designates this site as **Regional Commercial**. Land uses within this category include higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market. Uses include big box retail, large shopping centers, restaurants (including fast-food) and automobile service centers. Such land uses rely on higher traffic volumes and easy access via a major arterial or highway. Development within such areas should occur within a planned, integrated commercial setting. Site design for these uses should include high quality architectural and landscape design with parking areas and access points that promote safe and efficient circulation throughout the site. The location of this land use designation shall be focused along the Grand River Avenue corridor between Latson Road and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center.

COUNTY COMPREHENSIVE PLAN: The Livingston County Comprehensive Plan (as amended) designates this site as **Residential** and **Howell-Brighton Growth Corridor**. The Plan describes these designations as follows:

Residential - Residential areas are located mainly in the southeast quadrant of the county. This quadrant has had the largest number of new residents move in over the last decade, and is the most built out area of the county. Over 40% of the county's population lived in Residential areas in 2000. It is characterized by fairly dense residential, commercial, and to some extent industrial development, although less dense and intense than uses found in the cities and villages.

Residential areas are not without their rural character and scenic vistas. However, few agricultural lands in Residential areas are expected to exist twenty years from now. New residential developments in these areas should be compact and make the best use of sewer and water if it is available, and cluster projects should be utilized when appropriate to preserve open space and scenic vistas. Projects such as planned unit developments that are not feasible in Cities/Villages or Primary Growth Areas because of parcel size or similar restrictions should be channeled into Residential areas. Limited commercial and industrial growth is appropriate.

Howell-Brighton Growth Corridor – *This growth area identifies a particular section of the Grand River Avenue corridor between the City of Howell and the City of Brighton. This Plan recognizes the considerable growth that has occurred in this area in the last decade, and that the corridor will continue to develop over the life of this Plan. The uses are mixed: commercial uses, which include everything from mom-and-pop convenience stores to big-box retailers; office and service establishments; a variety of industrial uses; and recently, fairly dense housing developments, such as attached condominiums and apartment complexes. Established residential neighborhoods are also found along the corridor.*

The Howell-Brighton Growth Corridor is a unique area of the county. While the corridor could be interpreted as a logical extension of the two cities because of the infrastructure and types of uses present, the corridor could also be considered suburban sprawl that generates congestion and competes with traditional downtowns. The reality is probably somewhere in between, which warrants this special designation on the Generalized Future Land Use Map.

Additionally, it should be noted that the Livingston County Comprehensive Plan notes the area surrounding the intersection of Latson and Grand River roads as a Secondary Commercial Node (secondary to the nearby city downtown areas) where concentrated commercial uses are present. Secondary Commercial Nodes are areas planned as commercial centers and are expected to be developed within the next twenty years.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended APPROVAL of this rezoning at their January 12, 2015 meeting. There were no comments from the public during the public hearing portion of the meeting.

Staff Recommendation: Approval. The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of a PUD according to Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north, south, east and west of the site. Inclusion of the site in the existing Livingston Commons NR-PUD will improve the functionality of the site, and create a more cohesive NR-PUD development.

Commission Discussion: Commissioner Prokuda asked about improved access to the site.

Public Comment: Mike Archinal, Genoa Charter Township Manager said that the Township is excited for redevelopment of this site and the elimination of the drive off of Grand River Avenue.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER PROKUDA.

All in favor, motion passed. 5-0

C. Z-06-15 HAMBURG TOWNSHIP - PROPOSED AMENDMENTS TO ZONING ORDINANCE: Amendments to Section 8.24 Bed and Breakfast Inn Development Standards

The Hamburg Township Planning Commission proposes to revise Section 8.24 Bed and Breakfast Inn Development Standards. According to the Township Zoning Administrator, the Township proposes the changes to the text to allow wedding and concert events at a bed and breakfast facility as long as certain regulations were met and with special use permit approval. In addition, the proposed changes include several other site-specific provisions in order to better inform future applicants of the restrictions related to allowable events at bed and breakfast facilities.

Township Planning Commission Recommendation: Approval. The Hamburg Township Planning Commission recommended Approval of the text amendments at their January 21, 2015 meeting. There were no public comments at the public hearing.

Staff Recommendation: Approval. The proposed text amendments are fairly straightforward, fair and equitable and appear to be reasonable and appropriate. They should not add further undue hardship on prospective applicants in practice. In addition, they provide a solid set of safeguards to protect the health, safety and welfare of the public with respect to this particular land use and should serve the township well going forward.

Commission Discussion: Commissioner Clum inquired as to the proposed shuttle service requirement (item 8.24)(C)(9)(g). Commissioner Sparks inquired as to the Township Noise Ordinance and whether a cross-reference should be added to the proposed amendment for item 8.24(C)(9)(c) referring the reader to the Township Noise Ordinance. All commissioners were in agreement that it would help clarify this item to the lay user of the Zoning Ordinance.

Public Comment: McKenna Planning Consultant John Jackson stated that the Township Noise Ordinance was sound and required different techniques to regulate and determine noise levels on a given parcel, including metering equipment. He agreed that adding a cross-reference to the referred-to item 8.24(C)(9)(c) was a good idea.

Commissioner Action:


Commissioner Action: IT WAS MOVED BY COMMISSIONER KENNEDY-CARRASCO TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER PROKUDA.

All in favor, motion passed. 5-0

D. Z-07-15 GREEN OAK CHARTER TOWNSHIP - PROPOSED AMENDMENTS TO ZONING ORDINANCE: Article 1 General, Section 38-71 Enabling Authority.

The Green Oak Charter Township Planning Commission is proposing to amend the Township Zoning Ordinance by creating a new section to address minor changes to an approved site plan under certain circumstances.

LIVINGSTON COUNTY PLANNING DEPARTMENT – ZONING REVIEW

| | | |
|---|--|---------------------------------------|
| CASE NUMBERS: COUNTY: Z-05-15 TWP: 14-16 | LOCATION: Genoa Charter Township SECTION NUMBER: 5 TOTAL ACREAGE: 1.256 Acres | APPLICANT/OWNER: PKJJ, LLC. |
| CURRENT ZONING: Regional Commercial District RCD <u>PERMITTED/SPECIAL USES (Not all inclusive):</u> Permitted: Retail establishments and shopping centers; banquet halls; business services, conference centers; inns, hotels, motels; personal and business service establishments; restaurants and similar businesses serving food or beverages; photography studios; tattoo parlors; tool and equipment rental; banks; medical offices; professional offices; theaters; parks and open space; health clubs; commercial schools and studios; vocational and technical training schools; essential public services and structures. Special: Automobile, motorcycle, boats and recreational vehicle sales; outdoor commercial display, sales or service; dry cleaning; minor auto repair; auto/gasoline service station; indoor/outdoor recreation; and bus stations. <u>MINIMUM LOT AREA:</u> 1 acre | REQUESTED ZONING: Non-Residential PUD <u>PERMITTED/SPECIAL USES (Not all inclusive):</u> Permitted and Special: All uses permitted by right or by special land use approval in the Commercial, Office and Public and Recreational Facilities Districts (NSD, OS, GCD, RCD and PRF) are permitted by right or special use under the NR-PUD. Permitted uses shall also include Manufacturing Research or Research and Development Uses, defined as low intensity industrial uses that include a large office or laboratory component and that manufacture, package, assemble or treat finished or semi-finished products from previously prepared material but do not process raw materials. There are 20 exceptions to the list of permitted uses noted in Section 10.03.05 (c). <u>MINIMUM LOT AREA:</u> 20 Acres – minimum lot area may be reduced for sites served by public water and sewer. | |
| <u>CURRENT ZONING MAP:</u> (see map at end of review) | <u>EXISTING LAND USE MAP:</u> (also see map at end of review) | |
|  | <u>ESSENTIAL FACILITIES:</u> SANITARY SEWER: Municipal sewer WATER SUPPLY: Municipal water ACCESS ROAD(S): Grand River Avenue – paved primary road | |
| <u>LOCATION:</u> The property is located at 3838 E. Grand River Avenue, on the south side of Grand River near Walmart. <u>LAND USE:</u> Vacant restaurant building | (This cell is merged with the Essential Facilities information above) | |

TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:

The Genoa Charter Township Planning Commission recommended APPROVAL of this rezoning at their January 12, 2015 meeting. There were no comments from the public during the public hearing portion of the meeting.

ENVIRONMENTAL CONDITIONS:

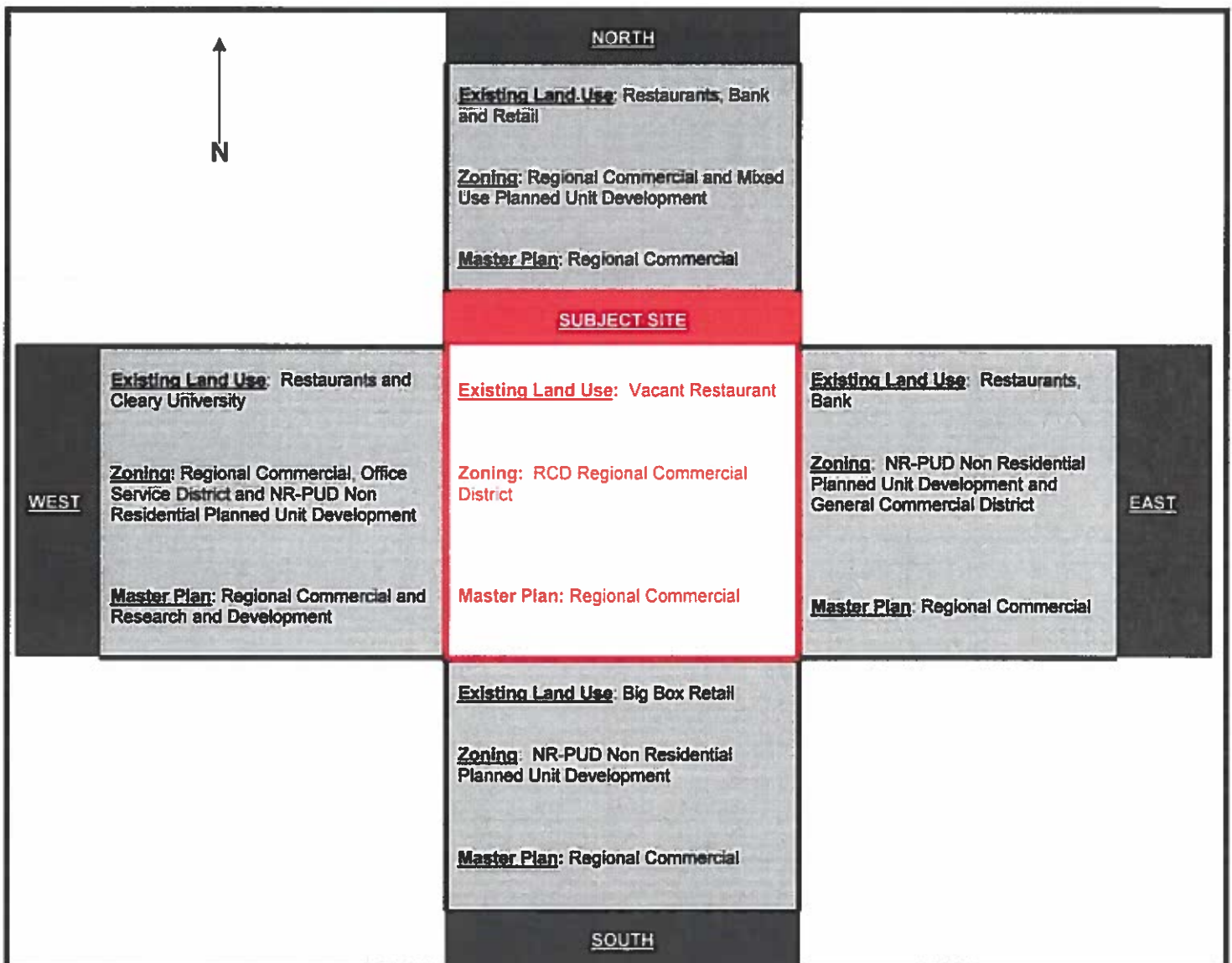
Soils/Topography: The Livingston County Soil Survey indicates that the entire site consists of Miami Loam soils that are well drained and suitable for nonfarm development. The topography of the site is gently rolling with 2-6% slopes.

Wetlands: The National Wetland Inventory indicates that there are no wetlands located on the site.

Vegetation: The subject site contains some overgrown landscaping.

Natural Areas: According to Livingston County's High-Quality Natural Areas study, the site does not contain Priority 1, 2 or 3 natural areas.

CURRENT LAND USE, ZONING, AND MASTER PLANNING MATRIX: The graphic below provides a general overview of the existing uses, zoning and future land use designations of the subject site and the immediately adjacent parcels.



TOWNSHIP MASTER PLAN:

The Genoa Township Master Plan adopted in 2013 designates this site as **Regional Commercial**. Land uses within this category include higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market. Uses include big box retail, large shopping centers, restaurants (including fast-food) and automobile service centers. Such land uses rely on higher traffic volumes and easy access via a major arterial or highway. Development within such areas should occur within a planned, integrated commercial setting. Site design for these uses should include high quality architectural and landscape design with parking areas and access points that promote safe and efficient circulation throughout the site. The location of this land use designation shall be focused along the Grand River Avenue corridor between Latson Road and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center.

COUNTY COMPREHENSIVE PLAN:

The Livingston County Comprehensive Plan (as amended) designates this site as **Residential and Howell-Brighton Growth Corridor**. The Plan describes these designations as follows:

***Residential** - Residential areas are located mainly in the southeast quadrant of the county. This quadrant has had the largest number of new residents move in over the last decade, and is the most built out area of the county. Over 40% of the county's population lived in Residential areas in 2000. It is characterized by fairly dense residential, commercial, and to some extent industrial development, although less dense and intense than uses found in the cities and villages. Residential areas are not without their rural character and scenic vistas. However, few agricultural lands in Residential areas are expected to exist twenty years from now. New residential developments in these areas should be compact and make the best use of sewer and water if it is available, and cluster projects should be utilized when appropriate to preserve open space and scenic vistas. Projects such as planned unit developments that are not feasible in Cities/Villages or Primary Growth Areas because of parcel size or similar restrictions should be channeled into Residential areas. Limited commercial and industrial growth is appropriate.*

***Howell-Brighton Growth Corridor** – This growth area identifies a particular section of the Grand River Avenue corridor between the City of Howell and the City of Brighton. This Plan recognizes the considerable growth that has occurred in this area in the last decade, and that the corridor will continue to develop over the life of this Plan. The uses are mixed: commercial uses, which include everything from mom-and-pop convenience stores to big-box retailers; office and service establishments; a variety of industrial uses; and recently, fairly dense housing developments, such as attached condominiums and apartment complexes. Established residential neighborhoods are also found along the corridor.*

The Howell-Brighton Growth Corridor is a unique area of the county. While the corridor could be interpreted as a logical extension of the two cities because of the infrastructure and types of uses present, the corridor could also be considered suburban sprawl that generates congestion and competes with traditional downtowns. The reality is probably somewhere in between, which warrants this special designation on the Generalized Future Land Use Map.

Additionally, it should be noted that the Livingston County Comprehensive Plan notes the area surrounding the intersection of Latson and Grand River roads as a **Secondary Commercial Node** (secondary to the nearby city downtown areas) where concentrated commercial uses are present. Secondary Commercial Nodes are areas planned as commercial centers and are expected to be developed within the next twenty years.

COUNTY PLANNING STAFF COMMENTS:

The subject parcel contains a restaurant building that was built in the 1990's and housed two different restaurants before it was vacated in 2010. The current petitioner would like to demolish the building and parking lot on-site and construct a 3,848 sq. ft. Red Olive Restaurant and a parking lot. The new restaurant will be a brick and stone structure approximately 1,000 sq. ft. larger than the existing building; parking, landscaping, signage, emergency access, and other site plan concerns have been reviewed and negotiated by the Township Planning Commission and petitioner concurrent to this rezoning.

This restaurant site was established on a property lot zoned Regional Commercial, prior to the establishment of the surrounding 89 acre Livingston Commons NR- PUD. When the NR-PUD was established in 1999, there were discussions about whether or not the site should be included in the NR-PUD, however the site was under different ownership and ultimately it was excluded from the PUD.

The petitioner is now requesting an amendment to the Livingston Commons NR-PUD agreement simultaneous to their rezoning request. Conventional sit-down restaurants are permitted land uses in the NR-PUD. Inclusion of the site in the existing PUD would eliminate any potential site constraints by allowing shared parking and access within the PUD which will greatly improve the functionality of this site, eliminate left turns onto Grand River and create a more cohesive overall PUD development.

COUNTY PLANNING STAFF COMMENTS (continued):

The Genoa Charter Township planning consultant has reviewed the many qualifying conditions of an application for a PUD, as stated in the Genoa Township Zoning Ordinance. Overall, their conclusion is that amending the existing Livingston Commons NR-PUD to include this one acre site will not alter the original finding that the overall project meets the PUD qualification requirements.

Additionally, County Planning Staff finds that the proposed rezoning site meets the dimensional requirements of a PUD and the rezoning is also consistent with the Township Master Plan designation of the site as Regional Commercial. This master plan consistency is particularly noted in the following passage from the intent statement for Regional Commercial:

"The location of this land use designation, shall be focused along the Grand River corridor between Latson and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center."

COUNTY PLANNING STAFF RECOMMENDATION:**APPROVAL.**

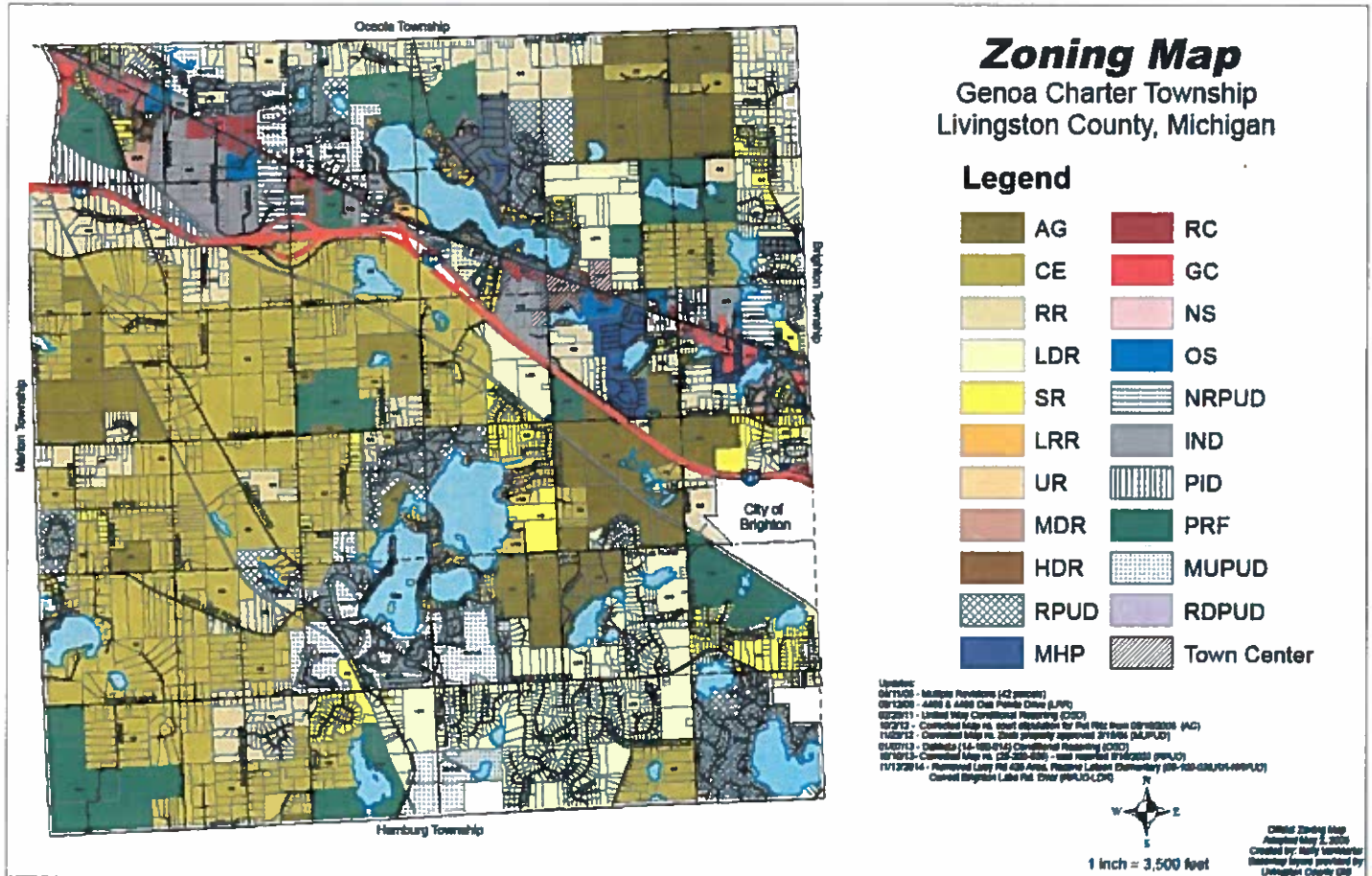
The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of a PUD according to Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north, south, east and west of the site.

Inclusion of the site in the existing Livingston Commons NR-PUD will improve the functionality of the site, and create a more cohesive NR-PUD development.

Genoa Charter Township Land Use - Section 5 Z-05-15



Genoa Charter Township Zoning



Genoa Charter Township Photographs – Section 5



SITE



SOUTH



WEST



EAST

ZONING/MASTER PLAN AMENDMENT FORM

Livingston County Planning Commission, 304 East Grand River, Suite 206, Howell, MI 48843-2323

TOWNSHIP CASE NUMBER 14-16 COUNTY CASE NUMBER Z-05-15

The GENOA Township Planning Commission is submitting the following amendment for review and comment.

REZONING (MAP AMENDMENT) Property description and location (attach a map of the proposed amendment as required by law).

Size: 1.256 acres Property tax identifier: 4711-05-400-025

Location: 3838 E. Grand River Ave., Howell

Existing Zoning District is: RCD Proposed Zoning District: NR-PUD

Name of Petitioner: PKJJ, LLC Name of Property Owner: PKJJ, LLC

Purpose of Change: Annexation into existing PUD

Existing Land Use: Restaurant

ZONING ORDINANCE TEXT AMENDMENT The following Article(s) and Section(s) to be amended:

Article Number(s): _____ Article Name(s): _____

Section Number(s): _____ Section Name(s): _____

Please attach a copy of the proposed zoning ordinance changes.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on 10/26/14 In the Livingston Daily
(not less than 15 days before the public hearing)

_____ Newspaper, which has general circulation in the township. The Genoa Township Planning

Commission held a public hearing on 11/10/14, 12/08/14, to hear the views of the public on the proposed amendment.

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below) and 01/12/15

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

MASTER PLAN

Adoption of new or revised plan Amendment (Section/Chapter) _____

Note: For all master plan cases, the municipality must submit a statement signed by the Planning Commission Secretary stating that all of the necessary legislative bodies have been sent notice of the public hearing and copies of the proposed language/map, along with the name and address of each, and date of submittal.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on _____
(not less than 15 days before the public hearing)

in the _____ Newspaper, which has general circulation in the township.

The _____ Township Planning Commission held a public hearing on _____ to hear the views of the public on the proposed amendment.
(date)

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

TOWNSHIP PLANNING COMMISSION ACTION

The recommendation of the Township Planning Commission, at its meeting of 01/12/15, was _____
(date)

- Approval *KSKH after speaking w/ Kelly VanMaster* Disapproval Approval under the following conditions: (use additional sheets as necessary)

Douglas C. Bean
(Chair Signature)

Barbara C. Squirski
(Secretary Signature)

LIVINGSTON COUNTY PLANNING COMMISSION ACTION

Date Received January 21, 2015 Date of LCPC Meeting February 18, 2015

The Commission on the above meeting date took the following action:

- Approval Approval with conditions stated in attachment Disapproval No action-encourage further review

Jeanne Alm
(Chair Signature)

Kathleen J. Kline Hudson
(Director Signature)

TOWNSHIP BOARD ACTION

Date of Meeting _____ The Genoa Township Board at a legally constituted

meeting held on the above date PASSED PASSED WITH AMENDED LANGUAGE DID NOT PASS NO ACTION-ENCOURAGE FURTHER REVIEW the recommended change contained herein.

COPIES: White - County Planning Commission, Canary - Township Planning Commission, _____ (Township Clerk)
Pink - Township Clerk, Goldenrod - County Planning Commission

existing Bennigan's Restaurant to construct a new 12,000 sq. ft. multi-tenant building, located at 3950 E. Grand River Avenue, based on the following:

1. Requests by Commission of upgrade of materials and to the building.
2. Revisions to the submitted PUD Agreements to address issues regarding the lack of entrance sign to the Township in the vicinity of the Latson Road interchange crossing
3. Concerns in the PUD Agreement regarding continuation of the access to Grand River for the Red Olive property.
4. Improve the look of the building on this marquee corner and dress up the back of the building.

Supported by Ms. Figurski. **Motion carried unanimously.**

Mr. Grajek indicated that as a marquee location in our community, there are many ways that this corner could be featured. The back of the building is something that could benefit from negotiation. The front façade is a big concern. Mr. Mortensen indicated that a staff meeting might take place with three members of the Planning Commission present.

OPEN PUBLIC HEARING #3... Review of a rezoning, PUD amendment, site plan, and environmental impact assessment for a proposed 3,848 sq. ft. Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, # 4711-05-400-025. The request is petitioned by PKJJ, LLC.

Mr. Jim Barnwell of Desine, Inc. addressed the Planning Commission on behalf of the petitioner. The existing building was built in the middle of a farm field in the 1990s. Current conditions were caused by others and not the property owners. The current owner's intent behind the recent purchase was to not become part of the PUD. The petitioner recognizes the desire of the Township and RG Properties to incorporate the parcel into the PUD. The petitioner would like to keep a right-in right-out access to Grand River and join the PUD. The existing building will be removed. The petitioner would like to preserve the existing landscaping as much as possible. The proposed building is approx. 1,000 sq. ft. larger than the existing building, predominantly brick and stone. There is no drive-thru proposed. The petitioner is asking for a sign in the front and in the rear. The engineer and fire department concerns are readily complied with. Proposed parking provides what is required. Larger vehicles are not expected at this sit-down restaurant. Vegetation is grown and substantial on both sides. The intent of the ordinance is met though the landscaping requirement is not quite met.

Mr. Borden indicated that point number one in his letter can be stricken regarding use calculations. Also, there are some parallel parking spaces in the parking lot. Parallel parking is difficult for most people and is somewhat unusual. The southerly space would be difficult to use. Mr. Barnwell indicated that employees would be parking in the parallel spaces. The possibility of angled parking was discussed. Snow storage would be in the corners of the lot.

Mr. Borden indicated that becoming part of the PUD will permit shared parking within the PUD. There are some deficiencies in the landscaping plan but the applicant's intent is to preserve what is there which helps accommodate those deficiencies. New

plantings are proposed within the easement areas with authorization needed by the owner of the easement, unless the easement already provides for this. The proposed waste receptacle requires authorization of the Commission due to side yard encroachment. There are two signs being requested.

Mr. Markstrom indicated that the petitioner has addressed a number of items already on the site plan. One issue with a fire hydrant is being addressed.

Mr. Grajek commended the petitioner for creating a workable and acceptable plan in a tough spot. Mr. Mortensen indicated that language should be added to the effect that there would be no drive thru on this site. Ms. VanMarter indicated that the PUD can be approved to indicate that items apply to Red Olive only.

A call was made to the public with no response.

Planning Commission disposition of petition

- A. Recommendation regarding Rezoning from RCD to NR-PUD.
- B. Recommendation of PUD Agreement Amendment.
- C. Recommendation of Environmental Impact Assessment. (04-25-14)
- D. Recommendation of Site Plan. (12-17-14)

Mr. Mortensen moved to **approve the rezoning**, site plan dated December 17, 2014, and environmental impact assessment dated April 25, 2014 for a 3,848 sq. ft. Red Olive Restaurant, located at 3838 E. Grand River Avenue, formerly Prairie House, from RCD to NR-PUD for the following reasons:

1. The Commission finds this rezoning is compatible with the PUD zoning of the neighboring properties and is an improvement of the site.
2. The request is consistent with requirements in Article 10.

Supported by Ms. Figurski. **Motion carried unanimously.**

Mr. Mortensen moved to approve those paragraphs within the PUD Amendment which specifically apply to the Prairie House location with the addition of a restriction that this particular site will not be eligible for a drive thru. Seconded by Diana Lowe. **Motion carried unanimously.**

Ms. Figurski moved to recommend **approval of the environmental impact assessment** dated April 25, 2014. Seconded by Ms. Lowe. **Motion carried unanimously.**

Mr. Mortensen moved to recommend to the Township Board **approval of the site plan** based on the following:

1. The off street parallel parking spaces will be marked "Employee Only."
2. Discrepancies in the landscape plan will be fixed.
3. The applicant will supply the Township with written proof regarding planting trees on the property to the east.
4. Plans will be modified to clarify where the ornamental lighting will be installed.
5. The requirements of the Township engineer dated January 6, 2014, regarding the proposed hydrant and the water main easements will be complied with.



CIVIL ENGINEERS LAND SURVEYORS
2183 PLESS DRIVE, BRIGHTON, MICHIGAN 48114-9463
(810) 227-9533 FAX (810) 227-9460
EMAIL: desine@desineinc.com

April 29, 2015

GENOA TOWNSHIP
APR 29 2015

Genoa Township Planning Commission
C/O Kelly VanMarter, AICP
2980 Dorr Road
Brighton, Michigan 48116

Re: Red Olive Restaurant
3838 East Grand River Avenue
Section 5, Genoa Township, Livingston County

Dear Board Members,

Please find enclosed the following information for the submittal of a Site Plan for the redevelopment of the current Prairie House Restaurant site, at the above referenced address, with a new Red Olive Restaurant and appurtenant facilities.

- **Site Plans:** One reduced file size PDF and one (1) hard copy.
- **Environmental Impact Assessment:** One hard copy and one PDF copy.

In response to the Motion made at the Genoa Township Planning Commission meeting of January 12, 2015 we offer the following responses:

1. The off street parallel parking spaces will be marked "Employee Only"

Signage designating this area for Employee Parking has been added to Sheet SP and a detail on Sheet DT1.

2. Discrepancies in the landscape plan will be fixed.

The discrepancies with regards to the number of plantings has been corrected on Sheet LA with the Table now reflecting the proposed landscaping as shown.

- 3. The applicant will supply the Township with written proof regarding planting trees on the property to the East.**

The applicant will request permission to plant trees within the existing ingress/egress easement to the east. Landscaping will be coordinated with staff.

- 4. Plans will be modified to clarify where the ornamental lighting will be installed.**

Plans have been clarified to indicate the proposed ornamental light located to the east of the drive from Grand River Avenue.

- 5. The requirements of the Township engineer dated January 06, 2014, regarding the proposed hydrant and the water main easements will be complied with.**

The plans have been revised to provide one 8 inch tee on the existing watermain to the east. The hydrant will be branched off of this 8 inch service. The building plans will be reviewed by MHOG prior to permitting. The existing easement and proposed easement for watermain is shown on Sheet SP.

- 6. Brighton Area Fire Authority has concluded their requirements have been complied with in their letter dated December 29, 2014.**

Acknowledged

- 7. The signage as requested on the site plan are recommended for approval by this Commission.**

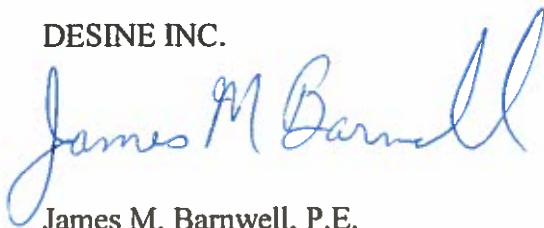
Acknowledged

A note was added to the SP sheet acknowledging that no Drive thru window is to be constructed on this site per the amended PUD agreement.

We look forward to presenting this project to the Township. If you have any questions, comments or require additional information, please contact me at your convenience.

Respectfully submitted;

DESINE INC.



James M. Barnwell, P.E.

encl.

I42308/GENOA SUB ltr.I2172014



January 5, 2015

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

| | |
|-------------------|--|
| Attention: | Kelly VanMarter, AICP Assistant Township Manager/Community Development Director |
| Subject: | Red Olive – Non-Residential Planned Unit Development Review #2 |
| Location: | 3838 E. Grand River Avenue – south side of Grand River, west of Latson Road |
| Zoning: | RCD Regional Commercial District |

Dear Commissioners:

At the Township's request, we have reviewed the submittal (site plan dated 12/17/14) requesting inclusion of the subject site into the adjacent and surrounding Livingston Commons Planned Unit Development. The proposal includes rezoning of the site from RCD to NR-PUD, a site plan for development of a new restaurant and an amendment to the PUD Agreement for the entire development.

We have reviewed the proposal in accordance with the applicable provisions of the Genoa Township Master Plan and Zoning Ordinance and provide the following comments for your consideration.

A. Summary

1. The applicant should provide updated calculations pertaining to size of uses.
2. Building design and materials are subject to review and approval by the Planning Commission.
3. Any issues identified by the Township Engineer and/or Brighton Area Fire Department must be addressed.
4. Use of off-street parallel parking spaces is relatively unusual.
5. The barrier curb does not meet the conditions for reduced parking space depth, although vehicle overhang is unlikely to cause any conflicts.
6. The project does not include the 5 RV parking spaces required by Ordinance. We believe the intent is that such spaces can be found elsewhere within the PUD (although their use will not be convenient to drivers of such vehicles).
7. The landscape plan is deficient in terms of greenbelt, buffer zone and parking lot plantings.
8. There are minor discrepancies between the table of plantings and landscape plan that need to be corrected.
9. Authorization is needed from the adjacent property owner to the east for the 4 tree plantings proposed.
10. Planning Commission approval is needed for waste receptacle placement in a required side yard.
11. The PUD Agreement requires ornamental lighting along arterial rights-of-way. Based on the detail sheets, this appears to be provided although its location is unclear.
12. Planning Commission approval is need for the 2nd wall sign and 2nd monument sign.

B. Proposal

The applicant requests RCD to NR-PUD rezoning, as well as site plan approval and amendment to the existing PUD Agreement for the surrounding development (Livingston Commons).

The proposed project includes demolition of the existing building and construction of a 3,848 square foot restaurant in its place. Conventional sit-down restaurants are permitted land uses in the NR-PUD.



Aerial view of site and surroundings (looking south)

C. NR-PUD Rezoning Review

There are several sections of Article 10 (Planned Unit Development) applicable to this request. Given the proposal is to include a relatively small parcel (1.11 acres) into a much larger, established PUD (89 acres), we have reviewed the PUD rezoning component of the request based upon those standards most applicable to this specific request.

For reference purposes, this includes standards found in Sections 10.02 (Qualifying Conditions), 10.03.05 (Non-residential Planned Unit Developments) and 10.07 (Standards for Approval of Conceptual PUD Site Plan).

1. **Qualifying Conditions.** Given the nature of the proposal, the larger PUD has already been determined to meet the qualifying conditions. In our opinion, the request to incorporate an adjacent 1-acre parcel within the overall PUD does not alter this condition.
2. **NR-PUD.** The NR-PUD provides several specific requirements, including size of uses, open space, permitted uses, traffic circulation, site design, architecture and utilities. Comments are provided below on the regulations applicable to this particular request:
 - a. *Size of uses.* The NR-PUD limits the overall site to a maximum of 60% for commercial uses. While we do not expect the inclusion of the subject site into the PUD to have much of an impact on this standard, the applicant should provide the Township with updated calculations for confirmation.
 - b. *Open space.* The NR-PUD requires a minimum open space ratio of 25% throughout the PUD. Calculations provided by the applicant indicate the subject site will have an open space ratio of 30% upon redevelopment.
 - c. *Permitted uses.* Conventional restaurants are listed as permitted uses in the RCD.
 - d. *Traffic circulation.* The site currently has access via an easement on the adjacent property to the east. The proposal includes a vehicular connection to the remainder of the PUD site, which is consistent with the intent of a PUD and the PUD Agreement.

- e. *Site Design.* Elements such as landscaping, lighting, pedestrian circulation and signage are addressed in our site plan review below (paragraph D of this review letter).
- f. *Architecture.* Building materials and design are subject to review and approval of the Planning Commission.

The proposed flat-roofed building is predominantly brick with varying horizontal and vertical materials and accents. The proposed color palette is generally earth tones with splashes of color (red and green) coming from canvas awnings and signage.

The PUD Agreement requires that all out parcel buildings have wall surfaces with a minimum of 80% natural materials. Given the fact that the canopies cover brick portions of the building, we are of the opinion that this standard is met.

Our only remaining comment is that any roof mounted equipment must be fully screened.

- g. *Utilities.* Given the site's location along Grand River and the fact that it has already been developed, we are under the impression that necessary utilities will be available to serve the proposed redevelopment. With that being said, we defer to the Township Engineer and Brighton Area Fire Department for a detailed review under this criterion.

3. PUD Plan. Section 10.07 provides specific site plan requirements for PUD projects.

- a. *Qualification requirements.* Given the nature of the request, we are of the opinion that the proposal will not alter the original finding that the overall project met the PUD qualification requirements.
- b. *Beneficial effect.* The inclusion of the site should make for a more harmonious project. As noted in the submittal, at the time of the original PUD, the subject site was under different ownership and was excluded from the PUD.

From a planning and zoning standpoint, it seems logical to include the property within the larger surrounding development where benefits may include shared access and compatibility of site design features.

- c. *Master Plan.* The Township Master Plan identifies the site as Regional Commercial, which is consistent with the current use and zoning. In our opinion, the proposal to include the subject site within the overall PUD remains consistent with the goals, objectives and future land use map of the Township Master Plan.
- d. *Natural and historical features.* As a previously developed site, we are unaware of any natural or historical features that warrant protection under the PUD.
- e. *Utilities.* We defer to the Township Engineer and Brighton Area Fire Department for specific comments on utilities for the proposed project.
- f. *Vehicular and pedestrian circulation.* Although it does not show on the aerial photo on Page 2 of this letter, the submittal identifies an existing 8-foot wide sidewalk along Grand River Avenue. The proposed plan includes a 7-foot wide sidewalk between the building and parking lot.

Vehicular access is currently provided via a shared access easement with the adjacent property to the east. Proposed amendments to the PUD Agreement would allow for retention and use of this access drive/easement. As proposed, another shared access point will be provided at the rear of the subject site for connection to the remainder of the overall PUD.

Additionally, while minimum space dimensions are met, use of off-street parallel parking is relatively uncommon and parking within the southernmost space will likely be difficult. Furthermore, these spaces are 16 feet deep and about a 4-foot wide barrier curb. Section 14.06.06 allows a 2-foot vehicle overhang when spaces about a 7-foot wide sidewalk or a curbed landscape area. The barrier curb proposed does not meet this condition, although it will likely prevent conflicts due to vehicle overhang.

D. Site Plan Review

1. Dimensional Requirements. The project has been reviewed for compliance with the dimensional standards of this PUD as follows:

| District | Lot Size | | Minimum Setbacks (feet) | | | | Max. Height | Lot Coverage |
|----------|------------------|--------------|-------------------------|----------------------|-----------|--------------------|-------------|--------------------------------|
| | Lot Area (acres) | Width (feet) | Front Yard | Side Yard | Rear Yard | Parking | | |
| NR-PUD | 1 | 120 | 10 | 10 | 5 | 5 side/rear | 75 | 50% building 90% impervious |
| Proposal | 1.11 | 120 | 35.7 | 20.5 (E) 20.8 (W) | 250 | 10 side 20 rear | 26 | 8% building 70% impervious |

2. Parking. Based upon the standards of Section 14.04, the project requires 43 parking spaces, while 49 are provided including the 2 required barrier free spaces. If the proposed restaurant does not have a liquor license, 5 longer spaces for RVs and semi-trucks are required in addition to the minimum requirement.

The lack of on-site RV spaces will likely be mitigated given the site’s inclusion into the overall PUD; however, given site design, use of such spaces will not be convenient for RV or semi-truck drivers/passengers.

The parking spaces and drive aisles meet or exceed the dimensional standards of Section 14.06, although the applicant should be aware that looped (or double) striped spaces are required.

3. Loading. The required loading area is provided at the southwest corner of the building.

4. Landscaping. To help the applicant and Commission, we have reviewed the landscape plan based on the conventional standards of Section 12.02. Generally speaking, PUDs are expected to go beyond the minimum standards in terms of landscaping.

| Location | Requirements | Proposed | Comments |
|----------------------|---|---|--|
| Front yard greenbelt | 4 canopy trees 20-foot width | 3 ornamental trees 2 evergreen trees 30 shrubs 35-foot width | Deficient by 2 canopy trees, although 3 canopy trees are proposed on the adjacent property |
| Buffer zone “C” (E) | 20 canopy trees OR 20 evergreens OR 80 shrubs (OR combination thereof) 10-foot width | 12 existing evergreens 5 canopy trees 2 evergreen trees 1 ornamental tree 10-foot width | Deficient by 1 canopy/evergreen tree OR 4 shrubs, although 1 evergreen tree is proposed on the adjacent property |
| Buffer zone “C” (W) | 20 canopy trees OR 20 evergreens OR 80 shrubs (OR combination thereof) 10-foot width | 3 canopy trees 49 shrubs 10-foot width | Deficient by 5 canopy/evergreen trees OR 20 shrubs, although there are 7 existing evergreen trees on the adjacent property |
| Buffer zone “C” (S) | 7 canopy trees OR 7 evergreens OR 26 shrubs (OR combination thereof) 10-foot width | 3 canopy trees 2 evergreen trees 8 shrubs 20-foot width | Requirements met |

| | | | |
|-------------|---|--|---------------------------|
| Parking lot | 5 canopy trees 490 SF of landscaped area | 3 canopy trees 2 ornamental trees 1 evergreen tree 500+ SF of landscaped area | 2 additional canopy trees |
|-------------|---|--|---------------------------|

There are inconsistencies between the table of plantings and landscape plan in terms of the number of plantings proposed for Red Maple, Dwarf Burning Bush and Rose Glow Barberry. The applicant must correct these minor discrepancies to ensure consistency/accuracy in the future.

Lastly, the applicant will need authorization from the adjacent property to the east for the 4 tree plantings proposed.

- 5. Waste Receptacle and Enclosure.** The project includes a new waste receptacle and enclosure southwest of the proposed building. Section 12.04 requires a rear yard or non-required side yard location, unless otherwise approved by the Planning Commission. The proposed placement encroaches into the required side yard.

Sheet SP notes the use of a 10' x 20' concrete base pad, while details include use of masonry enclosure, both of which comply with Ordinance requirements.

- 6. Exterior Lighting.** The submittal includes a lighting plan (Sheet LT1), which proposes the installation of 5 light poles along the driveway and within the parking lot, as well as 16 wall mounted fixtures. The photometric readings are rather modest (3.8 footcandle maximum) and well within that allowed by Ordinance.

Fixture/pole details on Sheet LT2 identify the use of an ornamental light pole/fixture at the site entry, as well as downward directed, cut-off pole and wall mounted fixtures.

The PUD Agreement states that ornamental lighting will be provided along arterial rights-of-way. It is unclear where the ornamental pole/fixture is to be placed.

- 7. Signs.** The submittal proposes 2 monument signs and 2 wall signs. The Ordinance limits businesses on internal lots to 1 wall sign and 1 monument sign. However, there are exceptions whereby the Planning Commission may allow a 2nd wall sign for lots that require additional visibility and a 2nd monument sign for an outlot with at least 100 feet of frontage and shared access.

The size, design and placement of all signs are compliant with the conventional Ordinance, as well as the PUD Agreement, although the applicant should be aware that a sign permit will be required prior to installation (if approved).

- 8. Impact Assessment.** The submittal includes an Impact Assessment (4/25/14). In summary, the Assessment notes that the project is not anticipated to adversely impact natural features, public services/utilities, surrounding land uses or traffic.

Should you have any questions concerning this matter, please do not hesitate to contact our office. I can be reached by phone at (248) 586-0505, or via e-mail at borden@lslplanning.com.

Sincerely,

LSL PLANNING, INC.



Brian V. Borden, AICP
Senior Planner



January 6, 2015

Ms. Kelly Van Marter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: Red Olive Site Plan Review #2

Dear Ms. Van Marter:

We have reviewed resubmitted site plan documents and proposed PUD amendment for the Red Olive Restaurant dated December 19, 2014. The site is on the south side of Grand River just west of Latson Road and between the 5/3rd Bank and White Castle Restaurant and currently contains an old restaurant building. The petitioner is planning to demolish the existing building and associated parking lot and construct a new restaurant and parking lot.

The petitioner has also requested the property be re-zoned from Regional Commercial District to Non-Residential Planned Unit Development District. This would permit the property to join the surrounding PUD and utilize the existing private road network to improve site accessibility. Tetra Tech has reviewed the documents and offers the following comments for consideration by the planning commission:

SUMMARY

1. Review proposed hydrant arrangement and show all existing and proposed public water main easements.

SITE PLAN

1. The updated water main and service connections include two 6-inch tapping sleeves for the proposed fire hydrant and 6-inch fire protection line within several feet of one another. Existing water main easement should be shown on the drawings, including a new easement if the hydrant extends beyond the limit of the easement. Recommend combining into a single 8-inch tap and move fire suppression shutoff valve to the end of the line with the hydrant branch off a tee. This will help avoid with the adjacent storm sewer. Check if the water main to the east can be shut down to allow for a tee to be installed on the existing water main without a tapping sleeve.

Verify internal RPZ on fire department connection to avoid backflow into MHOG system. The connection is shown in plan view, however, no additional details or representation are included in the architectural drawings. The construction plans will be required to be submitted to MHOG for review.

Tetra Tech

1921 East Miller Road, Suite A, Lansing, MI 48911
Tel 517.394.7900 Fax 517.394.0011 www.tetrattech.com

Ms. Kelly Van Marter
Rezoning Application and Site Plan Review #2 – Red Olive
January 6, 2015
Page 2

The petitioner should revise and resubmit the site plan to address the above comments prior to approval.

Please call if you have any questions.

Sincerely,



Unit Vice President



copy: James Barnwell, P.E., Desine Inc.



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

December 29, 2014

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Red Olive Restaurant
3838 E. Grand River
Revised Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned revised site plan. The plans were received for review on December 23, 2014 and the drawings have a revised date of December 17, 2014. The project is based on a new 3,848 square foot building to be used as a Restaurant (Assembly Use). The plan review is based on the requirements of the International Fire Code (IFC) 2012 Edition.

The applicant has addressed all of the issues made in our October 14, 2014 letter and this submittal now appears to be in general conformity with the adopted fire prevention code.

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "Michael Evans".

Michael Evans, EFO, CFPS
Deputy Fire Chief



2911 Dorr Road
 Brighton, MI 48116
 810.227.5225
 810.227.3420 fax
 genoa.org

MEMORANDUM

TO: Jim Barnwell, Desine Engineering

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director

DATE: January 8, 2015

RE: Red Olive Restaurant Sewer and Water Tap Fees
 3838 E. Grand River (11-05-400-025)

This memo will describe the connection fees required for a new 3,848 sq. ft. Red Olive restaurant located at 3838 E. Grand River.

3,848 sq. ft. sit down restaurant (no liquor) @ 2.4 REU per 1,000 sq. ft. = 9.23 REU

LESS PREVIOUSLY PAID:

| | |
|--|----------|
| Water (Grand River Water Special Assessment) | -6.0 REU |
| Sewer (former 2,922 sq. ft. restaurant @2.4 per 1,000 sq. ft.) | -7 REU |

NEW CONNECTION CHARGE =

| | | |
|---------------|---|-----------------|
| Water: | 9.23 REU – 6 REU (assessed) = | 3.23 REU |
| Sewer: | 9.23 REU – 7 REU (credits for existing bldg.) = | 2.23 REU |

| | | |
|-------------------|---------------------------|---------------------|
| Water | 3.23 REU @ \$7,900 | \$ 25,517.00 |
| Sewer | 2.23 REU @ \$7,200 | \$ 16,056.00 |
| TOTAL DUE: | | \$ 41,573.00 |

Connection Fees must be paid at time of land use permit issuance.

A meter package may also need to be purchased including the appropriate sized meter and a MIU (meter interface unit). Should you have any questions please feel free to contact me at 810-227-5225.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

COVER SHEET FOR
AMENDMENT TO PLANNED UNIT DEVELOPMENT AGREEMENT
FOR PHASE I AND PHASE II LAND
BETWEEN
RLG HOWELL LLC AND GCG HOWELL LLC
AND
PKJJ, LLC
AND
TOWNSHIP OF GENOA
DATED _____, 2015

Prepared By and After Recording
Return To:
April Ann Jordan
Hedrick & Jordan Co., LPA
100 E. Third Street, Suite 500
Dayton, Ohio 45402
937-228-3889

**STATE OF MICHIGAN
COUNTY OF LIVINGSTON
TOWNSHIP OF GENOA**

AMENDMENT TO PLANNED UNIT DEVELOPMENT AGREEMENT

This Amendment to Planned Unit Development Agreement is made and entered into this ___ day of _____, 2015, by **RLG HOWELL LLC**, a Michigan limited liability company, and **GCG HOWELL LLC**, a Michigan limited liability company, both of 10050 Innovation Drive, Suite 100, Dayton, Ohio 45342 (collectively, "Owner"); **PKJJ, LLC**, a Michigan limited liability company, of _____ ("PKJJ"); and **GENOA CHARTER TOWNSHIP**, a Michigan municipal corporation, 2911 Dorr Road, Brighton, Michigan 48116 ("Township").

RECITATIONS:

Owner possesses fee title to certain real property located in Genoa Charter Township, Livingston County, State of Michigan, described in that certain Planned Unit Development Agreement dated April 6, 1999, and recorded at Liber 2609, Page 0205 of the records of Livingston County, Michigan (the "Phase I PUD").

Subsequent to the Phase I PUD, Owner and Township entered into that certain Planned Unit Development Agreement for Phase II Land dated August 17, 2009, and recorded at 200R-023916 of the records of Livingston County, Michigan (the "Phase II PUD"). The Phase I PUD applied to Phase I and Phase II land described therein, and the Phase II PUD modified provisions pertaining to Phase II.

In 2011 Owner and Township considered a further Amendment to the Phase I PUD Agreement that contemplated the reconfiguration of Lot #4 into two sub-lots; provided however the amendment was never finalized or executed, and as such is of no force or effect.

Pursuant to Article IV, Internal Road Network, subsection 4.1, the Phase I PUD contemplated that the property formerly owned by the Prairie House Restaurant and now owned by PKJJ (the "Red Olive Parcel") described on Exhibit A attached hereto could benefit from an easement established by Owner over and across the Red Olive Parcel.

Owner and PKJJ have agreed to amend Owner's existing Declaration of Restrictions and Easements for Outlots dated September 2, 1999, recorded September 10, 1999, at Liber 2652, Page 0082 of the records of Livingston County, Michigan (the "Declaration") to provide the Red Olive Parcel with access over the access ways on the adjacent lands of Owner and to subject the Red Olive Parcel to the terms of the Declaration.

Further, Owner and Township have agreed to amend the provisions of the Phase I PUD and Phase II PUD regarding pylon signage and the construction of a Township identification sign.

Further, Owner and Township have now agreed to amend the provisions of the Phase I PUD Agreement to provide for the reconfiguration of Lot #4 into two (2) separate lots, to be known as Lot #4A and Lot #4B.

In connection therewith, Owner and PKJJ wish to amend the Phase I PUD and the Phase II PUD to subject the Red Olive Parcel thereto; to modify the signage provisions; and to reflect the reconfiguration of Lot #4 into two (2) separate lots, all pursuant to the terms contained herein.

NOW, THEREFORE, Owner and PKJJ, in consideration of the mutual promises contained in this Agreement, hereby agree as follows:

1. Article 1, General Terms of Agreement, subsection 1.5, shall be amended to add the following additional paragraph D:

D. The configuration of Lot #4 shall hereby be modified to divide Lot #4 into two (2) separate parcels for all purposes under the Phase I PUD, which shall be known as Lot #4A and Lot #4B respectively, and depicted on Exhibit B attached hereto. Township acknowledges that this modification does not substantially increase the impact on adjoining properties or facilities and that the Remote Parking Area is not required for the operation of the Wal-Mart on Lot #1. Township hereby agrees that the parking space contained in the Remote Parking Areas shall be counted as parking spaces for the use of Lot #4A and Lot #4B. Township hereby approves the setbacks and configuration of improvements on Lot #4A and Lot #4B as depicted on Exhibit B attached hereto. Owner acknowledges that Lot #4A and Lot #4B shall remain subject to the terms of the Phase I PUD except as otherwise set forth herein. Owner reserves the right to configure Lot #4A and Lot #4B further to include the Remote Parking Areas adjacent to said Lots. Township acknowledges that if such lots are incorporated into Lot #4A and Lot #4B, same shall not substantially increase the impact upon adjoining properties or facilities.

2. Article I, General Terms of Agreement of the Phase I PUD, shall be amended to add the following additional subsection:

1.7 The Red Olive Parcel shall be subject to the terms and conditions of the Phase I PUD, subject to the provisions of this Amendment.

3. Article II, Land Use Authorization, subsection 2.1 of the Phase I PUD, shall be amended to delete the sentence reading “Further, only one drive through restaurant facility shall be permitted and such use shall only be permitted on Lot #1.” The following shall be placed in its stead:

Drive through restaurant facilities may be allowed on Lot #4A and Lot #4B as depicted on Exhibit B attached hereto. Additional drive through restaurant facilities may be allowed on all parcels within five hundred feet (500’) of each other, subject to Special

Land Use approval by Township, including the Special Use Requirements as outlined in the Special Land Use Regulations as they may exist from time to time. Township and Owner agree that this use shall be considered upon providing that the stacking or queuing of such drive through restaurant facilities shall be sufficient to accommodate expected peak volumes and to minimize conflict with the internal road network located on the Property, as well as any public roadways. Provided, however, no drive through shall be permitted on the Red Olive Parcel.

4. Article IV, Internal Road Network of the Phase I PUD, shall be amended to add the following additional sentence:

Notwithstanding anything contained in the Phase I PUD to the contrary, the Red Olive Parcel shall be allowed to maintain access to the Grand River Avenue existing curb cut, provide such access shall be limited to “right-in, right-out” movement.

5. Article VI, Site Improvements, subsection 6.5(a) shall be amended to delete the following second sentence:

No parking in the front yard of Lot #4 shall be permitted except one row or less of “tease” parking, which shall be allowed.

6. Article VI, Site Improvements, subsection 6.5(b) of the Phase I PUD, and subsection 6.4(B) of the Phase II PUD, shall each be deleted, it being acknowledged that Owner shall have no obligation to Township to provide an entranceway landmark pursuant to the Phase I PUD or the Phase II PUD because such location or locations are not available for such signage. The following shall be inserted instead:

The Owner shall pay to Township the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) within forty-five (45) days after building permits are issued for the new improvements to be constructed on Lot #4A and Lot #4B. In consideration of such payment, Owner shall have no obligation to install a Township identification sign and instead Township shall install and maintain the Township identification sign at Township’s expense. The Township identification sign shall be installed within the twenty foot (20’) set back on Owner’s Lot A and shall be constructed as depicted on Exhibit C attached hereto. The Township identification sign shall be a maximum of six feet (6’) in height and shall be oriented so as to be most visible from Latson Road. Easements for such construction and maintenance of a Township Identification sign shall be granted and accepted at the time that the Twenty-Five Thousand and 00/100 dollars (\$25,000.00) is paid to Township.

7. Article 7, Design of Building and Signs, subsection 7.2, Signage, shall be amended to add the following additional paragraph:

Lot #4A and Lot #4B shall be treated as separate parcels, and as such Lot #4A and Lot #4B shall each be entitled to separate signage as described herein. Lot #4A shall retain the existing two (2) monument signs. Lot #4B shall be entitled to one (1) additional

monument sign for business operations thereon comparable in size to the signs located on Lot #4A.

8. Article VII, Design of Building and Signs, subsection 7.2, Signage, shall be amended to delete the fourth sentence regarding the highway signs and the following sentences shall be placed in its stead:

There shall be permitted one (1) pylon sign of a maximum of three hundred (300) square feet, not to exceed 42' in height, advertising users in both Phase I and Phase II, as depicted on Exhibit D attached hereto. Additionally, the owner of the Red Olive Parcel may install a monument sign abutting Grand River Avenue and other signs as may be permitted under the Declaration.

APPROVED by Owner and PKJJ on this ____ day of _____, 2015.

WITNESSES:

RLG HOWELL LLC, a Michigan limited liability company

By: Randall L. Gunlock, Trustee under the Amended Revocable Trust Agreement Dated May 30, 2013, Randall L. Gunlock, Grantor, Managing Member

By: Randall L. Gunlock
Its: Trustee

GCG HOWELL LLC, a Michigan limited liability company

By: Glenn C. Gunlock
Its: Managing Member

PKJJ, LLC, a Michigan limited liability company

By: _____
Its: _____

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ___ day of _____, 2015, by Randall L. Gunlock, Trustee under the Amended Revocable Trust Agreement Dated May 30, 2013, Randall L. Gunlock, Grantor, Managing Member of RLG Howell LLC, a Michigan limited liability company, on behalf of the company.

Notary Public

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ___ day of _____, 2015, by Glenn C. Gunlock, Managing Member of GCG Howell LLC, a Michigan limited liability company, on behalf of the company.

Notary Public

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ___ day of _____, 2015, by _____, the _____ of PKJJ, LLC, a Michigan limited liability company, on behalf of the company.

Notary Public

APPROVED by the Township Board for the Township of Genoa on the ____ day of _____, 2015, at a meeting duly called and held.

WITNESSES:

TOWNSHIP OF GENOA:

By:
Its:

By:
Its:

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ____ day of _____, 2015, by _____, who was duly authorized by the Genoa Township Board to sign this Amendment on behalf of Genoa Township and who acknowledged the same to be his/her free act and deed.

Notary Public

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ____ day of _____, 2015, by _____, who was duly authorized by the Genoa Township Board to sign this Amendment on behalf of Genoa Township and who acknowledged the same to be his/her free act and deed.

Notary Public

EXHIBITS

- Exhibit A Legal Description of Red Olive Parcel
- Exhibit B Depiction of Lot #4A and Lot #4B
- Exhibit C Township Identification Sign
- Exhibit D Depiction of Pylon Sign

EXHIBIT A

LEGAL DESCRIPTION OF RED OLIVE PARCEL

EXHIBIT B

DEPICTION OF LOT #4A AND LOT #4B

EXHIBIT C
TOWNSHIP IDENTIFICATION SIGN

NEW INTERCHANGE WESTBOUND ENTRANCE RAMP

DIVIDE

LOT F
2.33 AC.
MOTEL

LOT G
2.29 AC.
MOTEL

GRAND OAKS

LOT H
3.64 AC.
MOTEL

WAL-MART
214,172 SF

AVAILABLE
20,388 SF

LOWE'S
135,197 SF

LOT A
1.42 AC.

LOT A1
.68 AC.

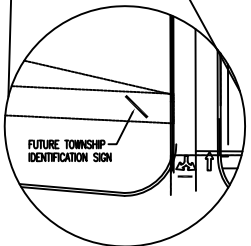
1.0 AC.
LOWE'S
RETAINED LOT

LOT 5
1.87 AC.
CO-AMERICA BANK

LATSON ROAD

FUTURE TRAFFIC SIGNAL

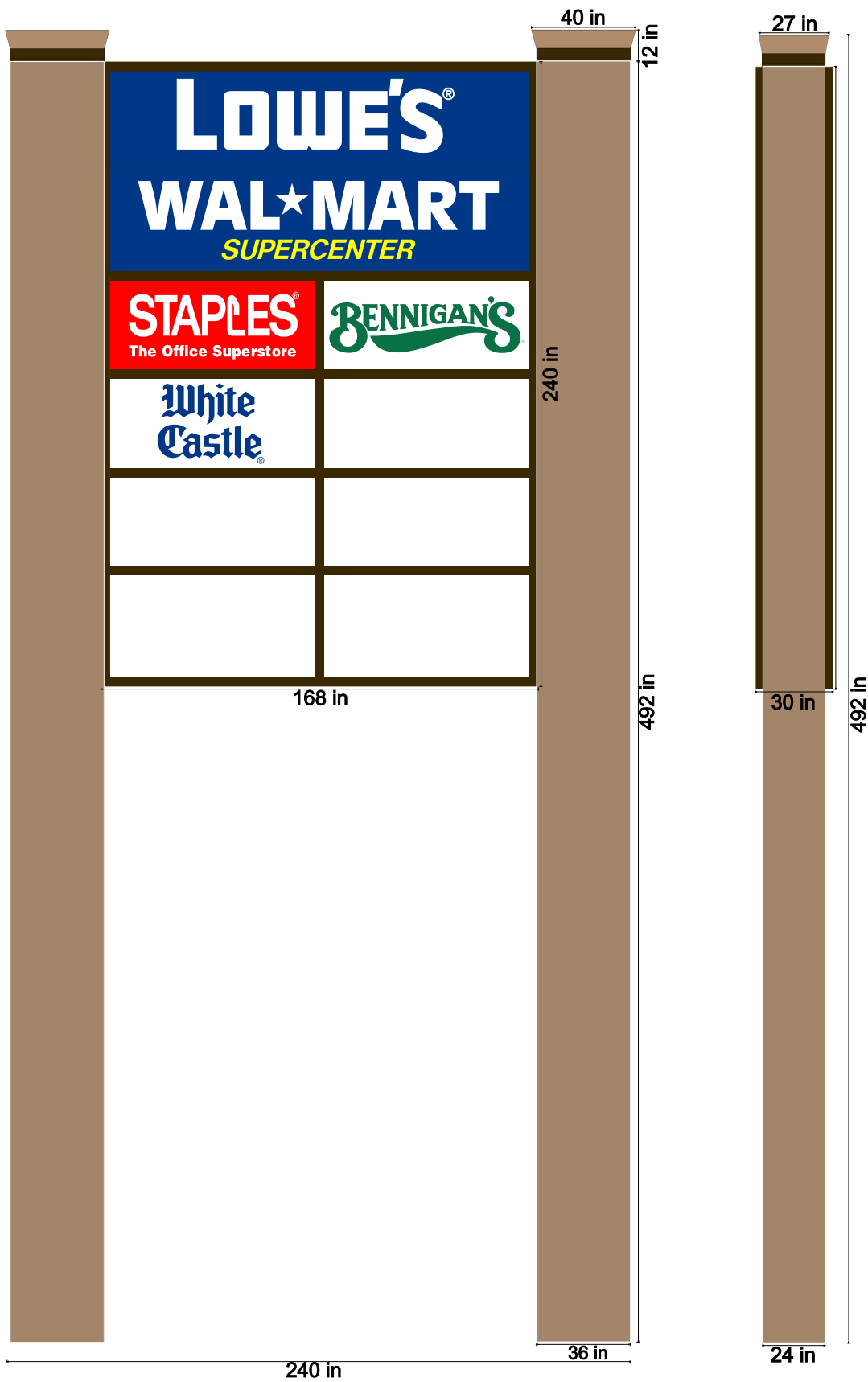
FUTURE TOWNSHIP IDENTIFICATION SIGN



FUTURE TOWNSHIP
IDENTIFICATION SIGN

EXHIBIT D

DEPICTION OF PYLON SIGN



SGN THE SIGN GROUP INC.
 © 2015
 5370 WEST 84TH STREET
 INDIANAPOLIS, IN 46268.
 PH: (317)875-6969
 FAX:(317)875-6644

SIGNATURE FOR APPROVAL

SALESMAN: _____ DATE: _____

CLIENT: _____ DATE: _____

NOTICE:
 ALL ARTWORK AND DESIGN IS
 PROPERTY OF THE SIGN GROUP
 INC. ANY REPRODUCTION IS
 STRICTLY PROHIBITED, UNLESS
 AUTHORIZED BY THE SIGN GROUP.

TP-1-22-15-730 c1
 LIVINGSTON COMMONS

**IMPACT ASSESSMENT
for
RED OLIVE RESTAURANT**

Owner:

PKJJ, LLC
29329 Paramount Court
Farmington Hills, MI 48331

Prepared by:
DESINE INC.
2183 Pless Drive
Brighton, Michigan 48114

April 25, 2014



A. INTRODUCTION

This impact assessment has been prepared pursuant to Article 18 – SITE PLAN REVIEW of the Zoning Ordinance for the Township of Genoa, Livingston County. This assessment addresses the impact of the proposed redevelopment of 1.11 acres on the natural features, economic condition, and social environment of the Township. The subject parcel is currently zoned RC (Regional Commercial) within the Official Township Zoning Map.

The existing facilities include a 2,546 sq., ft. one-story building and a small parking area to the south of the building. The paved access drive crosses adjacent property to the east over a 0.21 acre ingress and egress easement. Traffic exiting onto Grand River Avenue is restricted to right turns only by means of a sign and a raised curb-island.

The submitted Plan presents the applicant’s intended demolition and decommissioning of the existing building and construction of a proposed restaurant 3,848 sq., ft. in area. Landscaping will be added to the site. Drainage will be collected by subsurface storm sewers and directed to a surface inlet to subsurface drainage at the southeast corner of the site.

This impact assessment has been prepared under the direction of and by:

James M. Barnwell, P.E.
DESINE INC.
2183 Pless Drive
Brighton, Michigan 48114
(810) 227-9533

The civil engineering / surveying firm of DESINE INC. has been in practice since 1989. Mr. Barnwell is a licensed Civil Engineer with experience in private and municipal developments including a number of projects within Genoa Township and Livingston County.

B. SITE LOCATION / DESCRIPTION

The site consists of approximately 1.11 acres, which is currently zoned RC (Regional Commercial). The property is located along the south side of Grand River Avenue, approximately 950-feet westerly from Latson Road. The subject parcel currently has a 2,546 sq. ft. building with associated parking as presented on the Site Plan. The existing building and pavement will be demolished. A new 3,848 sq. ft. restaurant with curbed pavement will be constructed as shown on the Site Plan.

C. IMPACT ON NATURAL FEATURES

The existing topography of the site is generally flat, with a moderate grade from north to south. The site exhibits elevation differences from 1,010 +/- at the north property line to 1,003 +/- at the southeast property corner. Surface drainage is generally north to south. The current property has turf primarily north and east of the building and turf buffers adjacent to the parking pavement. The proposed layout slightly reduces the turf area and increases the landscaping vegetation.

The soils on the property are of the Miami Loam Series. The site is predominantly mild slopes of 2 to 6 percent. These soils are generally well drained, moderately permeable, loamy sands. The United States Department of Agriculture, Soil Conservation Service, prepared the soil classification as are presented in the "Soil Survey of Livingston County."

The applicant will be connecting to the existing sanitary sewer and water service leads to public sanitary sewer and water mains along Grand River Avenue. The sanitary lead will include a pre-treatment tank to collect fats, oils and greases prior to reaching the main. Routine maintenance to clean out the grease trap will be required.

The applicant is proposing to continue using the building and site features for food service related to their business (Red Olive Restaurant). The improvements to the site include new building construction, new parking lot, lighting, utilities and additional landscaping throughout the site.

A minor increase to the subject parcels impervious areas is proposed. The impervious and pervious surfaces drain from north to south into a surface inlet at the southeast corner of the property. Runoff continues through subsurface drainage sewers to a community detention basin to the west. Storage from the detention basin drains westerly through private drains that eventually arrive at the Marion-Genoa County Drain.

No impact to local aquifer characteristics or groundwater recharge capacity is anticipated. Surface water runoff from the site currently percolates through the soils or flows into the community detention basin to the south.

A minimum variety of wildlife habitats exist on the property. Wildlife supported in these areas is generally smaller field animals and birds. The current uses of the adjacent properties and the existence of Latson Road and Grand River Avenue limits the quality of upland habitat available.

Existing vegetation on the site will be improved. The natural vegetation buffer along the property edges will remain. The overall quality and quantity of vegetation and ground cover will be improved.

D. IMPACT ON STORM WATER MANAGEMENT

Minor changes to the subject parcels impervious areas are proposed that will not result in any significant change in the site run-off. A small portion of the site within the Grand River Avenue Right-of-Way will continue to be channeled to the Grand River Avenue drainage system. The south portion of the site will be collected by subsurface pipes outleting to the community detention basin to the west. The existing vegetation filters the stormwater runoff prior to being detained in the existing pond.

Soil erosion and sedimentation are controlled by the provisions of the Natural Resources and Environmental Protection Act, No. 451 of the Public Acts of 1994, as amended and is administered by the Livingston County Drain Commissioner. The Contractor will be required to comply with all regulations including control during and after construction. Required silt fence and inlet filter locations are depicted on Sheet SE.

The Contractor shall be responsible for initiating and maintaining adequate dust control measures during and after construction. Dust control measures used during construction may consist of site watering, mulching of completed areas, installation of windbreak fencing, and application of chemical dust control materials.

Implementing soil erosion control methods will minimize any impact to adjoining properties due to the temporary ground disturbance proposed for the site. Impacts to adjacent properties due to surface water runoff will be minimized by the Soil Erosion and Sedimentation Control measures proposed.

E. IMPACT ON SURROUNDING LAND USES

The property to the north of the subject parcel, across Grand River Avenue, is zoned MUPUD (Mixed Use Planned Unit Development). The properties to the east, south and west of the subject parcel are zoned NRPUD (Non-residential Planned Unit Development). To the east is the Fifth Third Bank. To the south is Walmart. To the west is White Castle restaurant.

The subject property is zoned RC (Regional Commercial) District. No change in use is proposed. The improvements to the site are consistent with the commercial uses in the area. The additional landscaping will upgrade the functionality of the property. All areas disturbed by construction will require restoration as outlined in the project plans and required by the permitting agencies.

F. IMPACT ON PUBLIC FACILITIES AND SERVICES

The Livingston County Sheriff and Michigan State Police will provide Police protection. Additional services required to accommodate this development are anticipated to be minor.

The Brighton Area Fire Department as a part of an existing governmental agreement will provide fire protection service. An existing fire hydrant is located directly south of the subject property on the south side of the adjacent service drive. No additional fire protection is required to service this facility. The existing entrances for the property will provide access for fire trucks and emergency vehicles.

The upgrade of this facility will not create any direct adverse impact on the schools.

G. IMPACT ON PUBLIC UTILITIES

The property is presently served by municipal sewer and water systems.

Connection to the water main and sanitary sewer is possible through the existing leads located north of the existing building.

The site is serviced by electric, gas, phone and cable systems located along Grand River Avenue. These utilities currently service the site and the utility companies have indicated they have the ability to provide the necessary utilities to operate the proposed facility.

H. STORAGE AND HANDLING OF ANY HAZARDOUS MATERIALS

The restaurant uses within the proposed building will not use, store, generate and/or discharge potentially polluting materials with the possible exception of industrial strength degreasing solvents and cleaners. All solid wastes will be properly disposed of by a licensed disposal firm on a regular basis. A visually screened dumpster is proposed on the site to the south of the building.

Hazardous materials that may be stored on site may include cleaning supplies. These materials would be in extremely small quantities. The cleaning supplies shall not be stored in any rooms or closets that have a floor drain.

I. IMPACT ON TRAFFIC AND PEDESTRIANS

Current access to the site consists of one drive from Grand River Avenue. The proposed site plan shows access to the parcel being provided both from the existing drive off Grand River Avenue and from a new proposed drive to the south service drive. Patrons exiting to Grand River Avenue will be restricted to a right turn only. The south service drive will permit routing to the existing traffic lights on Grand River Avenue. The drives and parking will be paved and curbed.

The proposed use is generally consistent with the "Quality Restaurant" category (Code 831) found within the Trip Generation Manual. The building area consists of 3848 +/- total square feet. The average weekday experiences 9.40 trips per peak hour for each 1,000 square feet of gross floor area. A restaurant has a peak hour on Saturdays with 10.82 trips per peak hour for each 1,000 square feet of gross floor area. The anticipated trip generation during the weekday for the peak hour on the subject parcel is 36 trips.

The peak hour on Saturday is projected at 41.6 trips.

A temporary one-lane closure may be required on Grand River during construction to direct traffic away from drive entrance work both at Grand River Avenue and the service drive to the south. The service drive to the south currently utilizes a timber retaining wall along the south property that will be removed and replaced with an at grade drive entrance.

The amount of parking being provided meets the Township Ordinance for restaurants with no drive through window and no alcohol served.

Loading will occur through the parking lot area in the back with no disruption to public traffic movement.

There is an existing sidewalk in front along Grand River Avenue with barrier free ramps at the driveway. The proposed curb island in the driveway will also include barrier free ramps.

No adverse impacts on vehicular or pedestrian traffic are anticipated.

J. SPECIAL PROVISIONS

No special provisions or requirements are currently proposed for this facility.

K. SITE LIGHTING

In addition to proposed building mounted exterior lights, three pole mounted lights, a maximum of 30 feet above parking lot grade, are proposed.

L. HOURS OF OPERATION

Hours of operation will be consistent with their existing locations as follows:

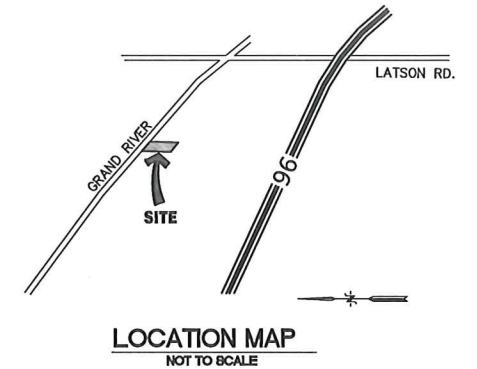
7:00 a.m. to 9:00 p.m. Monday – Thursday

7:00 a.m. to 10:00 p.m. Friday & Saturday

8:00 a.m. to 9:00 p.m. Sunday

PROPOSED SITE PLAN FOR RED OLIVE RESTAURANT

3838 E. GRAND RIVER AVE, HOWELL
PART OF THE SOUTHEAST 1/4 OF SECTION 5
T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



LEGAL DESCRIPTION

Reference: Commitment for Title Insurance by Metropolitan Title Company, Commitment No. 121556 2014, Commitment Date April 10, 2007 at 8:00 a.m., Rev. B July 10, 2007

The land referred to in this Commitment, situated in the County of Livingston, township of Genoa, State of Michigan, is described as follows:

PARCEL No. 2

A part of the Southeast 1/4 of Section 5 Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, more particularly described as: Commencing at the Southeast Corner of Section 5 Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan; thence N02°11'26"E 548.49 feet along the East line of said Section and the centerline of Latson Road; thence N60°51'00"W 982.34 feet along the centerline of Grand River Avenue to the POINT OF BEGINNING; thence S01°29'10"W 456.45 feet; thence N60°51'00"W 120.00 feet; thence N01°29'10"E 456.45 feet; thence S60°51'00"E 120.00 feet along said centerline of Grand River Avenue to the Point of Beginning. Subject to and together with easements and restrictions affecting title to the above described premises.

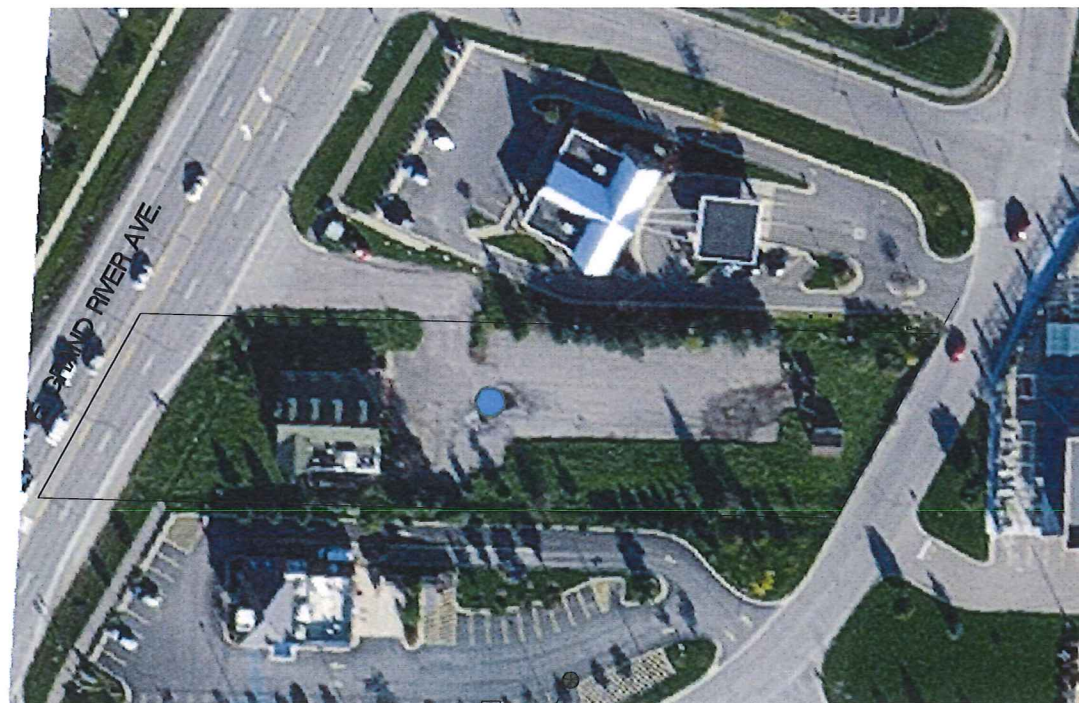
EASEMENT PARCEL

A non-exclusive easement for ingress and egress over a fifty foot wide strip of land being more particularly described as follows: Commencing at the Southeast Corner of Section 5, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan; thence N02°11'26"E 548.49 feet along the East line of said Section and the centerline of Latson Road; thence N60°51'00"W 925.89 feet along the centerline of Grand River Avenue to the POINT OF BEGINNING; thence S01°29'10"W 173.79 feet; thence N88°30'50"W 50.00 feet; thence N01°29'10"E 200.00 feet; thence S60°51'00"E 56.45 feet along said centerline of Grand River Avenue to the Point of Beginning. Being a part of the Southeast 1/4 of Section 5, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan.

Tax Item No. 4711-05-400-025 201 47070

PROPERTY AREAS
PARCEL 2
CONTAINING
±48513 SF; ±1.11 ACRES

EASEMENT PARCEL
CONTAINING
±9344 SF; ±0.21 ACRES



AERIAL PHOTOGRAPHY BY:
Google maps

Aerial photographic underlay is an unrectified image and is oriented to the engineering line work with reasonable accuracy and precision, and may not accurately depict current site conditions.

SHEET INDEX

- EX EXISTING CONDITIONS/ DEMOLITION PLAN
- SP SITE DEVELOPMENT PLAN
- GR GRADING AND UTILITY PLAN
- SE1 SOIL EROSION AND SEDIMENT CONTROL PLAN
- SE2 SOIL EROSION NOTES AND DETAILS
- LA1 LANDSCAPE PLAN
- LA2 LANDSCAPE NOTES AND DETAILS
- LT1 PHOTO METRIC PLAN
- LT2 LIGHTING DETAILS
- DT1 SITE DEVELOPMENT NOTES AND DETAILS
- DT2 STORM SEWER & SANITARY SEWER NOTES AND DETAILS
- DT3 UNDERGROUND DETENTION NOTES AND DETAILS
- A 1 FLOOR PLANS
- A2 NORTH AND SOUTH ELEVATIONS
- A3 EAST AND WEST ELEVATIONS

OWNER/DEVELOPER
PKJJ, LLC
29329 PARAMOUNT COURT
FARMINGTON HILLS, MI 48331

ARCHITECT
PUCCI + VOLLMAR
508 E. GRAND RIVER AVENUE
BRIGHTON, MI. 48116
(810) 225-2930

CIVIL ENGINEER/LAND SURVEYOR
DESINE INC.
2183 PLESS DRIVE
BRIGHTON, MI. 48114
(810) 227-9533

DESINE INC.
(810) 227-9533
CIVIL ENGINEERS
LAND SURVEYORS
2183 PLESS DRIVE
BRIGHTON, MICHIGAN 48114

| | |
|--------------|----------------------|
| REVISED | SCALE: NONE |
| SEP 18, 2014 | PROJECT No.: 132308 |
| DEC 17, 2014 | DWG NAME: 2308-COV |
| APR 29, 2015 | PRINT: APR. 29, 2015 |

EXISTING SOIL

MIAMI LOAM: 2-6% SLOPE
 GENERALLY SOILS ON THE PROPERTY ARE WELL DRAINED, MODERATELY PERMEABLE, LOAMY SANDS AS CLASSIFIED BY U.S.D.A. SOIL CONSERVATION SERVICE.

IMPACT ON SURROUNDING LAND USES

The property to the north of the subject parcel, across Grand River Avenue, is zoned MUPUD (Mixed Use Planned Unit Development). The properties to the east, south and west of the subject parcel are zoned NRPUD (Non-residential Planned Unit Development). To the east is the Fifth Third Bank. To the south is Wal-Mart. To the west is White Castle restaurant.

The subject property is zoned RCD (Regional Commercial District). No change in use is proposed. The improvements to the site are consistent with the commercial uses in the area. The additional landscaping will upgrade the functionality of the property. All areas disturbed by construction will require restoration as outlined in the project plans and required by the permitting agencies.

LEGAL DESCRIPTION

Reference: Commitment for Title Insurance by Metropolitan Title Company, Commitment No. 121556 2014, Commitment Date April 10, 2007 at 8:00 a.m., Rev. B July 10, 2007

The land referred to in this Commitment, situated in the County of Livingston, township of Genoa, State of Michigan, is described as follows:

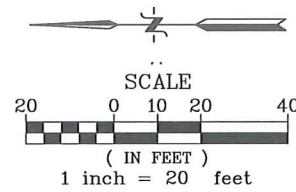
PARCEL No. 2

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EASEMENT PARCEL

A non-exclusive easement for ingress and egress over a fifty foot wide strip of land being more particularly described as follows: Commencing at the Southeast Corner of Section 5, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan; thence N02°11'26"E 548.49 feet along the East line of said Section and the centerline of Lanson Road; thence N60°51'00"W 925.89 feet along the centerline of Grand River Avenue to the POINT OF BEGINNING; thence S01°29'10"W 173.79 feet; thence N88°30'50"W 50.00 feet; thence N01°29'10"E 200.00 feet; thence S60°51'00"E 56.45 feet along said centerline of Grand River Avenue to the Point of Beginning. Being a part of the Southeast 1/4 of Section 5, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan.

Tax Item No. 4711-05-400-025 201 47070



EXISTING STRUCTURE INVENTORY

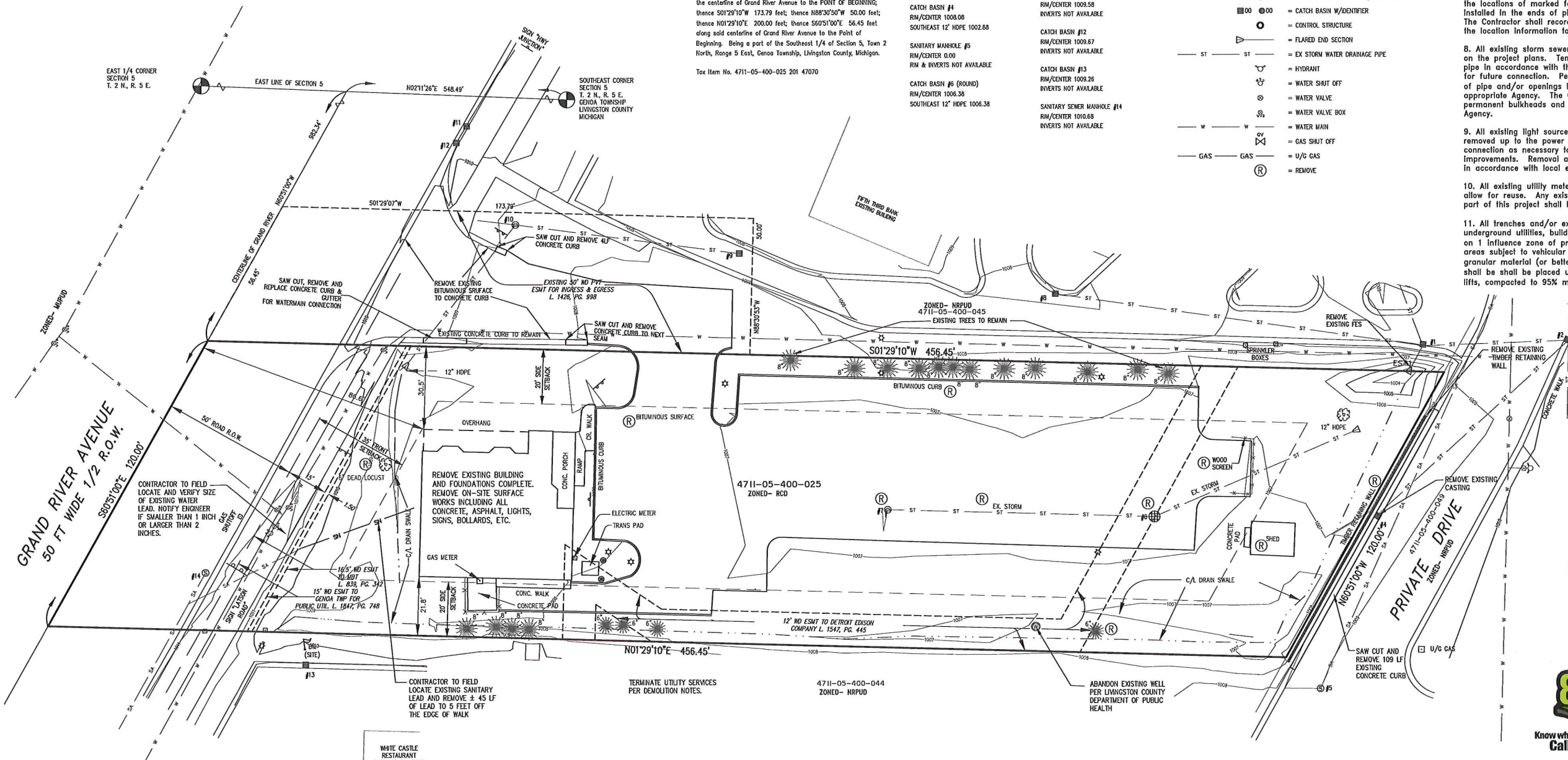
| | |
|---|--|
| CATCH BASIN #1 RM/CENTER 1008.94 SOUTH 12' HOPE 1002.29 NORTHEAST 12' SDR 1003.59 NORTH 12' SDR 1002.64 NORTHWEST 12' HOPE 1002.34 | STORM SEWER MANHOLE #7 RM/CENTER 1006.39 SOUTH 10' 1004.64 |
| CATCH BASIN #2 RM/CENTER 1009.51 NORTH 12' HOPE 1002.01 NORTHWEST 12' HOPE 1001.91 WESTERLY 1001.11 EASTERLY 1001.11 | CATCH BASIN #8 RM/CENTER 1007.47 INVERTS NOT AVAILABLE |
| SANITARY MANHOLE #3 RM/CENTER 0.00 RM & INVERTS NOT AVAILABLE | CATCH BASIN #9 RM/CENTER 0.00 INVERTS NOT AVAILABLE |
| CATCH BASIN #4 RM/CENTER 1008.08 SOUTHEAST 12' HOPE 1002.68 | STORM SEWER MANHOLE #10 RM/CENTER 1008.52 SOUTH 12' SDR 1003.72 NORTH 12' SDR 1003.62 |
| SANITARY MANHOLE #5 RM/CENTER 0.00 RM & INVERTS NOT AVAILABLE | CATCH BASIN #11 RM/CENTER 1009.58 INVERTS NOT AVAILABLE |
| CATCH BASIN #5 (ROUND) RM/CENTER 1006.38 SOUTHEAST 12' HOPE 1006.38 | CATCH BASIN #12 RM/CENTER 1009.67 INVERTS NOT AVAILABLE |
| | CATCH BASIN #13 RM/CENTER 1009.26 INVERTS NOT AVAILABLE |
| | SANITARY SEWER MANHOLE #14 RM/CENTER 1010.68 INVERTS NOT AVAILABLE |

LEGEND

- = MISC. STRUCTURE (AS LABELED)
- ⊙ = WELL
- ⊙ = BOLLARD
- = SIGN
- = FLAG POLE
- ☆ = LIGHT BASE
- ⊙ = STREET LIGHT
- ⊙ = UTILITY MANHOLE (AS LABELED)
- = UTILITY POLE W/OUT WIRE
- = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
- = U/G LINES (ELECTRIC/PHONE/CABLE)
- ⊙ = DECIDUOUS TREE W/DENIFIER
- ⊙ = CONIFEROUS TREE W/SIZE
- ⊙ = BUSH
- = FENCE (CHAIN LINK UNLESS OTHERWISE STATED)
- = EX CONCRETE CURB (UNLESS OTHERWISE STATED)
- ⊙ = SANITARY SEWER MANHOLE W/DENIFIER
- SA — SA = SANITARY SEWER PIPE
- = CLEAN OUT
- ⊙ = STORM WATER MANHOLE W/DENIFIER
- ⊙ = CATCH BASIN W/DENIFIER
- ⊙ = CONTROL STRUCTURE
- = FLARED END SECTION
- ST — ST = EX STORM WATER DRAINAGE PIPE
- = HYDRANT
- = WATER SHUT OFF
- ⊙ = WATER VALVE
- ⊙ = WATER VALVE BOX
- W — W = WATER MAIN
- = GAS SHUT OFF
- GAS — GAS = U/G GAS
- ⊙ = REMOVE

DEMOLITION NOTES:

- The demolition specifications of the Local Municipality are a part of this work. Refer to the General Notes on the project plans for additional requirements.
- Contractor shall contact the MISS DIG locating system, DIGGERS HOTLINE or other appropriate local underground utility locating Agency, a minimum of three (3) working days prior to performing demolition work. Existing utility information on the project plans may be from information disclosed to this firm by the Utility Companies, Local, County or State Agencies, and/or various other sources. No guarantee is given as to the completeness or accuracy thereof. Prior to construction, locations and depths of all existing utilities (in possible conflict with the proposed improvements) shall be verified in the field.
- Contractor shall contact the appropriate Agencies to coordinate disconnect and disposition of the electric, gas, phone, cable and other public utilities as necessary prior to performing demolition work.
- Contractor shall contact the appropriate Agencies to coordinate removal and/or relocation of any at grade, underground and/or overhead public utility lines as necessary prior to performing demolition work.
- Contractor shall recycle and/or dispose of all demolition debris in accordance with the appropriate Local, County, State and Federal regulations.
- All bituminous and concrete pavement to be removed shall be saw cut at the limits of removal to provide for a clean straight edge for future abutment.
- All existing water main and sanitary sewer to be removed shall be terminated as indicated on the project plans. Temporary plugs shall be installed in the ends of pipe in accordance with the appropriate Agency and the locations of marked for future connection. Permanent plugs shall be installed in the ends of pipe in accordance with the appropriate Agency. The Contractor shall record the location of all permanent plugs and provide the location information to the appropriate Agency.
- All existing storm sewer to be removed shall be terminated as indicated on the project plans. Temporary plugs shall be installed in the ends of pipe in accordance with the appropriate Agency and the locations of marked for future connection. Permanent bulkheads shall be installed in the ends of pipe and/or openings in terminating structures in accordance with the appropriate Agency. The Contractor shall record the location of all permanent bulkheads and provide the location information to the appropriate Agency.
- All existing light sources to be removed shall have their power cables removed up to the power source or properly terminated for future connection as necessary to allow for construction of the proposed site improvements. Removal and termination of power cables shall be performed in accordance with local electric codes.
- All existing utility meters to be removed shall be properly removed to allow for reuse. Any existing utility meters that are not to be reused as a part of this project shall be returned to the appropriate Agency.
- All trenches and/or excavations resulting from the demolition of underground utilities, building foundations, etc., that are located within the 1 on 1 influence zone of proposed structures, paved areas and/or other areas subject to vehicular traffic shall be backfilled with MDOT Class III granular material (or better) to the proposed subgrade elevation. Backfill shall be placed using the controlled density method (12" maximum lifts, compacted to 95% maximum unit weight, modified proctor).



BENCHMARK
 REF: DATUM BASED ON PREVIOUS SITE PLANS BY NOWAK & FRAUS, JOB No. F002, DATE 10/4/07, FOR WHITE CASTLE

BENCHMARK (PRIMARY)
 REF: SEE ABOVE
 SANITARY MANHOLE RM, LOCATED AT NORTH ENTRANCE OF ACCESS DRIVE, SOUTH SIDE OF GRAND RIVER.
 ELEVATION = 1011.52

BENCHMARK (SITE)
 EAST SIDE OF FLAG POLE CONCRETE BASE, LOCATED NEAR THE NORTHEAST CORNER OF 3832 GRAND RIVER.
 ELEVATION = 1010.39

NOTE:
 ALL SHOWN EXISTING IMPROVEMENTS TO BE REMOVED EXCEPT EXISTING ENTRANCE CONCRETE CURB, DRIVE CULVERT, APPLE TREE, AND PINE TREES ALONG EAST AND WEST LINES.



3 WORKING DAYS BEFORE YOU DIG
 CALL 811 OR 1-800-482-7171 (TOLL FREE)
 OR VISIT CALL811.COM



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 CIVIL ENGINEERS
 LAND SURVEYORS
 2183 PLESS DRIVE
 BRIGHTON, MICHIGAN 48114

| DESIGN: EDR/WMP | REVISION # | DATE | REVISION-DESCRIPTION | REVISION # | DATE | REVISION-DESCRIPTION |
|-----------------|------------|----------|--|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY REVIEW COMMENTS | | | |
| CHECK: EDR | | | | | | |

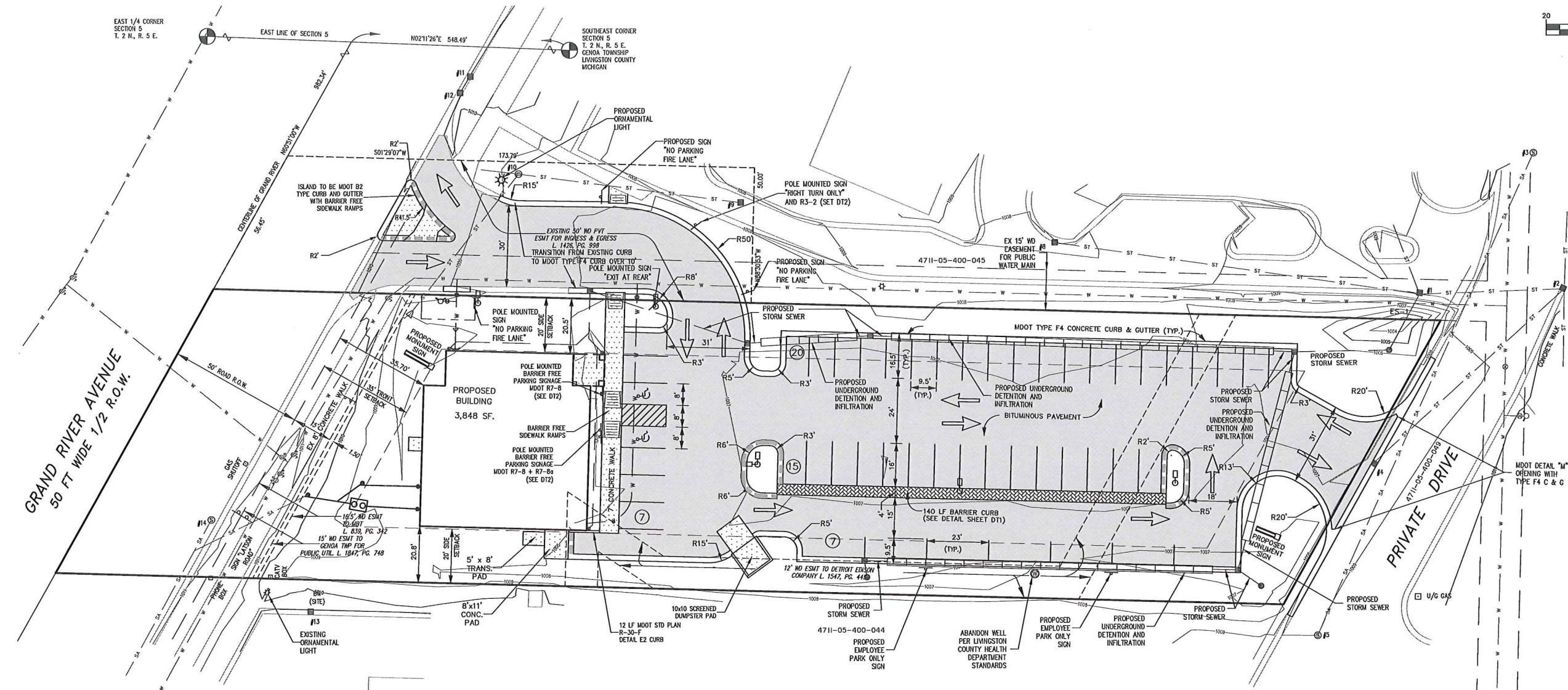
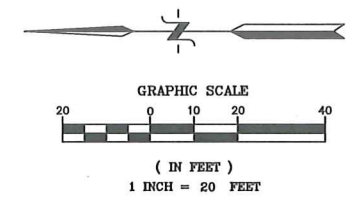
RED OLIVE RESTAURANT
 3838 E. GRAND RIVER

**EXISTING CONDITIONS/
 DEMOLITION
 PLAN**

CLIENT:
 PKJJ, LLC
 29329 PARAMOUNT COURT
 FARMINGTON HILLS, MI 48331

SCALE: 1"=20'
 PROJECT No.: 9132308
 DWG NAME: 2308-DEMO
 ISSUED: DEC 17, 2014

EX



| | | |
|-----------------|-----------|-----|
| IMPERVIOUS AREA | | |
| EXISTING | 32,288 SF | 56% |
| PROPOSED | 40,427 SF | 70% |

| LEGEND | |
|--------|---|
| □ | = MISC. STRUCTURE (AS LABELED) |
| ⊙ | = WELL |
| ⊙ | = BOLLARD |
| ⊙ | = SIGN |
| ⊙ | = FLAG POLE |
| ⊙ | = LIGHT BASE |
| ⊙ | = STREET LIGHT |
| ⊙ | = UTILITY MANHOLE (AS LABELED) |
| ⊙ | = UTILITY POLE W/GUY WIRE |
| ⊙ | = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE) |
| ⊙ | = U/G LINES (ELECTRIC/PHONE/CABLE) |
| ⊙ | = DECIDUOUS TREE W/IDENTIFIER |
| ⊙ | = CONIFEROUS TREE W/IDENTIFIER |
| ⊙ | = STUMP |
| ⊙ | = BUSH |
| ⊙ | = FENCE (CHAIN LINK UNLESS OTHERWISE STATED) |
| ⊙ | = EX CONCRETE CURB (UNLESS OTHERWISE STATED) |
| ⊙ | = PROP. CONCRETE CURB (UNLESS OTHERWISE STATED) |
| ⊙ | = SANITARY SEWER MANHOLE W/IDENTIFIER |
| ⊙ | = SANITARY SEWER PIPE |
| ⊙ | = CLEAN OUT |
| ⊙ | = STORM WATER MANHOLE W/IDENTIFIER |
| ⊙ | = CATCH BASIN W/IDENTIFIER |
| ⊙ | = CONTROL STRUCTURE |
| ⊙ | = FLARED END SECTION |
| ⊙ | = EX STORM WATER DRAINAGE PIPE |
| ⊙ | = PROP STORM WATER DRAINAGE PIPE |
| ⊙ | = HYDRANT |
| ⊙ | = WATER SHUT OFF |
| ⊙ | = WATER VALVE |
| ⊙ | = WATER VALVE BOX |
| ⊙ | = WATER MAIN |
| ⊙ | = GAS SHUT OFF |
| ⊙ | = U/G GAS |

NOTE:
NO DRIVE THRU WINDOW SHALL BE PERMITTED ON PARCEL PER AMENDED P.U.D. AGREEMENT

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2183 PLESS DRIVE
BRIGHTON, MICHIGAN 48114

| DESIGN: JMB | REVISION # | DATE | REVISION-DESCRIPTION | REVISION # | DATE | REVISION-DESCRIPTION |
|-------------|------------|----------|--|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY REVIEW COMMENTS | | | |
| CHECK: JMB | 2 | 04/28/15 | REVISED PER REVIEW COMMENTS | | | |

RED OLIVE RESTAURANT
3838 GRAND RIVER

SITE DEVELOPMENT

CLIENT:
PKJJ, LLC
29329 PARAMOUNT COURT
FARMINGTON HILLS, MI 48331

SCALE: 1"=20'
PROJECT No.: 9132308
DWG NAME: 2308-SP
ISSUED: APR. 29, 2015

SP

| Project: Red Olive Restaurant | | | | | | | | | | | | | | Project#: 132308 | | | | | | | |
|---|---------|------------|---------------------|--------------------|-------------|-----------------|----------|---------|-------------------|---------|------------|--------------------|-------------------------|-------------------|--------------------|----------------------|------------------------|------------------------|------------------------|------------------------|--|
| Design Criteria: 10 year event (t = 175/t + 25) | | | | | | | | | | | | | | Date: 12/17/2014 | | | | | | | |
| RCP n = 0.013 | | | | | | | | | | | | | | HDPE n = 0.011 | | | | | | | |
| From MH# | To MH# | Inc. Acres | Equiv. Area 100% CA | Total Area 100% CA | T Time Min. | I Inch Per Hour | Q c.f.s. | Q (CIA) | Dia. of pipe Inch | Slope % | Slope H.G. | Length of line ft. | Vel. Flow full ft./sec. | Time of flow min. | Cap of pipe c.f.s. | H.G. Elev. upper end | Ground Elev. Upper end | Ground Elev. Lower end | Invert Elev. Upper end | Invert Elev. Lower end | |
| FES# | FES# | "A" | "C" | CA | CA | | | | | | | | | | | | | | | | |
| YB 112 | CB 113 | 0.088 | 0.20 | 0.02 | 0.02 | 15.0 | 4.38 | 0.08 | 12 | 0.32 | 0.00 | 6 | 2.57 | 0.0 | 2.02 | 1005.27 | 1006.80 | 1007.89 | 1004.12 | 1004.10 | |
| CB 113 | CB 110 | 0.121 | 0.87 | 0.11 | 0.12 | 15.0 | 4.37 | 0.54 | 12 | 0.32 | 0.02 | 139 | 2.57 | 0.9 | 2.02 | 1005.27 | 1007.89 | 1007.59 | 1004.00 | 1003.57 | |
| YB 111 | CB 110 | 0.055 | 0.21 | 0.01 | 0.01 | 15.0 | 4.38 | 0.04 | 12 | 0.32 | 0.00 | 10 | 2.57 | 0.1 | 2.02 | 1005.24 | 1006.70 | 1007.59 | 1003.60 | 1003.57 | |
| CB 110 | CB 101 | 0.064 | 0.88 | 0.06 | 0.17 | 15.1 | 4.37 | 0.75 | 12 | 0.32 | 0.04 | 83 | 2.57 | 0.5 | 2.02 | 1005.24 | 1007.59 | 1007.29 | 1003.47 | 1003.20 | |
| CB 122 | CB 121 | 0.194 | 0.74 | 0.14 | 0.14 | 15.0 | 4.38 | 0.63 | 12 | 0.32 | 0.03 | 62 | 2.57 | 0.4 | 2.02 | 1005.63 | 1007.74 | 1008.79 | 1004.26 | 1004.06 | |
| CB 121 | CB 120 | 0.028 | 0.90 | 0.03 | 0.17 | 15.4 | 4.33 | 0.73 | 12 | 0.32 | 0.04 | 46 | 2.57 | 0.3 | 2.02 | 1005.61 | 1008.79 | 1007.69 | 1003.96 | 1003.81 | |
| CB 120 | CB 101 | 0.157 | 0.86 | 0.14 | 0.30 | 15.7 | 4.30 | 1.31 | 12 | 0.32 | 0.13 | 158 | 2.57 | 1.0 | 2.02 | 1005.59 | 1007.69 | 1007.29 | 1003.71 | 1003.20 | |
| CB 101 | SCS 100 | 0.144 | 0.90 | 0.13 | 0.60 | 16.7 | 4.19 | 2.54 | 12 | 0.32 | 0.51 | 35 | 3.23 | 0.2 | 2.02 | 1005.38 | 1007.29 | 1003.00 | 1003.15 | 1003.04 | |

CONTROL STRUCTURE (SCS-100) CALCULATIONS

Orifice Equation $Q_c = 0.62 \times \text{Area} \times \sqrt{2 \times 32.2 \times \text{Height}}$

Q Allowed = 0.30 CFS
 Height = 1.95 FT

Solve for Area
 Area = 0.043 SF

Use Area Actual = One 2.75" HOLES
 Area Actual = 0.041 SF
 Q actual = 0.285 CFS

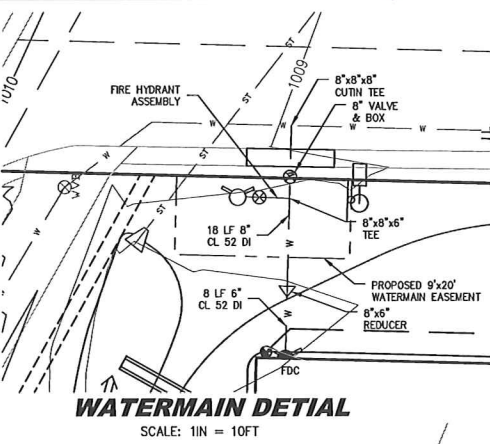
PRAIRIE HOUSE - 50 YEAR STORM DETENTION CALCULATIONS

| Duration (Minutes) | Duration (Seconds) | Intensity (50-yr Storm) (in / hr) | Col. 2 * Col. 3 (Inches) | Inflow Volume = Col. 4 * K1 (Cubic Feet) | Outflow Volume = Col. 2 * Col. 5 (Cubic Feet) | Storage Volume = Col. 5 - Col. 6 (Cubic Feet) |
|--------------------|--------------------|-----------------------------------|--------------------------|--|---|---|
| 5 | 300 | 8.17 | 2450 | 1492 | 67 | 1425 |
| 10 | 600 | 7.00 | 4200 | 2558 | 134 | 2423 |
| 15 | 900 | 6.13 | 5513 | 3357 | 202 | 3156 |
| 20 | 1200 | 5.44 | 6533 | 3979 | 269 | 3710 |
| 30 | 1800 | 4.45 | 8018 | 4883 | 403 | 4480 |
| 60 | 3600 | 2.88 | 10376 | 6319 | 806 | 5513 |
| 90 | 5400 | 2.13 | 11504 | 7006 | 1210 | 5797 |
| 120 | 7200 | 1.69 | 12166 | 7409 | 1613 | 5796 |
| 180 | 10800 | 1.20 | 12907 | 7661 | 2419 | 5441 |

RED OLIVE - 50 YEAR STORM DETENTION CALCULATIONS

| Duration (Minutes) | Duration (Seconds) | Intensity (50-yr Storm) (in / hr) | Col. 2 * Col. 3 (Inches) | Inflow Volume = Col. 4 * K1 (Cubic Feet) | Outflow Volume = Col. 2 * Col. 5 (Cubic Feet) | Storage Volume = Col. 5 - Col. 6 (Cubic Feet) |
|--------------------|--------------------|-----------------------------------|--------------------------|--|---|---|
| 5 | 300 | 8.17 | 2450 | 1749 | 67 | 1682 |
| 10 | 600 | 7.00 | 4200 | 2999 | 134 | 2864 |
| 15 | 900 | 6.13 | 5513 | 3936 | 202 | 3734 |
| 20 | 1200 | 5.44 | 6533 | 4655 | 269 | 4396 |
| 30 | 1800 | 4.45 | 8018 | 5725 | 403 | 5322 |
| 60 | 3600 | 2.88 | 10376 | 7409 | 806 | 6602 |
| 90 | 5400 | 2.13 | 11504 | 8214 | 1210 | 7005 |
| 120 | 7200 | 1.69 | 12166 | 8686 | 1613 | 7073 |
| 180 | 10800 | 1.20 | 12907 | 9216 | 2419 | 6797 |

Note: Figures in Columns (2) and (4) are computed by the formula $I = 245 / (t + 25)$ (i.e. 50-yr Curve).
 Allowable outflow rate Q_o is computed by one of the following cases:
 Case 1: $Q_o = \text{capacity of existing discharge conduit or channel}$.
 Case 2: $Q_o = q \times A$ where $q = \text{Permissible discharge rate per acre of tributary area} = 0.20 \text{ cfs / Acre}$

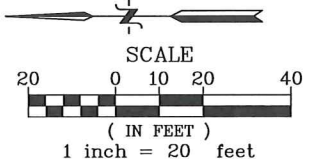
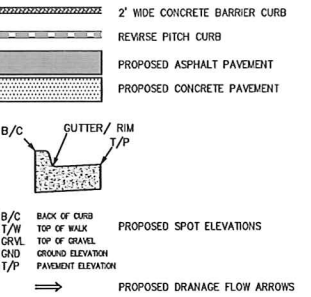


WATERMAIN DETAIL
 SCALE: 1IN = 10FT
 NOTE: COORDINATE SHUTOFF OF EXISTING WATERMAIN WITH MHOG.

Storm Water Management:
 Excess storm water will be retained on site and to percolate into the soils thru infiltration system consisting of 51 Stormtech SC-310 Chambers.
 Excess stormwater was calculated as the difference between existing storage requirements and proposed storage requirements:
 Excess storm runoff = 7073 CF - 5797 CF = 1276 CF
 Installed Stormtech storage = 1581 CF
 Soils on site per The United States Department of Agriculture, Soil Conservation Service are Miami Loam Series. The site is predominantly mild slopes of 2 to 6 percent. These soils are generally well drained, moderately permeable, loamy sands.

LEGEND

- ⊗ = MISC. STRUCTURE (AS LABELED)
- ⊙ = BOLLARD
- = SIGN
- ⊙ = FLAG POLE
- ⊙ = LIGHT BASE
- ⊙ = STREET LIGHT
- ⊙ = UTILITY MANHOLE (AS LABELED)
- ⊙ = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
- = UTILITY POLE W/UTL WIRE
- = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
- = U/G LINES (ELECTRIC/PHONE/CABLE)
- = FENCE (CHAIN LINK UNLESS OTHERWISE STATED)
- = EX CONCRETE CURB (UNLESS OTHERWISE STATED)
- = PROP. CONCRETE CURB (UNLESS OTHERWISE STATED)
- ⊙ = SANITARY SEWER MANHOLE W/IDENTIFIER
- ⊙ = SANITARY SEWER PIPE
- ⊙ = CLEAN OUT
- ⊙ = STORM WATER MANHOLE W/IDENTIFIER
- ⊙ = CATCH BASIN W/IDENTIFIER
- ⊙ = CONTROL STRUCTURE
- ⊙ = FLARED END SECTION
- = EX STORM WATER DRAINAGE PIPE
- = PROP STORM WATER DRAINAGE PIPE
- ⊙ = HYDRANT
- ⊙ = WATER SHUT OFF
- ⊙ = WATER VALVE
- ⊙ = WATER VALVE BOX
- = WATER MAIN
- ⊙ = GAS SHUT OFF
- = U/G GAS
- ⊙ = EX SPOT ELEVATION
- ⊙ = PROP SPOT ELEVATION
- = EX 1' CONTOUR
- = EX 5' CONTOUR
- ⊙ = STORM TECH UNDERGROUND INFILTRATION CHAMBERS

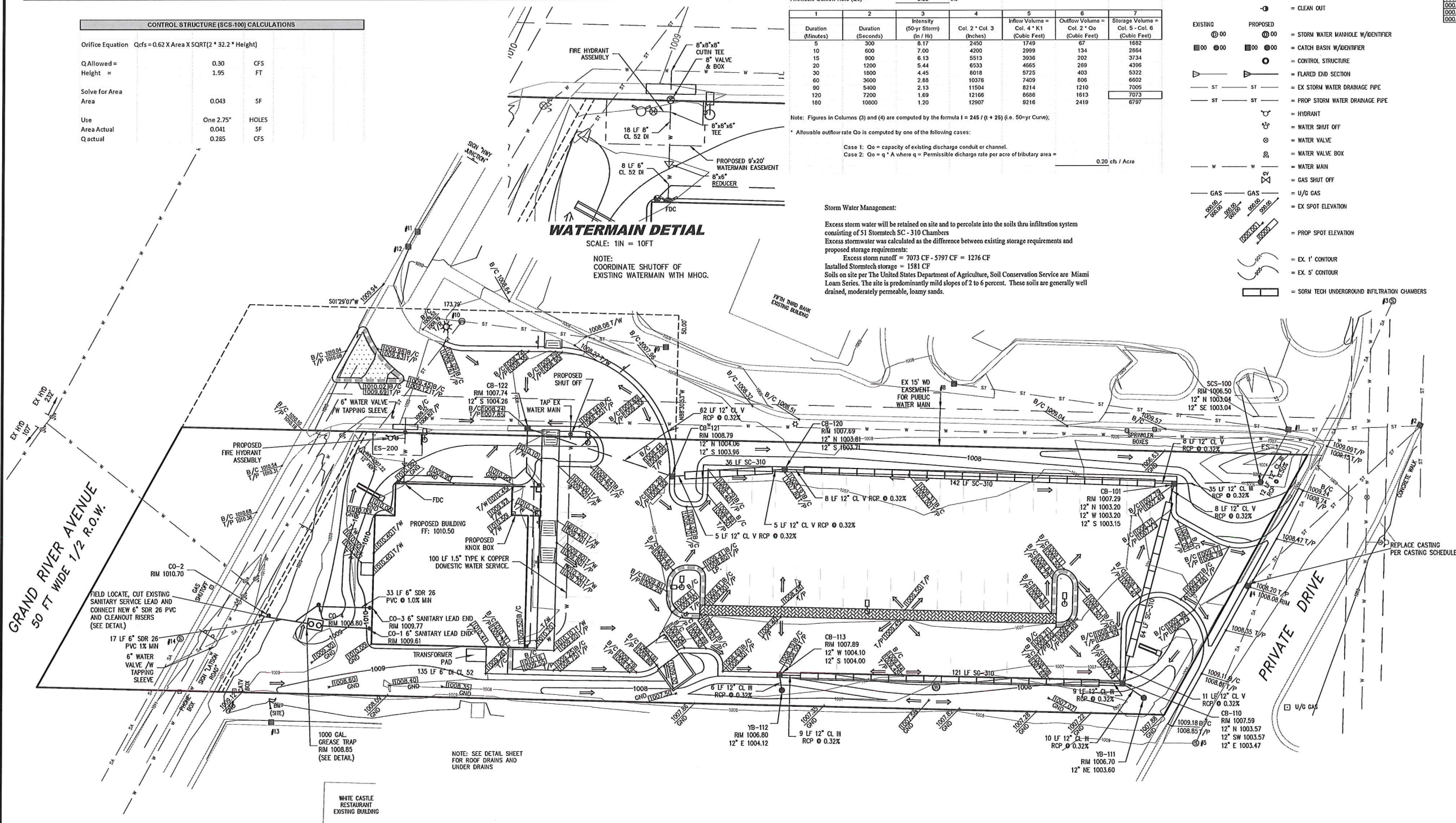


BENCHMARKS

REF: DATUM BASED ON PREVIOUS SITE PLANS BY NOWAK & FRAUS, JOB No. F002, DATE 10/4/07, FOR WHITE CASTLE

BENCHMARK (PRIMARY)
 REF: SEE ABOVE
 SANITARY MANHOLE RIM, LOCATED AT NORTH ENTRANCE OF ACCESS DRIVE, SOUTH SIDE OF GRAND RIVER.
 ELEVATION = 1011.52

BENCHMARK (SITE)
 EAST SIDE OF FLAG POLE CONCRETE BASE, LOCATED NEAR THE NORTHEAST CORNER OF #3832 GRAND RIVER.
 ELEVATION = 1010.39
 REF: FIELD BOOK B214, PG. 7
 POINT #53



3 WORKING DAYS BEFORE YOU DIG
 CALL 811 OR 1-800-482-7171 (TOLL FREE)
 OR VISIT CALL811.COM



| DESIGN/JMB | REVISION # | DATE | REVISION-DESCRIPTION | REVISION # | DATE | REVISION-DESCRIPTION |
|------------|------------|----------|--|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY REVIEW COMMENTS | | | |
| CHECK: JMB | 2 | 04/29/15 | REVISED PER REVIEW COMMENTS | | | |

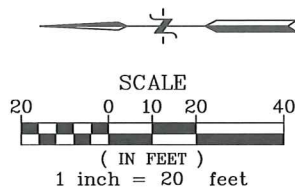
RED OLIVE RESTAURANT
 3838 E. GRAND RIVER

GRADING AND UTILITY PLAN

CLIENT: PKJJ, LLC
 29329 PARAMOUNT COURT
 FARMINGTON HILLS, MI 48331

SCALE: 1"=20'
 PROJECT No.: 9132308
 DWG NAME: 2308-GRD
 ISSUED: APR. 29, 2015





SOIL EROSION MEASURES

| | | |
|----|--|--|
| 6 | | PREVENTS EROSION OF SEDIMENT FROM EXPOSURE TO SWALLOWED WITH LOW RELIABILITY. ONLY USED IN SMALL QUANTITIES BY EXPERIENCED PERSONNEL. SHALL BE PERMANENT UNLESS NOTED. |
| 8 | | PROVIDES EROSION PROTECTION. CAN BE USED ON STEEP SLOPES WHERE USED WITH AN INITIAL TO CORRODE. NOT TO BE USED IF DRYING OR FROSTING. SHALL BE PERMANENT UNLESS NOTED. |
| 13 | | PROVIDES EROSION PROTECTION. CAN BE USED ON STEEP SLOPES WHERE USED WITH AN INITIAL TO CORRODE. NOT TO BE USED IF DRYING OR FROSTING. SHALL BE PERMANENT UNLESS NOTED. |
| 14 | | PROVIDES EROSION PROTECTION. CAN BE USED ON STEEP SLOPES WHERE USED WITH AN INITIAL TO CORRODE. NOT TO BE USED IF DRYING OR FROSTING. SHALL BE PERMANENT UNLESS NOTED. |
| 55 | | PREVENTS EROSION FROM EXPOSURE TO SWALLOWED WITH LOW RELIABILITY. ONLY USED IN SMALL QUANTITIES BY EXPERIENCED PERSONNEL. SHALL BE PERMANENT UNLESS NOTED. |
| 58 | | PREVENTS EROSION FROM EXPOSURE TO SWALLOWED WITH LOW RELIABILITY. ONLY USED IN SMALL QUANTITIES BY EXPERIENCED PERSONNEL. SHALL BE PERMANENT UNLESS NOTED. |
| 59 | | PREVENTS EROSION FROM EXPOSURE TO SWALLOWED WITH LOW RELIABILITY. ONLY USED IN SMALL QUANTITIES BY EXPERIENCED PERSONNEL. SHALL BE PERMANENT UNLESS NOTED. |

- T=TEMPORARY P=PERMANENT
- 36" SILT FENCE
- PROP CONTOUR
- DRAINAGE DIRECTION
- EX. 1' CONTOUR
- EX. 5' CONTOUR

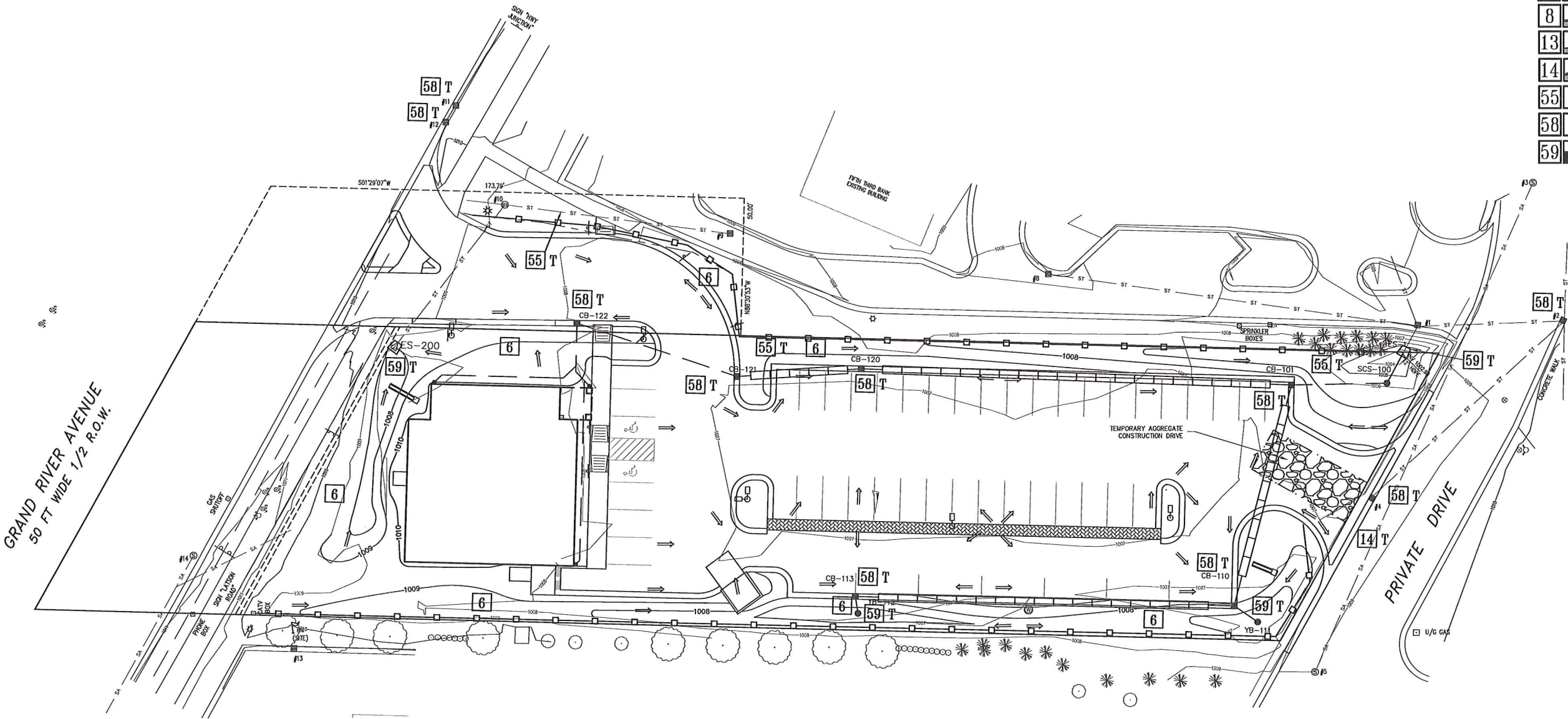
TOTAL SITE AREA = 1.328 ACRES
TOTAL DISTURBED AREA = 1.059 ACRES

BENCHMARKS

REF: DATUM BASED ON PREVIOUS SITE PLANS BY NOWAK & FRAUS, JOB NO. 002, DATE 10/4/07, FOR WHITE CASTLE

BENCHMARK (PRIMARY)
REF: SEE ABOVE
SANITARY MANHOLE RIM, LOCATED AT NORTH ENTRANCE OF ACCESS DRIVE, SOUTH SIDE OF GRAND RIVER.
ELEVATION = 1011.52

BENCHMARK (SITE)
EAST SIDE OF FLAG POLE CONCRETE BASE, LOCATED NEAR THE NORTHEAST CORNER OF #3832 GRAND RIVER.
ELEVATION = 1010.39



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|------------|------------|----------|--|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY REVIEW COMMENTS | | | |
| CHECK: BS | | | | | | |

RED OLIVE RESTAURANT
3838 E. GRAND RIVER

SOIL EROSION AND SEDIMENTATION CONTROL

CLIENT: PKJJ, LLC
29329 PARAMOUNT COURT
FARMINGTON HILLS, MI 48331

SCALE: 1"=40'
PROJECT No.: 9132308
DWG NAME: 2308-SE1
ISSUED: DEC 17, 2014

SE1

SYMBOL LEGEND

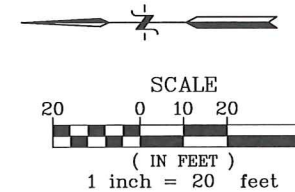


PROPOSED LANDSCAPE PLANTING LEGEND

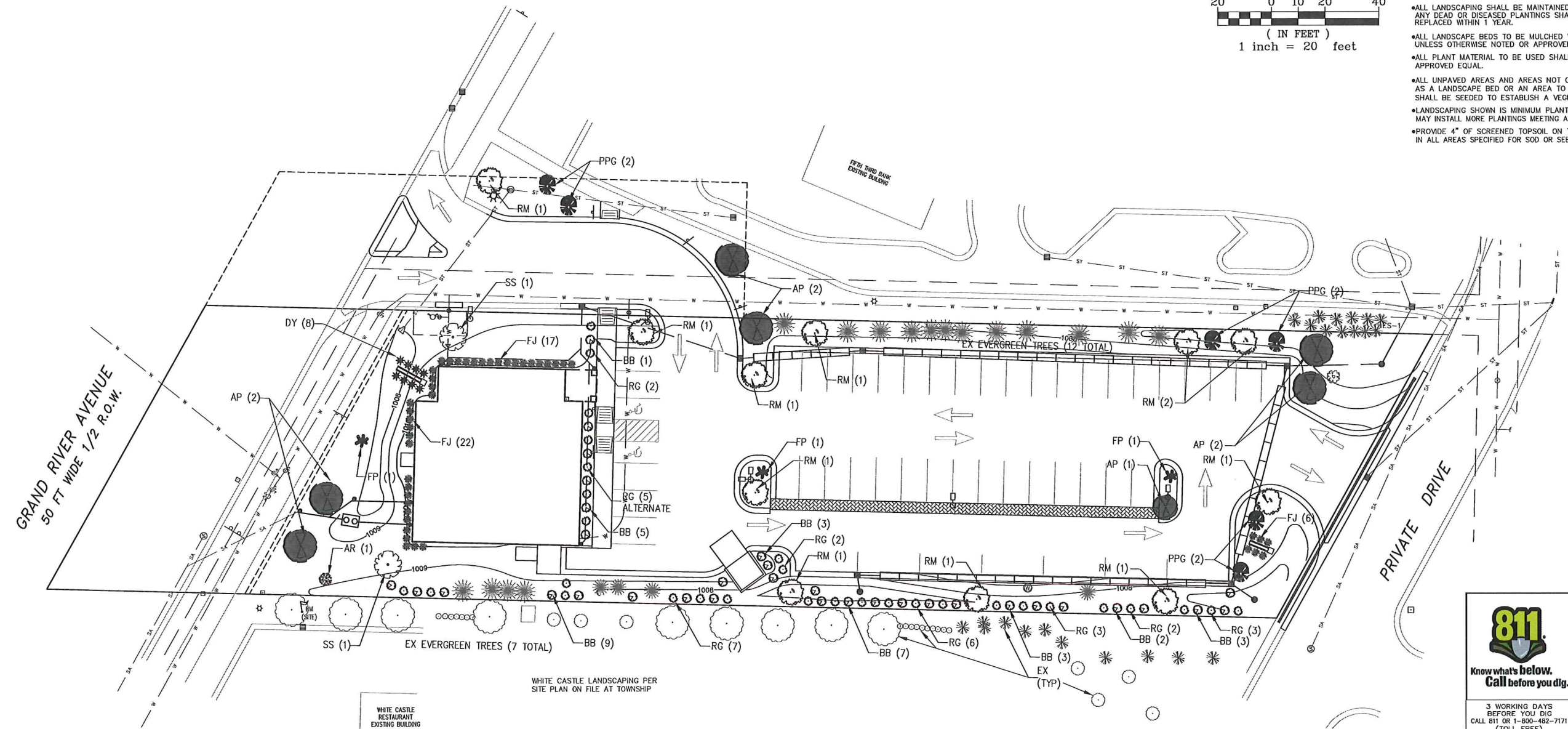
| KEY | QUANTITY | BOTANICAL NAME | COMMON NAME | MINIMUM SIZE | ROOT |
|-------------------------|----------|--|---------------------------------|--------------|-----------|
| LANDSCAPE AREA | | | | | |
| DECIDUOUS TREES | | | | | |
| RM | 11 | <i>Acer rubrum</i> | Red Maple | 3" Caliper | B & B |
| PPG | 6 | <i>Acer p. 'Emerald Queen'</i> | Emerald Queen Norway Maple | 2.5" Caliper | B & B |
| AP | 6 | <i>Picea pungens 'glauca'</i> | Blue Spruce | 6' Height | B & B |
| ORNAMENTAL TREES | | | | | |
| AR | 1 | <i>Cercis canadensis</i> | American Redbud | 6' Height | B & B |
| FP | 3 | <i>Pyrus calleryana 'Cleveland Select'</i> | Cleveland Select Flowering Pear | 6' Height | B & B |
| SS | 2 | <i>Malus 'Spring Snow'</i> | Spring Snow Crabapple | 6' Height | B & B |
| EVERGREEN SHRUBS | | | | | |
| DY | 8 | <i>Taxus x media 'Densifomis'</i> | Dense Yew | 2' Spread | Container |
| FJ | 45 | <i>Juniperus chinensis 'Pfitzer'</i> | Pfitzer Juniper | 2' Spread | Container |
| DECIDUOUS SHRUBS | | | | | |
| BB | 33 | <i>Euonymus alata 'Compacta'</i> | Dwarf Burning Bush | 2' Height | Container |
| RG | 30 | <i>Berberis thunbergii 'Rose Glow'</i> | Rose Glow Barberry | 2' Height | Container |

LANDSCAPE REQUIREMENTS

| LOCATION | REQUIREMENTS | PROPOSED |
|---------------------|--|--|
| FRONT YARD | 4 CANOPY TREES | 3 CANOPY / 30 SHRUBS |
| GREEN BELT | 20-FOOT WIDTH | 2 ORNAMENTALS |
| BUFFER ZONE "C" (E) | 20 CANOPY TREES OR 20 EVERGREENS OR 80 SHRUBS (OR COMBINATION THEREOF) 30-FOOT WIDTH | 12 EXISTING EVERGREEN 5 CANOPY TREES 8 EVERGREEN |
| BUFFER ZONE "C" (W) | 20 CANOPY TREES OR 20 EVERGREENS OR 80 SHRUBS (OR COMBINATION THEREOF) 30-FOOT WIDTH | 8 EXISTING EVERGREEN 3 CANOPY TREES 49 SHRUBS |
| BUFFER ZONE "C" (S) | 7 CANOPY TREES 7 EVERGREENS OR 26 SHRUBS (OR COMBINATION THEREOF) 30-FOOT WIDTH | 3 CANOPY TREES 2 EVERGREENS 6 SHRUBS |
| PARKING LOT | 5 CANOPY TREES 480 SF OF LANDSCAPE AREA | 4 CANOPY TREES 3 ORNAMENTALS 135 SHRUBS |



- GENERAL NOTES:**
- ALL PLANTING SIZES SHOWN SHALL BE AT TIME OF PLANTING.
 - ALL PLANT MATERIAL SHALL BE FREE OF DISEASE AND INSECTS AND SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK OF THE AMERICAN ASSOCIATION OF NURSERYMEN.
 - ALL LANDSCAPING SHALL BE MAINTAINED A HEALTHY CONDITION, ANY DEAD OR DISEASED PLANTINGS SHALL BE REMOVED AND REPLACED WITHIN 1 YEAR.
 - ALL LANDSCAPE BEDS TO BE MULCHED WILL HAVE CYPRESS MULCH UNLESS OTHERWISE NOTED OR APPROVED BY OWNER.
 - ALL PLANT MATERIAL TO BE USED SHALL BE AS SPECIFIED OR APPROVED EQUAL.
 - ALL UNPAVED AREAS AND AREAS NOT OTHERWISE PROPOSED AS A LANDSCAPE BED OR AN AREA TO BE CYPRESS MULCHED SHALL BE SEEDED TO ESTABLISH A VEGETATIVE LAWN COVER.
 - LANDSCAPING SHOWN IS MINIMUM PLANTING REQUIRED. OWNER MAY INSTALL MORE PLANTINGS MEETING ALL MUNICIPAL STANDARDS.
 - PROVIDE 4" OF SCREENED TOPSOIL ON TOP OF SUITABLE SOILS IN ALL AREAS SPECIFIED FOR SOO OR SEED LAWN.



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| DESIGN: BS | REVISION # | DATE | REVISION-DESCRIPTION | REVISION # | DATE | REVISION-DESCRIPTION |
|------------|------------|----------|-----------------------------------|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY COMMENTS | | | |
| CHECK: BS | 2 | 04/29/15 | REVISED PER REVIEW COMMENTS | | | |

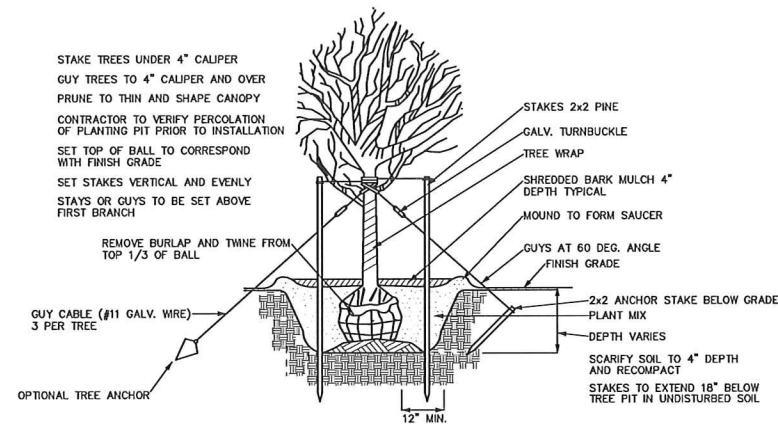
RED OLIVE RESTAURANT
3838 E. GRAND RIVE

LANDSCAPE PLAN

CLIENT: PKJJ, LLC
29329 PARAMOUNT COURT
FARMINGTON HILLS, MI 48331

SCALE: 1"=20'
PROJECT No.: 9132308
DWG NAME: 2308-LA
ISSUED: APR. 29, 2015

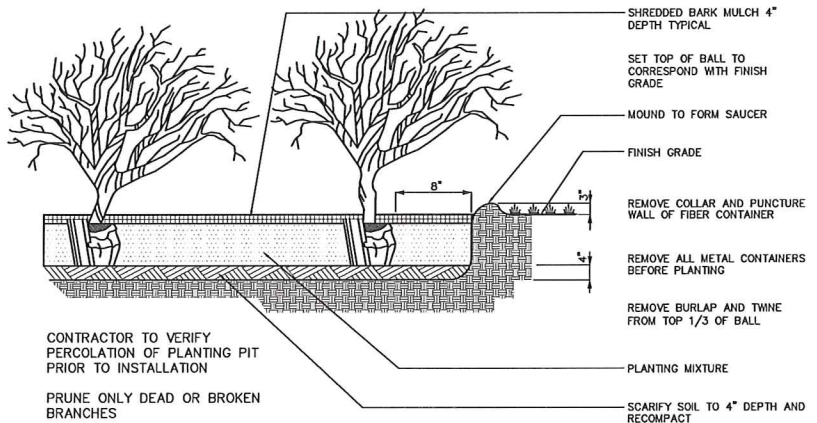
LA1



STAKE TREES UNDER 4" CALIPER
 GUY TREES TO 4" CALIPER AND OVER
 PRUNE TO THIN AND SHAPE CANOPY
 CONTRACTOR TO VERIFY PERCOLATION
 OF PLANTING PIT PRIOR TO INSTALLATION
 SET TOP OF BALL TO CORRESPOND
 WITH FINISH GRADE
 SET STAKES VERTICAL AND EVENLY
 STAYS OR GUYS TO BE SET ABOVE
 FIRST BRANCH

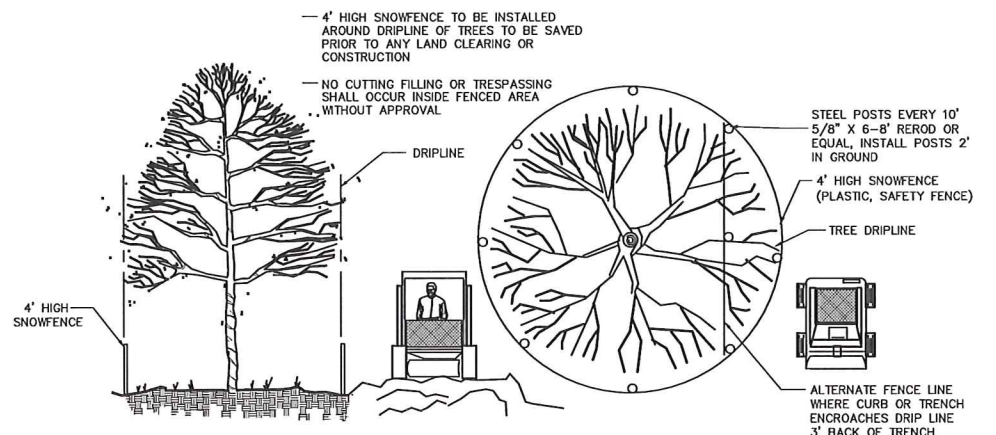
STAKES 2x2 PINE
 GALV. TURNBUCKLE
 TREE WRAP
 SHREDDED BARK MULCH 4"
 DEPTH TYPICAL
 MOUND TO FORM SAUCER
 GUYS AT 60 DEG. ANGLE
 FINISH GRADE
 2x2 ANCHOR STAKE BELOW GRADE
 PLANT MIX
 DEPTH VARIES
 SCARIFY SOIL TO 4" DEPTH
 AND RECOMPACT
 STAKES TO EXTEND 18" BELOW
 TREE PIT IN UNDISTURBED SOIL

TYPICAL DECIDUOUS TREE PLANTING
 NOT TO SCALE



SHREDDED BARK MULCH 4"
 DEPTH TYPICAL
 SET TOP OF BALL TO
 CORRESPOND WITH FINISH
 GRADE
 MOUND TO FORM SAUCER
 FINISH GRADE
 REMOVE COLLAR AND PUNCTURE
 WALL OF FIBER CONTAINER
 REMOVE ALL METAL CONTAINERS
 BEFORE PLANTING
 REMOVE BURLAP AND TWINE
 FROM TOP 1/3 OF BALL
 PLANTING MIXTURE
 SCARIFY SOIL TO 4" DEPTH AND
 RECOMPACT
 CONTRACTOR TO VERIFY
 PERCOLATION OF PLANTING PIT
 PRIOR TO INSTALLATION
 PRUNE ONLY DEAD OR BROKEN
 BRANCHES

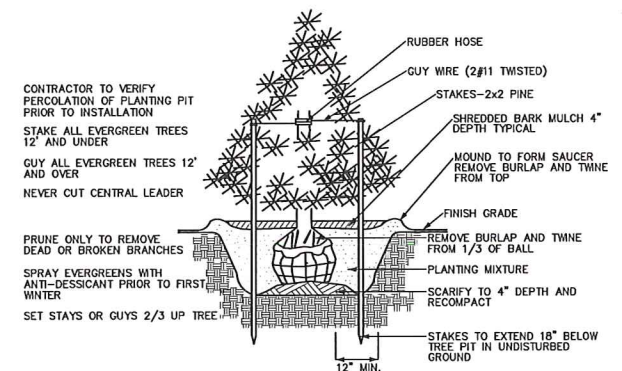
TYPICAL SHRUB PLANTING
 NOT TO SCALE



4" HIGH SNOWFENCE TO BE INSTALLED
 AROUND DRIPLINE OF TREES TO BE SAVED
 PRIOR TO ANY LAND CLEARING OR
 CONSTRUCTION
 NO CUTTING FILLING OR TRESPASSING
 SHALL OCCUR INSIDE FENCED AREA
 WITHOUT APPROVAL

STEEL POSTS EVERY 10'
 5/8" X 6'-8" REROD OR
 EQUAL, INSTALL POSTS 2'
 IN GROUND
 4" HIGH SNOWFENCE
 (PLASTIC, SAFETY FENCE)
 TREE DRIPLINE
 ALTERNATE FENCE LINE
 WHERE CURB OR TRENCH
 ENCROACHES DRIPLINE
 3' BACK OF TRENCH

TREE PROTECTION DETAIL
 NOT TO SCALE



CONTRACTOR TO VERIFY
 PERCOLATION OF PLANTING PIT
 PRIOR TO INSTALLATION
 STAKE ALL EVERGREEN TREES
 12" AND UNDER
 GUY ALL EVERGREEN TREES 12"
 AND OVER
 NEVER CUT CENTRAL LEADER

RUBBER HOSE
 GUY WIRE (2#11 TWISTED)
 STAKES-2x2 PINE
 SHREDDED BARK MULCH 4"
 DEPTH TYPICAL
 MOUND TO FORM SAUCER
 REMOVE BURLAP AND TWINE
 FROM TOP
 FINISH GRADE
 REMOVE BURLAP AND TWINE
 FROM 1/3 OF BALL
 PLANTING MIXTURE
 SCARIFY TO 4" DEPTH AND
 RECOMPACT
 STAKES TO EXTEND 18" BELOW
 TREE PIT IN UNDISTURBED
 GROUND

TYPICAL EVERGREEN TREE PLANTING
 NOT TO SCALE

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| DRAFT: RWL | | | | | | |
| CHECK: BS | | | | | | |

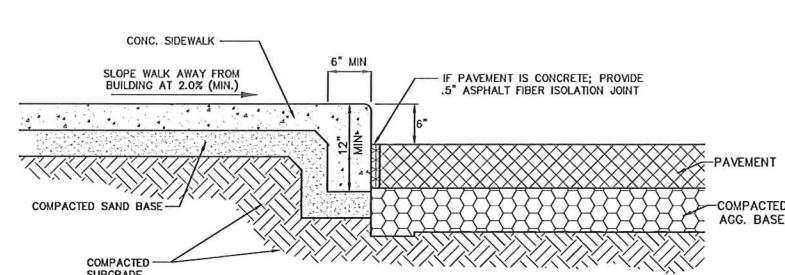
RED OLIVE RESTAURANT
3838 E. GRAND RIVER

LANDSCAPE
NOTES AND DETAILS

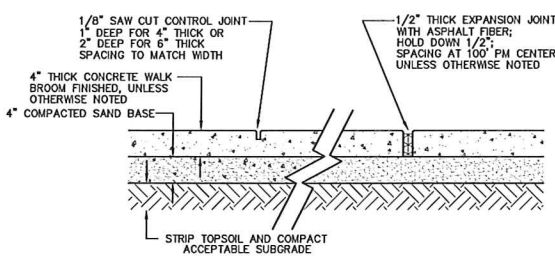
CLIENT:
 PKJJ, LLC
 29329 PARAMOUNT COURT
 FARMINGTON HILLS, MI 48331

SCALE: NO SCALE
 PROJECT No.: 9132308
 DWG NAME: 2308-LA
 ISSUED: **DEC 17, 2014**

LA2



SIDEWALK CURB & ISOLATION JOINT DETAIL
NOT TO SCALE

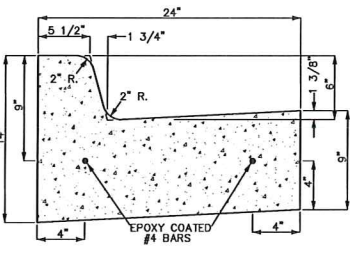


SIDEWALK CROSS SECTION
NOT TO SCALE

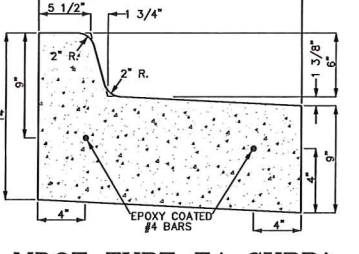
- NOTES:**
- SEE PLAN FOR WIDTH OF SIDEWALK.
 - PROVIDE CONCRETE TYPE PER LOCAL CODE. (3500 PSI AIR ENTRAINED)

PRIVATE DEVELOPMENT CURB NOTES:

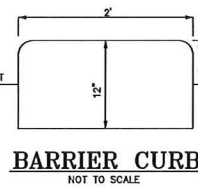
- Refer to the project plans for the proposed locations of the specific curb types.
- The construction specifications of the appropriate Local Municipality are a part of this work. Refer to the Private Road Construction Notes and/or Driveway and Parking Lot Construction Notes and the General Notes on the project plans for additional requirements.
- Concrete material shall meet or exceed the specification requirements of the appropriate Local Municipality. Unless specified otherwise by the Local Municipality, concrete material shall be air-entrained and shall have a minimum 28-day design strength of 3500 psi. Contractor shall submit concrete mix design and aggregate mechanical analysis report to the Local Municipality and Engineer for review and approval prior to use.
- Install transverse construction control joints in accordance with the Local Municipality requirements. If not specified by the Local Municipality, then install transverse construction control joints in curb with 1" minimum depth at 10' on center. Tool joints in fresh concrete or saw cut within 8 hours.
- Install transverse expansion control joints in accordance with the Local Municipality requirements. If not specified by the Local Municipality, then install transverse expansion control joints in curb as follows: 300' maximum on center, at spring points of intersecting streets and within 10' on each side of catch basins. Transverse expansion control joints shall be 1" thick asphalt fiber joint filler matching entire curb cross section.
- Provide 0.5" asphalt fiber control joint between back of curb and all other concrete structures, such as concrete sidewalks and concrete driveways.
- Curb Contractor shall provide final adjustment of catch basin castings in curb line. Castings shall be back pointed to structure water tight with concrete or mortar inside and outside of casting.
- Install curb cuts for all existing and proposed sidewalks and pedestrian ramps in accordance with the American Disabilities Act and the Barrier Free Design requirements of the appropriate Local, County and/or State Agency. Install curb cuts for all existing and proposed vehicular ramps and drives as noted on the project plans.



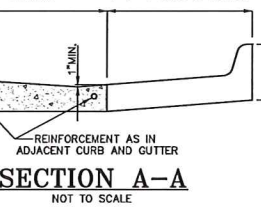
MDOT TYPE F4 CURB*
NOT TO SCALE



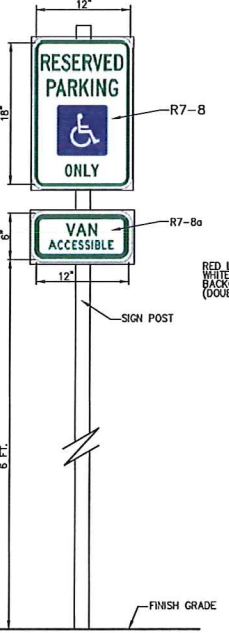
MDOT TYPE F4 CURB* REVERSE PITCH
NOT TO SCALE



BARRIER CURB
NOT TO SCALE



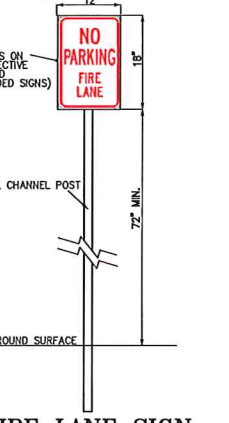
SECTION A-A
NOT TO SCALE



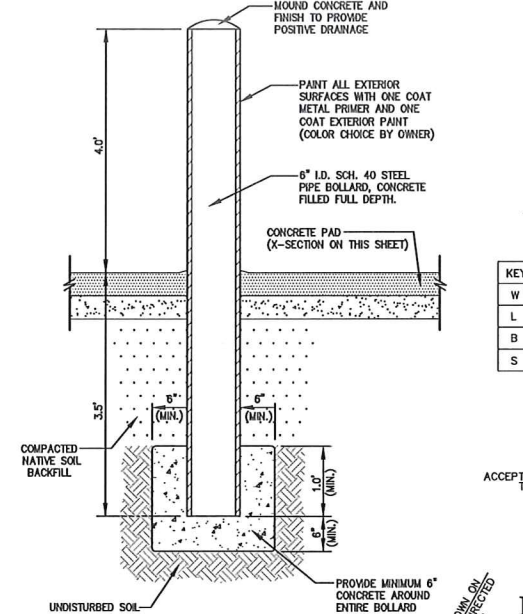
BARRIER FREE PARKING SIGN DETAIL
NOT TO SCALE



EMPLOYEE PARKING SIGN DETAIL
NOT TO SCALE

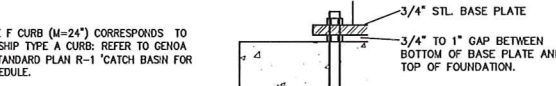


FIRE LANE SIGN DETAIL
NOT TO SCALE

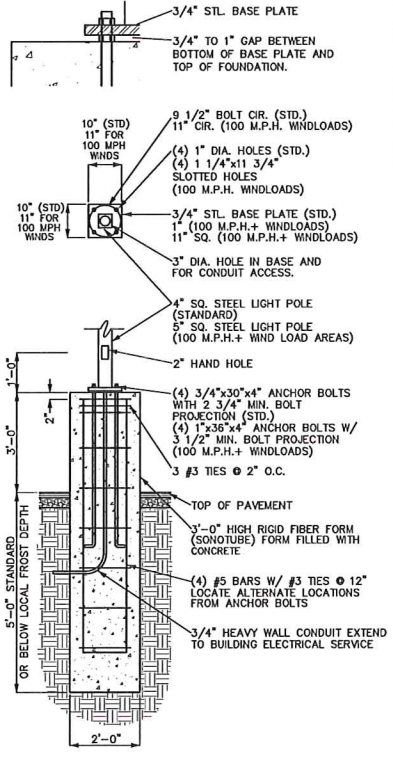


STEEL BOLLARD DETAIL
NOT TO SCALE

CONCRETE DRIVEWAY OPENING - MDOT DETAIL "M"

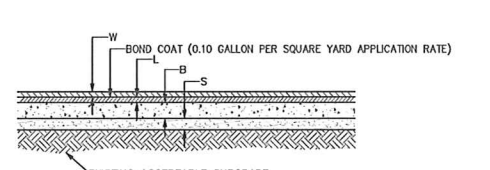


CONCRETE DRIVEWAY OPENING - MDOT DETAIL "M"
NOT TO SCALE



LIGHT STANDARD DETAIL
NOT TO SCALE

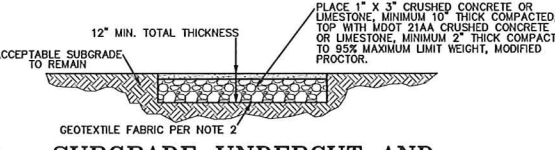
- NOTES:**
- FOUNDATION SHOWN IS A TYPICAL DESIGN. WIND LOADS MORE THAN 100 MPH AND UNSTABLE SOIL CONDITIONS MAY REQUIRE AN ALTERNATE DESIGN. VERIFY CONDITION OF SOILS WITH SOILS REPORT.
 - FOUNDATIONS SHALL EXTEND BELOW FROST DEPTH PER LOCAL CODES.
 - CONCRETE SHALL HAVE MIN 2500 PSI COMPRESSIVE STRENGTH AT 28 DAYS.



BITUMINOUS PAVEMENT CROSS SECTION
NOT TO SCALE

FOR USE IN MAIN DRIVE AISLE

| KEY | DESCRIPTION | MATERIAL SPECIFICATION | MIN. COMP. THICKNESS |
|-----|------------------|------------------------|----------------------|
| W | WEARING COURSE | MDOT 36A | 2.0" |
| L | LEVELING COURSE | MDOT 13A | 3.0" |
| B | AGGREGATE BASE | MDOT 21AA AGG. | 10" |
| S | GRANULAR SUBBASE | N/A | N/A |

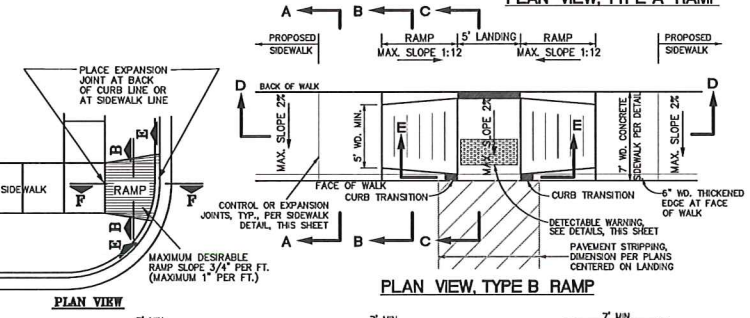


SUBGRADE UNDERCUT AND REPLACEMENT CROSS-SECTION
NOT TO SCALE

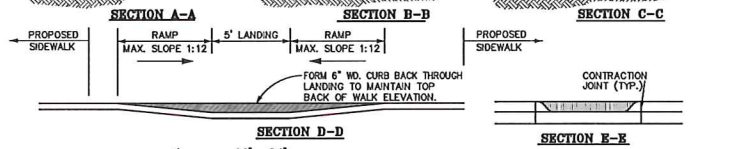
- NOTES:**
- UNACCEPTABLE AREAS OF SUBGRADE SHALL BE UNDERCUT AND REPLACED AS DIRECTED BY ENGINEER.
 - GEOTEXTILE FABRIC SHALL BE WOVEN, SURVIVABILITY CLASS 1, 0.43mm AOS, 0.10 PERMITTIVITY, AND SOX 0 500 UV STABILIZATION, PER AASHTO M288-96 REQUIREMENTS.

BITUMINOUS PAVEMENT NOTES:

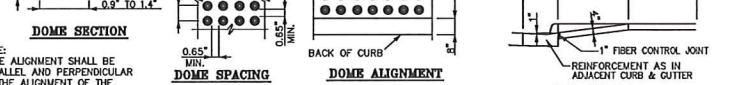
- The construction specifications of the appropriate Local Municipality are a part of this work. Refer to the General Notes, Road and/or Parking Lot Construction Notes and Typical Road and/or Pavement Cross Section details on the project plans for additional requirements.
- Unsuitable soils found within the 1 on 1 influence zone of the roadway, such as muck, peat, topsoil, silt, or other unstable materials shall be excavated and replaced up to the proposed subgrade elevation with MDOT Class III granular material compacted to 95% maximum unit weight, modified proctor.
- Contractor shall proof roll prepared subgrade as directed by Engineer. Unacceptable areas of subgrade shall be undercut and replaced as directed by Engineer.
- Owner/Developer may delay placement of the bituminous wearing course outside of the public road right of way. Repair of the bituminous leveling course may be necessary due to any delay in placement of the bituminous wearing course. Substantial repair to the bituminous leveling course may be necessary if placement of the bituminous leveling course is delayed for more than 12 months after placement of the bituminous leveling course. The bituminous leveling course shall be repaired as directed by Engineer prior to placement of the bituminous wearing course.
- Parking lot sub-grade (top five feet) to be compacted to a minimum density of 98% of the materials maximum unit weight (in accordance with AASHTO T-180 or ASTM D1557) with a 20 ton roller.



PLAN VIEW, TYPE A RAMP



PLAN VIEW, TYPE B RAMP



SECTION A-A, B-B, C-C, D-D, E-E, F-F
NOT TO SCALE

DRIVEWAY AND PARKING LOT CONSTRUCTION NOTES:

- The grading, driveway and parking lot specifications of the Local Municipality are a part of this work. Refer to the General Notes on the project plans for additional requirements.
- Driveway and Parking Lot work shall include site clearing of vegetation and tree stumps; stripping and stockpiling of topsoil for reuse; mass grading cuts and fills; removal of unsuitable soils from the paved surface influence area; culvert placement; subgrade preparation including fine grading and proof roll; subgrade undercut and/or placement of geotextile fabric if needed; placement and preparation of granular subbase and aggregate base courses including fine grading and compaction; placement of concrete curb and gutter; watering of aggregate base within 24 hours of paving to obtain optimum moisture content; bituminous and/or concrete pavement including placement, compaction and bond coats; cleaning of bituminous pavements between courses if needed; preparation, finish work and restoration as needed to connect to existing pavements, ditches, driveways, etc.; adjustment of storm and utility structure castings to match finish grade; placement of shoulders and finish grading of ditches; pavement markings; topsoil placement; seed & mulch; site cleanup; restoration; and other work as shown on the project plans and specifications.
- Existing and proposed grades shown in the driveway profile view(s) are along the centerline of each driveway. Refer to the plan view and curve tables on the project plans for horizontal alignment and curve data. Proposed contours for ditches, curbs, driveway crown and pavement slope may not be shown in the plan view and/or grading plan.
- Contractor shall coordinate scheduling a Pre-Construction Meeting with Engineer prior to commencement of driveway and/or parking lot work.
- Contractor shall coordinate construction staking, testing, documentation submittal and observation with the appropriate Agency, Surveyor and/or Engineer as required for construction, certification and/or acceptance of the driveway(s) and/or parking lot(s). All materials used and work done shall meet or exceed the requirements and specifications noted on the project plans. Any materials used or work done that does not meet said requirements and/or specifications shall be replaced and/or redone at Contractor's expense. The Owner/Developer may wait for test results, certifications and/or Agency reviews prior to accepting work.
- Contractor shall take all appropriate job site safety precautions. Refer to the Traffic Control specifications of the appropriate Regulatory Agency for work within a public road right of way.
- Contractor shall take precautions to prevent contamination of driveway and/or parking lot materials during handling, installation and construction procedures. Contaminated materials shall be removed and replaced at Contractor's expense.
- Clear vision areas shall be created where required; refer to the Clear Vision Area detail on the project plans. Relocate existing signal/utilities as acceptable to the appropriate Agency. Owner/Developer shall coordinate installation of permanent street signage after completion of roadway.
- Contractor shall provide all excavation, sheeting, shoring and dewatering as necessary to conform with MICHIGAN city standards.

GENERAL NOTES:

- Contractor shall perform the work in accordance with the requirements of the appropriate Local, County and State Agencies and all other Government and Regulatory Agencies with jurisdiction over the project. Contractor shall notify the appropriate Agencies in advance of each stage of work in accordance with each Agency's requirements.
- Contractor shall comply with all permit, insurance, licensing and inspection requirements associated with the work. Prior to construction, Contractor and Owner/Developer shall determine who is responsible for obtaining each required permit. Contractor shall verify that the each required permit has been obtained prior to commencement of the stage of work associated with the required permit(s).
- Contractor shall furnish liability insurance and property damage insurance to save harmless the Owner, Developer, Architect, Engineer, Surveyor and Government Agencies for any accident occurring during the construction period. Refer to the appropriate Local, County and State Agencies for additional requirements. Copies of insurance certifications shall be made available to the Owner/Developer.
- Contractor shall conduct and perform work in a safe and competent manner. Contractor shall perform all necessary measures to provide for traffic and pedestrian safety from the start of work and throughout substantial completion. Contractor shall determine procedures and provide safety equipment such as traffic controls, warning devices, temporary pavement markings and signs as needed. Contractor shall comply with the safety standards of the State Department of Labor, the occupational health standards of the State Department of Health and safety regulations of the appropriate Local, County, State and Federal Agencies. Refer to the safety specifications of the appropriate Regulatory Agencies. The Contractor shall designate a qualified employee with complete job site authority over the work and safety precautions; said designated employee shall be on site at all times during the work.
- Contractor shall coordinate scheduling of all work in the proper sequence, including work by Subcontractors. Additional costs due to improper planning by Contractor or work done out of sequence as determined by standard acceptable construction practices, shall be Contractor's responsibility.
- Contractor shall contact the MISS DIG locating system, DIGGERS HOTLINE or other appropriate local underground utility locating Agency, a minimum of three (3) working days prior to construction. Existing utility information on the project plans may be from information disclosed to this firm by the Utility Companies, Local, County or State Agencies, and/or various other sources. No guarantee is given as to the completeness or accuracy thereof. Prior to construction, locations and depths of all existing utilities (in possible conflict with the proposed improvements) shall be verified in the field.
- Contractor shall coordinate scheduling a Pre-Construction Meeting with Engineer prior to commencement of work.
- The Local Municipality, County and/or State in which the project is located may require an Engineer's Certification of construction of the proposed site improvements. Contractor shall verify the certification requirements with Engineer prior to commencement of work. Contractor shall coordinate construction staking, testing, documentation submittal and observation with the appropriate Agency, Surveyor and/or Engineer as required for Engineer's Certification and Government Agency Acceptance. All materials used and work done shall meet or exceed the requirements of certification and acceptance, the contract documents and the material specifications noted on the project plans. Any materials used or work done that does not meet said requirements, contract documents and/or specifications shall be replaced and/or redone at Contractor's expense. The Owner/Developer may wait for test results, certifications and/or Agency reviews prior to accepting work.
- Engineer may provide subsurface soil evaluation results, if available, to Contractor upon request. Subsurface soil evaluation results, soils maps and/or any other documentation does NOT guarantee existing soil conditions or that sufficient, acceptable on-site granular material is available for use as structural fill, pipe bedding, pipe backfill, road subbase or use as any other granular material specified on the project plans. On-site granular material that meets or exceeds the material specifications noted on the project plans may be used as structural fill, pipe bedding, pipe backfill and/or road subbase material. On-site granular material shall be stockpiled and tested as acceptable to the appropriate Agency and/or Engineer prior to use.
- During the performance of their work, Contractor shall be solely responsible for determining soil conditions and appropriate construction methods based on the actual field conditions. Contractor shall furnish, install and maintain sheeting, shoring, bracing and/or other tools and equipment and/or construction techniques as needed for the safety and protection of the workers, pedestrians and vehicular traffic and for protection of adjacent structures and site improvements.
- Contractor shall install temporary and permanent soil erosion and sedimentation control devices at the appropriate stages of construction in accordance with the appropriate regulatory Agencies. Refer to Soil Erosion and Sedimentation Control Plans and Notes on the project plans.
- Structural fill shall be placed as specified on the project plans and within the 1 on 1 influence zone of all structures, paved areas and other areas subject to vehicular traffic. Structural fill shall be placed using the controlled density method (12" maximum lifts, compacted to 95% maximum unit weight, modified proctor). Fill material shall meet or exceed the specifications noted on the project plans or as directed by Engineer when not specified on the project plans.
- All existing monuments, property corners, ground control and benchmarks shall be protected and preserved; and if disturbed by Contractor, shall be restored at Contractor's expense. Contractor shall notify Surveyor of any conflicts between existing monuments, property corners, ground control and/or benchmarks and the proposed site improvements.
- Contractor shall notify Owner/Developer and Engineer immediately upon encountering any field conditions, which are inconsistent with the project plans and/or specifications.
- When noted on the project plans for demolition and/or removal, Contractor shall remove existing structures, building and debris and recycle and/or dispose of in accordance with Local, County, State and Federal regulations.
- Contractor shall remove excess construction materials and debris from site and perform restoration in accordance with the project plans and specifications. Disposing of excess materials and debris shall be performed in accordance with Local, County, State and Federal regulations.
- Construction access to the site shall be located as acceptable to the Owner/Developer and to the appropriate Local, County and/or State Agency with jurisdiction over the road(s) providing access to the site. Construction access shall be maintained and cleaned in accordance with the appropriate Local, County and/or State Agencies and as directed by Owner/Developer and/or Engineer.
- Contractor shall take necessary precautions to protect all site improvements from heavy equipment and construction procedures. Damage resulting from Contractor actions shall be repaired at Contractor's expense.



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OR VISIT CALL811.COM



| DESIGN/BS | REVISION # | DATE | REVISION-DESCRIPTION | REVISION # | DATE | REVISION-DESCRIPTION |
|------------|------------|----------|---|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY REVIEW COMMENTS | | | |
| CHECK: BS | 2 | 04/29/18 | REVISED TO ADD EMPLOYEE PARKING SIGN DETAIL | | | |

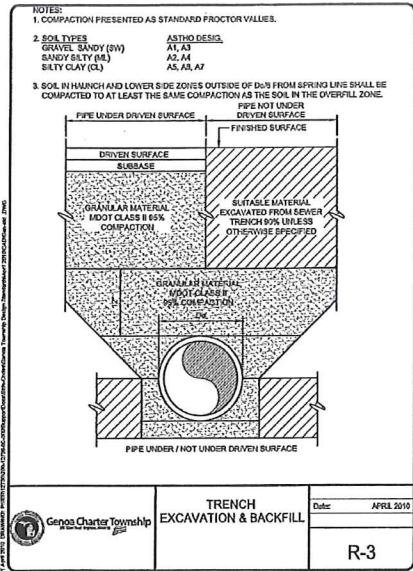
RED OLIVE RESTAURANT
3838 E. GRAND RIVER

SITE DEVELOPMENT
NOTES AND DETAILS

CLIENT: PKJJ,LLC
29329 PARAMOUNT COURT
FARMINGTON HILLS, MI 48331

SCALE: N/A
PROJECT No.: 9132308
DWG NAME: 2330-DETAILS
ISSUED: APR. 29, 2015

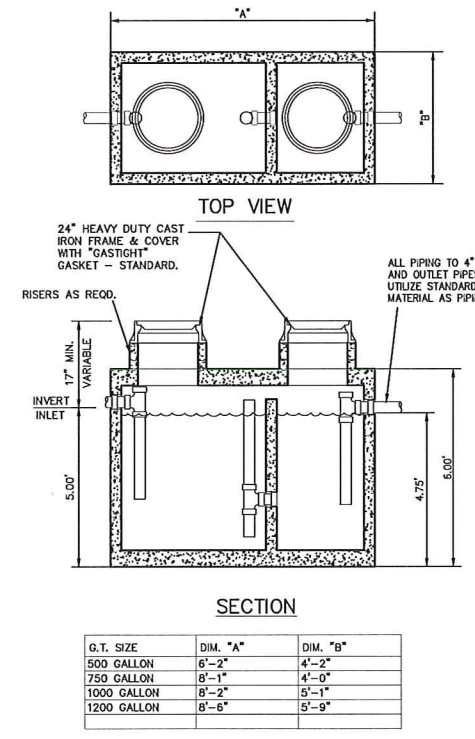
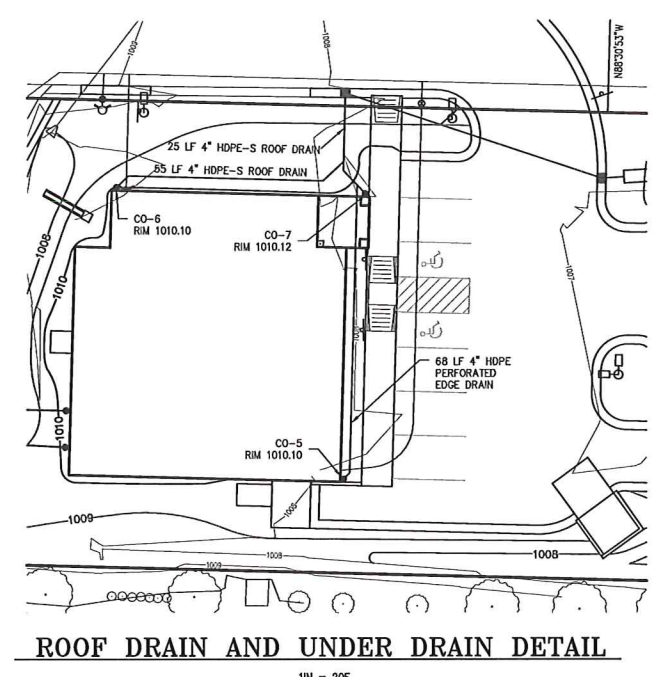
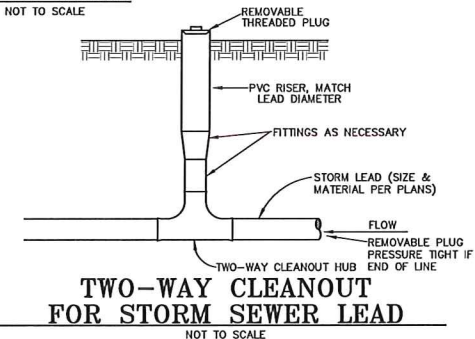
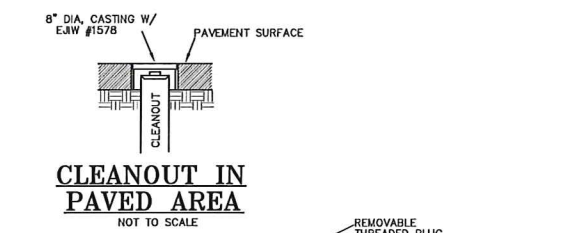
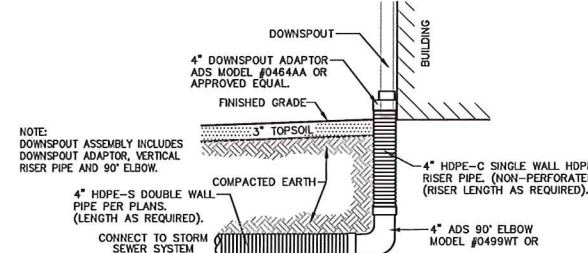
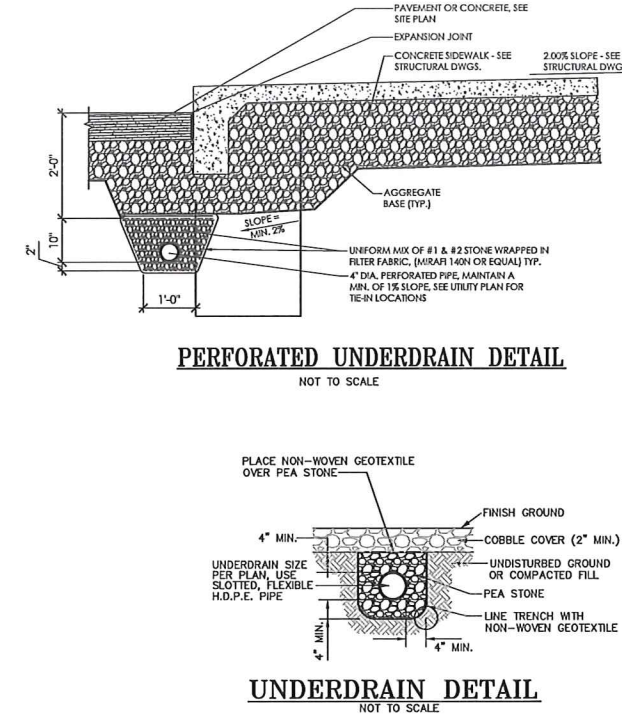
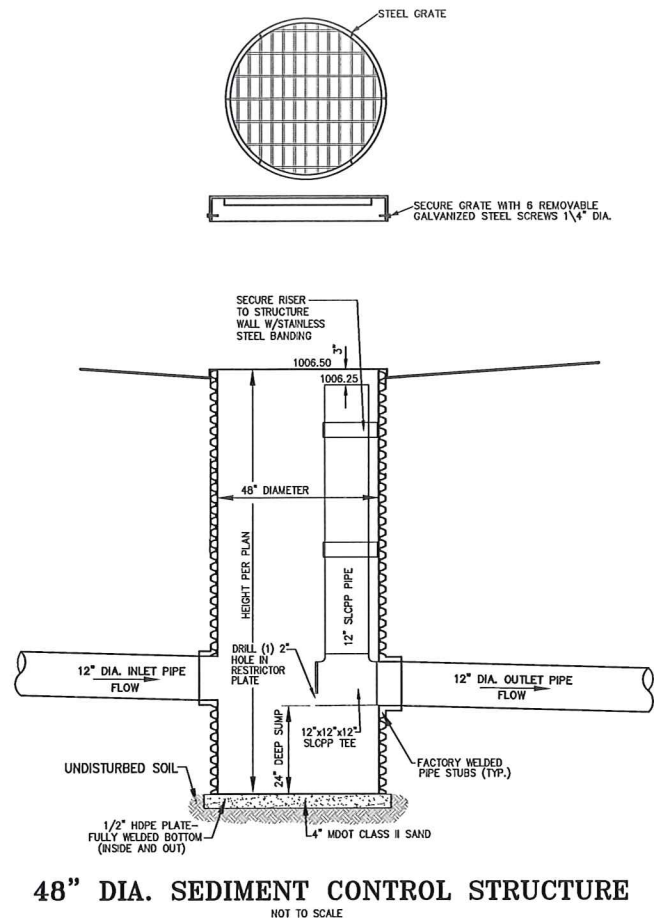
DT1



MANHOLE FRAME & COVER & CATCH BASIN FLEETS

| TYPE | LOCATION | MANUFACTURER | SIZE | TYPE OF COVER OR INLET | MAXIMUM DRAINAGE AREA (ACRES) |
|------|-----------|--------------|-----------|--|-------------------------------|
| MH | ALL | 1040 | R-1916 FT | SANITARY-SOLID SELF-SEALING STONELINED | NA |
| CB | TYPE A | 7000-T1-M1 | R-3070 | FLAT GRATE WITH VEST OVERLAP | 0.71 |
| CB | TYPE B | 7000-T1-M1 | R-3034-D | FLAT GRATE WITH VEST OVERLAP | 0.67 |
| CB | PAVEMENT | 1000-M1 | R-2090-D | FLAT GRATE | 0.68 |
| CB | OPEN AREA | 1000-M1 | R-2490-D | BEEHIVE GRATE | 0.63 |
| CB | GUTTER | 1100 | R-3235 | CONCAVE INLET | 0.99 |

CATCH BASIN
 Date: APRIL 2010
 R-1



- STORM SEWER NOTES:**
- The storm sewer and stormwater management specifications of the Local Municipality are a part of this work. Refer to the General Notes on the project plans for additional requirements.
 - Storm sewer work shall include clearing of vegetation and tree stumps, stripping and stockpiling of topsoil for reuse, excavation of pipe trench, placement of pipe bedding, placement of pipe and structures including castings, connection to existing structures, tuck pointing of structures, backfill of pipe trench, compaction of backfill, finish grading to provide positive drainage to structures, adjustment of castings to match finish grade, topsoil placement, seed & mulch, site cleanup and restoration, and other work as shown on the project plans and specifications.
 - Existing and proposed grades shown in profile view, when provided on the project plans, may be in relation to the centerline of road or item other than the centerline of pipe. The pipe lengths and grades shown in profile view on the project plans may not be to scale.
 - RCP when shown on the project plans shall be reinforced concrete pipe and shall conform to the specifications for reinforced concrete pipe per ASTM C76. RCP pipe joints shall be bell-and-spigot with rubber gaskets conforming to ASTM 433. Joints of pipe having a diameter of 30 inches or greater shall be tuck-pointed on the inside with cement mortar after the backfill process is complete. Install reinforced concrete end sections incidental to work. Saw cut pipes to length as needed. When pipe class is not shown on the project plans, provide the following:
 Pipe cover to proposed grade: 0 to 4 feet Class V
 4.1 to 10 feet Class III*
 10.1 to 18 feet Class IV
 18.1 feet and greater Class V
 * Use Class IV under paved surfaces
 - CMP when shown on the project plans shall be corrugated metal pipe and shall conform to the specifications for corrugated metal pipe per AASHTO Designation M36. CMP shall be 16-gauge steel minimum for 24 inch diameter or smaller and 14-gauge steel minimum for 30 inch diameter or greater. Install galvanized steel end sections and connection bands, incidental to work. Connection bands for CMP pipe joints located under paved surfaces shall be gasketed couplers. Saw cut pipes to length as needed.
 - HDPB - Type S when shown on the project plans shall be high density polyethylene pipe with a smooth interior and shall conform to the specifications for high density polyethylene pipe per AASHTO Designation M322 Type S for pipes of 3" to 10" diameter and per AASHTO Designation M394 Type S for pipes of 12" to 60" diameter. HDPB - Type S pipe joints shall be bell-and-spigot type conforming to ASTM D3212 with gaskets conforming to ASTM F477. Tamp backfill at spring line of HDPB - Type S pipe. Install high density polyethylene end sections incidental to work. Saw cut pipes to length as needed.
 - HDPB - Type C when shown on the project plans shall be high density polyethylene pipe with a corrugated interior and shall conform to the specifications for high density polyethylene pipe per AASHTO Designation M322 for pipes of 3" to 10" diameter and per AASHTO Designation M294 for pipes of 12" to 60" diameter. HDPB - Type C pipe joints shall be bell-and-spigot type conforming to ASTM D3212 with gaskets conforming to ASTM F477. Tamp backfill at spring line of HDPB - Type C pipe. Install high density polyethylene end sections incidental to work. Saw cut pipes to length as needed.
 - CPVC when shown on the project plans shall be corrugated polyvinyl chloride pipe and shall conform to the specifications for corrugated polyvinyl chloride pipe per ASTM F794 and F799. CPVC pipe joints shall be bell-and-spigot type conforming to ASTM D3212 with gaskets conforming to ASTM F477. Tamp backfill at spring line of CPVC pipe. Install high density polyethylene end sections incidental to work. Saw cut pipes to length as needed.
 - PVC when shown on the project plans shall be polyvinyl chloride pipe and shall conform to the specifications for polyvinyl chloride pipe per ASTM D2751, maximum SDR of 26. PVC pipe joints shall be bell-and-spigot type conforming to ASTM D3212 with gaskets conforming to ASTM F477 or solvent welded type conforming to ASTM D3564. Tamp backfill at spring line of PVC pipe. Saw cut pipes to length as needed.
 - Concrete storm structures shall be pre-cast and shall conform to the specification of pre-cast concrete structures per ASTM C478. Brick, concrete block or cast in place storm structures may be substituted for pre-cast storm structures ONLY when acceptable to Owner, Engineer AND Municipality; refer to MDOT standard plan R-1-D. Pipe openings in pre-cast structures shall be factory installed. All temporary openings in storm structures shall be tuck-pointed watertight with cement mortar. Refer to MDOT standard plan R-2-D for storm structure details when pipe exceeds 42 inch diameter.
 - Tap existing structures as acceptable to the Engineer and Municipality, incidental to work. All temporary openings in storm structures shall be tuck-pointed watertight with cement mortar.
 - Backfill all storm sewer in accordance with the Pipe Trench details provided on the project plans. Provide pipe bedding that meets or exceeds both the specifications of the Pipe Trench details on the project plans and the recommendation of the pipe manufacturer, incidental to work.
 - When edge drains, under drains and/or finger drains are shown on the project plans, connection to storm structures is incidental to work. During storm sewer construction, install first 10 linear feet of edge drain and/or under drain from the storm structures in each specified direction and install temporary cap at end. Complete installation of edge drain following preparation of the subgrade when under paved surface or following finish grade when not under paved surface.
 - Install removable plugs in storm sewer stubs as acceptable to Engineer and Municipality, incidental to work. Mark the end of all storm sewer stubs with a 2" x 4" wooden stake extending a minimum of 12" above finish grade, incidental to work.
 - Storm structure castings shall be coated with water based asphaltic paint by the manufacturer. Seams and temporary openings between storm structures and castings shall be tuck-pointed water tight with cement mortar. Coordinate correct curb box / hood / 1/2" back as needed to match curb profile. See casting schedule on project plans for additional requirements.

- GRAVITY SANITARY SEWER LEAD NOTES:**
- The Local Plumbing Code and sanitary sewer specifications of the Local Municipality with authority over the sanitary sewer are a part of this work. Refer to the General Notes and Gravity Sanitary Sewer Notes on the project plans for additional requirements.
 - Sanitary sewer work shall include excavation of pipe trench, placement of pipe bedding, placement of pipe and structures including castings and covers, connection to existing sewer, excavation for grease trap, placement of grease trap bedding, placement of grease trap, connections to grease trap, back fill of pipe trench and grease trap excavation, compaction of back fill, testing, clamp and other sanitary sewer work as shown on the project plans and specifications.
 - Sanitary Sewer Leads shall be PVC pipe conforming to ASTM D3034, SDR of 26. Pipe joints shall be push on bell-and-spigot type joints conforming to ASTM D3212 with factory installed flexible elastomeric gaskets conforming to ASTM F477. Solvent cemented joints shall only be used when noted on the project plans for specific applications and shall conform to ASTM D2855. Provide pipe diameter and slope per project plans. When proposed lead information is not noted on the project plans; provide 4" minimum diameter at 2.0% minimum slope for single family residential and 6" minimum diameter at 1.0% minimum slope for multiple family residential and all non-residential uses.
 - Connect proposed 6" sanitary sewer lead to existing sanitary sewer lead. Locate and cut existing lead to field fit appropriate fittings for layout to include grease trap installation. Sewer lead fittings shall be of the same materials as the pipe.
 - Contractor shall field locate all existing utilities prior to work. Contractor shall provide all bends and fittings as needed, incidental to work, to install the sanitary sewer leads and to provide the required clearance between the sanitary sewer leads and all existing and proposed utilities while maintaining the proposed minimum pipe slope and proposed lead end invert elevation. Contractor shall notify the Engineer immediately of any utility crossing conflicts.
 - Provide 4.0' minimum cover from the top of the sanitary sewer lead pipe to the proposed finished grade when site conditions allow. When pipe cover is less than 4.0', install 2" thick by 24" wide Styrofoam insulation centered over pipe at 12" above top of pipe or as required by Local Code.
 - For vacant property or when connection of the sanitary sewer lead to a building is not to be performed as a part of this project, install a 45 degree lead end riser starting at the proposed lead end and extending above proposed finish grade, 2.0' minimum, 4.0' maximum. Install a pressure tight plug and restrained joints as needed to allow for pressure testing of sanitary sewer. When connection of the sanitary lead to a building is to be performed as part of this project or when installation of a 45 degree lead end riser will conflict with the existing land use, install a temporary, water tight and pressure tight plug in the end of the lead and mark the lead end with a 2" x 4" wooden stake extending a minimum of 12" above proposed finish grade, incidental to work, or other lead end marking system as required by the Local Municipality.

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|-----------|------------|----------|--|------------|------|----------------------|
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| CHECK:EDR | | | | | | |

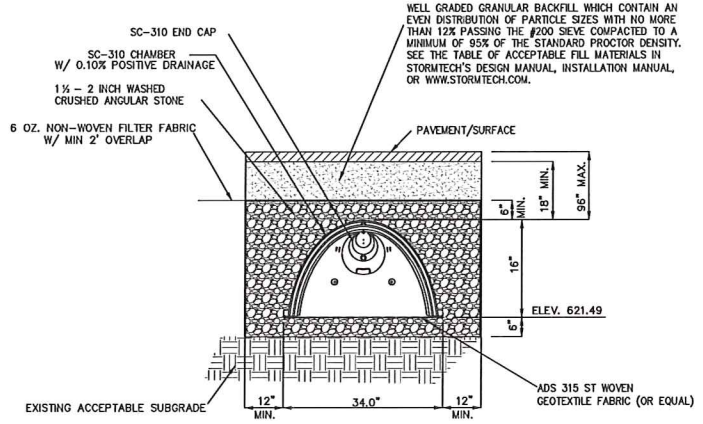
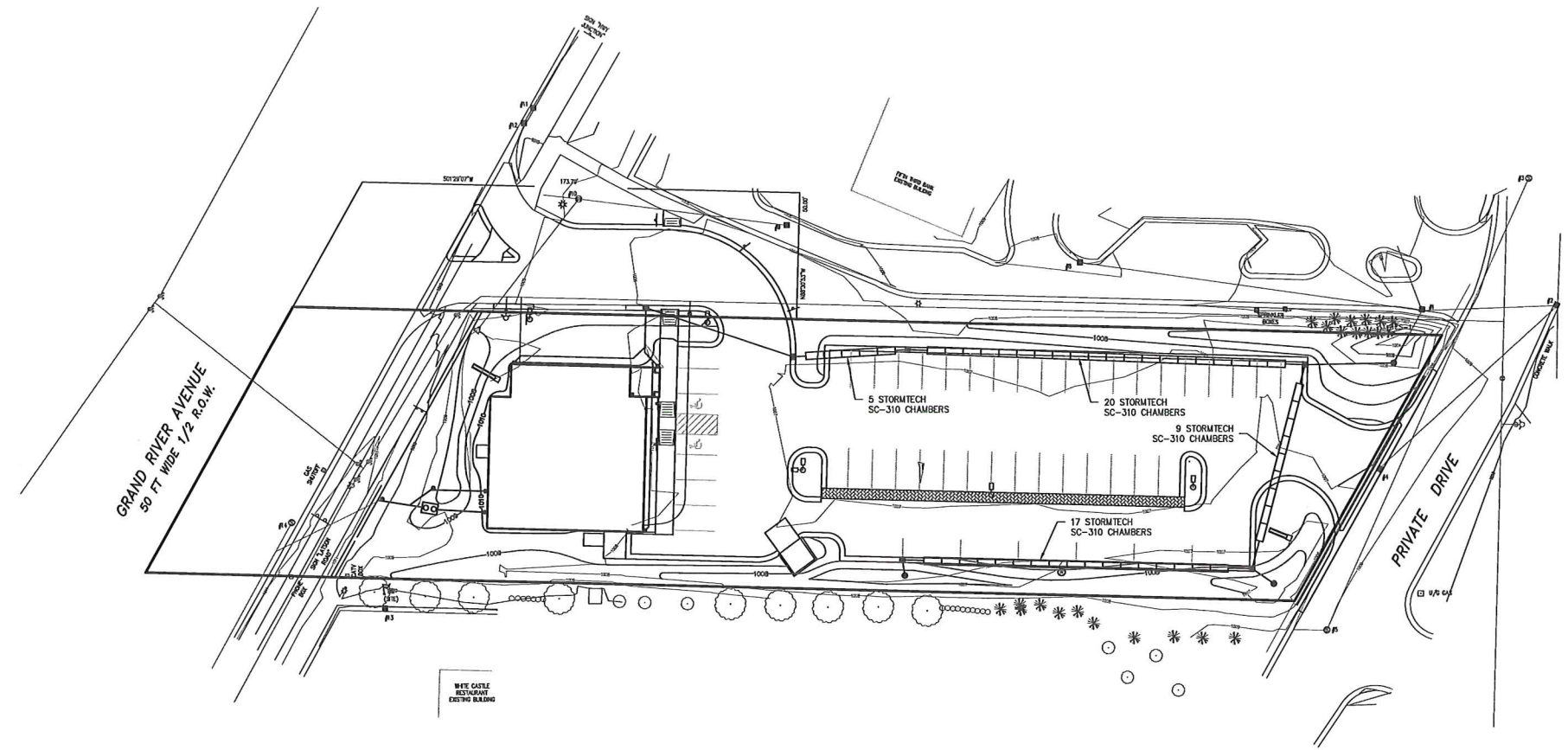
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 3838 E. GRAND RIVER

STORM SEWER & SANITARY SEWER NOTES AND DETAILS

CLIENT: PKJJ, LLC
 29329 PARAMOUNT COURT
 FARMINGTON HILLS, MI 48331

SCALE: N/A
 PROJECT No.: 9132308
 DWG NAME: 2308-DETAILS
 ISSUED: DEC 17, 2014

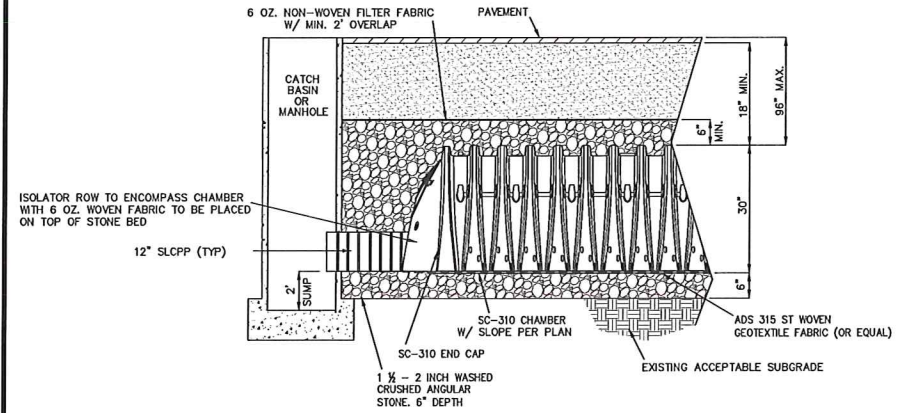
DT2



STORMTECH SC-310 CHAMBER SYSTEM
TYPICAL CROSS SECTION DETAIL

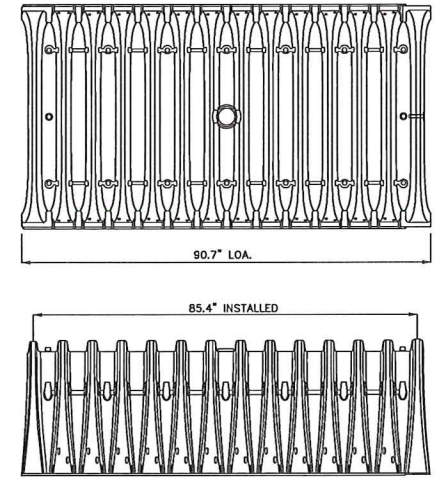
NOT TO SCALE

NOTE:
ISOLATOR ROW TO ENCOMPASS CHAMBER WITH 6 OZ. WOVEN FABRIC TO BE PLACED ON TOP OF STONE BED.



STORMTECH SC-310 CHAMBER SYSTEM

NOT TO SCALE



STORMTECH SC-310 CHAMBER

NOT TO SCALE

NOMINAL CHAMBER SPECIFICATIONS
SIZE (W x H x INSTALLED LENGTH) 34.0" x 16.0" x 85.4"
CHAMBER STORAGE 14.7 CUBIC FEET
MINIMUM INSTALLED STORAGE 31.0 CUBIC FEET
WEIGHT 37 LBS.

TOTAL INSTALLED CHAMBERS 51
TOTAL CHAMBER STORAGE 750 CF
MIN INSTALLED STORAGE 1581 CF

MANUFACTURER:
STORM TECH
P.O. BOX 619
OLD SAYBROOK, CN 06475
WWW.STORMTECH.COM

CONTACT:
RANDY NOSEK
(810) 348-8914

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BRIGHTON, MICHIGAN 48114

| DESIGN:BS | REVISION # | DATE | REVISION-DESCRIPTION | REVISION # | DATE | REVISION-DESCRIPTION |
|------------|------------|----------|--|------------|------|----------------------|
| DRAFT: RWL | 1 | 12/17/14 | REVISED PER MUNICIPALITY REVIEW COMMENTS | | | |
| CHECK: JMB | | | | | | |

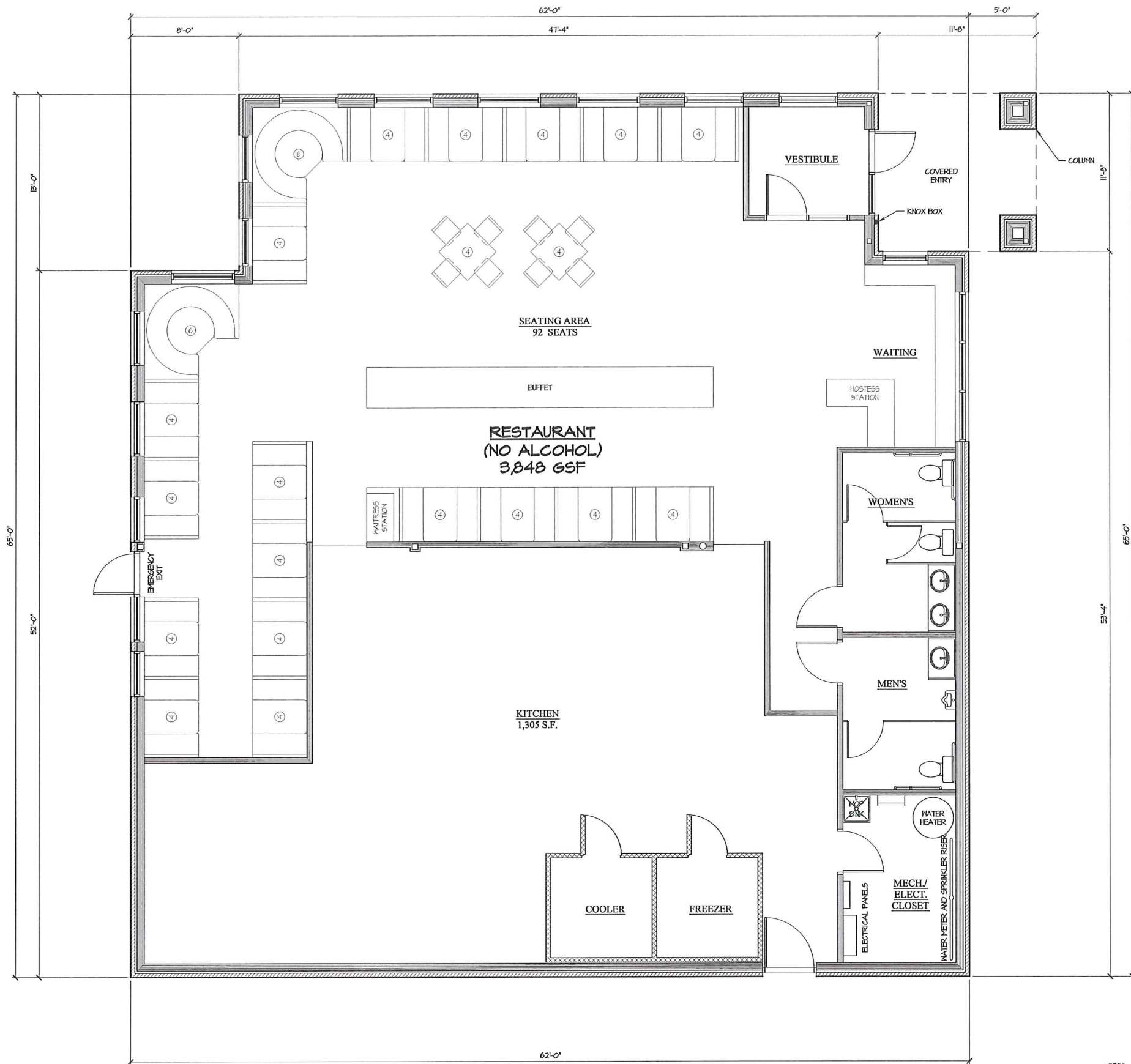
RED OLIVE RESTAURANT
3838 E. GRAND RIVER

UNDERGROUND DETENTION
NOTES AND DETAILS

CLIENT:
PKJJ, LLC
29329 PARAMOUNT COURT
FARMINGTON HILLS, MI 48331

SCALE: N/A
PROJECT No.: 9132308
DWG NAME: 2308-DETAILS
ISSUED: DEC 17, 2014

DT3



FLOOR PLAN
SCALE: 1/4" = 1'-0"



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Red Olive RESTAURANT
3030 E. GRAND RIVER AVENUE
GENOA TOWNSHIP, MICHIGAN

PROJECT: **Red Olive RESTAURANT**
SHEET TITLE: **FLOOR PLAN**

| NO. | DATE | BY | NOTES |
|-----|------------|----|-----------------------------|
| 1 | 12-18-2014 | KV | REVISED PER TOWNSHIP REVIEW |

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DRAWN BY: KV
CHECKED: KV
APPROVED: KV
DATE: APRIL 28, 2014
PROJECT: 1334

SHEET:
A1

| NO. | DATE | BY | NOTES |
|-----|------------|----|-----------------------------|
| 1 | 12-18-2014 | KV | REVISED PER TOWNSHIP REVIEW |

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DRAWN BY: KV
 CHECKED: KV
 APPROVED: KV
 DATE: APRIL 28, 2014
 PROJECT: 1334



MATERIAL PERCENTAGES
 TOTAL FAÇADE AREA = 1521 SF
 GLASS AND DOOR AREA = 211 SF
 NET FAÇADE AREA = 1521 - 211 = 1316 SF
 BRICK, STONE, OR CAST STONE = 914 SF/1316 SF = 74%
 E.J.F.S. OR FYFON = 160 SF/1316 SF = 12%
 CANVAS AWNINGS (BRICK BEHIND) = 102 SF/1316 SF = 14%



NORTH (FRONT) ELEVATION
 SCALE: 1/4" = 1'-0"

MATERIAL PERCENTAGES
 TOTAL FAÇADE AREA = 1521 SF
 GLASS AND DOOR AREA = 134 SF
 NET FAÇADE AREA = 1521 - 134 = 1388 SF
 BRICK, STONE, OR CAST STONE = 1262 SF/1388 SF = 77%
 E.J.F.S. OR FYFON = 114 SF/1388 SF = 12%
 CANVAS AWNINGS (BRICK BEHIND) = 152 SF/1388 SF = 11%



SOUTH ELEVATION (REAR, OR, PARKING LOT FACE)
 SCALE: 1/4" = 1'-0"

TOWNSHIP REGULATIONS

HEIGHT:
 ALLOWABLE HEIGHT = 3 STORIES / 45' MAX.
 PROPOSED HEIGHT = 1 STORY / 26' MAX. (COMPLIES)

MATERIALS:
 WALLS MUST BE 75% BRICK, STONE, OR CAST STONE.
 E.J.F.S. OR FYFON = 25% MAX.

SIGNAGE:
 10% OF FAÇADE AREA, OR 100 SF. MAX.
 2 SIGNS ARE ALLOWED ON A THROUGH-LOT AS LONG AS THE MAX. SIGN AREA IS NOT EXCEEDED.
 2 SIGNS PROVIDED @ 50 SF. EACH = 100 SF. TOTAL (COMPLIES)

Acculite **STONEWALL™ LED**
 VANDAL RESISTANT WALL MOUNTED LUMINAIRE
 ROUND 35W LED

Project: _____
 Fixture Type: _____
 Location: _____
 Contact/Phone: _____



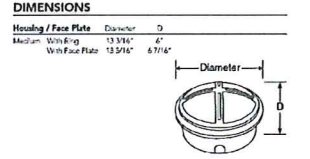
PHOTOMETRY

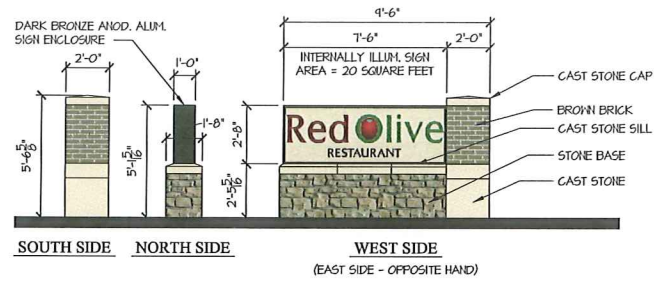
| Zone | Luminaire | % of Luminaire |
|---------------|-----------|----------------|
| General Light | 213 | 44.1% |
| PL (3-30) | 24 | 5.0% |
| PL (30-47) | 115 | 24.1% |
| PL (47-60) | 118 | 24.6% |
| PL (60-80) | 17 | 3.5% |
| Back Light | 12 | 2.5% |
| EL (3-5) | 4 | 0.8% |
| EL (5-10) | 1 | 0.2% |
| EL (10-15) | 3 | 0.6% |
| EL (15-20) | 1 | 0.2% |
| Up Light | 163 | 34.4% |
| UL (0°-10°) | 22 | 4.6% |
| UL (10°-36°) | 115 | 24.2% |
| Tripped Light | N/A | N/A |
| EMC Rating | EMC3-C1 | |



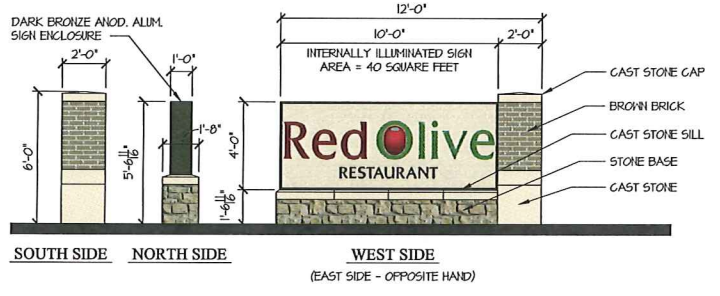
PRODUCT DESCRIPTION
 Stonewall architectural luminaires combine vandal resistant features with the energy efficiency and low maintenance cost of LED lighting. This virtually eliminates any maintenance for years after installation. Stonewall luminaires are ideal for schools and high traffic areas where the fixtures may be subjected to intentional or unintentional abuse. Acculite LED engines carry a 5 year limited warranty.

PRODUCT SPECIFICATIONS
Optics: Luminaires have opal white, translucent or clear lenses • All lenses are UV stabilized molded polycarbonate with high impact resistance properties
Mounting: Mounts flush to the wall or to the ceiling • Mounts on 3-1/2" or 4" junction boxes • Housings have four threaded and plugged 1/2" conduit entries
Construction: Die cast, anodized aluminum housing • Face plates are injection molded polycarbonate • Lenses and face plates are a minimum 1/8" thick for maximum resistance to vandalism • Drain channels are molded into the face plate keeping the luminaire clean • Torx™ T-15 pin-in-head tamperproof screws • Formed aluminum heat sink
LED Thermal Management: Stonewall luminaires are equipped with a formed aluminum heat sink that creates a strong bond between the LED arrays and the aluminum housing, thus utilizing the entire mass and surface area of the luminaire as a heat sink. This reduces LED operating temperature and increases LED life.
Electrical: The luminaire is equipped with one LED driver with universal 120-277VAC input • Driver minimum operating temperature is -30°C (-22°F) • Total Harmonic Distortion (THD) 20% Max • Power factor > 92% at full load, 115VAC, 230VAC • An independent surge suppressor provides 10 KAmp protection
Finish: Bronze, white, black or silver • Die cast parts are polyester powder coat • Polycarbonate parts have the color molded in
Certification: UL 1598 and CSA C22.2-250 • Suitable for wet locations • Union made Meets "Buy American Act" and ARRA
 Specifications subject to change without notice

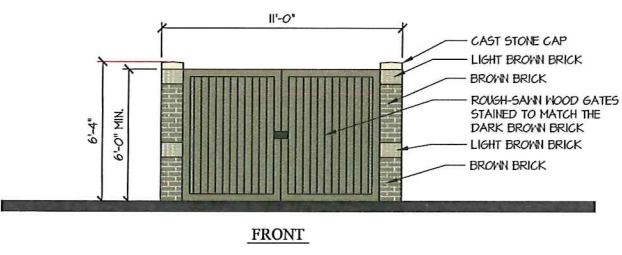
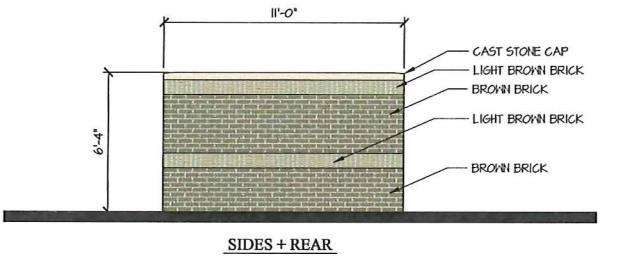




SOUTH MONUMENT SIGN ELEVATIONS



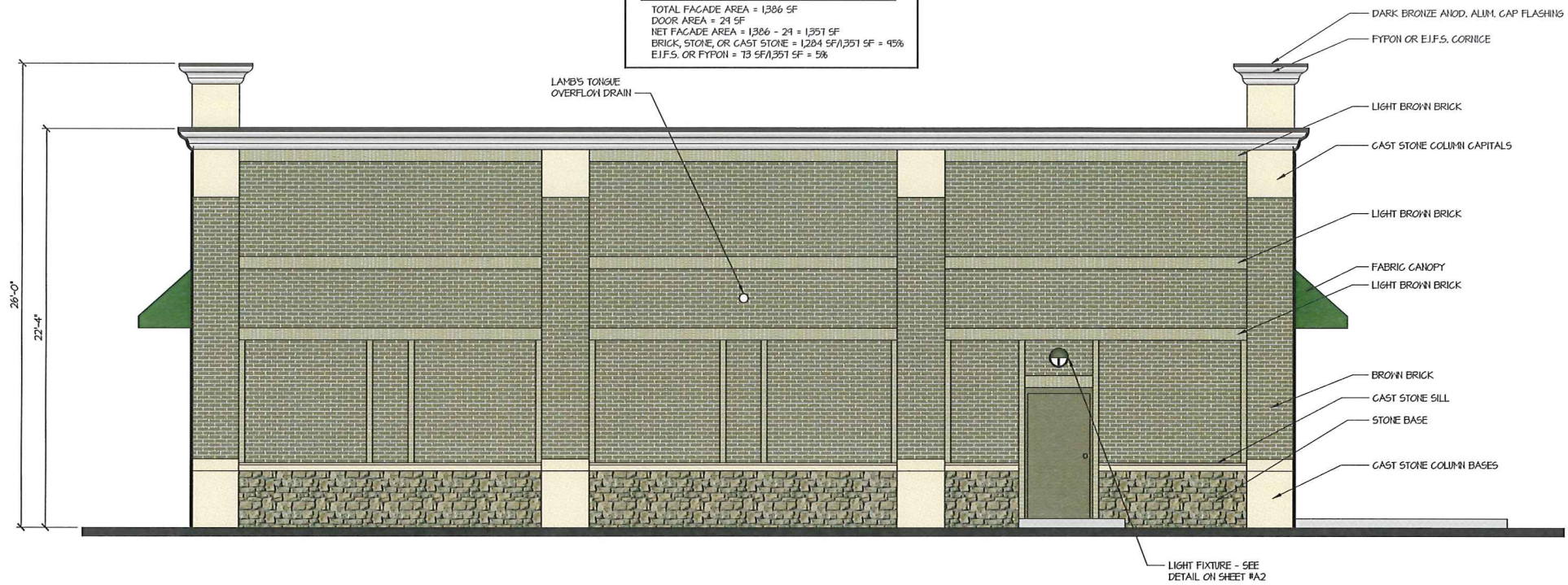
NORTH MONUMENT SIGN ELEVATIONS



DUMPSTER ENCLOSURE ELEVATIONS

SCALE: 1/4" = 1'-0" (REFER TO CIVIL DRAWINGS FOR CONSTRUCTION DETAILS)

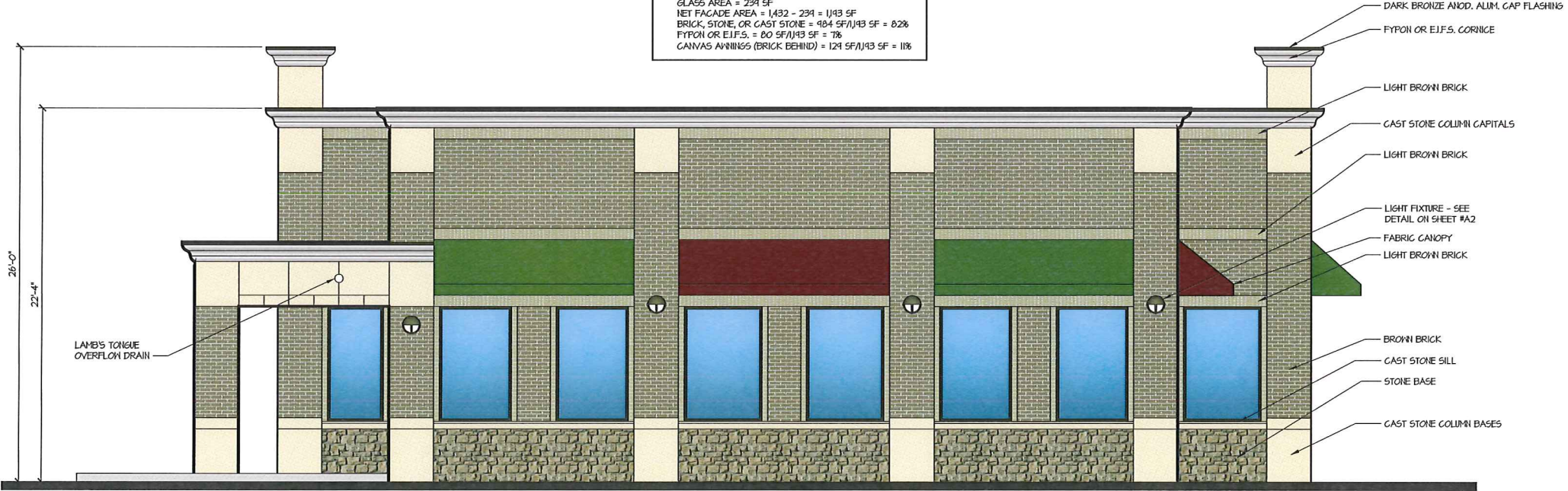
MATERIAL PERCENTAGES
 TOTAL FAÇADE AREA = 1386 SF
 DOOR AREA = 21 SF
 NET FAÇADE AREA = 1386 - 21 = 1351 SF
 BRICK, STONE, OR CAST STONE = 1224 SF / 1351 SF = 91%
 EIFS, OR FYFON = 73 SF / 1351 SF = 5%



WEST ELEVATION

SCALE: 1/4" = 1'-0"

MATERIAL PERCENTAGES
 TOTAL FAÇADE AREA = 1432 SF
 GLASS AREA = 231 SF
 NET FAÇADE AREA = 1432 - 231 = 1143 SF
 BRICK, STONE, OR CAST STONE = 984 SF / 1143 SF = 86%
 FYFON OR EIFS. = 80 SF / 1143 SF = 7%
 CANVAS AWNING(S) (BRICK BEHIND) = 124 SF / 1143 SF = 11%



EAST ELEVATION

SCALE: 1/4" = 1'-0"

PUCCI + VOLLMAR ARCHITECTS, PC
 ARCHITECTURE + DESIGN + PLANNING
 508 E. GRAND RIVER AVE., SUITE 100B, BRIGHTON, MI 48114-1566
 PHONE (810) 225-2930
 www.pv-architects.com



Red Olive RESTAURANT
 3038 E. GRAND RIVER AVENUE
 GENOA TOWNSHIP, MICHIGAN

PROJECT TITLE: EXTERIOR ELEVATIONS, MONUMENT SIGN, AND DUMPSTER ENCLOSURE ELEVATIONS

PROJECT NO. 12-18-2014 KV / REVISED PER TOWNSHIP REVIEW

SHEET: 1334

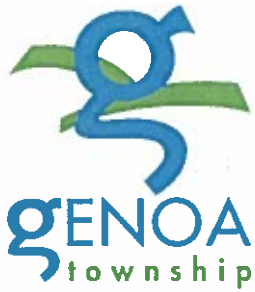
| NO. | DATE | BY | NOTES |
|-----|------------|----|-----------------------------|
| 1 | 12-18-2014 | KV | REVISED PER TOWNSHIP REVIEW |

DO NOT SCALE THIS PRINT, USE DIMENSIONS SHOWN ONLY

DRAWN BY: KV
 CHECKED: KV
 APPROVED: KV
 DATE: APRIL 28, 2014
 PROJECT: 1334

SHEET: **A3**





2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

MEMORANDUM

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director

DATE: April 30, 2015

RE: LIVINGSTON COMMONS LOT 4 REDEVELOPMENT
PUD Amendment, Environmental Impact Assessment & Site Plan

MANAGER'S REVIEW: 

I have reviewed the proposed PUD agreement amendment, revised environmental impact assessment and revised site plan for a proposal to create two outlots and construct a 4,283 sq. ft. restaurant building for Panera Bread, located at 3950 E. Grand River Avenue, Howell, on parcel # 4711-05-400-047.

Please note that the amendments to the PUD Agreement address both this project and the Red Olive project also included on Monday's agenda. The PUD Amendments related to this project are summarized below for your consideration:

- 1.) Amendments to the Phase 1 PUD:
 - a. Reconfigure Lot 4 into 2 lots (4A and 4B) and provide that remote parking area spaces count towards parking requirements.
 - b. Approve configuration of outlots and setbacks as provided on plans.
 - c. Allow drive through restaurants on lots 4A & 4B.
 - d. Remove requirement for 500' spacing and allow drive through restaurants on other parcels with special use approval provided adequate stacking and queing can be provided without conflicts on road network.
 - e. Delete the requirement for one row or less of parking in the front yard of Lot 4.
 - f. Lot 4A (Panera) to have 2 monument signs.
 - g. Future restaurant outlot 4B to have 1 monument sign.
- 2.) Amendments to the Phase 2 PUD:
 - a. Elimination of the entranceway landmark requirement in Phase 2 with the offer to provide an easement and \$25,000 for the Township to install an identification sign. Township would be responsible for maintenance and sign would be limited to 6 feet height. The easement area is located south of the driveway located south of Comerica Bank.
 - b. Applicant requests one 300 sq. ft. /42' tall highway sign instead of the two – 200 sq. ft./30' tall signs.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen
Jean W. Ledford
Todd W. Smith
Linda Rowell

This project was recommended for approval by the Township Planning Commission on April 27, 2015. My review of the revised submittal was focused on compliance with the outstanding items discussed at the Planning Commission and my recommendation is as follows:

PUD AGREEMENT AMENDMENTS

I recommend **APPROVAL** of the amendments to the PUD Agreement dated March 12, 2015 subject to the following:

1. Review and approval by the Township Attorney.

IMPACT ASSESSMENT

I recommend **APPROVAL** of the environmental impact assessment dated April 28, 2015.

SITE PLAN

I recommend **APPROVAL** of the site plan dated April 28, 2015 with the following conditions:

1. Signage shall not be allowed on the patio tables or umbrellas.
2. The building depicted on lot 4B is regarded as conceptual and will be subject to the site plan approval process.
3. The requirements of the Township Engineer in the letter dated April 24, 2015 will be complied with prior to issuance of a land use permit.
4. The requirements of the Brighton Area Fire Department as stated in their letter dated April 22, 2015 shall be complied with prior to issuance of a land use permit.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,



Kelly VanMarter
Assistant Township Manager/Community Development Director



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

GENOA TOWNSHIP
DEC 01 2014

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: Jim Blair, 10050 Innovation Dr., Suite 100, Dayton, OH 45342
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: GCG Howell, Ltd., 10050 Innovation Dr., Suite 100, Dayton, OH 45342

SITE ADDRESS: 3950 E Grand River Ave, Howell, MI PARCEL #(s): 11-05-400-047

APPLICANT PHONE: 937-424-3904 OWNER PHONE: 937-434-7218

OWNER EMAIL: jblair@rgproperties.com

LOCATION AND BRIEF DESCRIPTION OF SITE: Lot 4 of the Livingston Commons shopping center

BRIEF STATEMENT OF PROPOSED USE: ~~redevelopment of existing outparcel for a new multi-tenant retail building.~~ NEW FREE STANDING ^{JMB 11/15/15}
PANERA BREAD

THE FOLLOWING BUILDINGS ARE PROPOSED: ~~12,000 SF of mutli-tenant retail~~
4,386 SF. FREE STANDING PANERA BREAD ^{JMB 11/15/15}

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: [Signature]
ADDRESS: 10050 Innovation Dr., Suite 100, Dayton, OH 45342


GENOA TOWNSHIP
DEC 01 2014

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

| | | |
|----------------------|-------------------------------|-----------------------------------|
| 1.) <u>Jim Blair</u> | of <u>RG Properties, Inc.</u> | at <u>jblair@rgproperties.com</u> |
| Name | Business Affiliation | E-mail Address |

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE:  DATE: 11/20/14

PRINT NAME: Jim Blair PHONE: 937-424-3904

ADDRESS: 10050 Innovation Dr., Suite 100, Dayton, OH 45342

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
SPECIAL MEETING
APRIL 27, 2015
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Township Planning Commission was called to order at 6:33 p.m. Present were Chair Doug Brown, James Mortensen, Barbara Figurski, Eric Rauch, Diana Lowe, John McManus, and Chris Grajek. Also present were Kelly VanMarter, Community Development Director and Assistant Township Manager; Brian Borden of LSL Planning; Gary Markstrom of Tetra Tech Engineering. Approximately 80 people were in audience.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Upon motion by John McManus and support of James Mortensen, the agenda was approved with the addition of introductions. **Motion carried unanimously.** Planning Commission members, staff, and contractors were introduced.

CALL TO THE PUBLIC: A call to the public was made with no response.

OPEN PUBLIC HEARING #1... Review of a site plan, environmental impact assessment, and PUD amendment for a proposed redevelopment of an existing outparcel to create two (2) outlots and construct a 4,283 sq. ft. restaurant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047, petitioned by RG Properties, Inc.

Mr. Jim Blair was present on behalf of the petitioner. With the project previously tabled, Mr. Blair stated they have worked to accommodate the fire department request for reconfiguration of traffic. A curb was eliminated and the drive thru lane was reduced. This should help keep people from heading in the wrong direction. A redundant parking stall was eliminated. A pedestrian crossing was modified to improve pedestrian access. Landscaping was evaluated along the right away. Additional plantings are planned to bring landscaping into conformance. Concerns were present on rooftop equipment sight lines. This equipment is now concealed and will not be seen. A higher parapet wall is planned. Traditional patio furniture is planned as before.

Chairman Doug Brown indicated that the traffic flow appears to be improved. Planner Brian Borden indicated the petitioner has done a good job. Red Olive inclusion is a plus. Front yard parking concerns were present. If additional parking is permitted, then we want to make sure that landscaping screening is sufficient to mitigate the impact of the parking. Greenbelts are a little shy on tree

plantings. A hedgerow will help to buffer. The petitioner has responded to help screen mechanical equipment. Confusion at the intersection seems resolved.

Mr. Blair indicated that the two additional trees on the site plan brings the trees into compliance.

Engineer Gary Markstrom indicated that the petitioner has taken care of their items of concern. A traffic impact study does not appear to be relevant at this point. Water runoff will be looked at in future submittals for the next door vacant lot.

Mr. Blair indicated that the fire department letter has been complied with. The address will be clearly evident on the building. Chairman Brown and Jim Mortensen indicated that consistency of the parking will be reviewed by the Township attorney. Mr. Rauch indicated that directional signage might help folks understand traffic direction. It was agreed that signage would be seen after the fact and would not change driver behavior.

A call to the public was made with no response.

Planning Commission recommendation of petition

- A. Recommendation regarding PUD Agreement Amendment. (03-12-15)
- B. Recommendation of Environmental Impact Assessment. (03-27-15)
- C. Recommendation of Site Plan. (04-20-15)

Motion by Commissioner Mortensen to recommend approval of the PUD agreement of Livingston Commons, dated March 12, 2015, subject to the following:

- 1. Approval of the Township attorney as to the language in the PUD agreement.
- 2. The petitioner will provide the township in recordable form a document regarding the Red Olive site, indicating that no drive thru will be permitted and limiting access to Grand River will be right in, right out.

Motion was supported by Commissioner Figurski. **Motion carried unanimously.**

Motion by Commissioner Figurski to recommend to the Township Board approval of the environmental impact assessment dated March 27, 2015, subject to the following conditions:

- 1. In 18.07.02 the Shell gas station is now a BP gas station.
- 2. In 18.07.05 Bennigan's is currently not open for breakfast. The proposed development would be opened for breakfast.
- 3. Subject to approval of the PUD amendment and site plan by the Township Board.

Support by Commissioner Lowe. **Motion carried unanimously.**

Motion by Commissioner Mortensen to recommend approval of the site plan application, subject to the following conditions:

1. Approval by The township board of the PUD amendment and the environmental impact assessment,
2. Umbrella signs will not be permitted on the tables on the patio.
3. The building colors and materials for the Panera Bread restaurant are approved and the renderings will become Township property.
4. The building depicted on lot 4 is regarded as a conceptual plan and when the details are finalized, it will be subject to further review by the planning commission and the Township board.
5. The requirements of the Township engineer spelled out in his April 24, 2015 letter will be complied with.
6. The requirements of the fire department, spelled out in the April 22, 2015 letter will be complied with.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of a special use, sketch plan, and environmental impact assessment, for proposed outdoor storage, sales, and display, including mulch, landscape supplies, and brick pavers, located at 7949 W. Grand River, Brighton, Michigan, parcel # 4711-13-400-025. The request is petitioned by Nelligan's Outdoor Services.

Mr. Don Nelligan and Ms. Lisa Nelligan were present on behalf of the petitioner Nelligan's Outdoor Services. The reason for the petition is that they wanted a building which could serve as a landscape display store to ease the process for customers. They sell mulch and pavers and need a location where people can come in and do their designs.

Planner Borden indicated that some existing conditions do not comply; however, the previous use was of greater impact. It is a tough site to work with and this use does improve the site. The site is lined with brick screen wall which limits the property. The ordinance has specific use requirements tied to outdoor mulch and display. There does not appear to be any huge issue. Covers of mulch are recommended to keep debris from blowing around as they are stored. Some of the front area does encroach on the setback. This area may or may not have been used for display. There does appear to be some flexibility here.

Commissioner Mortensen indicated that boats were stored in that area, including one pontoon and 3 or 4 boats in total. Borden indicated that technically this does not meet the requirement of the ordinance but the use existed before.

Mr. Nelligan would like to do a patio with a non-working fireplace and a sheet wall to entice people to want to come in and see the product they offer. They want to

Meijers parking lot finished. There is approximately 12 feet unconnected. He feels it would be a better location for the ATM.

Planning Commission disposition of petition

- A. Recommendation of Special Use
- B. Recommendation of Environmental Impact Assessment (03-05-15)
- C. Recommendation of Site Plan (02-20-15)

The petitioner requests to table this review. **Motion** by James Mortensen to table this matter until the 05/11/15 Planning Commission meeting. Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #4... Review of a site plan, environmental impact assessment, and PUD amendment for a proposed redevelopment of an existing outparcel to create two (2) outlots and construct a 4,283 sq. ft. restaurant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Jim Blair of RG Properties, Dan Cook with Panera, and Matthew with Arc Vision addressed the Planning Commission. They are seeking approval for the demolishing of a building and to erect a Panera Bread restaurant building with a drive-thru restaurant building next door.

Panera is undergoing design changes for their standard buildings. A materials board was provided. There is a patio planned at this location, as well.

There are two parking spaces that should be deleted. Additionally, the curb should be mountable in order to escape the drive-thru. Mr. Rauch expressed his concerns about the driving lanes. Bo Gunlock pointed out that the curb cuts are existing. Chairman Brown indicated that's already understood. Mr. Rauch showed the petitioner his suggested changes.

Mr. Borden addressed the unresolved issues in his letter of April 6, 2015. There should be some sort of signage about pedestrians, such as "Ped X'ing" on the pavement. The petitioner is proposing to retain existing landscaping in the green belt. There are no details to determine if ordinance has been met. The lighting plan is not specific as to what lights will be used. More detail is needed. There are three monument signs proposed.

A call to the public was made with no response.

Motion by James Mortensen to table the petition to April 27. Support by Barbara Figurski.

Ayes: Lowe, Mortensen, Figurski, Rauch (4)

Nays: Grajek (1)

Motion carried.

Mr. Mortensen indicated that the request is such a minor change to the property, it seems unnecessary to impose the landscaping requirement. Mr. Rauch indicated that no aesthetic opportunity is being proposed as part of the project. Mr. Stewart indicated that the parking lot is adequately striped. Mr. Mortensen asked about dumpsters. Where is it? Is it enclosed? Mr. Stewart indicated that the dumpster is enclosed on three sides and that it is below the surface of the ground. The dumpster is difficult to see from the north because of a change in elevation and grade.

A call to the public was made with no response.

Planning Commission disposition of petition

- A. Recommendation of Environmental Impact Assessment. (01-09-15)
- B. Disposition of Site Plan. (11-19-14)

Ms. Figurski moved to recommend approval of the environmental impact assessment dated January 9, 2015, saying that a notation about the barrier free parking spot should be added to the impact assessment. Seconded by Mr. McManus. **Motion carried unanimously.**

Mr. Mortensen moved to approve the site plan dated November 19, 2014 for a proposed 4,661 sq. ft. addition for enclosed storage, located at 1275 Grand Oaks Drive, Brighton, Michigan, subject to the following:

1. The building materials of the expansion will match the existing building.
2. One additional barrier free parking space will be provided.
3. The existing dumpster will continue to be in the truck loading dock which is below grade.
4. The requirements of the township engineer as specified in his letter dated January 30, 2015 and the requirements of the fire department in their letter dated February 5, 2015 will be complied with.
5. The landscaping as presently existing will continue, although non-conforming this Commission finds that the changes to the site are minor enough and at the rear of the building thus not requiring a revision to the landscaping.

Supported by Ms. Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Request to table site plan, environmental impact, and PUD amendment for a proposed redevelopment of an existing outparcel to demolish the existing Bennigan's Restaurant and construct a new 12,000 sq. ft. multi-tenant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Planning Commission disposition of petition

- A. Table request to March 9, 2015 meeting.

Mr. McManus moved to table open public hearing item #2 at the request of the petitioner. Supported by Lowe. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of a site plan, environmental impact, and PUD amendment for a proposed redevelopment of an existing outparcel to demolish the existing Bennigan's Restaurant and construct a new 12,000 sq. ft. multi-tenant building, located at 3950 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-047. The request is petitioned by RG Properties, Inc.

Mr. Jim Blair of RG Properties addressed the Planning Commission on behalf of the petitioner. Bennigan's is closing its doors and as a result RG Properties will be getting the property back, which leads to this evening's proposal. This brings changes to the Phase 1 PUD, including incorporating the new Red Olive restaurant building. RG Properties will also become the sub-lessee of the adjacent Walmart owned parking area, which permits improvements to be made to that area as well.

The proposed building is primarily brick and masonry with some EIFS, which includes wood-grain tile on the front façade to provide for the corporate branding of a Panera Bread Restaurant. Two rows of parking in the front are also part of the PUD amendment. Another change includes an entry feature which acknowledges the Township. RG Properties has worked exhaustively with Township staff to find a location for this feature. MDOT and the Livingston County Road Commission indicate they will not allow the sign within the right of way.

Ms. VanMarter stated that the original PUD called for Latson Road to be shifted to the West. This permitted a gateway entry sign. Then when the Phase 2 PUD came in, the sign was proposed to be included near the I-96 ramp. However, the final grading is much lower than anticipated and the sign could be put there but would be too low to be visible.

Mr. Mortensen indicated that another proposal of equal value might be required of the petitioner. Mr. Blair indicated that no cost estimates were assumed previously.

Mr. Grajek indicated that the Commission is interested in seeing a gateway sign. Ms. VanMarter explained the original proposal in Phase 1 was that the sign would exist on Lot A. Lot A is currently owned by RG Properties. The original Phase 1 rendering of the sign was shown.

Chairman Brown asked about the amount of land the original sign might have required. Mr. Blair indicated that due to the lack of scale, an estimate is difficult. Ms. VanMarter indicated that RG Properties was to build the sign. Genoa Township was to maintain it. Phase 2 moved the sign nearer the ramp. In Phase 1, the sign was in the Lot-A vicinity. Mr. Blair indicated the recently proposed sign could be dressed up with endcaps and landscaping with uplighting to illuminate it in the evenings as shown in the original Phase 1 rendering.

Chairman Brown indicated that it was his belief that both signs would be provided. Mr. Blair indicated that RG Properties is obligated to provide one.

Referring to the building façade, Mr. Borden indicated that the wood grain tiles are a bit unusual and there is a lot of EIFS. The requirement is 80 percent natural materials. The front of the building does not meet 80 percent though the entire building does appear to

meet it. The rear façade will be highly visible. Perhaps wrapping the façade around the building is a possibility. The front of the building should be upgraded to increase appeal.

Mr. Blair indicated that the cornice could be brought to the back of the building to the parapet height. Some shadow lines, a transom window effect could also be included. The building currently meets the natural materials requirement. The overall building exceeds the 80 percent outlined in the agreement.

Mr. Mortensen indicated that at issue is the artistic part of the building. Mr. Blair indicated that material samples were not available for tonight's meeting. Mr. Rauch indicated that the EIFS might mainly be covered by signage and asked about the drive thru. Mr. Blair indicated that the drive thru has been moved to the back of the building to maintain the proper stacking for the drive thru. Mr. Rauch asked whether roof-top units would be hidden. Mr. Blair indicated roof top units would not be visible except one. The one could be concealed. Mr. Rauch indicated that the back of the building is an issue. Mr. Blair indicated that the middle of the parapet in the back could be raised. Mr. Rauch asked if there was consideration for metal canopies instead of cloth. Mr. Grajek indicated that the aesthetic needs of the façade are not satisfied. The parapets certainly help. More architectural character is desirable.

Mr. Borden stated he would like to see both signs, if possible. The Genoa sign feature at the corner of Latson and Grand River would enhance the corridor. There is also a question about proposed drive thru use.

Mr. Mortensen indicated that the amendment for Phase 2 did allow a drive thru as a special use. Isn't that a change in the language for the rest of the PUD? The concern with a drive thru at the neighboring Red Olive location is safe access to Grand River.

Mr. Borden asked whether it is necessary to retain the Grand River curb cut at the Red Olive site. A drive thru might be provided if internal access was provided.

Chairman Brown indicated that the space is not available for a drive thru. It's too close to other driveways. Other Red Olive Restaurants do not have this feature. Why is this right-in, right-out desired?

Mr. Jim Barnwell of Desine, Inc. addressed the Commission on behalf of Red Olive. The original intent was to use the Grand River access point as the main access to the property. The drive way is 50 feet in length. There are mature trees present on the property. Most customer traffic will be coming from Grand River. Mr. Mortensen asked who owns the drive. The driveway is part of an easement on the bank's property which predates the bank ownership. The bank does not utilize the driveway. Chairman Brown indicated that the curb cut may be dangerous.

An aerial of the property was presented and the trees were identified.

Mr. Carl Volmer of the Pucci & Volmer architectural firm addressed the commission on behalf of Red Olive, stating that one of the reasons for the purchase of the property was the curb cut.

Mr. Borden indicated that additional considerations for the Bennigan's Lot 4 re-development include the double row parking at the front of the building. Mr. Blair

indicated that inconvenient parking will turn customers away. People do not want to walk far. They just won't go. Half of one row is patio area for a potential restaurant owner. Chairman Brown asked what happens in off season. Mr. Blair stated that it would be a raised concrete patio. Ms. Figurski asked if Panera Bread was requesting a drive thru. Mr. Blair indicated that Panera Bread is making that request.

Mr. Rauch asked if consideration was given to making the building L-shaped. Mr. Blair indicated that the building was considered and it didn't layout well at that site.

Mr. Borden indicated that there are parking setbacks in the ordinance. However, the ordinance does permit the Commission to waive the setback. It will need authorization by the Commission. Also, the three wall signs being requested for tenants are not permitted by the ordinance. We need to be clear that the Township is not granting a third sign. Further, there are three outdoor patios proposed. This requires additional features such as tables, trash cans, umbrellas, chairs, which might benefit from administrative approval in the future. Ms. VanMarter indicated that this is a requirement in the ordinance.

Mr. Borden cautioned that some consideration might be given for product advertising which could be placed on outdoor umbrellas in the future. Mr. Rauch asked about what flags would fly on the proposed Genoa gateway feature. Mr. Blair indicated that the American flag is flying at all other RG Properties locations and it will be good to add this one.

Discussion took place regarding the Red Olive site. Ms. VanMarter indicated that the original PUD prohibits the use of Grand River access if internal access to the PUD takes place. Chairman Brown asked if there is an economic reason to have the driveway available to Grand River. Mr. Barnwell indicated that the Grand River curb cut is a convenience issue for customers. The Ann Arbor Red Olive access is internal and it is one of the slower selling stores.

Mr. Mortensen asked about the driveway easement for Red Olive. Ms. VanMarter indicated that driveway exists on an exclusive easement on property owned by the bank. An attorney would need to weigh in but it is the property of the bank. Mr. Barnwell indicated that the applicant was originally planning a standalone parcel not an annexation into the PUD.

Mr. Mortensen acknowledged that the Lot 4 multi-tenant building site is an important corner in the Township. And it might be important that building materials match the existing buildings in the PUD.

A call was made to the public with no response.

Planning Commission disposition of petition

- A. Recommendation regarding PUD Agreement Amendment.
- B. Recommendation of Environmental Impact Assessment. (12-01-14)
- C. Recommendation of Site Plan. (12-23-14)

Mr. Mortensen moved to table the site plan dated December 23, 2014 and the environmental impact assessment dated December 1, 2014, for a redevelopment of the

existing Bennigan's Restaurant to construct a new 12,000 sq. ft. multi-tenant building, located at 3950 E. Grand River Avenue, based on the following:

1. Requests by Commission of upgrade of materials and to the building.
2. Revisions to the submitted PUD Agreements to address issues regarding the lack of entrance sign to the Township in the vicinity of the Latson Road interchange crossing
3. Concerns in the PUD Agreement regarding continuation of the access to Grand River for the Red Olive property.
4. Improve the look of the building on this marquee corner and dress up the back of the building.

Supported by Ms. Figurski. **Motion carried unanimously.**

Mr. Grajek indicated that as a marquee location in our community, there are many ways that this corner could be featured. The back of the building is something that could benefit from negotiation. The front façade is a big concern. Mr. Mortensen indicated that a staff meeting might take place with three members of the Planning Commission present.

OPEN PUBLIC HEARING #3... Review of a rezoning, PUD amendment, site plan, and environmental impact assessment for a proposed 3,848 sq. ft. Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, # 4711-05-400-025. The request is petitioned by PKJJ, LLC.

Mr. Jim Barnwell of Desine, Inc. addressed the Planning Commission on behalf of the petitioner. The existing building was built in the middle of a farm field in the 1990s. Current conditions were caused by others and not the property owners. The current owner's intent behind the recent purchase was to not become part of the PUD. The petitioner recognizes the desire of the Township and RG Properties to incorporate the parcel into the PUD. The petitioner would like to keep a right-in right-out access to Grand River and join the PUD. The existing building will be removed. The petitioner would like to preserve the existing landscaping as much as possible. The proposed building is approx. 1,000 sq. ft. larger than the existing building, predominantly brick and stone. There is no drive-thru proposed. The petitioner is asking for a sign in the front and in the rear. The engineer and fire department concerns are readily complied with. Proposed parking provides what is required. Larger vehicles are not expected at this sit-down restaurant. Vegetation is grown and substantial on both sides. The intent of the ordinance is met though the landscaping requirement is not quite met.

Mr. Borden indicated that point number one in his letter can be stricken regarding use calculations. Also, there are some parallel parking spaces in the parking lot. Parallel parking is difficult for most people and is somewhat unusual. The southerly space would be difficult to use. Mr. Barnwell indicated that employees would be parking in the parallel spaces. The possibility of angled parking was discussed. Snow storage would be in the corners of the lot.

Mr. Borden indicated that becoming part of the PUD will permit shared parking within the PUD. There are some deficiencies in the landscaping plan but the applicant's intent is to preserve what is there which helps accommodate those deficiencies. New



April 24, 2015

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

| | |
|-------------------|--|
| Attention: | Kelly Van Marter, AICP Assistant Township Manager and Planning Director |
| Subject: | Redevelopment of Livingston Commons Lot #4 – Site Plan Review #5 |
| Location: | Southwest corner of Grand River Avenue and Latson Road |
| Zoning: | NR-PUD Non-Residential Planned Unit Development District |

Dear Commissioners:

At the Township's request, we have reviewed the revised site plan (dated 4/20/15) proposing the construction of a new drive-through restaurant (Panera) for the 2.03-acre site formerly occupied by Bennigan's.

The site is located at the southwest corner of Grand River Avenue and Latson Road within Phase I of the Livingston Commons PUD, which is zoned NR-PUD. We have reviewed the proposal in accordance with the applicable provisions of the Genoa Township Zoning Ordinance.

As a side note, the Planning Commission tabled the request at their April 13, 2015 meeting allowing the applicant to modify the plans. Of specific concern was the potential traffic conflict/congestion in between the two proposed drive-through restaurants.

A. Summary

1. The project proposes several amendments to the PUD Agreement.
2. The Planning Commission has approval authority over the building elevations, including materials and colors.
3. The height of the parapet must be sufficient to screen views of roof-mounted equipment.
4. In our opinion, the revisions to vehicular circulation represent a vast improvement in the proposal.
5. The Commission may wish to require additional greenbelt plantings to improve the appearance of the site and mitigate the proposal for more front yard parking than was originally allowed/expected.
6. We defer to the Township Engineer as to whether a traffic impact study is warranted.



Aerial view of site and surroundings (looking north)

B. Proposal

The applicant requests site plan review/approval for a new drive-through restaurant, which has been identified as Panera Bread. The plans also show a future drive-through restaurant on the west side of Lot #4.

Drive through restaurants would typically require special land use approval; however, proposed amendments to the PUD Agreement would permit 2 drive-through restaurants on Lot #4 (to be divided into 4A and 4B), with future drive-through restaurants allowed in Livingston Commons with special land use approval (regardless of the 500-foot spacing requirement).

C. PUD Agreement

Similar to previous submittals, the applicant proposes amendments to the existing PUD Agreement. Changes proposed include:

- Inclusion of the Red Olive site into the PUD;
- Separation of Lot #4 into two lots – 4A and 4B;
- Allowance for two drive-through restaurants on Lot #4 without the need for special land use approval;
- Allowance for future drive-through restaurants with special land use approval, but removal of the 500-foot spacing requirement; and
- Allowance for two rows of parking in the front yard of Lot #4.

As was previously discussed, inclusion of the Red Olive site is logical and will allow internal cross-access. Additionally, the inclusion of two drive-through restaurants on Lot #4 is not expected to be harmful given the site has no direct access to either main roadway and future drive-through restaurants will require special land use review to determine their potential impacts.

The proposed change allowing an increase in front yard parking can be mitigated by ample greenbelt and parking lot landscaping.

D. Use Conditions (Drive-through Restaurant)

Section 7.02.02(j) provides the following conditions for drive-through restaurants:

- 1. Principal and accessory buildings shall be setback fifty (50) feet from any adjacent public right of way line or property line.**

This standard is met.

- 2. The establishment of a new drive-through restaurant shall require the lot be separated a minimum of five hundred (500) feet from any other lot containing a drive-through restaurant.**

Proposed changes to the PUD Agreement would allow drive-through restaurants regardless of spacing between uses.

- 3. Only one (1) access shall be provided onto any street.**

Lot #4 does not have direct access to either Grand River Avenue or Latson Road. Vehicular access to this part of the development will be via the existing interior service drive, which provides access to both public roadways.

- 4. Such restaurants constructed adjacent to other commercial developments shall have a direct vehicular access connection where possible.**

The site plan includes internal access points to the remainder of the Livingston Commons development.

E. Site Plan Review

- 1. Dimensional Requirements.** As described in the table below, the proposed Panera Bread complies with the dimensional standards for this PUD:

| District | Lot Size | | Minimum Setbacks (feet) | | | | Max. Height | Lot Coverage |
|----------|------------------|--------------|----------------------------------|---------------------|-----------|--------------------------------|-------------|-----------------------------------|
| | Lot Area (acres) | Width (feet) | Front Yard | Side Yard | Rear Yard | Parking | | |
| NR-PUD | 1 | 150 | 70 | 15 | 50 | 20 front 10 side/rear | 35' | 35% building 75% impervious |
| Proposal | 2.03 | 270 (Latson) | 112 (Grand River) 96 (Latson) | 134 (NW) 145 (S) | 71 (SW) | 20 front 10 side 25 rear | 19'-8" | 6.6% building 70.2% impervious |

- 2. Building Materials and Design.** The proposed elevations, including colors and materials, are subject to review and approval by the Planning Commission.

The proposed building is constructed of brick, which is consistent with the requirements in the PUD Agreement. Color renderings presented at the April 13, 2015 Planning Commission meeting demonstrated a well-designed building with architectural interest and high quality materials.

As was discussed at the previous meeting, the applicant must ensure that the height of the parapet wall will fully screen any view of rooftop-mounted equipment.

- 3. Parking.** As outlined in the table on Sheet C-2.0, 63 spaces are required for the proposed Panera restaurant. Additionally, 2 RV spaces, 3 waiting spaces and 10 stacking spaces are also required.

There are 69 spaces proposed, as well as the required stacking and waiting spaces. A note in the parking table indicates that the longer RV spaces will be provided outside of Lot 4.

The parking spaces and drive aisles meet or exceed the dimensional standards of Section 14.06 and a detail on Sheet C-2.1 identifies the use of looped (double striped) spaces.

- 4. Pedestrian Circulation.** The plan identifies the existing sidewalks along Grand River and Latson with a connection proposed between the public sidewalk and the edge of the parking lot near the intersection. Crosswalk striping has also been added to alert drivers to the potential of pedestrians at entering the site from the public sidewalk. Sidewalks are also proposed along the north and east sides of the building, separating the parking lot from the building.

- 5. Vehicular Circulation.** As previously noted, Lot #4 does not have direct vehicular access to either roadway. Instead, access is provided at 2 points to the existing internal service drive.

The stacking and vehicular circulation pattern west of the proposed building are greatly improved in the current version of the plan. The proposal now entails a larger traffic island between 4A and 4B, as well as a one-way circulation pattern adjacent to the Panera drive-through lane. This will also provide for an escape lane from the drive-through.

The loading area has also been shifted in the current plan to avoid conflicts with refuse removal. In short, we view the proposed changes to circulation as a much needed improvement from the previous version. With that being said, we will defer to the Township Engineer for any comments or concerns they may have.

- 6. Loading.** The plan identifies the required loading space at the rear of the building. As noted above, the space has been shifted to avoid any conflicts with refuse removal.

- 7. Landscaping.** We have reviewed the landscape plan as follows:

| Location | Requirements | Proposed | Comments |
|---|---|--|---|
| Front yard greenbelt (Grand River & Latson) | 17 canopy trees 17 evergreen trees 67 shrubs 20-foot width | Existing landscaping (noted as 5 canopy trees, 4 ornamental trees, 13 shrubs and a hedgerow) 40 new shrubs 20-foot width (minimum) | The Township may wish to require additional plantings to bring the greenbelt up to standard and to help mitigate the allowance for additional front yard parking proposed via the amended PUD Agreement |
| Parking lot | 7 canopy trees 630 SF landscaped area Hedgerow | 7 canopy trees 8,907 SF landscaped area Existing landscaping | Requirement met |

As was discussed at the previous meeting, prior submittals for redevelopment of Lot #4 included significantly more landscaping than that currently proposed. However, the revised submittal represents an improvement from the prior version.

- 8. Waste Receptacle and Enclosure.** The project includes new waste receptacle areas south and southwest of the Panera building. Details on Sheet C-2.3 identify the required concrete base pad and a masonry enclosure, which will match materials used on the building.

- 9. Exterior Lighting.** The submittal includes a lighting plan (Sheet C-6.0), which proposes the installation of 4 new light poles and 7 new light fixtures on existing poles. The table identifies 3 different types (A-1, A-2 and A-3), although there is no indication of any wall mounted fixtures.

The details on Sheets C-6.0 and C-6.1 are compliant with the requirements of Section 12.03. Additionally, the photometric readings on Lot #4 are within that allowed by Ordinance.

- 10. Signs.** In total, the submittal includes 3 monument signs (2 existing structures with new sign faces added and 1 new sign for the future restaurant) and 2 wall signs. Two menu boards and 3 drive-through signs are also shown proposed.

The Ordinance allows up to 2 menu boards with a maximum size of 16 square feet per board and directional signs with no advertising are allowed at driveways. Any proposed signage in excess of current Ordinance standards should be addressed within the PUD Agreement.

A sign permit is required prior to installation of any new signage.

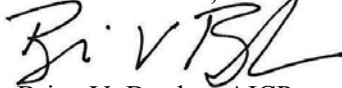
- 11. Impact Assessment.** The previous submittal included an updated Impact Assessment (dated 3/25/14). In summary, the Assessment notes that the project is not anticipated to adversely impact natural features, public services/utilities, surrounding land uses or traffic. The revised Assessment includes a trip generation comparison.

As was discussed at the previous meeting, we will defer to the Township Engineer as to whether a more detailed traffic impact study is needed.

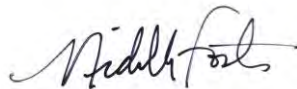
Should you have any questions concerning this matter, please do not hesitate to contact our office. We can be reached by phone at (248) 586-0505, or via e-mail at borden@lslplanning.com and foster@lslplanning.com.

Sincerely,

LSL PLANNING, INC.



Brian V. Borden, AICP
Principal Planner



Michelle Foster
Project Planner



April 24, 2015

Ms. Kelly Van Marter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: Livingston Commons Lot 4 Redevelopment – Panera Bread Site Plan Review #2

Dear Ms. Van Marter:

We have reviewed the response documentation and updated site plan documents for the Livingston Commons Lot #4 redesign prepared by Wade Trim dated April 20, 2015. The site is on the southwest corner of the intersection of Grand River Avenue and Latson Road. The petitioner is planning to demolish the existing Bennigan's Restaurant and develop two lots, one for a 4,383 sft Panera Bread to be constructed under this project, and the second for a future drive thru restaurant facility.

We offer the following comments for consideration by the planning commission:

SUMMARY

1. Indicate location of proposed water service lead for future restaurant.
2. Remove unnecessary notes.

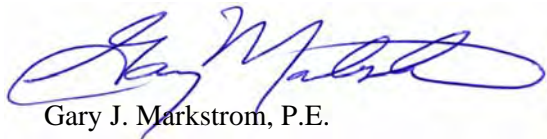
SITE UTILITY PLAN C-3.0

1. The petitioner is showing measures taken to extend a 6-inch sanitary service lateral west of the proposed manhole to accommodate future connection. Please indicate on the drawings the location of where the water service lead for the future restaurant is most likely to be installed.
2. For the construction plans, make sure all old notes that no longer apply are completely removed. A note regarding hydrant construction and pavement restoration is still included near the top of the page on sheet C-3.0.

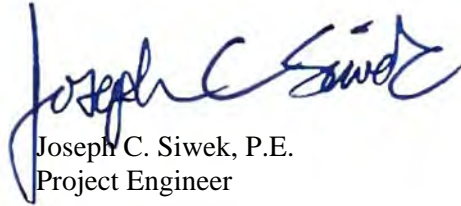
Ms. Kelly Van Marter
Livingston Commons Lot 4 Redevelopment
Panera Bread Site Plan Review #2
April 24, 2015
Page 2

If the petitioner corrects the aforementioned issues, then the site plan is recommended for approval. The construction plans will be required to be submitted to the MHOG Utility Department for the proposed municipal manhole. Please call if you have any questions.

Sincerely,



Gary J. Markstrom, P.E.
Unit Vice President



Joseph C. Siwek, P.E.
Project Engineer

Copy: Charles Christy, P.E., Wade Trim



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

April 22, 2015

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Panera Bread
Lot 4 Livingston Commons Redevelopment
3950 E. Grand River
Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on April 21, 2015 and the drawings are dated April 20, 2015. The project is based on a new 4,383 square foot assembly-use building. The site is an existing assembly that will be demolished for the construction of the new structure. The plan review is based on the requirements of the International Fire Code (IFC) 2012 edition. *Previous submittal comments for this site appear to be addressed in this submittal.*

1. The building shall be provided with an automatic sprinkler system in accordance with NFPA 13, *Standard for the Installation of Automatic Sprinkler Systems*. **(Noted on Plan)**
IFC 903
2. The fire protection lead must be evaluated and approved for sizing and installation by the Marion, Howell, Oceola, Genoa Water Authority (MHOG). **(Noted on Plan)**
3. Future project submittals shall include the address and street name of the project in the title block. **(Revised on Plan)**
IFC 105.4.2
4. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation. **(Address shall be on the North Elevation of the building)**
IFC 505.1
5. The access roads into the site shall be a minimum of 26' wide; new cut through from Southern parking area is shown as 24' wide and must be corrected. Access roads to site shall be provided and maintained during construction. Access roads shall be constructed to be capable of supporting the imposed load of fire apparatus weighing at least 84,000 pounds. **(Revised on Plan)**
IFC D 102
6. Grassy areas located adjacent to the "Loading Zone" shall be provided with signage identifying them as fire lanes. Signs are to be installed on both sides of the drive. Details must be included in the submittal. **(Revised on Plan)**
IFC D 103
7. Access around building shall provide emergency vehicles with an outside turning radius up to 55' and a minimum vertical clearance of 13 ½ feet. A plan with fire apparatus turning template applied will satisfy this requirement. **(Revised on Plan)**
IFC D 102



8. The location of a key box (Knox Box) shall be indicated on future submittals. The Knox box shall be located adjacent to the front door of the structure. **(Knox Box to be installed adjacent to the rear kitchen exit door, no more than 66" above grade.)**

IFC 506.1

9. Provide names, addresses, phone numbers, emails of owner or owner's agent, contractor, architect, on-site project supervisor. **(Corrected on Plan. Contractor information to be provided at time of construction.)**

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Capt. Rick Boisvert
Fire Inspector

COVER SHEET FOR
AMENDMENT TO PLANNED UNIT DEVELOPMENT AGREEMENT
FOR PHASE I AND PHASE II LAND
BETWEEN
RLG HOWELL LLC AND GCG HOWELL LLC
AND
PKJJ, LLC
AND
TOWNSHIP OF GENOA
DATED _____, 2015

Prepared By and After Recording
Return To:
April Ann Jordan
Hedrick & Jordan Co., LPA
100 E. Third Street, Suite 500
Dayton, Ohio 45402
937-228-3889

**STATE OF MICHIGAN
COUNTY OF LIVINGSTON
TOWNSHIP OF GENOA**

AMENDMENT TO PLANNED UNIT DEVELOPMENT AGREEMENT

This Amendment to Planned Unit Development Agreement is made and entered into this ___ day of _____, 2015, by **RLG HOWELL LLC**, a Michigan limited liability company, and **GCG HOWELL LLC**, a Michigan limited liability company, both of 10050 Innovation Drive, Suite 100, Dayton, Ohio 45342 (collectively, "Owner"); **PKJJ, LLC**, a Michigan limited liability company, of _____ ("PKJJ"); and **GENOA CHARTER TOWNSHIP**, a Michigan municipal corporation, 2911 Dorr Road, Brighton, Michigan 48116 ("Township").

RECITATIONS:

Owner possesses fee title to certain real property located in Genoa Charter Township, Livingston County, State of Michigan, described in that certain Planned Unit Development Agreement dated April 6, 1999, and recorded at Liber 2609, Page 0205 of the records of Livingston County, Michigan (the "Phase I PUD").

Subsequent to the Phase I PUD, Owner and Township entered into that certain Planned Unit Development Agreement for Phase II Land dated August 17, 2009, and recorded at 200R-023916 of the records of Livingston County, Michigan (the "Phase II PUD"). The Phase I PUD applied to Phase I and Phase II land described therein, and the Phase II PUD modified provisions pertaining to Phase II.

In 2011 Owner and Township considered a further Amendment to the Phase I PUD Agreement that contemplated the reconfiguration of Lot #4 into two sub-lots; provided however the amendment was never finalized or executed, and as such is of no force or effect.

Pursuant to Article IV, Internal Road Network, subsection 4.1, the Phase I PUD contemplated that the property formerly owned by the Prairie House Restaurant and now owned by PKJJ (the "Red Olive Parcel") described on Exhibit A attached hereto could benefit from an easement established by Owner over and across the Red Olive Parcel.

Owner and PKJJ have agreed to amend Owner's existing Declaration of Restrictions and Easements for Outlots dated September 2, 1999, recorded September 10, 1999, at Liber 2652, Page 0082 of the records of Livingston County, Michigan (the "Declaration") to provide the Red Olive Parcel with access over the access ways on the adjacent lands of Owner and to subject the Red Olive Parcel to the terms of the Declaration.

Further, Owner and Township have agreed to amend the provisions of the Phase I PUD and Phase II PUD regarding pylon signage and the construction of a Township identification sign.

Further, Owner and Township have now agreed to amend the provisions of the Phase I PUD Agreement to provide for the reconfiguration of Lot #4 into two (2) separate lots, to be known as Lot #4A and Lot #4B.

In connection therewith, Owner and PKJJ wish to amend the Phase I PUD and the Phase II PUD to subject the Red Olive Parcel thereto; to modify the signage provisions; and to reflect the reconfiguration of Lot #4 into two (2) separate lots, all pursuant to the terms contained herein.

NOW, THEREFORE, Owner and PKJJ, in consideration of the mutual promises contained in this Agreement, hereby agree as follows:

1. Article 1, General Terms of Agreement, subsection 1.5, shall be amended to add the following additional paragraph D:

D. The configuration of Lot #4 shall hereby be modified to divide Lot #4 into two (2) separate parcels for all purposes under the Phase I PUD, which shall be known as Lot #4A and Lot #4B respectively, and depicted on Exhibit B attached hereto. Township acknowledges that this modification does not substantially increase the impact on adjoining properties or facilities and that the Remote Parking Area is not required for the operation of the Wal-Mart on Lot #1. Township hereby agrees that the parking space contained in the Remote Parking Areas shall be counted as parking spaces for the use of Lot #4A and Lot #4B. Township hereby approves the setbacks and configuration of improvements on Lot #4A and Lot #4B as depicted on Exhibit B attached hereto. Owner acknowledges that Lot #4A and Lot #4B shall remain subject to the terms of the Phase I PUD except as otherwise set forth herein. Owner reserves the right to configure Lot #4A and Lot #4B further to include the Remote Parking Areas adjacent to said Lots. Township acknowledges that if such lots are incorporated into Lot #4A and Lot #4B, same shall not substantially increase the impact upon adjoining properties or facilities.

2. Article I, General Terms of Agreement of the Phase I PUD, shall be amended to add the following additional subsection:

1.7 The Red Olive Parcel shall be subject to the terms and conditions of the Phase I PUD, subject to the provisions of this Amendment.

3. Article II, Land Use Authorization, subsection 2.1 of the Phase I PUD, shall be amended to delete the sentence reading “Further, only one drive through restaurant facility shall be permitted and such use shall only be permitted on Lot #1.” The following shall be placed in its stead:

Drive through restaurant facilities may be allowed on Lot #4A and Lot #4B as depicted on Exhibit B attached hereto. Additional drive through restaurant facilities may be allowed on all parcels within five hundred feet (500’) of each other, subject to Special

Land Use approval by Township, including the Special Use Requirements as outlined in the Special Land Use Regulations as they may exist from time to time. Township and Owner agree that this use shall be considered upon providing that the stacking or queuing of such drive through restaurant facilities shall be sufficient to accommodate expected peak volumes and to minimize conflict with the internal road network located on the Property, as well as any public roadways. Provided, however, no drive through shall be permitted on the Red Olive Parcel.

4. Article IV, Internal Road Network of the Phase I PUD, shall be amended to add the following additional sentence:

Notwithstanding anything contained in the Phase I PUD to the contrary, the Red Olive Parcel shall be allowed to maintain access to the Grand River Avenue existing curb cut, provide such access shall be limited to “right-in, right-out” movement.

5. Article VI, Site Improvements, subsection 6.5(a) shall be amended to delete the following second sentence:

No parking in the front yard of Lot #4 shall be permitted except one row or less of “tease” parking, which shall be allowed.

6. Article VI, Site Improvements, subsection 6.5(b) of the Phase I PUD, and subsection 6.4(B) of the Phase II PUD, shall each be deleted, it being acknowledged that Owner shall have no obligation to Township to provide an entranceway landmark pursuant to the Phase I PUD or the Phase II PUD because such location or locations are not available for such signage. The following shall be inserted instead:

The Owner shall pay to Township the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00) within forty-five (45) days after building permits are issued for the new improvements to be constructed on Lot #4A and Lot #4B. In consideration of such payment, Owner shall have no obligation to install a Township identification sign and instead Township shall install and maintain the Township identification sign at Township’s expense. The Township identification sign shall be installed within the twenty foot (20’) set back on Owner’s Lot A and shall be constructed as depicted on Exhibit C attached hereto. The Township identification sign shall be a maximum of six feet (6’) in height and shall be oriented so as to be most visible from Latson Road. Easements for such construction and maintenance of a Township Identification sign shall be granted and accepted at the time that the Twenty-Five Thousand and 00/100 dollars (\$25,000.00) is paid to Township.

7. Article 7, Design of Building and Signs, subsection 7.2, Signage, shall be amended to add the following additional paragraph:

Lot #4A and Lot #4B shall be treated as separate parcels, and as such Lot #4A and Lot #4B shall each be entitled to separate signage as described herein. Lot #4A shall retain the existing two (2) monument signs. Lot #4B shall be entitled to one (1) additional

monument sign for business operations thereon comparable in size to the signs located on Lot #4A.

8. Article VII, Design of Building and Signs, subsection 7.2, Signage, shall be amended to delete the fourth sentence regarding the highway signs and the following sentences shall be placed in its stead:

There shall be permitted one (1) pylon sign of a maximum of three hundred (300) square feet, not to exceed 42' in height, advertising users in both Phase I and Phase II, as depicted on Exhibit D attached hereto. Additionally, the owner of the Red Olive Parcel may install a monument sign abutting Grand River Avenue and other signs as may be permitted under the Declaration.

APPROVED by Owner and PKJJ on this ____ day of _____, 2015.

WITNESSES:

RLG HOWELL LLC, a Michigan limited liability company

By: Randall L. Gunlock, Trustee under the Amended Revocable Trust Agreement Dated May 30, 2013, Randall L. Gunlock, Grantor, Managing Member

By: Randall L. Gunlock
Its: Trustee

GCG HOWELL LLC, a Michigan limited liability company

By: Glenn C. Gunlock
Its: Managing Member

PKJJ, LLC, a Michigan limited liability company

By: _____
Its: _____

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ___ day of _____, 2015, by Randall L. Gunlock, Trustee under the Amended Revocable Trust Agreement Dated May 30, 2013, Randall L. Gunlock, Grantor, Managing Member of RLG Howell LLC, a Michigan limited liability company, on behalf of the company.

Notary Public

STATE OF)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me the ___ day of _____, 2015, by Glenn C. Gunlock, Managing Member of GCG Howell LLC, a Michigan limited liability company, on behalf of the company.

Notary Public

STATE OF _____)
) SS:
COUNTY OF _____)

The foregoing instrument was acknowledged before me the ____ day of _____, 2015, by _____, the _____ of PKJJ, LLC, a Michigan limited liability company, on behalf of the company.

Notary Public

EXHIBITS

- Exhibit A Legal Description of Red Olive Parcel
- Exhibit B Depiction of Lot #4A and Lot #4B
- Exhibit C Township Identification Sign
- Exhibit D Depiction of Pylon Sign

EXHIBIT A

LEGAL DESCRIPTION OF RED OLIVE PARCEL

EXHIBIT B

DEPICTION OF LOT #4A AND LOT #4B

EXHIBIT C
TOWNSHIP IDENTIFICATION SIGN

NEW INTERCHANGE WESTBOUND ENTRANCE RAMP

DIVIDE

LOT F
2.33 AC.
MOTEL

LOT G
2.29 AC.
MOTEL

GRAND OAKS

LOT H
3.64 AC.
MOTEL

WAL-MART
214,172 SF

AVAILABLE
20,388 SF

LOWE'S
135,197 SF

LOT A
1.42 AC.

LOT A1
.68 AC.

1.0 AC.
LOWE'S
RETAINED LOT

LOT 5
1.87 AC.
CO-AMERICA BANK

LATSON ROAD

FUTURE TRAFFIC SIGNAL

FUTURE TOWNSHIP IDENTIFICATION SIGN

FUTURE TOWNSHIP
IDENTIFICATION SIGN

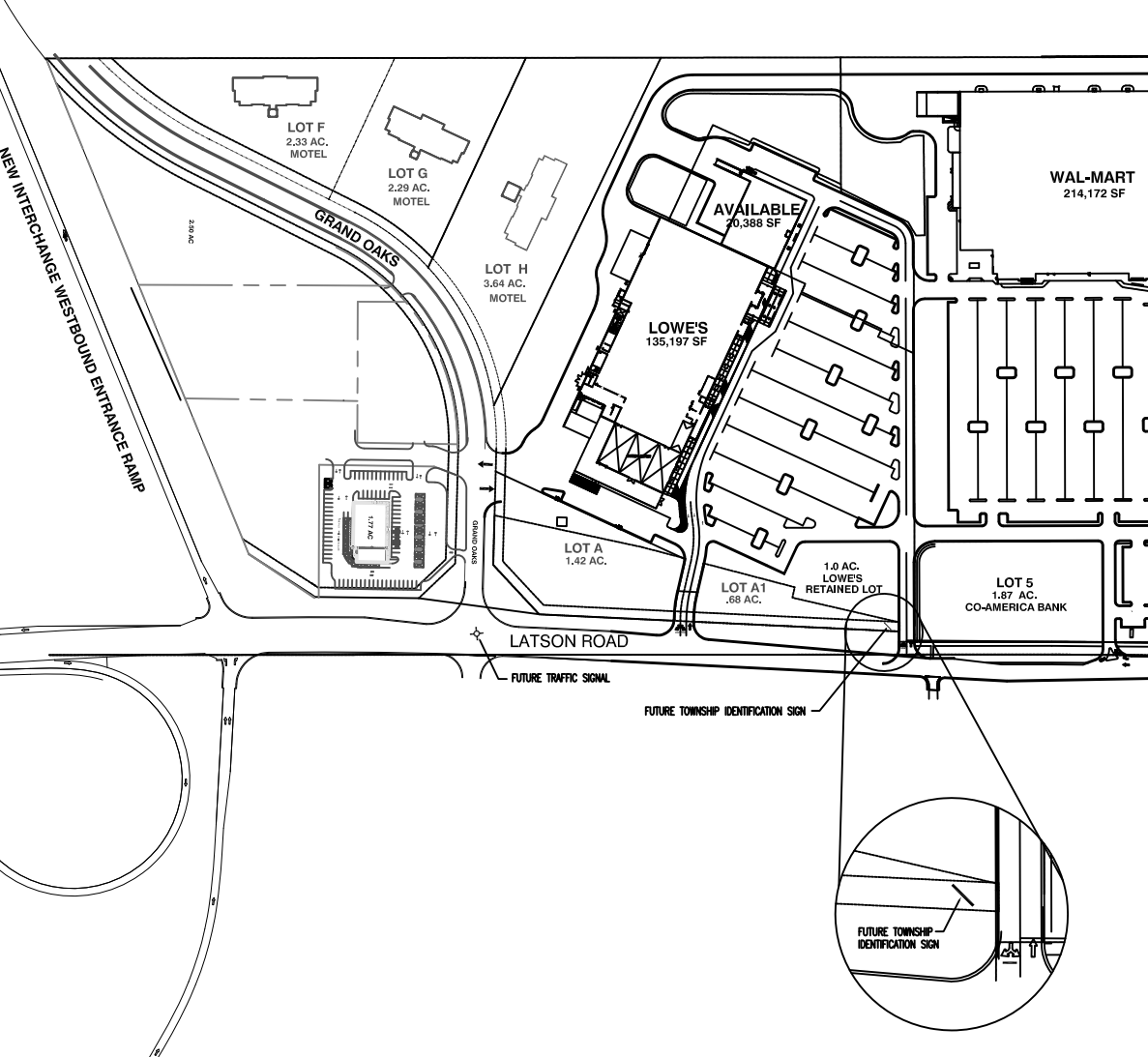
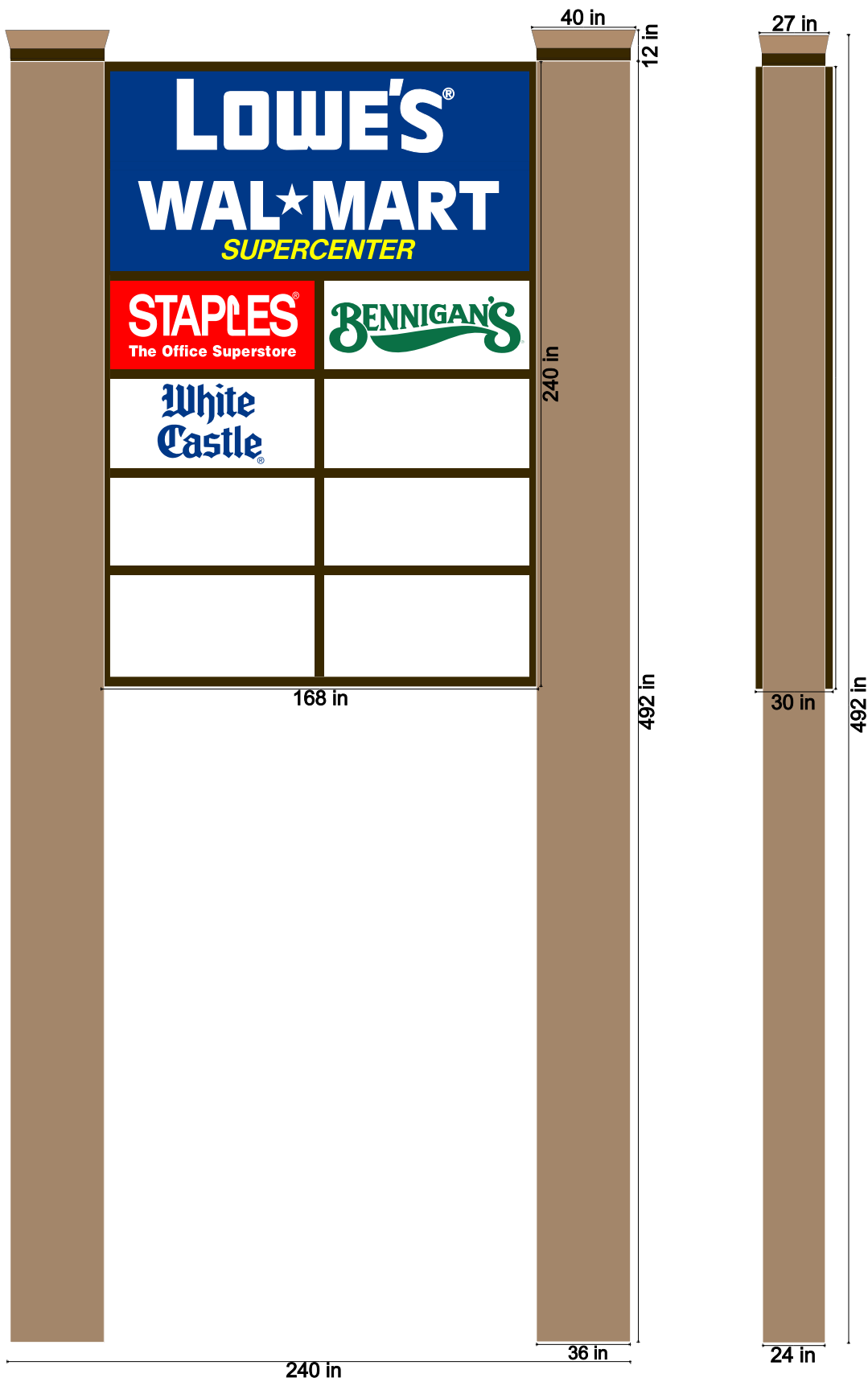


EXHIBIT D
DEPICTION OF PYLON SIGN



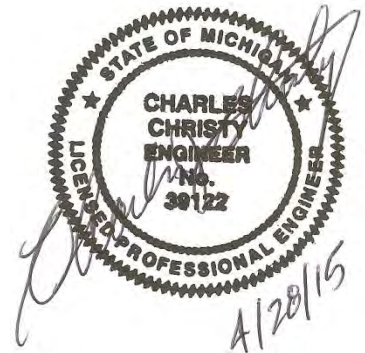
| | | | |
|--|-------------------------------|-------------|---|
| <p>THE SIGN GROUP INC. © 2015 5370 WEST 84TH STREET INDIANAPOLIS, IN 46268. PH: (317)875-6969 FAX:(317)875-6644</p> | SIGNATURE FOR APPROVAL | | <p>NOTICE: ALL ARTWORK AND DESIGN IS PROPERTY OF THE SIGN GROUP INC. ANY REPRODUCTION IS STRICTLY PROHIBITED, UNLESS AUTHORIZED BY THE SIGN GROUP.</p> |
| | SALESMAN: _____ | DATE: _____ | |
| | CLIENT: _____ | DATE: _____ | |

Impact Assessment
Redevelopment of Lot 4
Panera Bread Bakery Café #1936
Livingston Commons Shopping Center
Genoa Township, Michigan

March 25, 2015
Revised April 28, 2015

Prepared for:
RG Properties
10050 Innovation Drive, Suite 100
Dayton, OH 45342

Prepared by:
Wade Trim, Inc.
555 South Saginaw Street, Suite 201
Flint, MI 48502
Charles J. Christy, PE MI #39122



Written Impact Assessment
For Redevelopment of Lot 4
Livingston Commons

18.07.01 **Preparer** - This impact assessment is prepared and assembled by Charles J. Christy, PE. Mr. Christy has been licensed as a professional engineer in the State of Michigan since 1993. During the past 21 years, his experience has primarily focused on land development with commercial, industrial, and residential projects. Mr. Christy has completed numerous site plans, special use permits, and planned unit developments across the State.

18.07.02 **Location** - The project is located at Livingston Commons Shopping Center, 3950 East Grand River Avenue, Howell, MI. The site is currently developed with a Bennigan's restaurant on approximately 2.03 acres (88,427sft). The site is located at the southwest corner of the intersection of East Grand River Avenue and South Latson Road and is part of a larger overall development which includes WalMart, Lowes, Staples, and other out parcels.

Adjacent properties are occupied by Bob Evans (to the west), O'Reilly Auto Parts (east across Latson), Comerica Bank (to the south), BP Gas Station (north across E. Grand River), Applebee's (across E Grand River to the west), and a small strip center at the north east quadrant of E Grand River and Latson.

An aerial photograph of the project area is included on the following page.



18.07.04

Impact on Stormwater Management – The site is currently approximately 76% impervious and has a series of catch basins and storm sewer pipes to collect surface water runoff. The storm system leaves the site at the northwest corner of the parcel and enters the larger storm water management system for the overall PUD. The overall development, when constructed, has a regional storm water management system consisting of several basins which were designed to manage storm water from all parcels in the PUD.

The proposed redevelopment will be approximately 73% impervious after the lot division. A majority of the existing catch basins and storm sewer pipe will be retained and utilized to convey storm water runoff after redevelopment, maintaining the existing discharge point from the site. Since the redeveloped site will contain less impervious surfaces due to an increase in landscaping area, the total volume of storm water runoff will be less and the time of concentration will be greater, resulting in a lower peak discharge rate. This being the case, we have not quantified the decrease in runoff or peak discharge rate. We are not proposing any changes to the regional storm water management system (basins).

The proposed work will entail removing some pavement, demolition of the existing building and utilities, and new landscaping. A majority of the existing pavement will remain, including storm structures and pipes. The existing asphalt that is to remain, will be surface milled and overlaid with a new top course. Grading and earthwork, by design, will be kept to a minimum only as required to maintain/re-establish drainage patterns and to allow for the new landscaping.

Managing soil erosion will be accomplished with silt fences, inlet protection, and construction entrance BMP's. Final restoration will consist of asphalt, concrete, lawn and landscaping. Additional detail on the soil erosion control measures can be found in the plan submittal set, Sheets C-7.0 through C-7.3. A soil erosion and sedimentation control permit will be applied for at the Livingston County Drain Commission office.

18.07.05

Impact on Surrounding Land Uses – The surrounding area is developed into retail uses consisting of restaurants, gas service station, and other commercial retail establishments. Both E. Grand River and S. Latson Road are 4 lane roads with a center turn lane and right turn lanes where appropriate. The intersection of E. Grand River and S. Latson Road is signalized with protected left turn lanes.

The proposed redevelopment is a similar use when compared to the existing Bennigan's and the uses on the surrounding properties. Hours of operation will be similar to the surrounding uses. However, Bennigan's is currently not open for breakfast and the proposed development will be open for breakfast. The existing access to the site will remain as currently configured.

The existing lighting on the site will be reconfigured. Several of the light poles will be removed, several of the existing light fixtures will be replaced with lower wattage, and several new light poles will be strategically located to provide safety and security. Overall, the redevelopment will result in lower lighting intensities.

Dust control will be utilized during the demolition and construction phase to minimize air pollution.

Due to the nature, use, and size of this project, it is not anticipated that the noise levels generated on this site will be greater than the adjacent traffic on E. Grand River and S. Latson Road. Additionally, since this is a retail development, the project will not generate or cause concern with regards to: smoke, airborne solids, odor, vibration, radioactive materials, fire and safety hazards, UST's, or hazardous materials.

18.07.06 Impact on Public Facilities and Services – The proposed building size will be approximately 33% less in size than the existing building.

There are other uses in the immediate area that are larger and more susceptible to police action. Although we have not contacted police, fire, or emergency services regarding this project, we conclude that the respective agencies are prepared to respond to the larger uses adjacent to our site, and therefore, have the ability to respond appropriately to incidents on this site.

18.07.07 Impact on Public Utilities – The site is currently serviced by M.H.O.G. for water and sanitary sewer service. An 8-inch water main and hydrants are located along the existing interior service drive. An 8-inch sanitary sewer lead is extended to the site across E. Grand River. The existing sewer service will be extended to the new building and, due to its size, has the capacity to serve the proposed building (an 8-inch pipe at minimum grade has capacity of over 500,000 GPD or 347gpm. A 6-inch pipe at minimum grade has capacity of approximately 400,000 GPD or 277gpm).

Equivalent User Table for proposed building (to be confirmed at building permit application stage).

| User | Unit Factor | Qty | Sub-Total |
|---|-----------------|------|-----------|
| Restaurants (fast food, including drive thru & primary drink service) | 7.5 per premise | 1 Ea | 7.5 |

Based on a REU equivalent of 218 gallons per day, the proposed building would generate 1,635 gallons of sewage per day (7.5 x 218).

The existing water service consists of a 2" potable water lead and 4-inch fire protection main. The existing 4-inch fire protection main will be extended to the new building, providing fire protection through a fully automatic sprinkler system. The proposed fire

department connection (FDC) would be located at the southwest corner of the building, 78 feet from the existing fire hydrant. A Knox-box would be located near the rear kitchen exit door.


The existing 2" potable water service connection is suitable for the proposed building.

- 18.07.08 **Storage and Handling of any hazardous Materials** – The proposed use is retail in nature. No hazardous materials will be generated, used, or disposed of on-site.
- 18.07.09 **Traffic Impact Study** – We have completed a Trip Generation Comparison for the redevelopment for Township review. This comparison is included at the end of this Impact Assessment in a Technical Memorandum dated March 24, 2015.
- 18.07.10 **Historic and Cultural Resources** – The existing structure is not more than 50 years old.
- 18.07.11 **Special Provisions** – The Owner of Lot 4 has a REA agreement with the other tenants / Owners of the overall PUD development allowing shared use of the: internal drives, drive access to E. Grand River & S. Latson Road, and storm water management system. A copy of this REA is included at the end of this Impact Assessment.
- 18.07.12 **List of Sources** – Google for image in 18.07.02
- 18.07.13 **Previous Impact Assessments** – An impact assessment was previously completed for the PUD and a previous version of Lot 4 Redevelopment prepared in December of 2014. This impact assessment focuses on the redevelopment of Lot 4.

TECHNICAL MEMORANDUM

Livingston Commons Lot 4 Revised Trip Generation Comparison - Amendment #2

PREPARED FOR: Kelly VanMarter, AICP/ Genoa Township

PREPARED BY: Aimée L. Giacherio, PE/Wade Trim 

DATE: March 24, 2015

PROJECT TASK: RGP1001.01F Phase 1240 Impact Assessment Revision

FILE LOCATION: P:\Aaa1000\Agiacherio\Draft\Projects\Livingston Commons\TechMemoREV.docx

RG Properties is proposing to redevelop the existing Bennigan's Restaurant in the southwest quadrant of Grand River Avenue and Latson Road in Genoa Township. This area is part of the overall Livingston Commons Shopping Center. The redevelopment would consist of two new buildings in place of the existing Bennigan's Restaurant. The overall scope was to determine the difference in trip generation between the existing restaurant use and the proposed redevelopment project to determine the additional trips that would be generated by the two new uses. This memorandum summarizes the expected difference in trip generation.

Existing Trip Generation

Existing trips generated by the Bennigan's Restaurant were estimated based on the Institute of Transportation Engineer's (ITE) report *Trip Generation, Ninth Edition, 2012*. Trip estimates were developed for the existing 6,622 square foot restaurant based on the High Turnover (Sit-Down) Restaurant use, Land Use Code 932. The weekday afternoon peak hour trip generation estimates are shown in Table 1. This Bennigan's Restaurant was not open during the morning peak hour, thus the existing trip generation during the morning peak hour is zero.

Traffic for a restaurant type use consists of new trips, whose sole purpose is the visit to the site, internal or shared trips, and pass-by trips. New Trips are those that are new to the study area and consist of motorists whose primary destination is the restaurant.

A development that contains multiple uses, such as this one, can be expected to have some internal trip sharing. Since this restaurant is part of the Livingston Commons Shopping Center which includes several banks, restaurants, a Wal-Mart Supercenter, a Lowe's, etc., it is expected that some internal trip sharing occurs between uses. A shared trip is one that visits more than one use on the site and thus lessens the overall impact of a multiple use site on the adjacent street system. An internal trip factor of 20% was applied to the site based on ITE's *Trip Generation Handbook*.

Pass-by trips are typically associated with retail uses, as well as gas stations and restaurants. Pass-by trips are comprised of vehicles already traveling on the adjacent roads, which divert from their original path of travel to visit the development. The ultimate destination of a pass-by trip is directed elsewhere. Pass-by trips were also applied to the existing restaurant use on the site. The pass-by rates were based on ITE’s *Trip Generation Handbook*. Based on information provided, a pass-by rate of 43 percent was applied to the restaurant. As a result, the existing restaurant is estimated to generate a total of 30 trips during the during the afternoon peak hour.

Table 1 Existing Bennigan’s Weekday PM Peak Hour Trip Generation Estimate

| Land Use | In | Out | Total |
|------------------------------------|-----------|------------|--------------|
| Bennigan’s Restaurant | 39 | 26 | 65 |
| <i>Less Internal Capture (20%)</i> | -8 | -5 | -13 |
| Net Trips | 31 | 21 | 52 |
| <i>Less Pass-by Trips (43%)</i> | -13 | -9 | -22 |
| New Trips | 18 | 12 | 30 |

Proposed Trip Generation

Trip estimates were then developed for the proposed redevelopment of the property to two restaurant uses. The redevelopment project is proposed to consist of a 4,386 square foot bread/donut/bagel restaurant with a drive-thru facility and a 3,954 square foot fast-food restaurant with another drive-thru.

Trip estimates were developed for the proposed uses based upon information provided in ITE’s *Trip Generation* and *Trip Generation Handbook*. The trip generation potential for the bread/donut/bagel restaurant was developed based on the Bread/Donut/Bagel Shop with Drive Through, Land Use Code 940. Trip generation estimates were developed for the fast-food restaurant based on Land Use Code 934, Fast-Food Restaurant with Drive-Through. The proposed fast food restaurant is not expected to be open during the morning peak hour.

Traffic for the proposed redevelopment will consist of both new trips, whose sole purpose is the visit to the site, internal or shared trips, and pass-by trips. New trips are those that are new to the study area and consist of motorists whose primary destination is the proposed project.

An area that contains multiple uses, such as this one, can be expected to have some internal trip sharing. A shared trip is one that visits more than one use on the site and thus lessens the overall impact of a multiple use site on the adjacent street system. Since this development is part of the Livingston Commons Shopping Center which includes banks, restaurants, a Wal-Mart Supercenter, a Lowe’s, etc., it is expected that some internal trip sharing will occur between uses. It is expected that the number of trips generated by these uses will be reduced due to their interaction between the other uses in the development. An internal trip factor of 20% was applied to the site based on ITE’s *Trip Generation Handbook*. This is the same factor that was applied to

the existing Bennigan’s restaurant. This factor was only applied to the afternoon peak hour trip estimates, and not the morning peak hour estimates for the bread/donut/bagel restaurant.

Pass-by trips involve motorists who are diverted off of the adjacent street system to visit this development. A portion of the trips generated by the redevelopment were assumed to be pass-by trips. These trips divert from existing travel paths to stop at the site and then resume the original trip path. Thus additional trips are not added to the area road system by these pass-by trips. Surveys conducted by ITE have shown that many trips made to grocery stores, restaurants, and shopping areas are diverted from the existing traffic on the roadway system. This is particularly true during the weekday morning and evening peak hours when traffic is diverted from the home-to-work and work-to-home trips. Pass-by rates were based on information provided in ITE’s *Trip Generation Handbook*. A pass-by rate of 49% was used during both the morning and afternoon peak hours for both uses.

The weekday morning peak hour trip generation estimates are shown in Table 2 and the weekday afternoon peak hour trip generation estimates are provided in Table 3.

Table 2 Proposed Weekday AM Peak Hour Trip Generation Estimate

| Land Use | In | Out | Total |
|---------------------------------|------------|------------|------------|
| Bread/Donut/Bagel Restaurant | 85 | 84 | 169 |
| <i>Less Pass-by Trips (49%)</i> | <i>-42</i> | <i>-41</i> | <i>-83</i> |
| New Trips | 43 | 43 | 86 |

Table 3 Proposed Weekday PM Peak Hour Trip Generation Estimates

| Land Use | LUC | Size (SF) | Total Trips | | Internal Trips | | Net Trips | | Pass-by Trips | | New Trips | |
|---|-----|-----------|-------------|------------|----------------|-----------|-----------|-----------|---------------|-----------|-----------|-----------|
| | | | In | Out | In | Out | In | Out | In | Out | In | Out |
| Bread/Donut/Bagel Restaurant w/Drive-Thru | 940 | 4,386 | 41 | 42 | 8 | 9 | 33 | 33 | 16 | 16 | 17 | 17 |
| Fast-Food Restaurant w/ Drive-Thru | 934 | 3,954 | 67 | 62 | 13 | 13 | 54 | 49 | 26 | 24 | 28 | 25 |
| Total | | | 108 | 104 | 21 | 22 | 87 | 82 | 42 | 40 | 45 | 42 |

No access changes to the overall shopping center are proposed with the redevelopment of the restaurant lots. The existing accesses for the Livingston Commons Shopping Center are to be used to access these new land uses. There are currently two accesses to Grand River Avenue, one of which is signalized, and three accesses to Latson Road, two full movement accesses and one right in/right out only access.

Table 4 shows the difference in overall trips estimated between the existing restaurant and the proposed redevelopment project based on proposed land uses.

Table 4 Trip Generation Difference

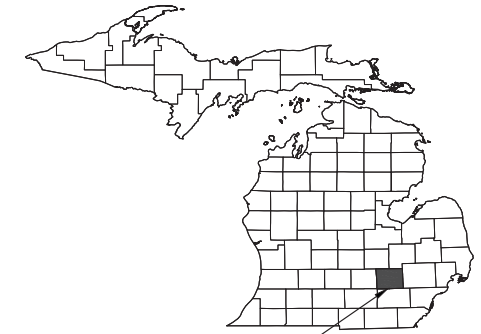
| Scenario | AM PEAK HOUR | | | | | | PM PEAK HOUR | | | | | |
|------------------------|--------------|------------|---------------|------------|------------|------------|--------------|------------|---------------|------------|------------|------------|
| | Net Trips | | Pass-by Trips | | New Trips | | Net Trips | | Pass-by Trips | | New Trips | |
| | In | Out | In | Out | In | Out | In | Out | In | Out | In | Out |
| Existing Restaurant | 0 | 0 | 0 | 0 | 0 | 0 | 31 | 21 | 13 | 9 | 18 | 12 |
| Proposed Redevelopment | 85 | 84 | 42 | 41 | 43 | 43 | 87 | 82 | 42 | 40 | 45 | 42 |
| Difference | +85 | +84 | +42 | +41 | +43 | +43 | +56 | +61 | +29 | +31 | +27 | +30 |

As expected, the proposed development will generate more trips than the existing restaurant use during both the morning and afternoon peak hours. However, the net trip difference is less than 100 directional trips under both peak hours and the actual new trip difference is less than 50 directional trips under both peak hours.

The largest difference in trips between the two occurs during the morning peak hour. This is due to the existing Bennigan’s restaurant not being open for breakfast. However, the existing restaurant use approved for this site likely doesn’t restrict a restaurant from being open during the morning peak hour. In fact, if it was open, this same size restaurant would generate 72 net trips and 31 new trips, after pass-by traffic is accounted for, with 17 inbound and 14 outbound trips, thus lessening the morning peak hour trip difference. In addition, morning peak hour traffic volumes for this shopping center are lighter than during the weekday afternoon peak hour. Both the Lowe’s and Wal-Mart Supercenter generate fewer trips during the morning peak hour than during the afternoon peak hour. In addition, the fast-food restaurants and banks that are part of this shopping center are not open during the morning peak hour. Therefore, it is expected that the additional trips generated by the bread/donut/bagel restaurant during the morning peak hour can be accommodated by the existing driveways for the shopping center as there are less overall trips from the shopping center during this same time period.

Please feel free to contact us at any time if you have questions regarding the information provided in this memorandum or if you need any additional information.

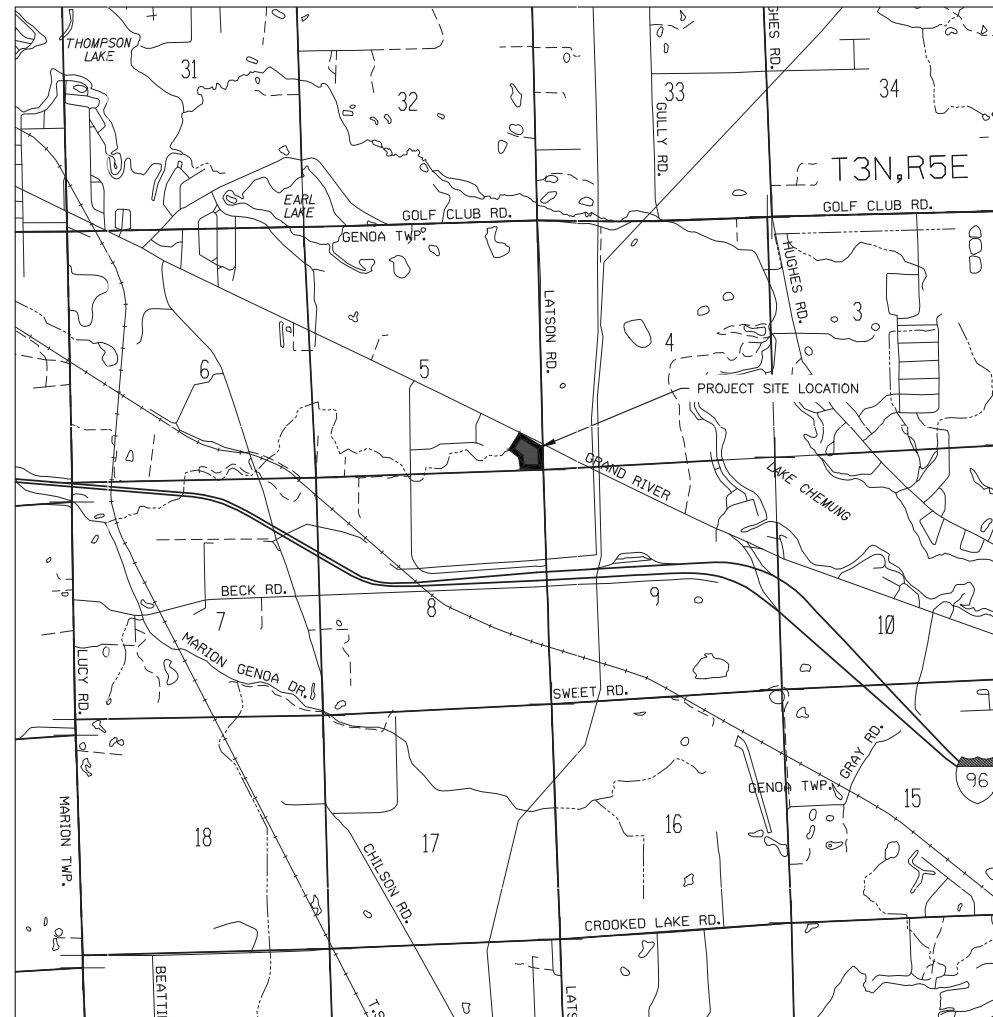
SITE PLANS FOR PANERA BREAD GENOA TOWNSHIP LIVINGSTON COUNTY, MICHIGAN



PROJECT LOCATION:
LIVINGSTON COUNTY, MI

KEY MAP
NOT TO SCALE

| UTILITY CONTACTS | |
|--------------------------------|--|
| GAS | CONSUMER'S ENERGY 101 S. WASHINGTON SQUARE HOWELL, MI 48843 (517) 545-8722 |
| TELEPHONE | AT&T (800) 464-7929 |
| ELECTRIC | DETROIT EDISON 101 S. WASHINGTON SQUARE LANSING, MI 48933 (517) 485-1939 |
| TRANSPORTATION | MDOT MARK SWEENEY 10321 E. GRAND RIVER, SUITE 500 BRIGHTON, MI 48116 (810) 227-4681 |
| TRANSPORTATION (LATSON RD.) | LIVINGSTON COUNTY ROAD COMMISSION 3535 GRAND OAKS DRIVE HOWELL, MI 48843 (517) 546-4250 |
| WATER SERVICE | M.H.O.G WATER AUTHORITY GREG TATARA 2911 DORR ROAD BRIGHTON, MI 48116 (810) 227-5225 |
| SANITARY SEWER | M.H.O.G WATER AUTHORITY GREG TATARA 2911 DORR ROAD BRIGHTON, MI 48116 (810) 227-5225 |
| STORM SEWER | LIVINGSTON COUNTY DRAIN COMMISSIONER 2300 E GRAND RIVER AVE, SUITE 105 HOWELL, MI 48843 (517) 546-0040 |
| SOIL EROSION | LIVINGSTON COUNTY DRAIN COMMISSIONER 2300 E GRAND RIVER AVE, SUITE 105 HOWELL, MI 48843 (517) 546-0040 |
| PLANNING & ZONING | GENOA TOWNSHIP 2911 DORR ROAD BRIGHTON, MI 48116 (810) 227-5225 |



| SHEET INDEX | |
|---------------------------------------|------------------|
| GENERAL SHEETS | SHEET NO. |
| COVER SHEET | C-0.0 |
| EXISTING CONDITIONS SURVEY | C-0.1 |
| DEMOLITION PLAN | C-1.0 |
| SITE PLAN | C-2.0 |
| SITE DETAILS | C-2.1 |
| SITE DETAILS | C-2.2 |
| SITE DETAILS | C-2.3 |
| UTILITY PLAN | C-3.0 |
| WATER DETAILS | C-3.1 |
| SANITARY DETAILS | C-3.2 |
| STORM & MISCELLANEOUS UTILITY DETAILS | C-3.3 |
| GRADING PLAN | C-4.0 |
| DRAINAGE MAP | C-4.1 |
| LANDSCAPE PLAN | C-5.0 |
| LANDSCAPE DETAILS | C-5.1 |
| SITE LIGHTING PLAN | C-6.0 |
| SITE LIGHTING DETAILS | C-6.1 |
| PLANS PREPARED BY OTHERS | SHEET NO. |
| EXTERIOR ELEVATIONS | A-5.1 |
| EXTERIOR ELEVATIONS | A-5.2 |
| FLOOR PLAN EQUIPMENT | EQ-2.1 |

LEGAL DESCRIPTION: (ALSO SEE SHEET C-0.1)

LOT 4
4711-05-400-047

PARCEL OR LAND SITUATED IN THE TOWNSHIP OF GENOA, COUNTY OF LIVINGSTON, STATE OF MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 5 EAST; THENCE SOUTH 87 DEGREES 37 MINUTES 12 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION, 60.02 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LATSON ROAD; THENCE NORTH 00 DEGREES 54 MINUTES 40 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 214.95 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 27 MINUTES 00 SECONDS WEST, 215.08 FEET; THENCE NORTH 01 DEGREES 33 MINUTES 24 SECONDS WEST, 71.01 FEET TO A TANGENTIAL CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG SAID CURVE, R= 102.00, DELTA = 62 DEGREES 27 MINUTES 31 SECONDS, A DISTANCE OF 111.19 FEET; THENCE NORTH 64 DEGREES 00 MINUTES 14 SECONDS WEST, 59.21 FEET; THENCE NORTH 25 DEGREES 59 MINUTES 46 SECONDS EAST, 236.98 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF GRAND RIVER ROAD; THENCE SOUTH 63 DEGREES 57 MINUTES 17 SECONDS EAST, ALONG SAID RIGHT OF WAY, 233.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LATSON ROAD; THENCE SOUTH 20 DEGREES 31 MINUTES 52 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, 21.17 FEET; THENCE SOUTH 00 DEGREES 54 MINUTES 40 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, 270.73 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.03 ACRES, MORE OR LESS.

THE ABOVE LEGAL DESCRIPTION DOES NOT CONSIDER LAND DEEDED TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) IN 2012, DEED DOCUMENT #2012R-030745

MDOT STANDARD PLANS

WHERE INDICATED ON THE PLANS, ITEMS ARE TO BE CONSTRUCTED ACCORDING TO THE STANDARDS REFERENCED, UNLESS OTHER NOTED. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CURRENT COPY OF THE MDOT STANDARD PLANS.

GENOA TOWNSHIP STANDARD PLANS

WHERE INDICATED ON THE PLANS, ITEMS ARE TO BE CONSTRUCTED ACCORDING TO THE STANDARDS REFERENCED, UNLESS OTHER NOTED. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CURRENT COPY OF THE GENOA TOWNSHIP STANDARD PLANS.

LIVINGSTON COUNTY STANDARD PLANS

WHERE INDICATED ON THE PLANS, ITEMS ARE TO BE CONSTRUCTED ACCORDING TO THE STANDARDS REFERENCED, UNLESS OTHER NOTED. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CURRENT COPY OF THE LIVINGSTON COUNTY STANDARD PLANS.

VICINITY MAP

1"=2000'
HOWELL, T3N, R5E, SECTION 5

PROJECT SITE ADDRESS

3950 E GRAND RIVER AVE.
HOWELL, MICHIGAN 48843

GENOA TOWNSHIP ZONING DISTRICT

NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT

SITE DEVELOPER

JIM BLAIR
RG PROPERTIES, INC.
10050 INNOVATION DR, SUITE 100
DAYTON, OH 45342
(937) 424-3904
jblair@rgproperties.com

ARCHITECT

MATTHEW HINCHCLIFFE
ARCVISION, INC.
1950 CRAIG ROAD, STE. 300
ST. LOUIS, MI 63146
(314) 415-2368
mhinchcliffe@arcv.com

SITE ENGINEER-SURVEYOR

WADE TRIM
CHARLES J. CHRISTY, PE
555 S. SAGINAW STREET, SUITE 201
FLINT, MI 48502
(810) 235-2555
cchristy@wadetrim.com

CONTRACTOR

NOT KNOWN AT THIS TIME

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED AND DATED: TWP BOARD: APRIL 28, 2015

JOB NO. RGP1001.01F SHEET C-0.0



555 South Saginaw Street, Suite 201
Flint, MI 48502
810.235.2555/800.841.0342
FAX: 810.235.4975
www.wadetrim.com

Building relationships on a foundation of excellence

PREPARED UNDER THE SUPERVISION OF:



PROJECT MANAGER: C:\P\WORK\CHRISTY\00564861\GCS-PLTS-COVERSHEET.DWG - C-0.0 - PLOTTED 4/28/2015 12:37 PM BY CHRISTY, CHARLES



Know what's below.
Call before you dig.

© Wade Trim Group, Inc. LIVINGSTON COMMONS, PANERA BREAD, GENOA TOWNSHIP, HOWELL, MICHIGAN

| PARKING REQUIREMENTS | | |
|--|--|--|
| TYPE | CALCULATION | NO. OF SPACES |
| REQUIRED | | |
| DRIVE THROUGH RESTAURANT 1 SPACE PER 70 SQ. FT + 3 WAITING SPACES + 10 STACKING SPACES + 2 LONG SPACES | 4,383 SFT GFA / 70 SFT = 62.6 = 63 SPACES + 3 WAITING SPACES + 10 STACKING SPACES + 2 LONG SPACES | 63 SPACES 2 LONG SPACES 10 STACKING 3 WAITING |
| PROVIDED | | |
| ON-SITE SPACES AVAILABLE | INCLUDES ADA SPACES | 69 |
| LONG SPACES | PROVIDED ON PARKING LOT TO EAST, WEST, OR ON WAL-MART PARCEL ** | 2 |
| STACKING SPACES | | 10 |
| WAITING SPACES | | 3 |
| A.D.A. SPACES | | |
| REQUIRED | | |
| 51 TO 75 TOTAL PARKING IN LOT (PER A.D.A. ACCESSIBILITY GUIDELINES) | | 3 |
| PROVIDED | | |
| ON SITE | 3 PLUS ONE VAN | 4 |

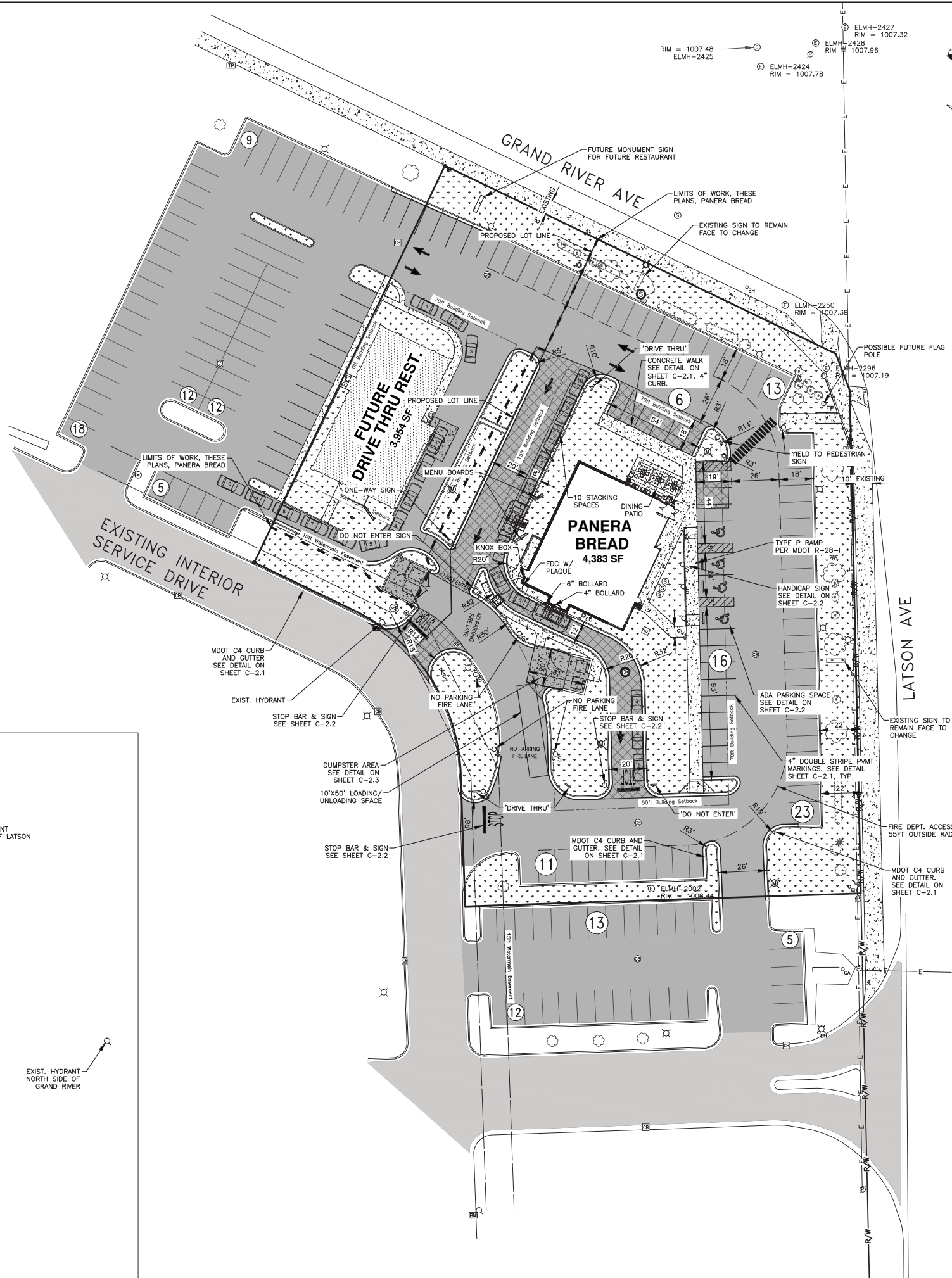
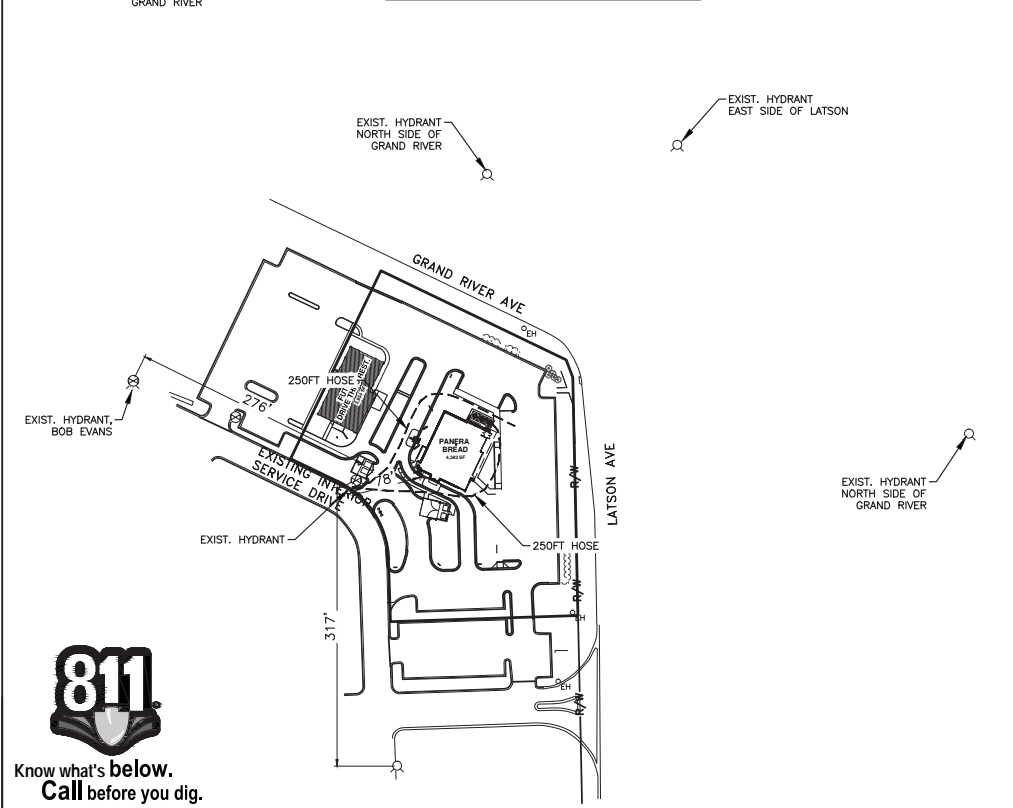
** PER REA AGREEMENT WITH WAL-MART AND HOME DEPOT, OWNER MAY SHARE PARKING BETWEEN USES/LOTS, REFER TO R.E.A.

| SITE DATA TABLE | |
|---|--|
| NOTE: INFORMATION BELOW IS PROVIDED FOR THE PROPOSED PROPERTY BOUNDARY AS INDICATED ON THIS PLAN SHEET. | |
| EXISTING ZONING | NRPUD (NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT) |
| EXISTING USE | SIT-DOWN RESTAURANT |
| PROPOSED USE | DRIVE THROUGH RESTAURANT |
| BUILDING AREA | 4,383 SFT. GFA/GLA/USABLE |
| PROPOSED LOT AREA | 66,135 SFT (1.52± Ac.) |
| BUILDING COVERAGE | 6.60± % |
| PROPOSED IMPERVIOUS COVERAGE | 46,142 SFT, 70.2% |

FIRE FLOW REQUIREMENTS

SPRINKLER DEMAND PER PANERA BREAD FOR SIMILAR BUILDING AND CONSTRUCTION TYPE = 220± GPM
 BUILDING TYPE V-B, 4,383 SFT, FULLY AUTOMATIC SPRINKLER SYSTEM, CLASS I RISER.
 APPROXIMATE AVAILABLE WATER FLOW IN GENERAL VICINITY PER DISCUSSIONS WITH M.H.O.G. = 2,000-3,000 GPM.
 PER TABLE B105.1, 2012 IFC, REQUIRED FIRE FLOW IS 1,750 GPM FOR 2 HOURS, WHICH CAN BE REDUCED 75% FOR AN APPROVED, FULLY AUTOMATIC SPRINKLER SYSTEM, BUT NOT LESS THAN 1,500 GPM. THEREFORE, REQUIRED FIRE FLOW IS 1,500 GPM.
 PER TABLE C105.1, 2012 IFC, MINIMUM NUMBER OF HYDRANTS FOR A REQUIRED FIRE FLOW OF 1,500 GPM IS ONE (1) HYDRANT. ONE HYDRANT IS AVAILABLE TO THE SITE, LESS THAN 100 FEET FROM THE FDC. ADDITIONAL HYDRANTS ARE LOCATED NORTH AND WEST OF THE SITE, LESS THAN 500 FEET AWAY (4 HYDRANTS WITHIN 500 FEET OF BUILDING).
 250 FT LONG HOSE CAN REACH AROUND BOTH SIDES OF BUILDING FROM EXISTING HYDRANT.

FIRE DEPARTMENT ANALYSIS



LEGEND

- PARKING COUNT
- TRAFFIC FLOW ARROW (PAINTED ONLY WHERE INDICATED)
- SIGN AND SIGN POST
- ACCESSIBLE SYMBOL, REFER TO SHEET C-3.2
- CANOPY LIMITS
- CURB AND GUTTER
- BUILDING SETBACK
- 1.5" MILL & FILL ASPHALT SURFACE. SEE DETAIL ON SHEET C-2.1
- FULL DEPTH STANDARD DUTY ASPHALT. SEE DETAIL ON SHEET C-2.1
- 4-INCH CONCRETE SEE DETAIL ON SHEET C-2.1
- 7" HEAVY DUTY CONCRETE. SEE DETAIL ON SHEET C-2.1
- LANDSCAPED AREA
- EXISTING ASPHALT SURFACE

SITE PLAN NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL TOWNSHIP/CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR IS RESPONSIBLE FOR OBTAINING CURRENT MDT STANDARD PLANS AS IDENTIFIED ON THE PLANS.
3. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL DRAWINGS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS AND SIGN POSTS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES' REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COSTS SHALL BE INCLUDED IN THE BASE BID.
5. SITE TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY WADE TRIM.
6. SITE LIGHTING SHALL BE DEFLECTED AS NOT TO BE DIRECTED ON ADJACENT PROPERTY. REFER TO ELECTRICAL DRAWINGS FOR SITE LIGHTING.
7. ALL CURB AND GUTTER SHALL BE MDT C4 UNLESS OTHERWISE NOTED.
8. ALL RADII SPECIFIED AT CURB AND GUTTER LOCATIONS ARE ALONG THE FACE OF THE CURB AND GUTTER.
9. THE SITE CONTRACTOR SHALL COORDINATE THEIR WORK WITH THE BUILDING CONTRACTOR AND THE SITE CONTRACTOR RESPONSIBLE FOR ALL OTHER WORK ON THIS PROPERTY.
10. ALL PARKING LOT STRIPING SHALL BE IN ACCORDANCE WITH THE CURRENT VERSION OF THE "MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES". ALL STRIPING, WITH THE EXCEPTION OF BARRIER FREE, SHALL BE WATERBORNE AND SHALL BE 4" WHITE UNLESS OTHERWISE NOTED. DIAGONAL STRIPING SHALL BE 4" WHITE AT 2 FT ON CENTER AT A 45° ANGLE UNLESS OTHERWISE NOTED. CONTRACTOR SHALL APPLY 2 COATS OF PAINT, 14 DAYS BETWEEN APPLICATIONS.
11. ALL BARRIER FREE WALKS, RAMPS, PARKING, SIGNAGE & STRIPING SHALL BE IN ACCORDANCE WITH MICHIGAN BARRIER FREE STANDARDS. DETECTABLE WARNING SURFACE SHALL BE INSTALLED AS REQ'D BY MICHIGAN BARRIER FREE STANDARDS AT ALL RAMPS AND OTHER LOCATIONS AS PROVIDED IN MICHIGAN BARRIER FREE STANDARDS. STRIPING SHALL BE WATERBORNE PAVEMENT MARKING PER MDT SPECIFICATIONS, COLOR BLUE UNLESS OTHERWISE SPECIFIED.
12. THE CONTRACTOR IS RESPONSIBLE FOR PROPER TRAFFIC CONTROL DURING CONSTRUCTION OPERATIONS IN ACCORDANCE WITH THE "MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES". THE CONTRACTOR SHALL PROVIDE SIGNAGE AND ALTERNATIVE ROUTES FOR ALL PEDESTRIAN TRAFFIC IMPACTED BY CONSTRUCTION. ALL COSTS SHALL BE INCLUDED IN THE BASE BID.
13. PLACEMENT OF SLEEVES FOR ANY ELECTRIC OR IRRIGATION SYSTEM SHALL BE COORDINATED WITH OWNER/ARCHITECT PRIOR TO BEGINNING CONSTRUCTION.
14. ALL SIDEWALK RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH MDT STANDARD PLAN R-28-I.
15. ALL CONCRETE CURB AND GUTTER SHALL BE CONSTRUCTED PER MDT STANDARD PLAN R-30-F.
16. A 1" THICK (MIN.) ISOLATION JOINT SHALL ALSO BE PLACED AT ALL LOCATIONS WHERE NEW CONCRETE MEETS ANY FIXED OBJECT SUCH AS CONCRETE WALKS, WALLS, BUILDINGS, CONCRETE FOUNDATIONS, CURBS, AND ETC.
17. THE CONTRACTOR IS RESPONSIBLE FOR SITE CONSTRUCTION STAKING AND MATERIAL TESTING.
18. CONCRETE CURB ADJACENT TO THE FIRE LANE SHALL BE PAINTED RED.

SOUTHEAST CORNER SECTION 5, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN FOUND IRON IN MON BOX



PROJECT MANAGER: CHARLES J. CHRISTY, PE
 CIVIL WORK: CHRISTY CONSULTANTS, INC.
 FIELD BOOK INFORMATION: C-2.0 - PLOTTED 4/28/2015 4:44 PM BY CHRISTY, CHARLES



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SITE PLAN

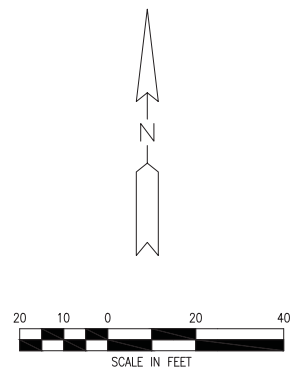
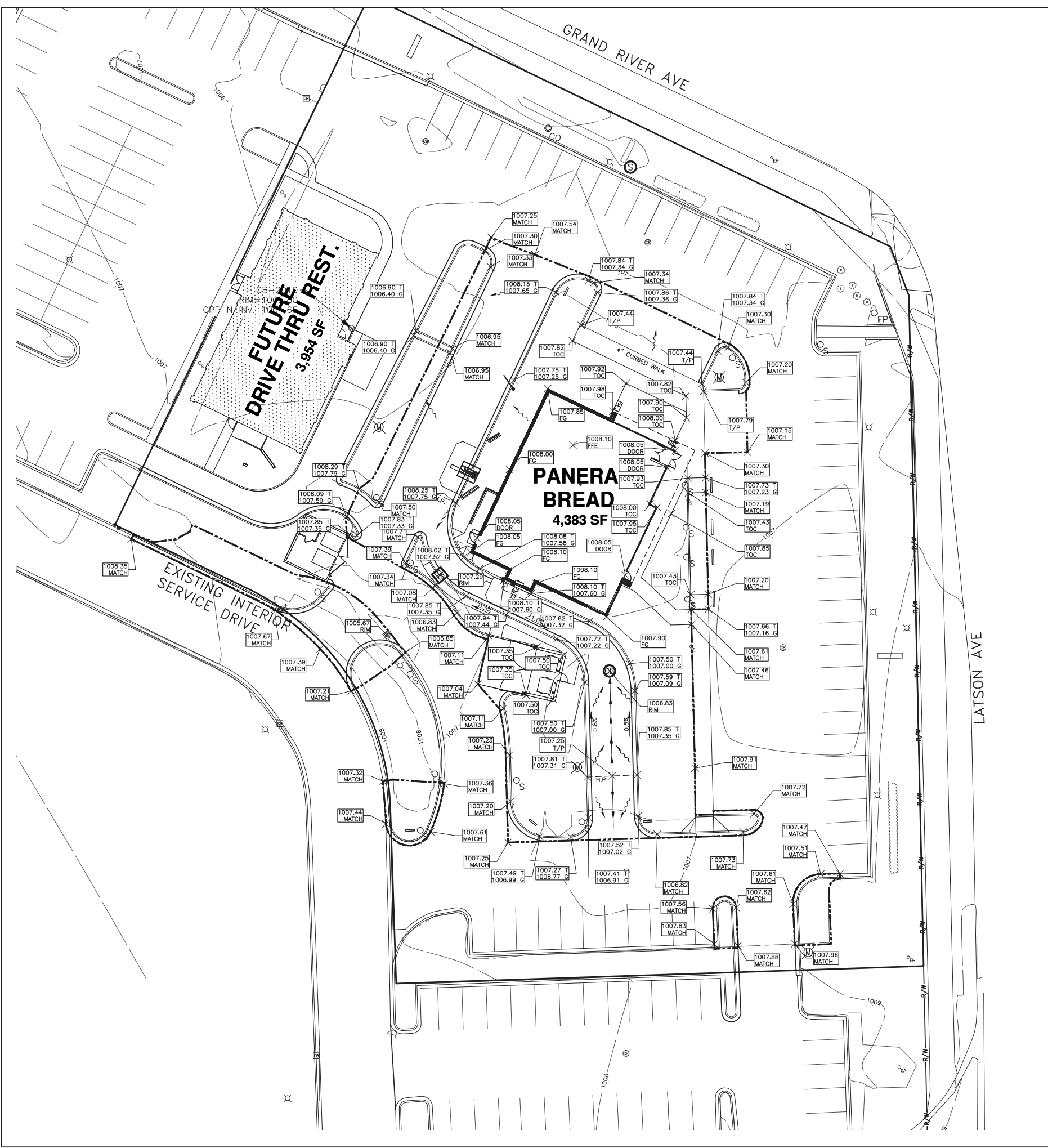
LIVINGSTON COMMONS, PANERA BREAD, GENOA TOWNSHIP, HOWELL, MICHIGAN

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JOB NO. RGP1001.01F
 SHEET C-2.0

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PROJECT MANAGER: CHARLES J. CHRISTY, PE
 CIVIL WORK: CHRISTY00564861\PL1-C3P-GRADING PLANDWG - C-4.0 - PLOTTED 4/28/2015 4:46 PM BY CHRISTY, CHARLES



LEGEND

- CURB ELEVATION
 WHERE: T = TOP OF CURB
 G = GUTTER OR PVMT.
- SPOT ELEV.
 WHERE XXX IS ONE OF THE FOLLOWING:
 TOP OF CONCRETE ELEV. TOC
 FINISH GRADE ELEV. FG
 DOOR ELEV. DOOR
 RIM ELEV. RIM
 MATCH EXISTING ELEV. MATCH
 TOP OF PAVEMENT ELEV. T/P
 FINISH FLOOR ELEV. FFE
- DRAINAGE FLOW
 DRAINAGE SLOPE 1.0%
 HIGH POINT H.P.
 DRAINAGE SWALE
 STORM CATCH BASIN
 STORM CURB INLET
 STORM MANHOLE
 STORM SEWER LINE
 GRADING LIMITS LINE
- NOTE: FOR EXISTING FEATURES SEE TOPOGRAPHIC SURVEY OR EXISTING CONDITIONS PLAN.

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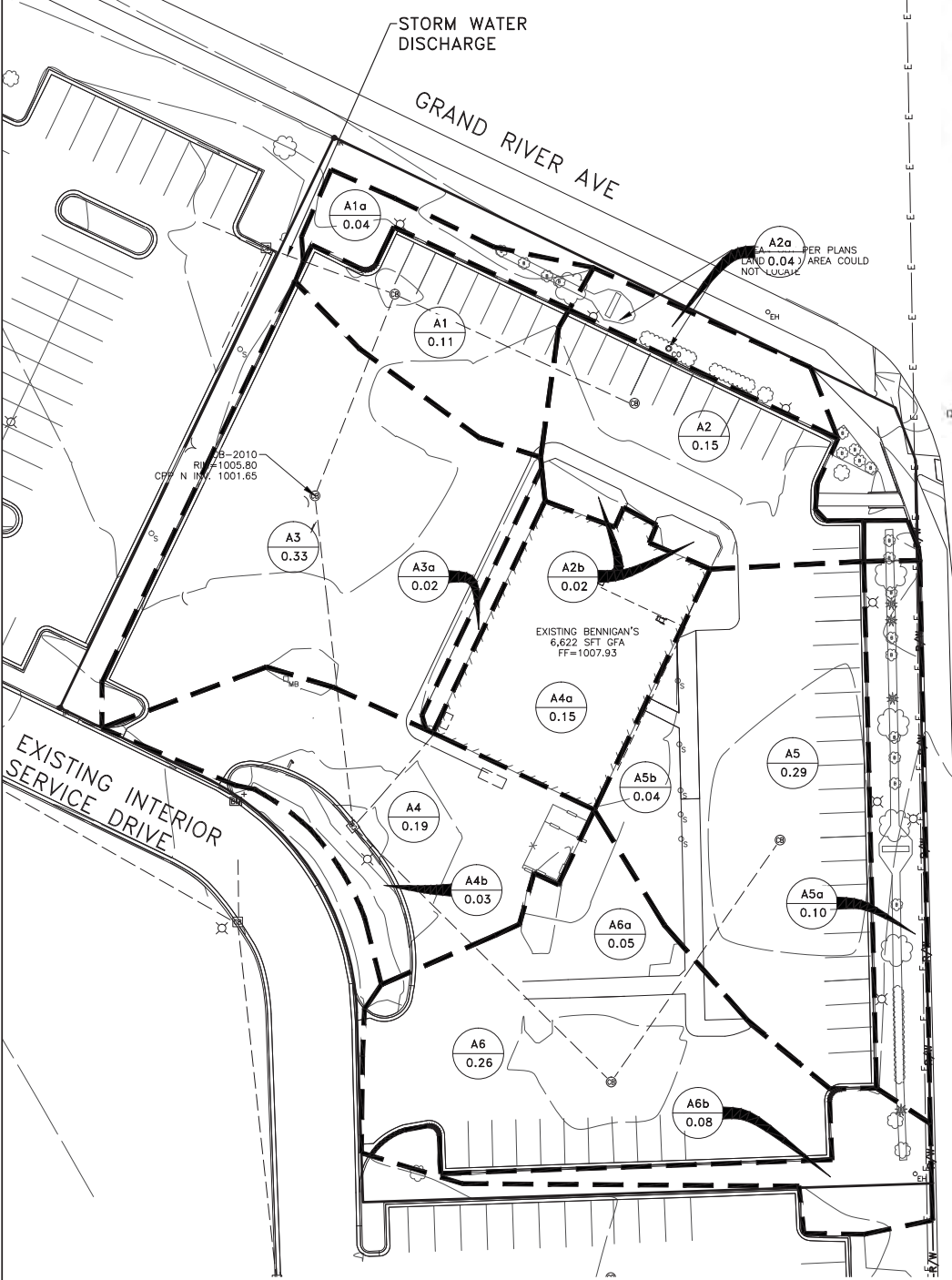
GRADING PLAN

LIVINGSTON COMMONS, PANERA BREAD, GENOA TOWNSHIP, HOWELL, MICHIGAN

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JOB NO. RGP1001.01F
 SHEET C-4.0

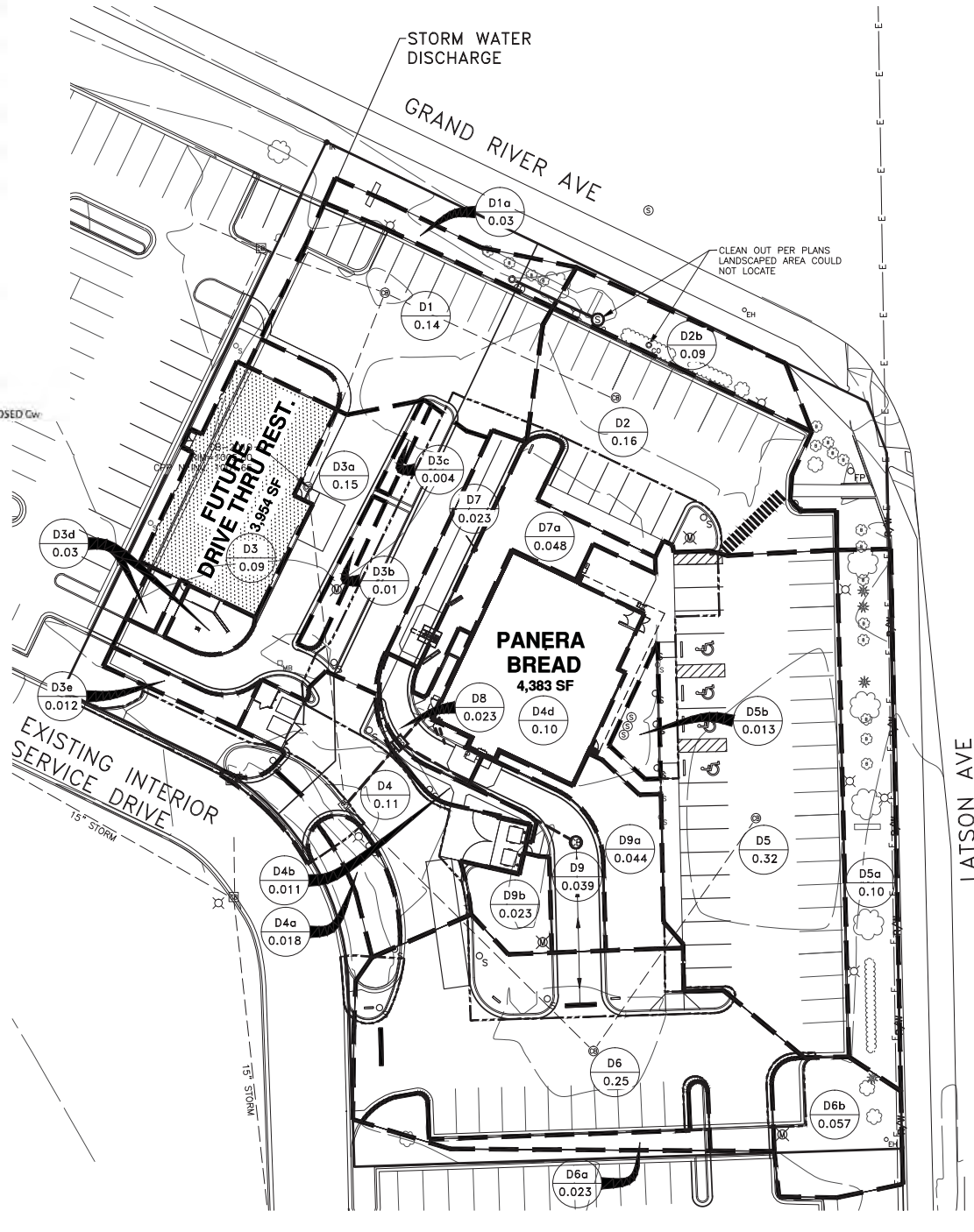
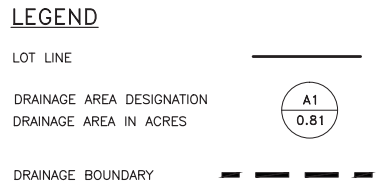
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 CIVIL WORK: CHRISTY0564861\PLT-CSP-GRADING PLANNING - C-4.1 - PLOTTED 4/28/2015 4:46 PM BY CHRISTY, CHARLES



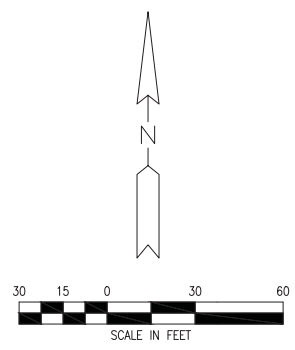
| EXISTING SITE | |
|-------------------|------------------------|
| DRAINAGE AREA | 81,457.2 SFT (1.87 AC) |
| PERVIOUS AREA | 16,989.0 SFT (0.39 AC) |
| IMPERVIOUS AREA | 64,468.2 SFT (1.48 AC) |
| BUILDING COVERAGE | 6,622 SFT (7.5%) |

| EXISTING DRAINAGE Cw COMPUTATION | | | | PROPOSED DRAINAGE Cw COMPUTATION | | | |
|----------------------------------|------------|------|-------------|----------------------------------|------------|------|-------------|
| DRAINAGE AREA | AREA (Ac.) | C | Cw | DRAINAGE AREA | AREA (Ac.) | C | Cw |
| A1 | 0.11 | 0.9 | | D1 | 0.14 | 0.9 | |
| A1a | 0.04 | 0.2 | | D1a | 0.03 | 0.2 | |
| | 0.15 | | 0.71 | | 0.17 | | 0.78 |
| A2 | 0.15 | 0.9 | | D2 | 0.16 | 0.9 | |
| A2a | 0.04 | 0.2 | | D2a | 0.09 | 0.2 | |
| A2b | 0.02 | 0.2 | | | 0.25 | | 0.65 |
| | 0.21 | | 0.70 | D3 | 0.09 | 0.9 | |
| A3 | 0.33 | 0.9 | | D3a | 0.15 | 0.9 | |
| A3a | 0.02 | 0.2 | | D3b-e | 0.056 | 0.2 | |
| | 0.35 | | 0.86 | | 0.296 | | 0.77 |
| A4 | 0.19 | 0.9 | | D4 | 0.11 | 0.9 | |
| A4a | 0.15 | 0.9 | | D4a | 0.018 | 0.2 | |
| A4b | 0.03 | 0.2 | | D4b | 0.011 | 0.2 | |
| | 0.37 | | 0.94 | D4c | 0.023 | 0.9 | |
| A5 | 0.29 | 0.9 | | D4d | 0.1 | 0.9 | |
| A5a | 0.1 | 0.2 | | | 0.262 | | 0.82 |
| A5b | 0.04 | 0.2 | | D5 | 0.32 | 0.9 | |
| | 0.43 | | 0.67 | D5a | 0.1 | 0.2 | |
| A6 | 0.26 | 0.9 | | | 0.42 | | 0.73 |
| A6a | 0.05 | 0.2 | | D6 | 0.25 | 0.9 | |
| A6b | 0.05 | 0.2 | | D6a | 0.023 | 0.2 | |
| | 0.36 | | 0.71 | D6b | 0.057 | 0.2 | |
| | | | | | 0.33 | | 0.73 |
| | | | | D7 | 0.023 | 0.9 | |
| | | | | D7a | 0.048 | 0.2 | |
| | | | | | 0.071 | | 0.43 |
| | | | | D8 | 0.039 | 0.9 | |
| | | | | D8a | 0.044 | 0.9 | |
| | | | | D8b | 0.039 | 0.2 | |
| | | | | | 0.122 | | 0.68 |
| TOTAL DRAINAGE AREA | 1.87 | | | PROPOSED DRAINAGE AREA | 1.921 | | |
| | | 0.75 | EXISTING Cw | | | 0.73 | PROPOSED Cw |

- NOTES:
- SEE SHEET C-1.0 & C-3.0 FOR EXISTING & PROPOSED STORM SEWER PIPE SIZES.
 - STORM WATER DISCHARGE LOCATION WILL NOT CHANGE FROM THE CURRENT LOCATION.
 - A REGIONAL STORM WATER QUALITY & QUANTITY FACILITY HAS BEEN CONSTRUCTED, IN USE & OPERATION FOR THE PARCEL AND PARCELS IN THIS P.U.D.. THE ORIGINAL DESIGN OF THE STORM WATER MANAGEMENT FACILITY WILL NOT CHANGE AS A RESULT OF THE REDEVELOPMENT OF LOT 4.
 - THE REDEVELOPMENT OF LOT 4 WILL CREATE ADDITIONAL PERVIOUS SURFACES, DECREASING THE VOLUME OF RUNOFF AND INCREASING THE TIME OF CONCENTRATION. AS A RESULT NO CALCULATIONS HAVE BEEN PERFORMED.



| PROPOSED SITE | |
|-------------------|-------------------------|
| DRAINAGE AREA | 83,678.8 SFT (1.921 AC) |
| PERVIOUS AREA | 22,477.0 SFT (0.516 AC) |
| IMPERVIOUS AREA | 61,201.8 SFT (1.405 AC) |
| BUILDING COVERAGE | 8,337 SFT (10%) |



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DRAINAGE MAP

LIVINGSTON COMMONS, PANERA BREAD, GENOA TOWNSHIP, HOWELL, MICHIGAN

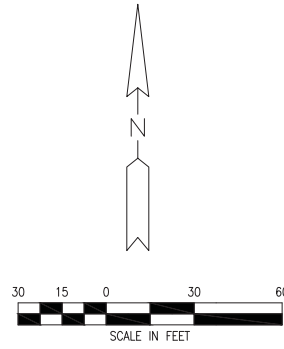
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 4/28/15 C.C.C.

JOB NO. RGP1001.01F

SHEET C-4.1

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LANDSCAPE REQUIREMENTS

FRONTAGE GREENBELT BUFFER:

REQUIREMENTS -
 20 FOOT WIDE, TYPE B PER P.U.D. ARTICLE VI, SECTION 6.2
 TYPE B BUFFER, PER 30 FOOT OF FRONTAGE:
 1 - CANOPY TREE
 1 - EVERGREEN TREE
 4 - SHRUBS

PROVIDED -
 410 FEET OF FRONTAGE, 20 FEET WIDE
 5 - CANOPY TREES PLUS 4 ORNAMENTAL
 0 - EVERGREEN
 55 - SHRUBS (INCLUDES 13 EXISTING SHRUBS AND HEDGEROW)

PARKING AREA LANDSCAPING

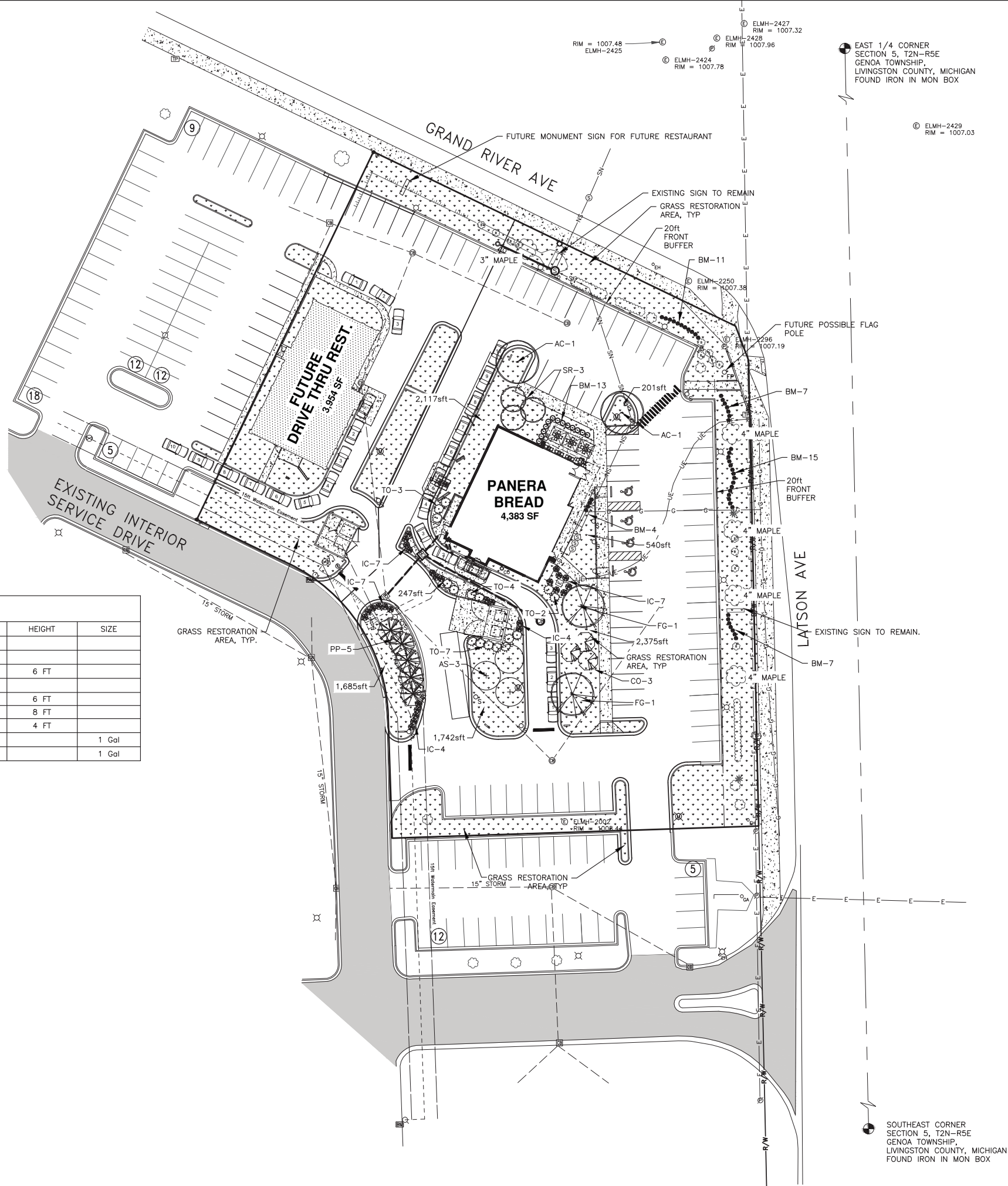
REQUIREMENTS -
 10-100 PARKING SPACES
 1 - CANOPY TREE & 100sft OF LANDSCAPED AREA PER 10 SPACES
 (Provided parking is 69 spaces, 69/10 = 7 Canopy Trees & 690sft of landscape area)
 1/3rd OF THE TREES PLANTED ON THE INTERIOR OF THE PARKING AREA

PARKING IN FRONT YARD
 HEDGEROW ALONG PARKING

PROVIDED -
 - CANOPY TREES INTERIOR, 7 EACH
 - 8,907sft LANDSCAPE AREA INTERIOR, AROUND BUILDING
 - DUMPSTER ENCLOSURE SCREENING
 - PROPOSED EVERGREEN PLANTINGS AND SHRUBS REQUIRED AS PART OF THE FRONTAGE GREENBELT REQUIREMENTS, ALONG WITH EXISTING SHRUBS, PROVIDES EQUIVALENT HEDGEROW SCREENING REQUIRED FOR FRONT PARKING.

PLANT LIST

| QTY | SYMBOL | BOTANICAL NAME | COMMON NAME | CALIPER | HEIGHT | SIZE |
|-----|--------|--|-------------------------|---------|--------|-------|
| 3 | AS | <i>Acer saccharum</i> | SUGAR MAPLE | 2-1/2" | | |
| 2 | AC | <i>Acer saccharinum</i> | SILVER MAPLE | 2-1/2" | | |
| 5 | PP | <i>Picea pungens glauca</i> | COLORADO BLUE SPRUCE | | 6 FT | |
| 2 | FG | <i>Fagus grandifolia</i> | AMERICAN BEECH | 2-1/2" | | |
| 3 | SR | <i>Syringa reticulata</i> | JAPANESE TREE LILAC | | 6 FT | |
| 3 | CO | <i>Celtis occidentalis</i> | HACKBERRY | | 8 FT | |
| 16 | TO | <i>Thuja occidentalis 'Smaragd'</i> | EMERALD GREEN ARBOVITAE | | 4 FT | |
| 57 | BM | <i>Buxus microphylla var. 'Eseles'</i> | BOXWOOD - WEDDING RING | | | 1 Gal |
| 29 | IC | <i>Ilex x 'Castle Wall'</i> | HOLLY - CASTLE WALL | | | 1 Gal |



EAST 1/4 CORNER SECTION 5, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN FOUND IRON IN MON BOX

SOUTHEAST CORNER SECTION 5, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN FOUND IRON IN MON BOX

PROJECT MANAGER: CHARLES J. CHRISTY, PE
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LANDSCAPE PLAN

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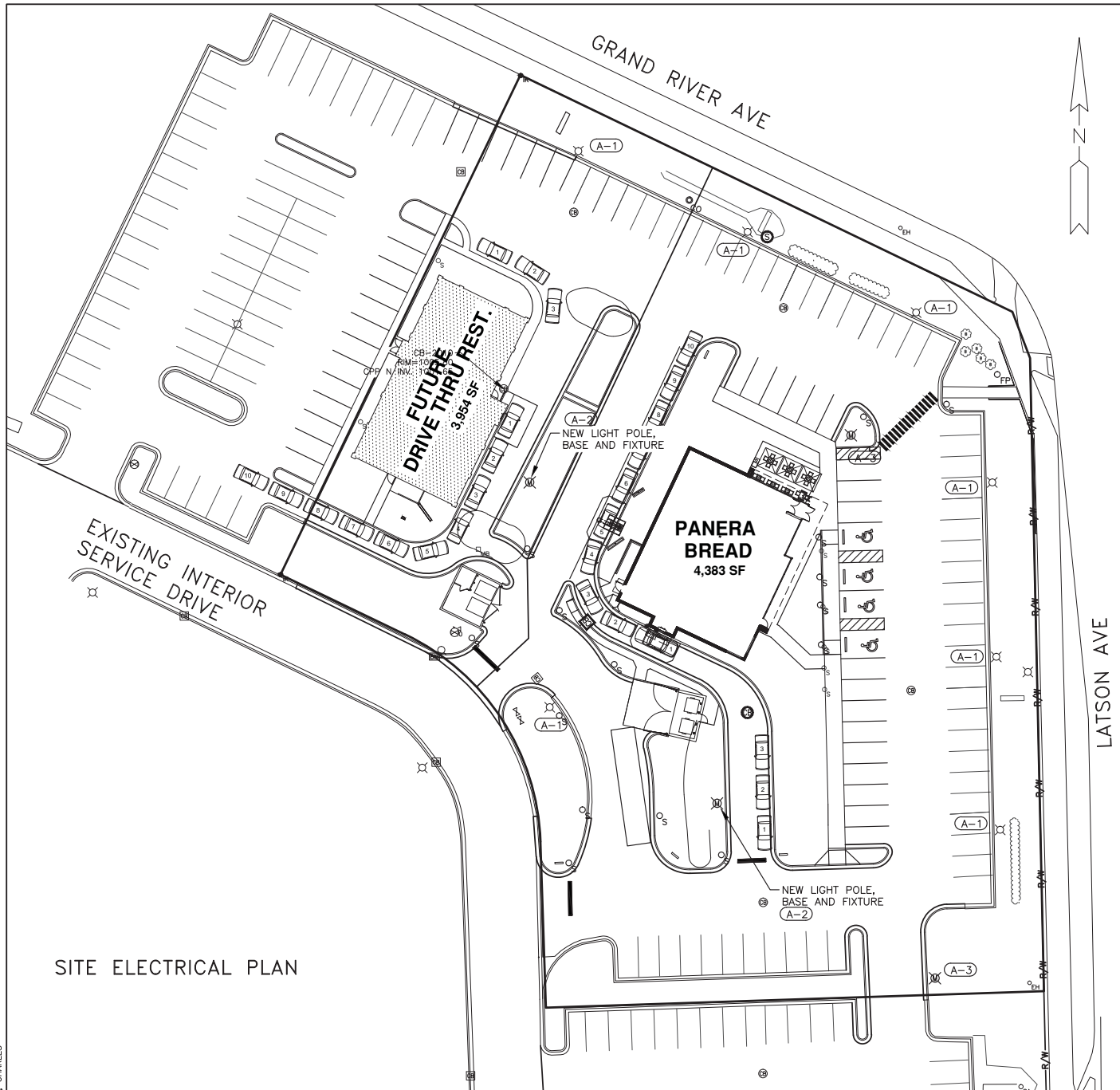
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SHEET C-5.0

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PROJECT MANAGER: CHARLES J. CHRISTY, PE
 FIELD BOOK INFORMATION: C:\PW\WORK\CHRISTY\0564861\PLT-ELP-SITE LIGHTING.DWG - C-6.0 - PLOTTED 4/28/2015 4:52 PM BY CHRISTY, CHARLES

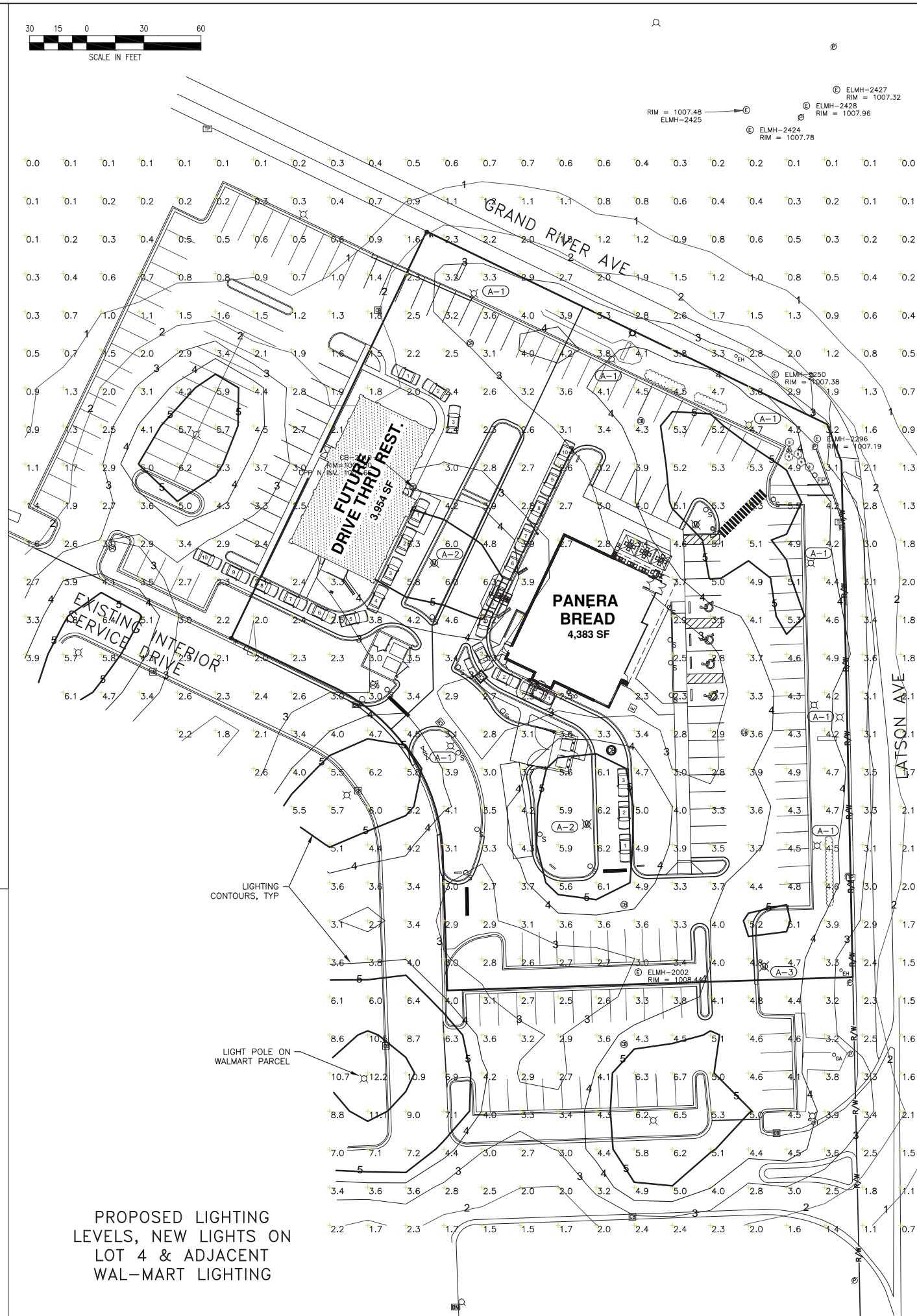
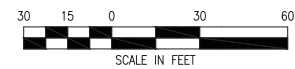


SITE ELECTRICAL PLAN

| Luminaire Schedule | | | | | | |
|--------------------|-----|-------|-------------|-----------------|----------------------------|---|
| Symbol | Qty | Label | Arrangement | MANUFACTURER | Description | Comment |
| | 7 | A-1 | SINGLE | GARDCO LIGHTING | EH-19-1-VS-450PSMH-208-BLP | Replace existing fixture, use existing 25' pole |
| | 2 | A-2 | DOUBLE | GARDCO LIGHTING | EH-19-1-VS-450PSMH-208-BLP | 25ft Pole, Square, painted black |
| | 2 | A-3 | SINGLE | GARDCO LIGHTING | EH-19-1-VS-450PSMH-208-BLP | 25ft Pole, Square, painted black |

SITE LIGHTING NOTES:

- ALL LIGHTING SHALL BE METAL HALIDE.
- CONTRACTOR SHALL PROTECT AND REUSE CIRCUITS TO THE EXTENT PRACTICAL, SEE ELECTRICAL ENGINEERS DRAWINGS.
- BUILDING MOUNTED FIXTURES ARE SUBJECT TO CHANGE LOCATION, TYPE, AND MANUFACTURER. THE SUBSTITUTION SHALL NOT INCREASE THE LIGHTING LEVELS AND INTENSITIES INDICATED ON THIS PLAN.



PROPOSED LIGHTING LEVELS, NEW LIGHTS ON LOT 4 & ADJACENT WAL-MART LIGHTING

| REV# | DATE | DESCRIPTION | BY |
|------|------|-------------|----|
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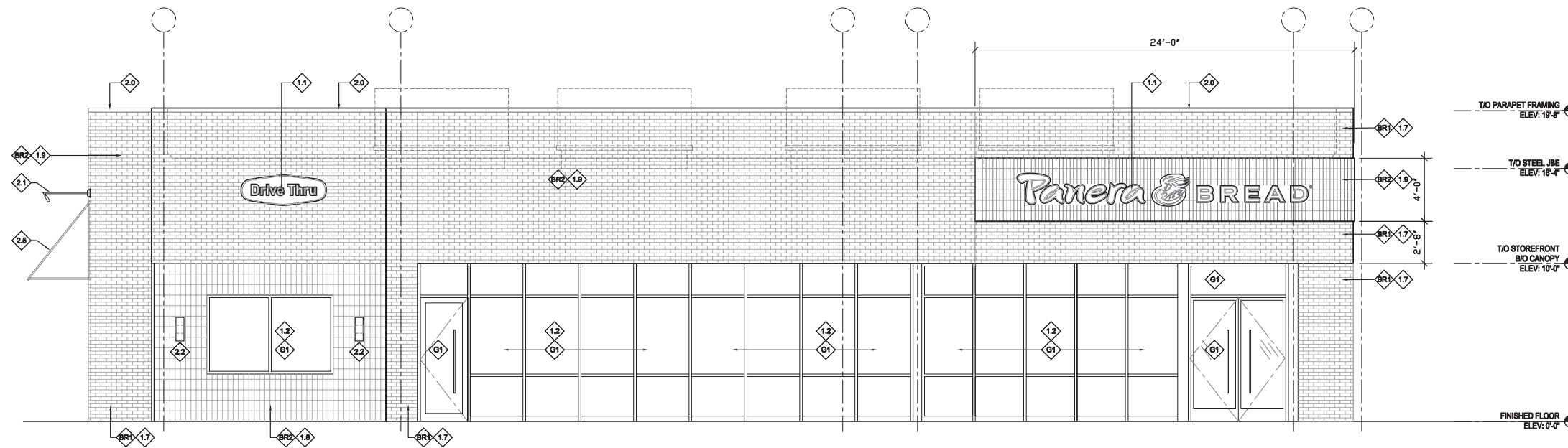
SITE LIGHTING PLAN

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 PC 4/20/15 CJC
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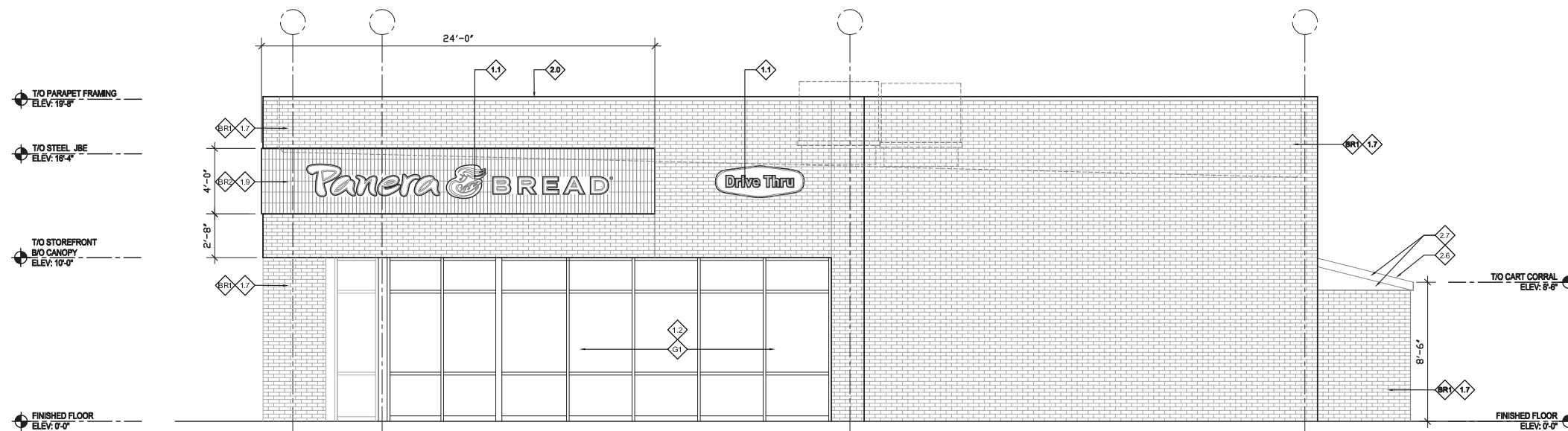
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NOTE:
ALL SIGNAGE AND FABRIC AWNINGS ARE UNDER SEPARATE PERMIT.



22 EAST ELEVATION
SCALE: 1/4" = 1'-0"

NOTE:
ALL SIGNAGE AND FABRIC AWNINGS ARE UNDER SEPARATE PERMIT.



24 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

GENERAL NOTES:

- A. G.C. TO PROVIDE WOOD BLOCKING FOR ALL BUILDING MOUNTED SIGNAGE.
- B. ALL SIGNAGE UNDER SEPARATE PERMIT.

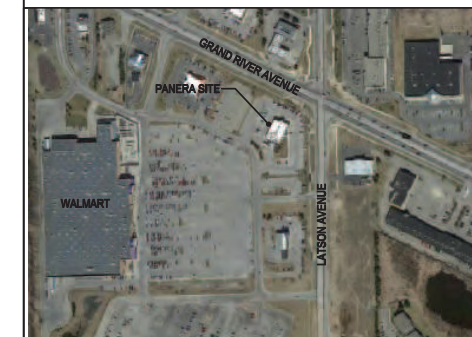
KEYED NOTES: INDICATED BY SYMBOL

- 1.1 INTERNALLY ILLUMINATED SIGN PROVIDED AND INSTALLED BY SIGN VENDOR UNDER SEPARATE PERMIT; GC TO PROVIDE BLOCKING IN WALL FOR SIGN AND PROVIDE ACCESS PANEL ON BACKSIDE OF PARAPET FOR ACCESS AS REQ'D. (UNDER SEPARATE SIGNAGE PERMIT)
- 1.2 ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED GLAZING.
- 1.3 4" DIA. PIPE BOLLARD. SEE DETAIL 5/A-0.45 FOR ADDITIONAL INFORMATION.
- 1.4 6" DIA. PIPE BOLLARD. SEE DETAIL 5/A-0.45 FOR ADDITIONAL INFORMATION.
- 1.5 NEW 42" EXTERIOR SERVICE DOOR AND FRAME. COLOR TO MATCH ADJACENT WALL FINISH. SEE SHEET A-2.0 FOR EXACT PLACEMENT.
- 1.6 COORDINATE CAMERA ROUGH IN LOCATION(S) & HEIGHTS WITH PANERA REPRESENTATIVE PRIOR TO INSTALLATION.
- 1.7 FACE BRICK INSTALLED WITH RUNNING BOND PATTERN AT MAIN WALL
- 1.8 FACE BRICK INSTALLED SOLDIER COURSE, SET BACK FROM MAIN WALL
- 1.9 FACE BRICK INSTALLED WITH SOLDIER COURSE SET OUT 1" FROM MAIN WALL
- 2.0 PREFINISHED METAL COPING: DARK BRONZE
- 2.1 EXTERIOR LIGHTING FIXTURE PROVIDED AND INSTALLED BY GC; GC TO PROVIDE BLOCKING IN WALL AS REQUIRED (TYP.); G.C. TO PROVIDE POWER AS REQ'D.
- 2.2 DECORATIVE LIGHT FIXTURE PROVIDED AND INSTALLED BY G.C. / G.C. TO PROVIDE BLOCKING IN WALL AS REQUIRED (TYP.); G.C. TO PROVIDE POWER AS REQUIRED
- 2.3 QUICKSERV DRIVE THRU WINDOW ASSEMBLY, MODEL #FM42E
- 2.4 LANDSCAPE TRELLIS, MFR: GREENSCREEN, COLOR — BLACK- GEN.—CONTRACTOR ALT.—CONSTRUCTED STEEL SIMILAR TO SHOWN
- 2.5 AWNING PROVIDE AND INSTALLED BY SIGN VENDOR / G.C. SHALL PROVIDE BLOCKING AS REQUIRED. SEE VENDOR SHOP DRAWINGS
- 2.6 STANDING SEAM METAL ROOF, DARK BRONZE
- 2.7 BREAK METAL TO MATCH STANDING SEAM METAL ROOFING, DARK BRONZE
- 2.8
- 3.0 FIRE DEPARTMENT CONNECTION
- 3.0 FIRE DEPARTMENT ACCESS BOX INSTALLED ADJACENT ACCESS DOOR. COORDINATE LOCATION WITH LOCAL FIRE DEPARTMENT

EXTERIOR MATERIALS:

INDICATED BY SYMBOL

- BR1 FACE BRICK— MANUF: ENDICOTT, SIENNA IRONSPOT, MODULAR, RUNNING BOND PATTERN
- BR2 FACE BRICK— MANUF: ENDICOTT, SIENNA IRONSPOT, MODULAR, SOLDIER COURSE PATTERN
- G1 ALUMINUM STOREFRONT — DARK BRONZE W/ 1" INSULATED GLAZING MANUF: API (TYP.)



4 KEYPLAN
SCALE: NTS

BAKERY CAFE:
#1936
SYSTEM: G3 (CUSTOM)
PROTOTYPE UPDATE: 2018-01

DESIGN CONSULTANT:
ARCVISION
INCORPORATED
1950 ORME ROAD, SUITE 300
ANN ARBOR, MI 48106
TEL: 734.963.4144
WWW.ARCVISION.COM

PANERA BREAD
BAKERY CAFE #1936
GRAND RIVER AVE
HOWELL, MI 48843

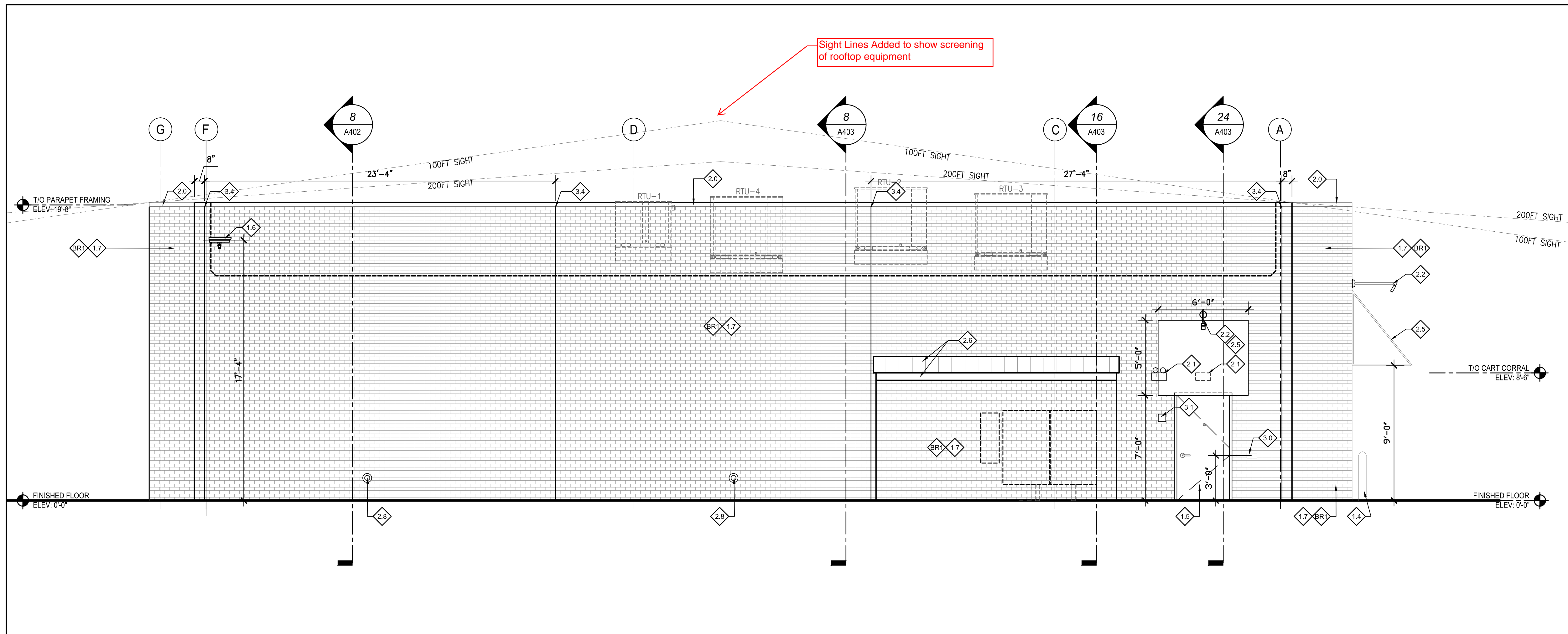


PHASE 1'S
ISSUED: 08/08/2014

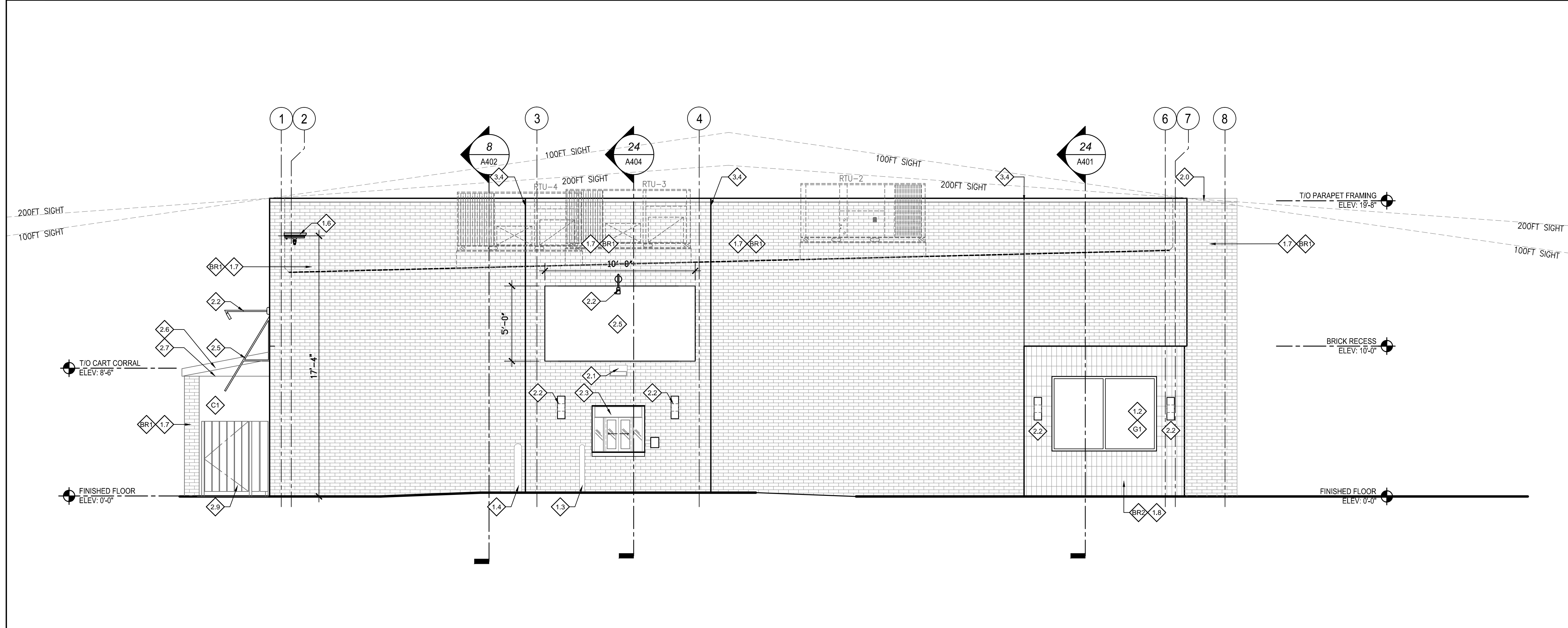
REVISION

ISSUE DATE: 04.04.2015
PROJECT NUMBER: 150319
DRAWN BY: CAJ/JMH
CHK: Dan Cook
DPM: BRIAN BARNARD
CPM: MARK ETHERINGTON

SHEET NO:
A-5.1
EXTERIOR ELEVATIONS



22 WEST ELEVATION
SCALE: 1/4" = 1'-0"



24 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

GENERAL NOTES:

- A. G.C. TO PROVIDE WOOD BLOCKING FOR ALL BUILDING MOUNTED SIGNAGE.
- B. ALL SIGNAGE UNDER SEPARATE PERMIT.
- C. TO COORDINATE LOCATION OF ADDRESS AND KNOX BOX WITH LOCAL FIRE DEPARTMENT.
- D. FDC TO BE REMOTE LOCATION. REFER TO CIVIL DRAWINGS FOR LOCATION.

KEYED NOTES: INDICATED BY SYMBOL

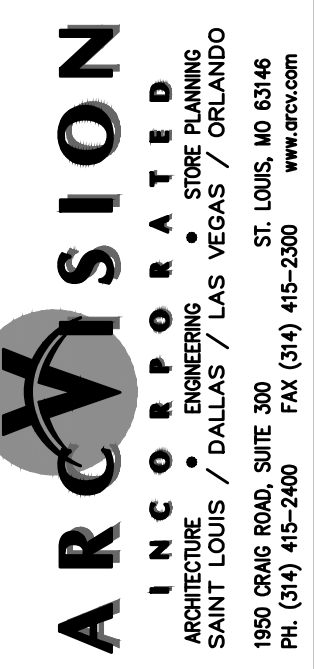
- 1.1 INTERNALLY ILLUMINATED SIGN PROVIDED AND INSTALLED BY SIGN VENDOR UNDER SEPARATE PERMIT. G.C. TO PROVIDE BLOCKING IN WALL FOR SIGN AND PROVIDE ACCESS PANEL ON BACKSIDE OF PARAPET FOR ACCESS AS REQ'D. (UNDER SEPARATE SIGNAGE PERMIT)
- 1.2 ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED GLAZING.
- 1.3 4" DIA. PIPE BOLLARD. SEE DETAIL 5/A005 FOR ADDITIONAL INFORMATION.
- 1.4 6" DIA. PIPE BOLLARD. SEE DETAIL 5/A005 FOR ADDITIONAL INFORMATION.
- 1.5 NEW 42" EXTERIOR SERVICE DOOR AND FRAME. COLOR TO MATCH ADJACENT WALL FINISH. SEE SHEET A101 FOR EXACT PLACEMENT.
- 1.6 COORDINATE CAMERA ROUGH IN LOCATION(S) & HEIGHTS WITH PANERA REPRESENTATIVE PRIOR TO INSTALLATION.
- 1.7 FACE BRICK INSTALLED WITH RUNNING BOND PATTERN AT MAIN WALL
- 1.8 FACE BRICK INSTALLED SOLDIER COURSE, SET BACK FROM MAIN WALL
- 1.9 FACE BRICK INSTALLED WITH SOLDIER COURSE SET OUT 1" FROM MAIN WALL
- 2.0 PREFINISHED METAL COPING: DARK BRONZE
- 2.1 EXTERIOR LIGHTING FIXTURE PROVIDED AND INSTALLED BY GC; G.C. TO PROVIDE BLOCKING IN WALL AS REQUIRED (TYP.); G.C. TO PROVIDE POWER AS REQ'D.
- 2.2 DECORATIVE LIGHT FIXTURE PROVIDED AND INSTALLED BY G.C. / G.C. TO PROVIDE BLOCKING IN WALL AS REQUIRED (TYP.); G.C. TO PROVIDE POWER AS REQUIRED
- 2.3 QUICKSERV DRIVE THRU WINDOW ASSEMBLY, MODEL #FM42E
- 2.4 LANDSCAPE TRELLIS, MFR: GREENSCREEN, COLOR: BLACK; GEN-CONTRACTOR-ALT: CONSTRUCTED STEEL SIMILAR TO SHOWN
- 2.5 AWNING PROVIDE AND INSTALLED BY SIGN VENDOR / G.C. SHALL PROVIDE BLOCKING AS REQUIRED. SEE VENDOR SHOP DRAWINGS
- 2.6 STANDING SEAM METAL ROOF SYSTEM, DARK BRONZE
- 2.7 BREAK METAL TO MATCH STANDING SEAM METAL ROOFING, DARK BRONZE
- 2.8 RWL / OVERFLOW DRAIN NICKLE BRONZE NOZZLE THRU EXTERIOR WALL. MIN 18" ABOVE GRADE. SEE DETAIL 14/A900.
- 2.9 GATE ENCLOSURE AT CART CORRAL. MFR: TREX COMPOSITE PLANK, COLOR: WINCHESTER GREY. SEE PANERA DETAIL 6/A-4.5
- 3.0 FIRE DEPARTMENT CONNECTION
- 3.1 FIRE DEPARTMENT ACCESS BOX INSTALLED ADJACENT ACCESS DOOR. COORDINATE LOCATION WITH LOCAL FIRE DEPARTMENT
- 3.2 HOSE BIBB IN STAINLESS STEEL BOX. SEE PLUMBING DRAWINGS FOR ADDITIONAL INFORMATION.
- 3.3 BUILDING ADDRESS SIGN. VERIFY SIZE, LOCATION AND STYLE WITH LOCAL FIRE DEPARTMENT.
- 3.4 CONTROL JOINT. PROVIDE SEALANT TO MATCH FACE BRICK.

EXTERIOR MATERIALS:

INDICATED BY SYMBOL

- BR1 FACE BRICK- MANUF: ENDICOTT, SIENNA IRONSPOT - SMOOTH MODULAR 2 1/4" x 7 5/8", RUNNING BOND PATTERN
- BR2 FACE BRICK- MANUF: ENDICOTT, SIENNA IRONSPOT - SMOOTH MODULAR 2 1/4" x 7 5/8", SOLDIER COURSE PATTERN
- C1 SMOOTH FACE CMU. PAINT TO MATCH FACE BRICK.
- G1 ALUMINUM STOREFRONT - DARK BRONZE W/ 1" INSULATED GLAZING MANUF: API (TYP.)

As Presented at
Genoa PC Mtg
04-27-15



ArcVision, Inc.
1950 CRAIG ROAD SUITE 300
ST. LOUIS, MISSOURI 63146
tel. 314.415.2400
fax. 314.415.2300
www.arcv.com

RG Properties - Shell Package
Grand River Ave.
Howell, MI 48843



Revisions:

| No. | Date | Description |
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BID/PERMIT

Project # 1936

Date: 4/24/15



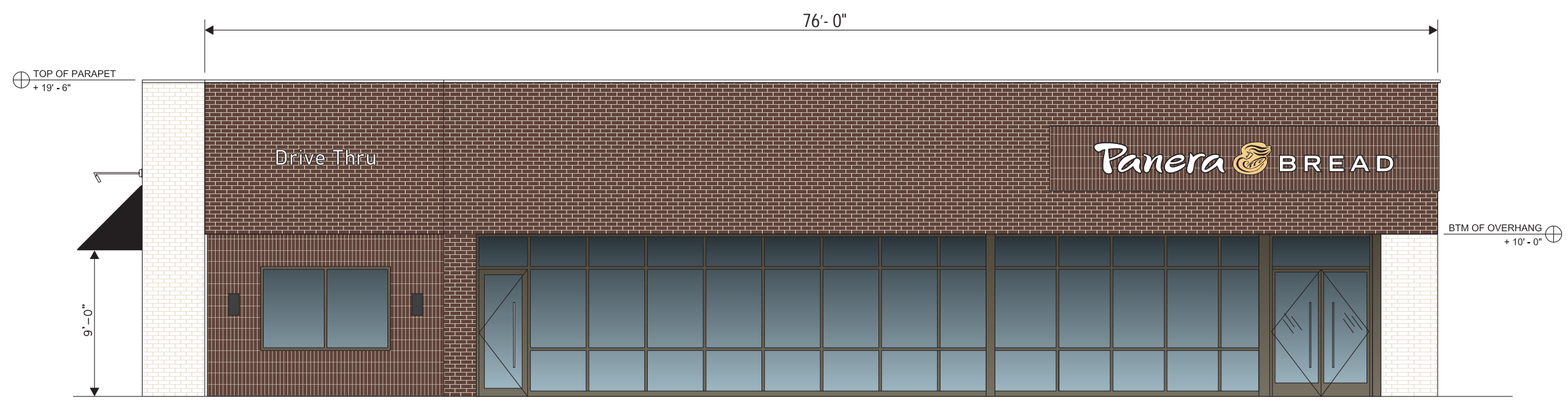
Panera BREAD

Panera BREAD

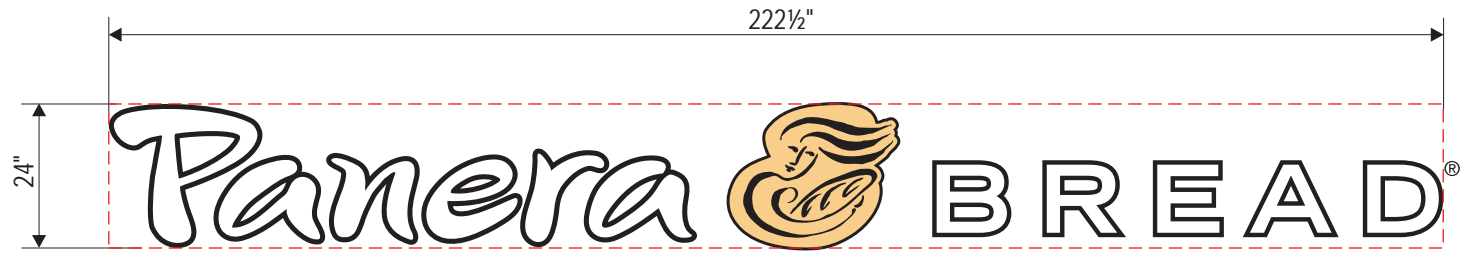
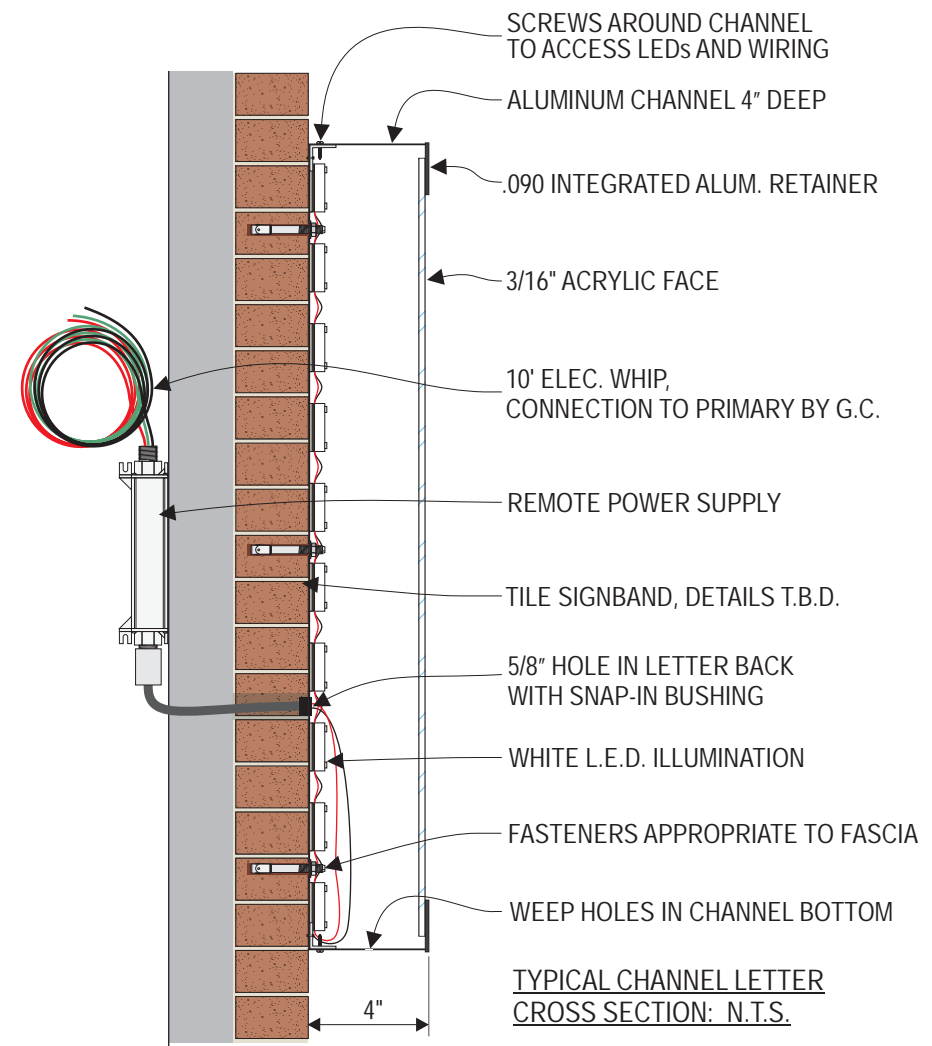
Open To

Open To





EAST (LATSON ROAD) ELEVATION: 1/8" = 1'-0"



SIGN ELEVATION: 3/8" = 1'-0"
37.08 SQ.FT.

NON-COMPLIANT IN # of SIGNS

INTERNALLY ILLUMINATED CHANNEL LETTERS & MOTHER BREAD LOGO AND "Drive Thru" OVAL

- "PANERA BREAD" & "Drive Thru" LETTERS:
 - (#7328 WHITE) 3/16" ACRYLIC FACES
- MOTHER BREAD LOGO:
 - (CLEAR) 3/16" ACRYLIC FACE
 - BACKSPRAYED PMS 1355u
 - (BLACK 230-22) VINYL LOGO DETAIL
- ALL:
 - .090 ALUM. INTEGRATED RETAINERS
 - 4" DEEP ALUM. RETURNS PAINTED BLACK
 - .040 ALUM. LETTER BACKS
 - (WHITE) L.E.D. ILLUMINATION
 - LOW VOLTAGE POWER SUPPLIES
 - U.L. AND MFG. LABELS
 - WEEP HOLES REQUIRED



SIGN ELEVATION: 3/8" = 1'-0"
6.17 SQ.FT.

SIGN CODE ALLOWANCE:
Wall signs: 10% of wall area to which affixed.
1 per business, 2nd sign allowed for corner lot.
Individual channel letters only.
No panels, or cabinet signs.
Measure with smallest single parallelogram.

19.5 x 76 = 1482 x 10% = 148 sq. ft. allowed.

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LINCOLN, RI 02865-4255

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APPROVALS
Signatures Required Before Release to Production

| | | |
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| Engineering | BY | DATE |
| Sales | BY | DATE |
| Estimating | BY | DATE |
| Production | BY | DATE |
| Quality Control | BY | DATE |

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REVISIONS

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DO NOT SCALE DRAWING

CLIENT

STORE NUMBER #1936

Grand River Ave. & Latson Rd. HOWELL, MI

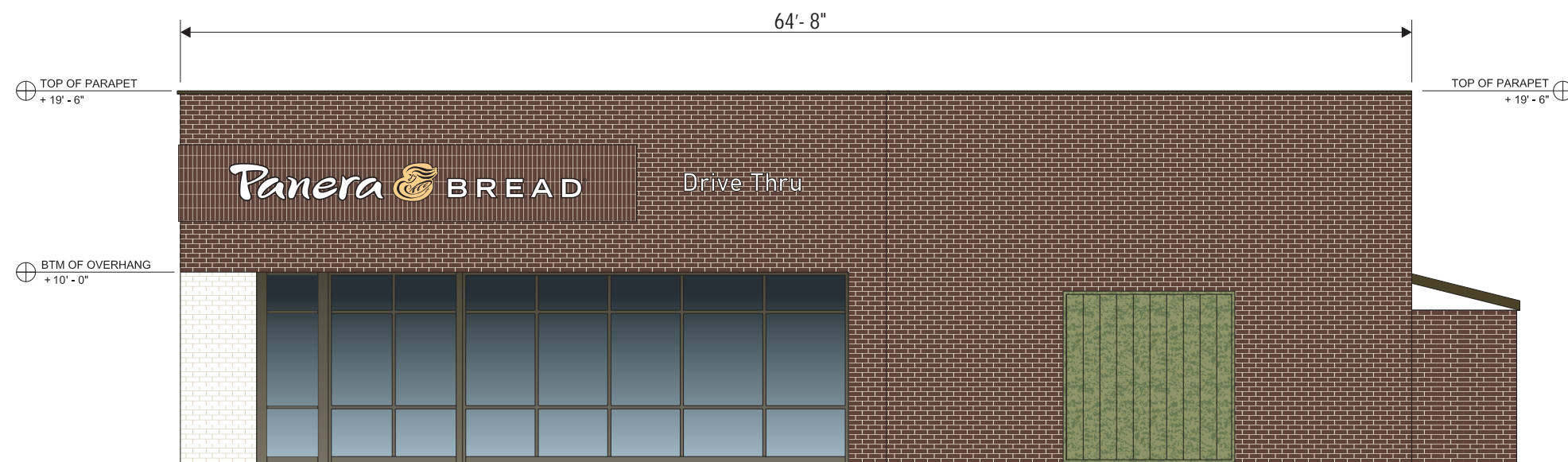
LOCATION #27065-2

WORK ORDER NUMBER(S) Jim F.

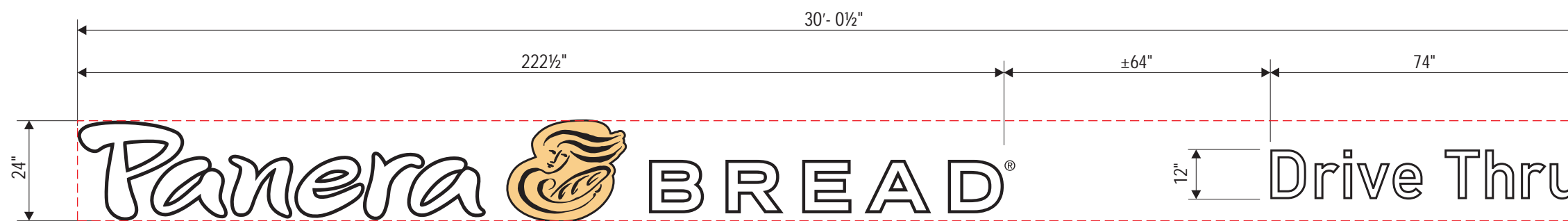
PROJECT MANAGER

| | | | |
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| CHECKED BY | DATE | WD ARTIST | 03/18/15 |
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DRAWING NAME Z-035.1



NORTH (GRAND RIVER AVE.) ELEVATION: 1/8" = 1'-0"



SIGN ELEVATION: 3/8" = 1'-0"

60.08 SQ.FT.

COMPLIANT

19.5 x 64.66 = 1260 x 10% = 126 sq. ft. allowed.

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APPROVALS

Signatures Required Before Release to Production

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| Engineering | BY | DATE |
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| Quality Control | BY | DATE |

VM PRODUCT NUMBER(S)

REVISIONS

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DO NOT SCALE DRAWING

CLIENT



STORE NUMBER #1936

Grand River Ave.
& Latson Rd.
HOWELL, MI

LOCATION

#27065-2

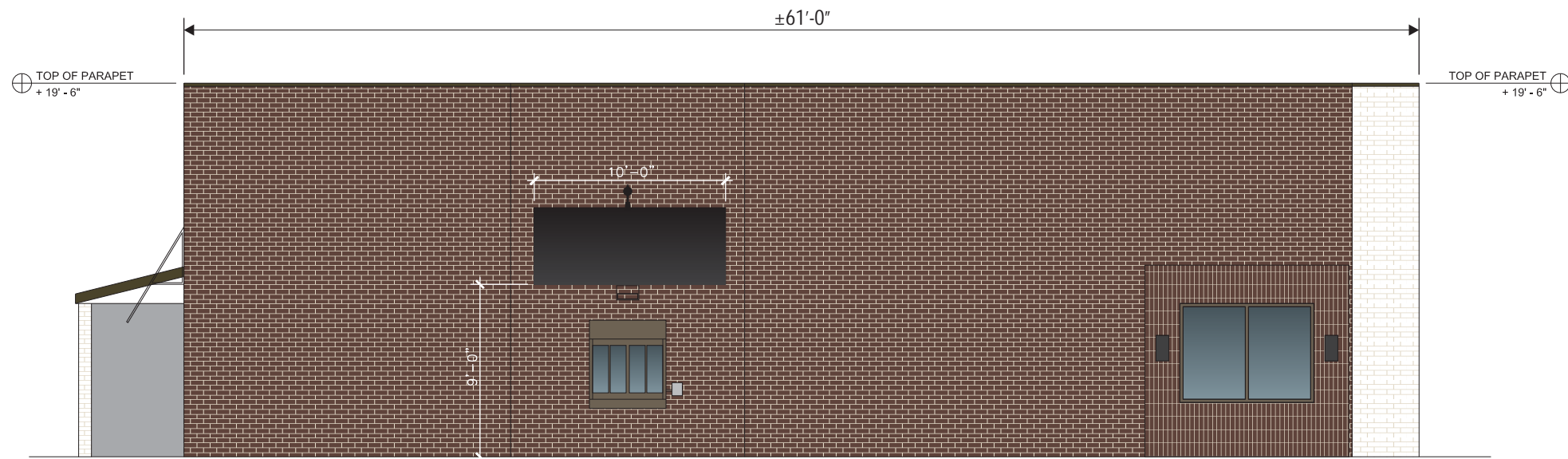
WORK ORDER NUMBER(S)

PROJECT MANAGER Jim F.

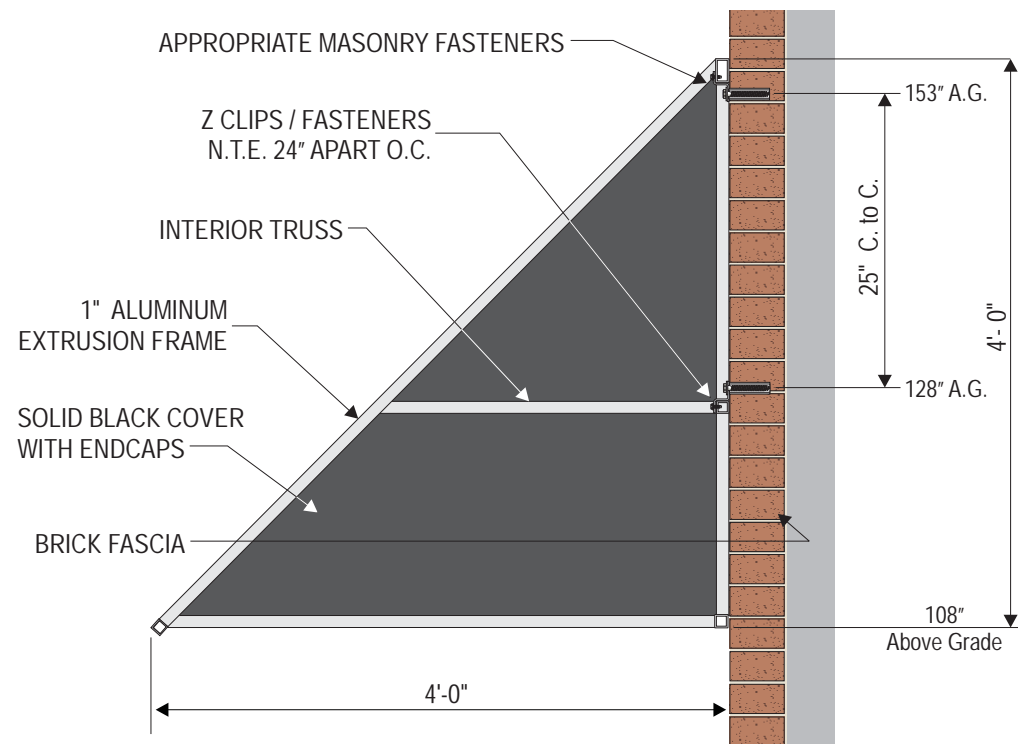
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Z-035.2

DRAWING NAME



SOUTH ELEVATION
1/8" = 1'-0"



DRIVE THRU AWNING SECTION ONLY: 3/4" = 1'-0"

■ SUNBRELLA
BLACK
#4608

EXTERNALLY ILLUMINATED DRIVE THRU AWNING:

- ALUMINUM EXTRUSION WELDED FRAME
- FRAME POWDER COATED BLACK
- TRUSS SPACING N.T.E. 36" APART O.C.
- SUNBRELLA BLACK #4608 FABRIC COVER
- BLACK PVC TRIM STAPLE COVER
- MOUNTED USING Z-CLIPS & APPROPRIATE ANCHORS

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APPROVALS
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| BY | DATE |
| Estimating | |
| BY | DATE |
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| BY | DATE |
| Quality Control | |
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VM PRODUCT NUMBER(S)

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DO NOT SCALE DRAWING

CLIENT

Panera
BREAD®

STORE NUMBER **#1936**

**Grand River Ave.
& Latson Rd.
HOWELL, MI**

LOCATION

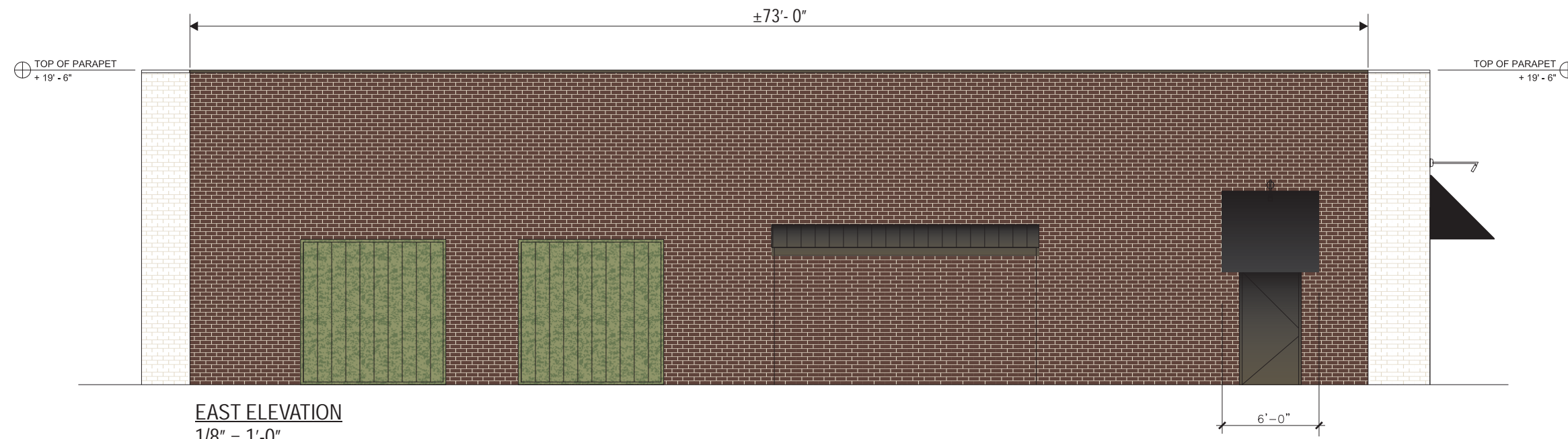
#27065-2

WORK ORDER NUMBER(S)

PROJECT MANAGER **Jim F.**

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| | | | 03/18/15 |

Z-035.3
DRAWING NAME

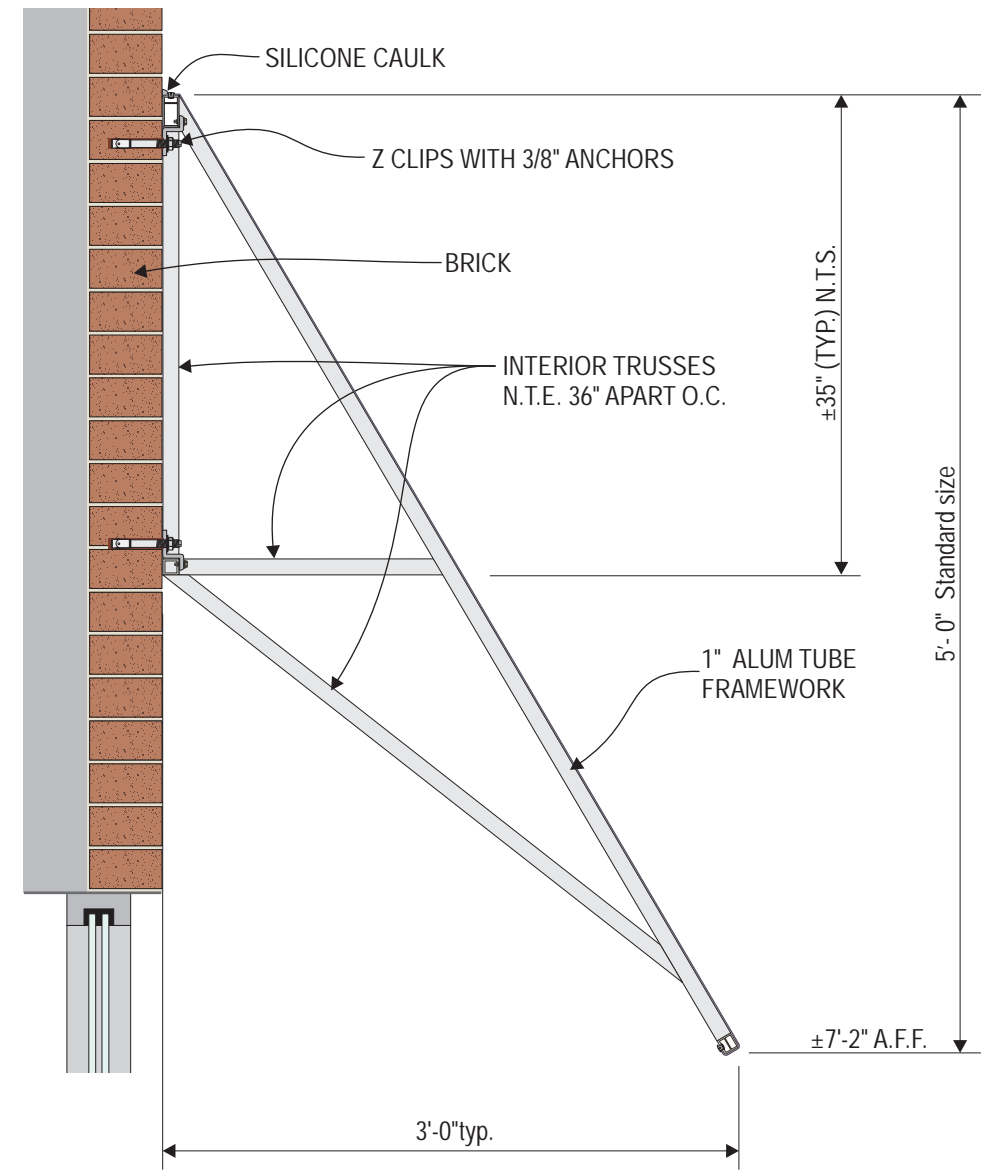


EAST ELEVATION
1/8" = 1'-0"

■ SUNBRELLA
BLACK
4608

EXTERNALLY ILLUMINATED SERVICE DOOR AWNING:

- 1" SQ. ALUMINUM EXTRUSION WELDED FRAME
- FRAME POWDER COATED BLACK
- TRUSS SPACING N.T.E. 36" APART O.C.
- SUNBRELLA BLACK #4608 FABRIC COVER:
- BLACK PVC TRIM STAPLE COVER
- MOUNTED USING Z-CLIPS & APPROPRIATE ANCHORS
- G.C. TO PROVIDE 2" x 6" BLOCKING AS NECESSARY



AWNING FRAME SECTION: 1" = 1'-0"

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Signatures Required Before Release to Production

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VM PRODUCT NUMBER(S)

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DO NOT SCALE DRAWING

CLIENT

Panera BREAD

STORE NUMBER #1936

Grand River Ave.
& Latson Rd.
HOWELL, MI

LOCATION

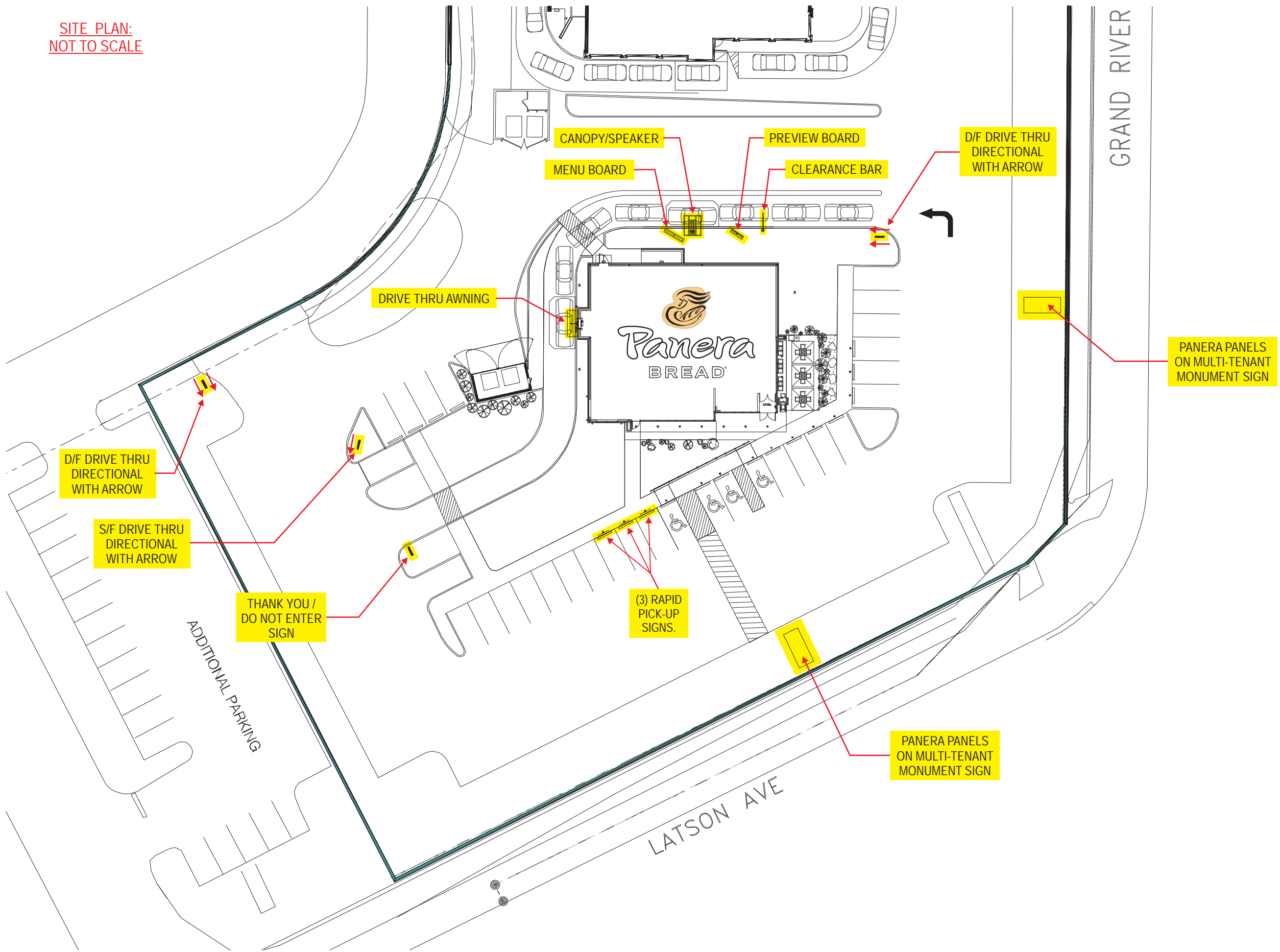
WORK ORDER NUMBER(S) #27065-2

PROJECT MANAGER Jim F.

CHECKED BY DATE WD ARTIST DATE 03/18/15

DRAWING NAME Z-035.4

SITE PLAN:
NOT TO SCALE



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VM PRODUCT NUMBER(S)

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DO NOT SCALE DRAWING

CLIENT



#1936
STORE NUMBER

Grand River Ave.
& Latson Rd.
HOWELL, MI

LOCATION

#27065-2
WORK ORDER NUMBER(S)

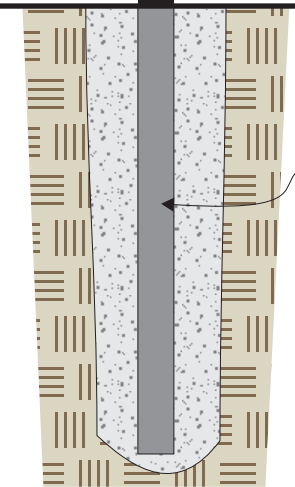
PROJECT MANAGER **Jim F.**

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Z-035.5
DRAWING NAME



D/F SPLIT-FACE DIRECTIONAL SIGN w/ LOGO

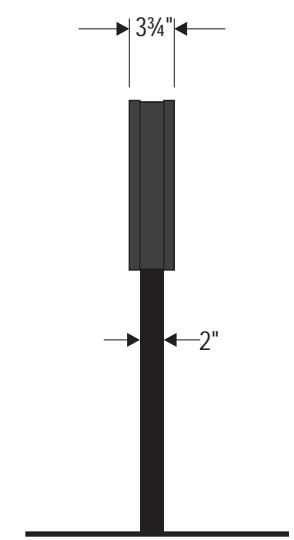


DIRECT BURIAL IN FREE-FORMED CONCRETE FOOTING

DIRECTIONAL SIGNS
3/4" = 1'-0"

SIGN CODE ALLOWANCE:

Logos are allowed.
4 sq.ft. max. each.
3 ft. max. height



DIRECTIONAL SIGN
END VIEW
3/4" = 1'-0"

INTERNALLY ILLUMINATED DIRECTIONAL SIGNS:

- (BLACK) PAINTED 3/4" DEEP .063 ALUM. RETURNS & 1" ALUM. RETAINERS
- (CLEAR) POLYCARBONATE FACES
- (PANTONE 5757U GREEN) OPAQUE BACKGROUND
- (WHITE) COPY WITH (BLACK) OUTLINES
- (PANTONE 1355 PEACH) ARROWS IF REQUIRED
- (WHITE) L.E.D. ILLUMINATION
- ELECTRICAL REQUIREMENTS: .5 AMPS EACH @ 120 VOLTS
- (BLACK) 2" DEEP X 3" WIDE X 1/4" WALL ALUMINUM TUBE POSTS
- (BLACK) PAINTED FINISHED .080 ALUM. BACKS ON SINGLE FACE SIGNS
- DIRECT BURIAL IN FREE-FORMED CONCRETE FOOTING



D/F SPLIT-FACE DIRECTIONAL SIGN w/ LOGO



QUANTITY = (2)



QUANTITY = (1)

S/F SPLIT-FACE DIRECTIONAL SIGN w/ LOGO

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APPROVALS
Signatures Required Before Release to Production

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| Engineering | BY | DATE |
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VM PRODUCT NUMBER(S)

REVISIONS

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DO NOT SCALE DRAWING

CLIENT

Panera BREAD

STORE NUMBER #1936

Grand River Ave.
& Latson Rd.
HOWELL, MI

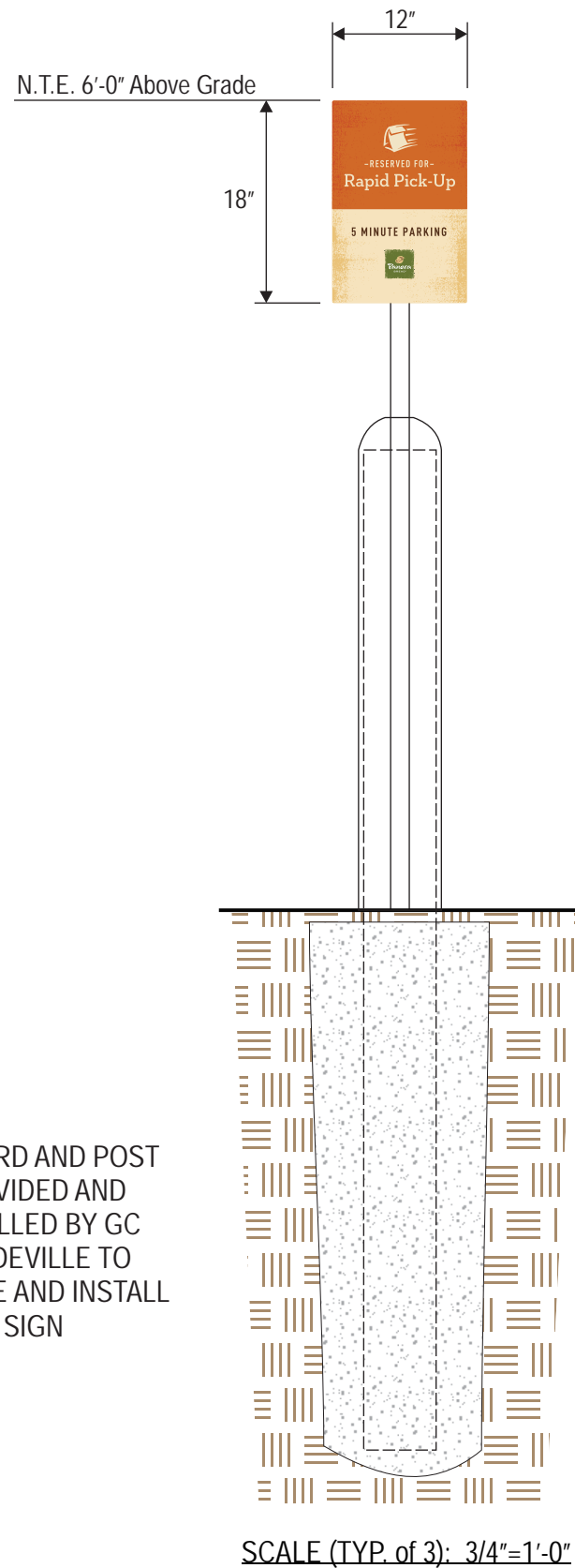
LOCATION

WORK ORDER NUMBER(S) #27065-2

PROJECT MANAGER Jim F.

| | | | |
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| CHECKED BY | DATE | WD ARTIST | 03/18/15 |
| | | DATE | |

DRAWING NAME Z-035.6



BOLLARD AND POST PROVIDED AND INSTALLED BY GC MANDEVILLE TO PROVIDE AND INSTALL SIGN



SCALE: 1 1/2" = 1'-0"

(3) REQUIRED - S/F PARKING SIGNS

SINGLE-SIDED TRAFFIC CONTROL SIGNS:

- WHITE .080 ALUMINUM PANELS (DO NOT PRE-DRILL HOLES)
- REFLECTIVE, DIGITALLY PRINTED VINYL GRAPHICS WITH CLEAR OVERLAMINATE
- POST & BOLLARD INSTALLATION AS SHOWN
- FREE FORMED CONCRETE FOOTINGS

ARTWORK EXCLUSIVE PROPERTY OF

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LINCOLN, RI 02865-4255

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APPROVALS
Signatures Required Before Release to Production

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DO NOT SCALE DRAWING

CLIENT

Panera
BREAD®

STORE NUMBER #1936

Grand River Ave.
& Latson Rd.
HOWELL, MI

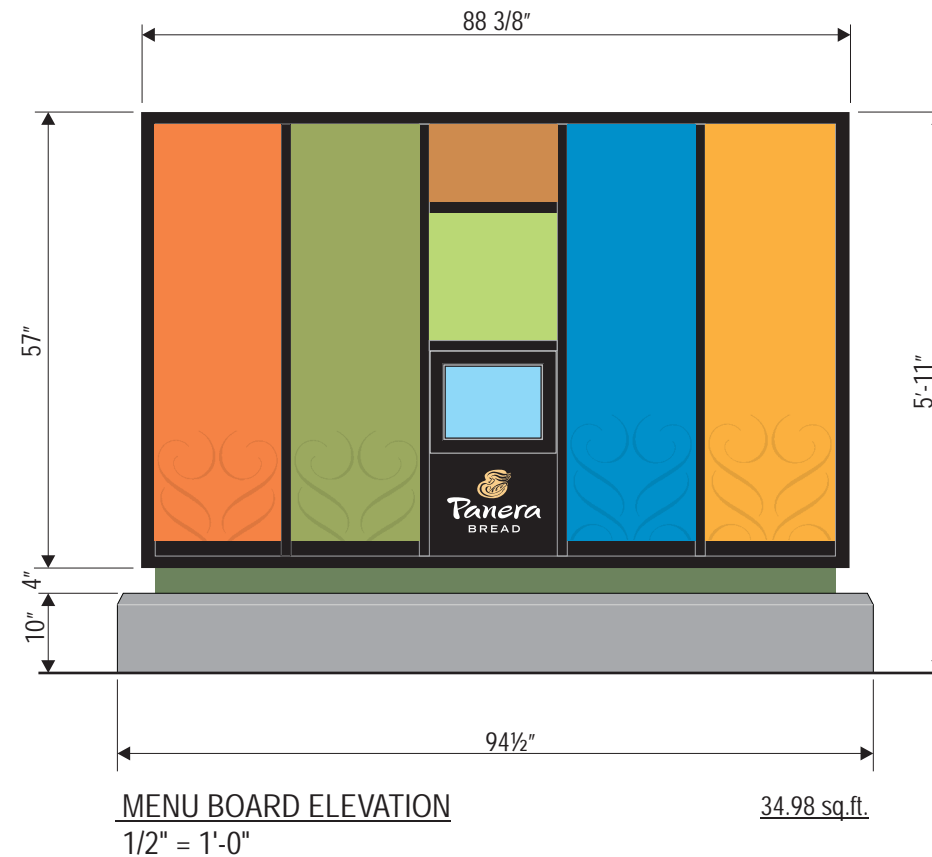
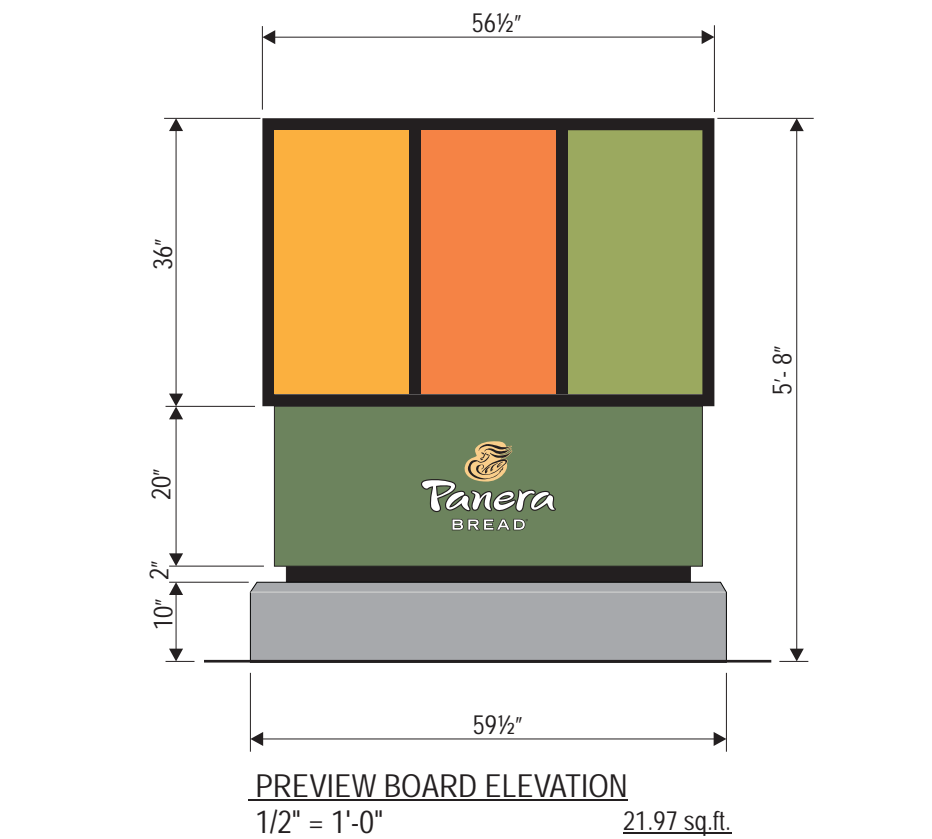
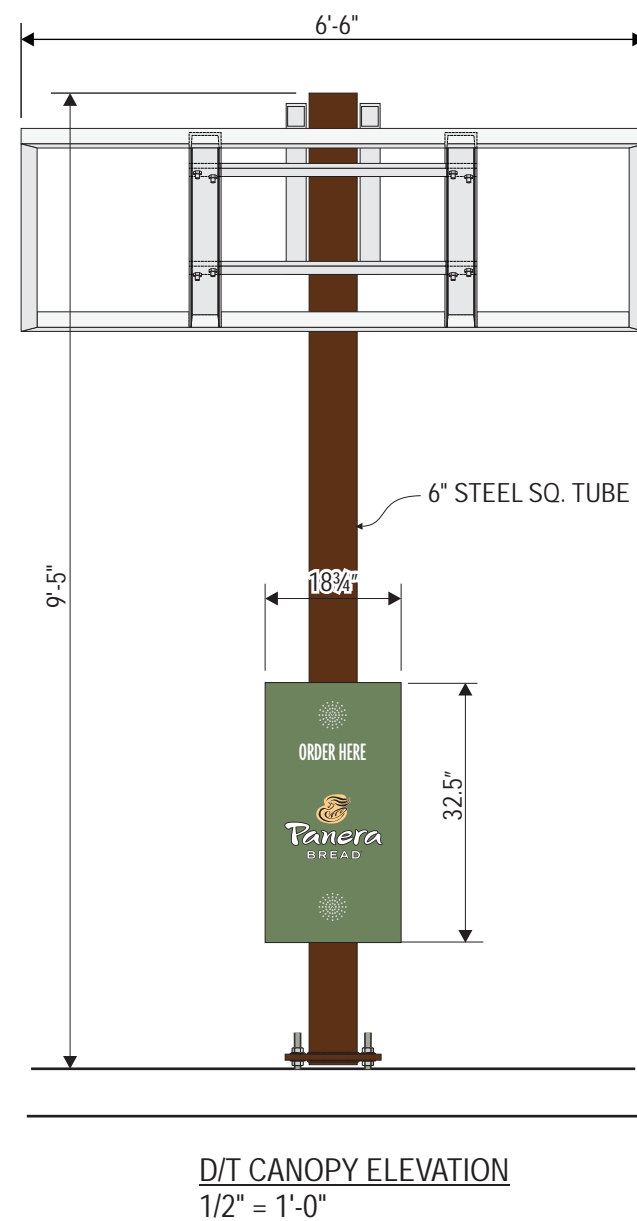
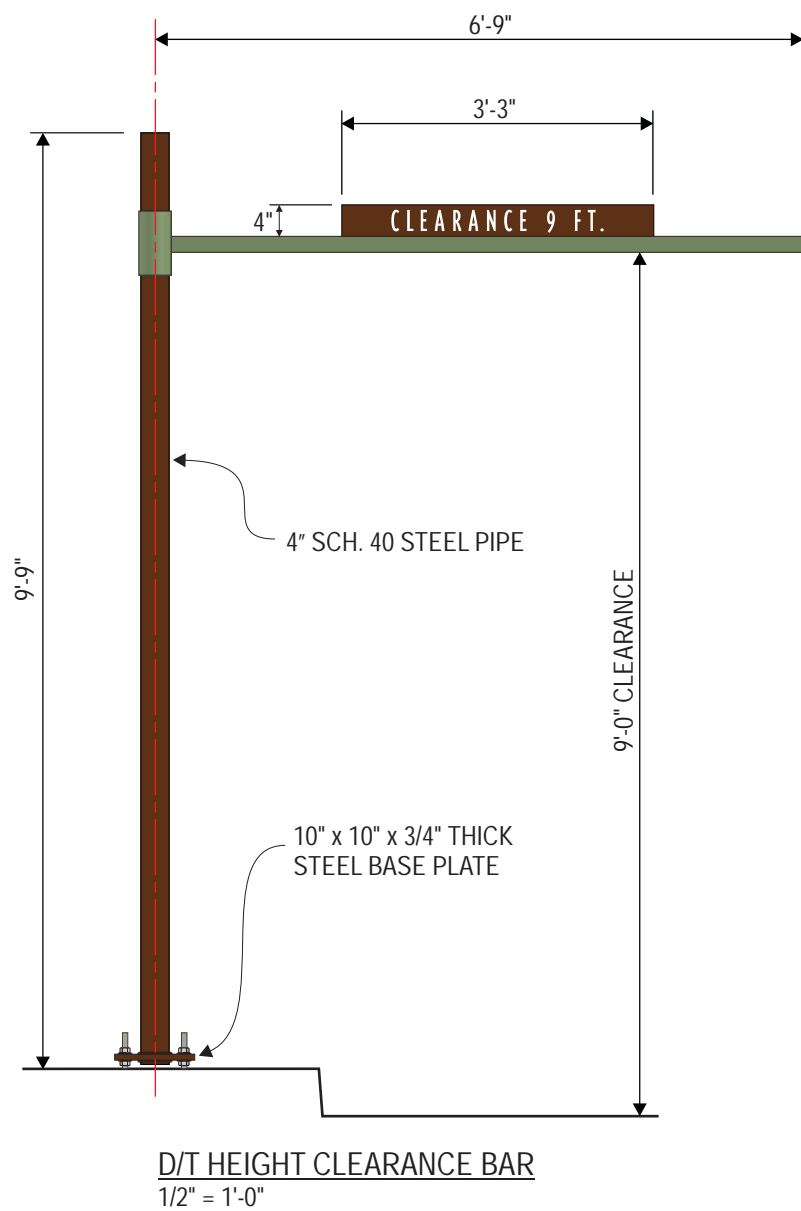
LOCATION

WORK ORDER NUMBER(S) #27065-2

PROJECT MANAGER Jim F.

| | | | |
|------------|------|-----------|----------|
| CHECKED BY | DATE | WD ARTIST | 03/18/15 |
| | | DATE | |

DRAWING NAME Z-035.7



PREVIEW BOARD & MENU BOARD SIGN ALLOWANCE = 16.0 SQ.FT. EA. NON-COMPLIANT

ARTWORK EXCLUSIVE PROPERTY OF
SINCE 1917

MANDEVILLE SIGN
making your mark.

676 GEORGE WASHINGTON HIGHWAY
LINCOLN, RI 02865-4255

401-334-9100 401-334-7799
PHONE FAX

WEB www.mandevillesign.com

APPROVALS
Signatures Required Before Release to Production

| | | |
|-----------------|----|------|
| Engineering | BY | DATE |
| Sales | BY | DATE |
| Estimating | BY | DATE |
| Production | BY | DATE |
| Quality Control | BY | DATE |

VM PRODUCT NUMBER(S)

REVISIONS

| NO. | BY | DESCRIPTION | DATE |
|-----|----|-------------|----------|
| 1 | XX | xxxxxxxx | 00/00/00 |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |

DO NOT SCALE DRAWING

CLIENT

Panera BREAD

STORE NUMBER #1936

Grand River Ave.
& Latson Rd.
HOWELL, MI

LOCATION

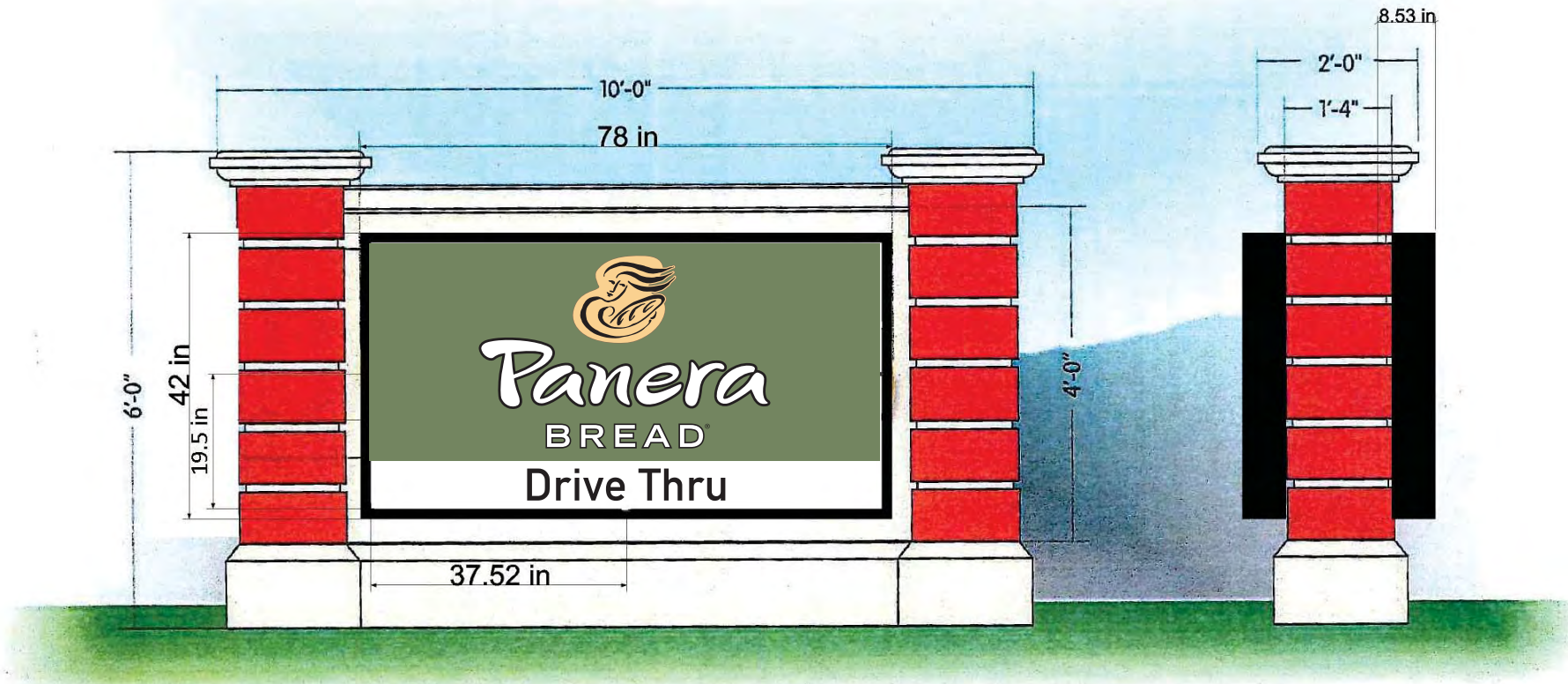
#27065-2

WORK ORDER NUMBER(S)

PROJECT MANAGER Jim F.

| | | | |
|------------|------|-----------|----------|
| CHECKED BY | DATE | WD ARTIST | 03/18/15 |
| | | DATE | |

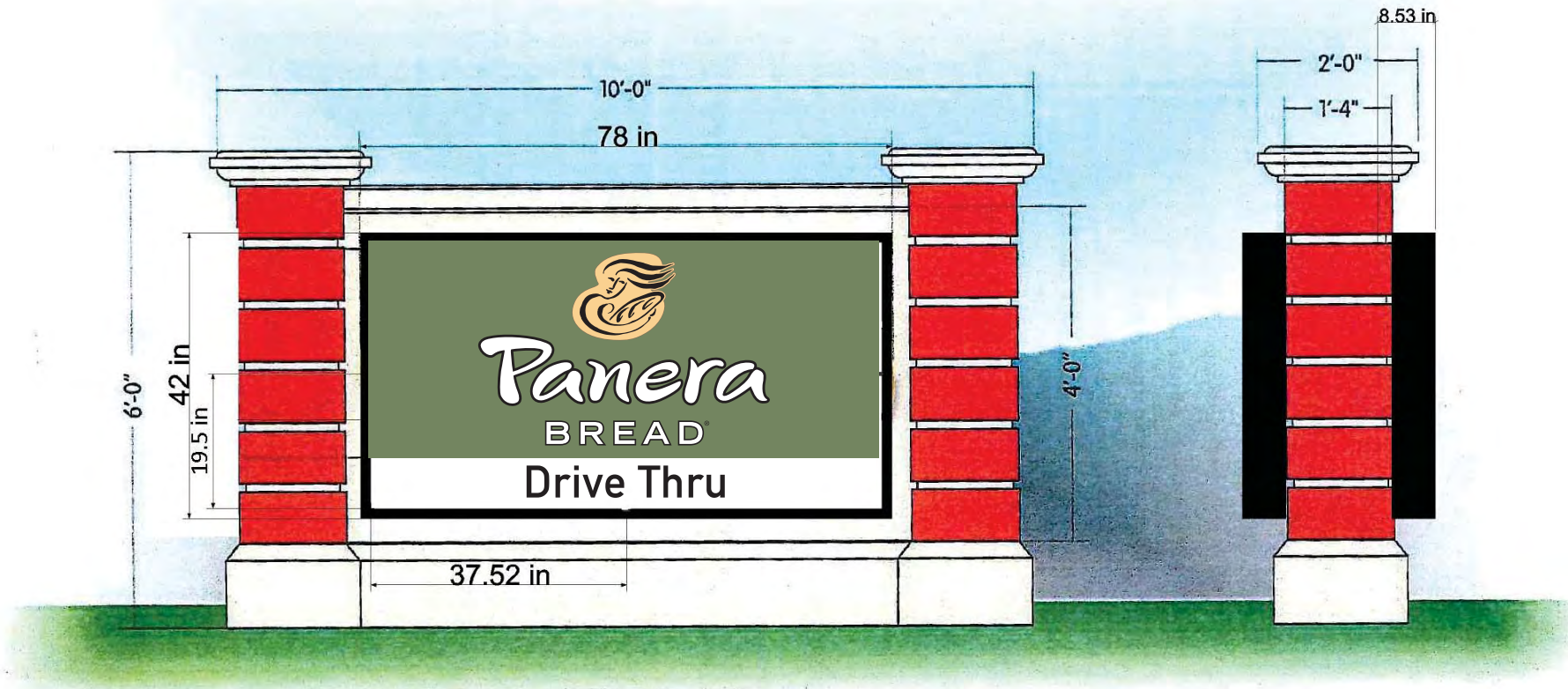
DRAWING NAME Z-035.8



PANERA BREAD PANELS (4) ON LANDLORD MONUMENT SIGNS (2):

- FACE MATERIAL PER LANDLORD SPECIFICATIONS
- FACE BACKGROUND COLOR: MATCH PANTONE #5757u GREEN (OPAQUE)
- (WHITE) "PANERA BREAD" w/ (BLACK) OUTLINES
- (PMS-1355u PEACH) MOTHER BREAD w/ (BLACK) LOGO DETAILS
- (WHITE) "®" REGISTERED SYMBOL
- (BLACK) "DRIVE-THRU" LETTERS ON (WHITE) BACKGROUND

NOTE: PANERA BREAD TO HAVE TOP PANEL ON ONE MONUMENT SIGN AND BOTTOM PANEL ON THE OTHER. BOTH SIGNS ARE 2 SIDED



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APPROVALS
Signatures Required Before Release to Production

| | | |
|-----------------|----|------|
| Engineering | BY | DATE |
| Sales | BY | DATE |
| Estimating | BY | DATE |
| Production | BY | DATE |
| Quality Control | BY | DATE |

VM PRODUCT NUMBER(S)

REVISIONS

| NO. | BY | DESCRIPTION | DATE |
|-----|----|---------------------------|----------|
| 1 | GL | rev. monument sign layout | 04/03/15 |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |

DO NOT SCALE DRAWING

CLIENT

#1936
 STORE NUMBER

Grand River Ave.
 & Latson Rd.
 HOWELL, MI
 LOCATION

#27065-2
 WORK ORDER NUMBER(S)

PROJECT MANAGER Jim F.

| | | | |
|------------|------|-----------|----------|
| CHECKED BY | DATE | WD ARTIST | 03/18/15 |
| | | DATE | |

Z-035.9
 DRAWING NAME

2" SSL WALL-MOUNT ACCENT

The 2" SSL Wall-mount Accent luminaire employs solid state technology to provide small scale LED solutions for canopy and sign lighting. All components are encapsulated inside a single small and attractive enclosure designed for superior thermal performance in weather resistant applications. Offered in a choice of light output levels, finishes, and color temperatures with a range of mounting and light control accessories, 2" SSL Accent will perform as specified. It's aluminum construction and solid-state light source will provide years of efficient service.

Construction:

- Separately sealed optical chamber and integral driver chamber IP67
- Easy "two-screw" integral driver access, does not disturb optical chamber seal
- Epoxy encapsulated electrical wire pass-through anti-wicking barrier
- Flush lens prevents puddles/water deposits in upward facing applications
- Yoke mount provides 360° horizontal, 200° vertical adjustment
- Locking horizontal pivot system to yoke features all stainless steel construction for exceptional strength
- Knurled knob tool-less vertical aiming lock, with tamper-resistant tooled locking after final aiming
- Black satin polyester powder paint is standard, Type 3 marine-grade anodized finish optional
- Finned heat-sink housing provides exceptional thermal management

Optics:

Lumen maintenance: 70% @ 50,000 hours

Available in a variety of axial beams in combination with light shaping filters

HGS - Half external glare-shield field installable, 360° adjustable/lockable

Electrical:

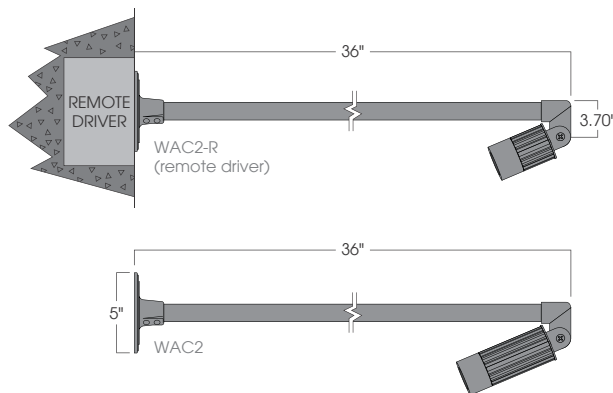
Input voltage 120v-277v auto-sensing

Dimmable at 120v only

Reverse phase ELV

Power consumption 10w

Labeling:



Ordering Information

| Model # | CCT | Beam Spread | Finish | Accessories | |
|----------------|-------------------------------------|---|--|-----------------------------------|---------------------------|
| WMA2 WMA2-R | 27 (2700) 30 (3000) 35 (3500) | Symmetric Filter 15°, 20° 30°, 40° 60° | Asymmetric Filter 60x10 60x30 90x60 | BK - Black BA - Black Anodized | HGS2 Half Glare Shield |

WMA2 LED



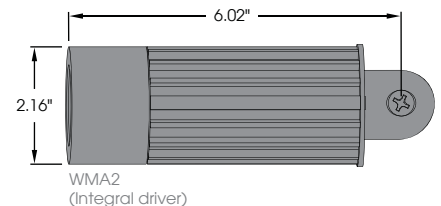
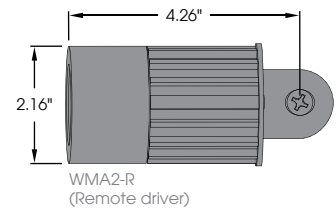
PROJECT:

TYPE:

10 year limited warranty
AMERLUX LED



Electrostatic sensitive device.
observe precautions for handling



Part String

Example: **WMA2 / 32 / 15 / BK**

2" SSL WALL-MOUNT ACCENT

WMA2
LED

amerlux
GLOBAL LIGHTING SOLUTIONS
exterior

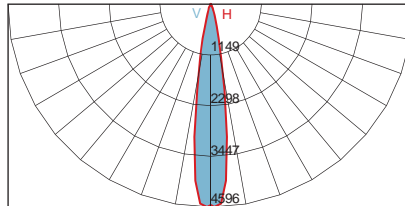
TYPE:



Data represents the use of light shaping filters
Complete photometric data (ies format) available upon request

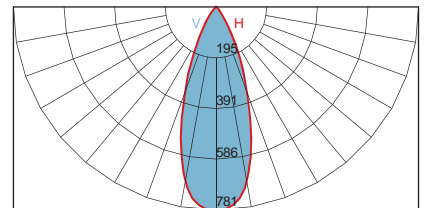
| LUMINAIRE | LUMENS |
|---------------|--------|
| WMA2-30-15 | 498 |
| WMA2-30-30 | 378 |
| WMA2-30-40 | 337 |
| WMA2-30-60 | 328 |
| WMA2-30-60X10 | 385 |
| WMA2-30-60X30 | 345 |
| WMA2-30-90X60 | 375 |

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-15.IES
AXIAL CANDELA DISPLAY



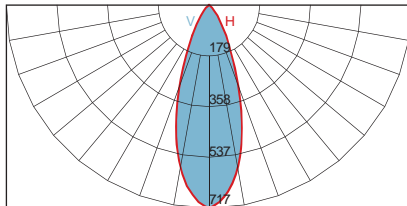
Maximum Candela=4596.332 Located At Horizontal Angle=-1, Vertical Angle=0
H - Horizontal Axial Candela
V - Vertical Axial Candela

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-30 FIXED.IES
AXIAL CANDELA DISPLAY



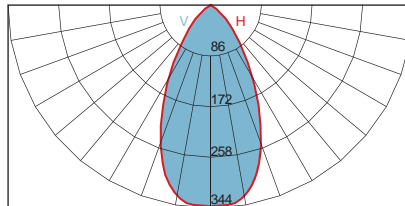
Maximum Candela=781.19 Located At Horizontal Angle=-1, Vertical Angle=-1
H - Horizontal Axial Candela
V - Vertical Axial Candela

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-40 FIXED.IES
AXIAL CANDELA DISPLAY



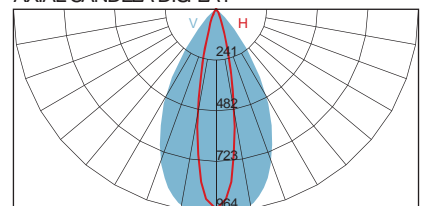
Maximum Candela=716.649 Located At Horizontal Angle=0, Vertical Angle=0
H - Horizontal Axial Candela
V - Vertical Axial Candela

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-60 FIXED.IES
AXIAL CANDELA DISPLAY



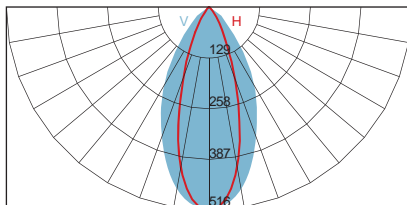
Maximum Candela=344.443 Located At Horizontal Angle=-3, Vertical Angle=3
H - Horizontal Axial Candela
V - Vertical Axial Candela

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-60X10 FIXED.IES
AXIAL CANDELA DISPLAY



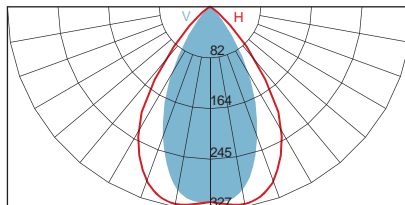
Maximum Candela=964.386 Located At Horizontal Angle=-7, Vertical Angle=0
H - Horizontal Axial Candela
V - Vertical Axial Candela

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-60X30.IES
AXIAL CANDELA DISPLAY



Maximum Candela=515.806 Located At Horizontal Angle=0, Vertical Angle=0
H - Horizontal Axial Candela
V - Vertical Axial Candela

IES FLOOD REPORT
PHOTOMETRIC FILENAME: AC2-30-90X60.IES
AXIAL CANDELA DISPLAY



Maximum Candela=327.191 Located At Horizontal Angle=-11, Vertical Angle=-5
H - Horizontal Axial Candela
V - Vertical Axial Candela

Notes:

Type:
Job:
Fixture Catalog number:

____ / ____ / ____
Fixture Electrical Module Finish
See page 2

Fixture Options:

Ordered Separately from Fixture
See pages 3

Mounting Options:

Ordered Separately from Fixture
See pages 4-6

Approvals:

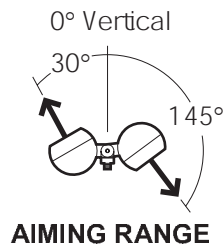
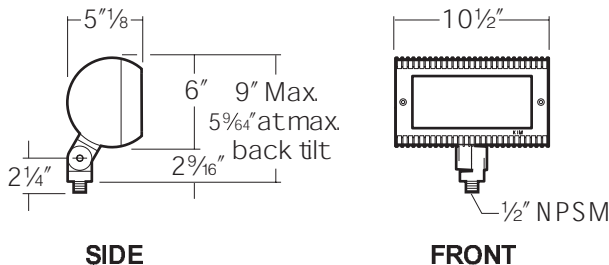
Date:
Page: 1 of 6

Specifications

Dimensions

CFL Models
50 to 70 watt H.I.D.
Medium Base Lamps
13 to 42 watt Compact Fluorescent
60 watt Incandescent
150 watt Halogen

Maximum weight 13 lb



Housing: One piece die-cast low copper aluminum in a cylindrical shape with integral cooling fins over the entire length, and .100" minimum wall thickness. One piece silicone gasket between housing and lens frame.

Lens Frame: One piece die-cast low copper aluminum with integral cooling fins, .100" minimum wall thickness, mates with housing to create a continuous cylindrical shape. 5/32" thick clear tempered glass lens is sealed to the lens frame by a one piece stamped silicone gasket. Lens frame secures to housing by two stainless steel recessed captive allen-head screws.

Swivel: Die-cast aluminum with integral locking teeth providing 6" adjustment intervals and 1/2" NPSM plus solid brass locknut for mounting. Clear anodized prior to chromate conversion coating for added corrosion resistance.

Fasteners: Stainless steel, recessed captive allen-head screws.

Reflector: Specular Alzak® aluminum optical components mounted to aluminum frame.

Socket: 4KV porcelain medium base (T-10 Incandescent and H.I.D.); T-4 Mni-can (Halogen); 13w GX23-2 2-pin base, 42w GX24q-3 4-pin base (Fluorescent).

Ballast: All electrical components are UL and CSA recognized with leads extending out of the swivel splice compartment. Normal power factor ballast rated -32°F starting (13 watt Twin Tube Fluorescent); High power factor ballast rated 0°F starting (42 watt Triple Tube Fluorescent); Reactor - High power factor with starting temperatures of -40°F for HPS and -20°F for MH lamp modes. For MH/120 volt, a step-up transformer is provided. For HPS/277 volt, a step-down transformer is provided (H.I.D.).

Finish: Super TGIC thermoset polyester powder coat paint; 25 mil nominal thickness, applied over a chromate conversion coating; 2500 hour salt spray test endurance rating. Standard colors are Black, Dark Bronze, Light Gray, Platinum Silver, Verde Green or White. Custom colors are available and subject to additional charges, minimum quantities and longer lead times. Consult representative.

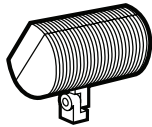
Certification: UL Listed to U.S and Canadian safety standards for wet locations. Fixture manufacturer shall employ a quality program that is registered to ISO 9001 standard.

CAUTION: Fixtures must be grounded in accordance with local codes or the National Electrical Code. Failure to do so may result in serious personal injury

Type:

Job:

Page: 2 of 6

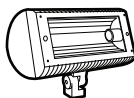
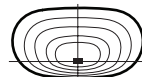


Standard Features

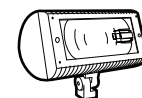
Fixture

Cat. No. designates **CFL** fixture and beam pattern.

Single fixture EPA:
0.3 (45° tilt)
0.5 (Face on)



Beam Pattern: Wide Flood
Cat. No.: **CFL1**



Narrow Spot
 CFL6

Electrical Module

HPS = High Pressure Sodium

MH = Metal Halide

PL = Compact Fluorescent

INC = Incandescent

HAL = Halogen

| Lamp Watts | Lamp Type | Line Volts |
|------------|-----------|------------|
| 50 | HPS | 277 |

Cat. Nos. for Electrical Modules available:

| | <input type="checkbox"/> 50HPS120 <input type="checkbox"/> 50HPS277 | <input type="checkbox"/> 70HPS120 <input type="checkbox"/> 70HPS277 | <input type="checkbox"/> 50MH120 <input type="checkbox"/> 50MH277 | <input type="checkbox"/> 70MH120 <input type="checkbox"/> 70MH277 |
|-------------------|--|--|--|--|
| Lamp | E-17, Clear | E-17, Clear | E-17, Clear | E-17, Clear |
| Socket | Medium Base | Medium Base | Medium Base | Medium Base |
| ANSI Ballast Type | S-68 | S-62 | M-110 | M-98 |

| | <input type="checkbox"/> 13PL120 <input type="checkbox"/> 13PL277 |
|--------|--|
| Lamp | Twin Tube, Coated |
| Socket | Gx23-2 2-pin Base |

NOTE: For CFL1 only.

| | <input type="checkbox"/> 42PL120 <input type="checkbox"/> 42PL277 |
|--------|--|
| Lamp | Triple Tube, Coated |
| Socket | Gx24q-3 4-pin Base |

NOTE: For CFL1 only.

42PL operates 26, 32, and 42 watt lamps at 120 thru 277 volts (50-60 Hz).

| | <input type="checkbox"/> 60INC120 | <input type="checkbox"/> 150HAL120 |
|--------|--|---|
| Lamp | T-10, Coated | T-4, Clear |
| Socket | Medium Base | Mini-can Base |

Finish

Super TGIC powder coat paint over a chromate conversion coating.

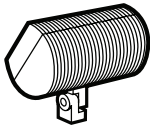
Color: Black Dark Bronze Light Gray Platinum Silver White ¹Custom Color
Cat. No.: **BL-P** **DB-P** **LG-P** **PS-P** **WH-P** **CC-P**

¹ Custom colors subject to additional charges, minimum quantities and extended lead times. Consult representative. Custom color description:

Type:

Job:

Page: 3 of 6



Fixture Options

Ordered Separately from Fixture

Barn Doors

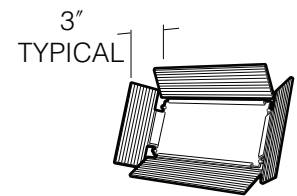
Cat. No. (see right)
 No Option

Extruded aluminum, fully adjustable doors with anti-reflection baffles. Individually swiveled and secured on a stainless steel frame. Easily attaches to pre-drilled holes in the lens frame with stainless steel screws. Provides beam and glare control.

CAUTION: Not recommended for ground mounted fixtures in vandal prone areas.

Cat. No.

- BD-CFL/BL-P** Black
- BD-CFL/DB-P** Dark Bronze
- BD-CFL/LG-P** Light Gray
- BD-CFL/PS-P** Platinum Silver
- BD-CFL/WH-P** White



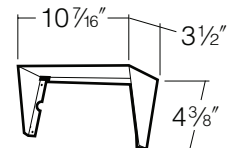
Fixed Hood

Cat. No. (see right)
 No Option

Formed .062 thick aluminum. Easily attaches to pre-drilled holes in the lens frame with stainless steel screws. Provides moderate shielding for glare control.

Cat. No.

- FH-CFL/BL-P** Black
- FH-CFL/DB-P** Dark Bronze
- FH-CFL/LG-P** Light Gray
- FH-CFL/PS-P** Platinum Silver
- FH-CFL/WH-P** White



Full Shield

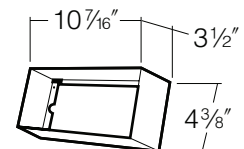
Cat. No. (see right)
 No Option

Formed .062 thick aluminum. Easily attaches to pre-drilled holes in the lens frame with stainless steel screws. Provides moderate shielding for glare control.

CAUTION: Do not use in locations where leaves and trash can collect inside shield.

Cat. No.

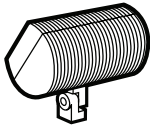
- FS-CFL/BL-P** Black
- FS-CFL/DB-P** Dark Bronze
- FS-CFL/LG-P** Light Gray
- FS-CFL/PS-P** Platinum Silver
- FS-CFL/WH-P** White



Type:

Job:

Page: 4 of 6



Mounting Options

Ordered Separately from Fixture

Brass In-Grade Architectural Junction Box

Cat. No. (see right)
 No Option

Die-cast brass with 1/2" NPSM fixture mount and die-cast cover. Internal set screw provided for locking position. 21 cu in. internal volume.

- JBR-2** (2) 1/2" NPT in bottom
- JBR-3** (2) 3/4" NPT in bottom
- JBR-21** (2) 1/2" NPT in sides, (2) 1/2" NPT in bottom
- JBR-24** (4) 1/2" NPT in sides, (2) 1/2" NPT in bottom

NOTE: All side taps provided with plugs.

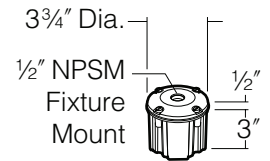
25 Year Limited Warranty:

Solid brass Junction Boxes are warranted for 25 years, from date of sale, against manufacturing defects and failure due to corrosion.

Application Notes

- Creates a flush-mounted appearance.
- May be cast in concrete for increased stability.

CAUTION: Fixture stem and swivel must not contact soil or standing water. Provide drainage away from Junction Box.



Brass In-Grade Staked Junction Box

Cat. No. (see right)
 No Option

Die-cast brass with 1/2" NPSM fixture mount and die-cast cover. Internal set screw provided for locking position. 21 cu in. internal volume.

- JBR30** (2) 1/2" NPT in bottom, (2) 19" long stakes
- JBR32** (2) 1/2" NPT in bottom, 9' (SJTW-A) 3 wire cord and plug.

NOTE: **JBR32** for use with incandescent, halogen, and fluorescent fixtures only.

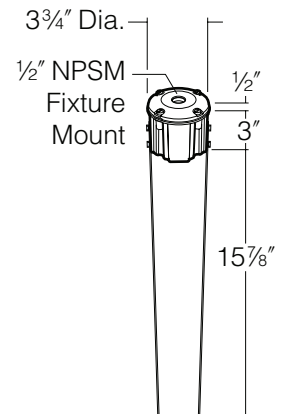
25 Year Limited Warranty:

Solid brass Junction Boxes are warranted for 25 years, from date of sale, against manufacturing defects and failure due to corrosion.

Application Notes

- Creates a flush-mounted appearance.
- May be cast in concrete for increased stability.

CAUTION: Fixture stem and swivel must not contact soil or standing water. Provide drainage away from Junction Box.



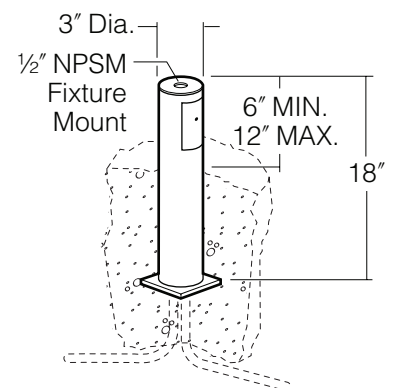
Stanchion Mount

Cat. No. (see right)
 No Option

3" O.D. by .188" wall cast low copper aluminum with 1/2" NPSM fixture mount and hand hole with flush cover. Internal set screw fixture lock accessible through hand hole. Internal ground lug supplied with installed lead.

Cat. No.

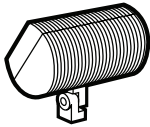
- SM18/BL-P** Black
- SM18/DB-P** Dark Bronze
- SM18/LG-P** Light Gray
- SM18/PS-P** Platinum Silver
- SM18/WH-P** White



Type:

Job:

Page: 5 of 6



Mounting Options

Ordered Separately from Fixture

Surface Mount

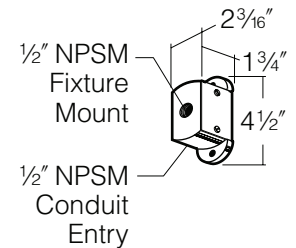
Cat. No. (see right)
 No Option

Cast low copper aluminum with mounting ears for wood screw attachment to tree or wood structure. 5.5 cu in. splice area with gasketed cover. 1/2" NPSM fixture mount and 1/2" NPSM conduit or cord seal entry.

NOTE: Surface mount can be connected to conduit or outdoor cord with a waterproof cord seal (by others).

Cat. No.

- J-27N/BL-P** Black
- J-27N/DB-P** Dark Bronze
- J-27N/LG-P** Light Gray
- J-27N/PS-P** Platinum Silver
- J-27N/WH-P** White



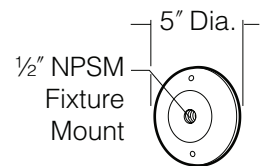
Architectural Wall Mount

Cat. No. (see right)
 No Option

Die-cast low copper aluminum with 1/2" NPSM fixture mount. Internal set screw provided for locking position. Canopy attaches to stainless steel wall plate for mounting to any standard electrical outlet box.

Cat. No.

- JW/BL-P** Black
- JW/DB-P** Dark Bronze
- JW/LG-P** Light Gray
- JW/PS-P** Platinum Silver
- JW/WH-P** White

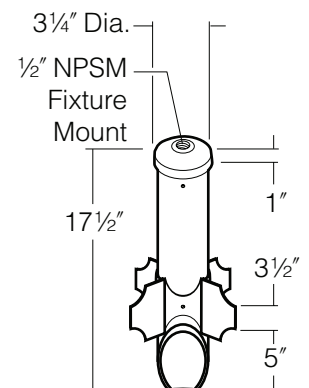


PowerPost™ by Engineered Products Co.

Cat. No. **EP17**
 No Option

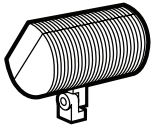
PVC fixture molded in black with 1/2" NPT mount is corrosion free and UV resistant. Replaces EMT, conduit connectors and weatherproof boxes. 100% shatter resistant against denting and cracking. Angled bottom to eliminate cable congestion.

NOTE: Should be used with a UL listed fixture and grounding means (i.e., third wire) suitable for use in wet locations.



Type:

Job:



Mounting Options

Ordered Separately from Fixture

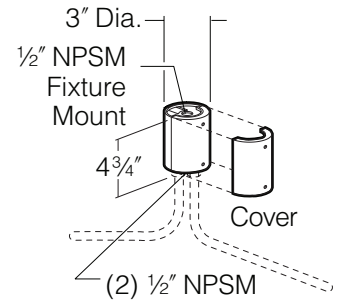
Architectural Junction Box

Cat. No. (see right)
 No Option

Die-cast low copper anodized aluminum cylindrical body and matching cover with 1/2" NPSM fixture mount. One piece molded silicone cover gasket. Captive countersunk cover screws. Internal set screw provided for locking position. Two 1/2" NPSM in bottom, 17 cu in. internal volume.

CAUTION: Junction Box must be installed high enough to avoid contact with soil or standing water.

- Cat. No.
- JB1/BL-P** Black
 - JB1/DB-P** Dark Bronze
 - JB1/LG-P** Light Gray
 - JB1/PS-P** Platinum Silver
 - JB1/WH-P** White

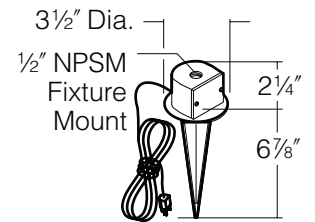


Portable Spear Mount

Cat. No. **J-25N**
 No Option

Cast iron with 1/2" NPSM fixture mount. Hot dip galvanized finish. 5.5 cu in. splice compartment. 9' (SJTW-A) 3 wire cord and plug.

NOTE: For use with incandescent, halogen, and fluorescent fixtures only.





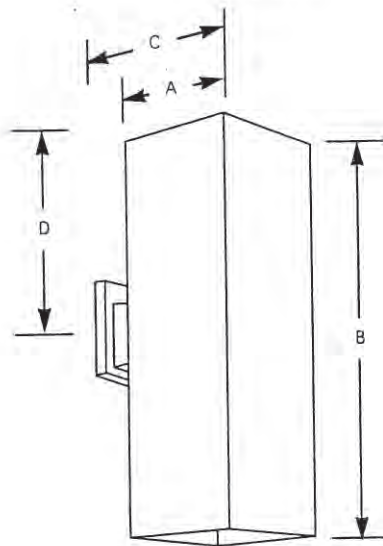
Incandescent

6" Square
Wall

Outdoor

-20 -30 -31
P5644

| Catalog No. | Finish | | | Lamping | Dimensions (Inches) | | | |
|-------------|--------|-------|-------|-----------------------------|---------------------|----|-------|---|
| | Bronze | White | Black | | A | B | C | D |
| P5644 | -20 | -30 | -31 | 2-250w QPAR38, 150w BR40 | 6 | 18 | 8-7/8 | 8 |



Specifications:

General

- Extruded aluminum .125" wall thickness one piece square cylinder
- Top open for up down lighting. P8797-31 top cover lens recommended when unit is used outdoors

Mounting

- Wall mounted
- Covers any standard outlet box
- Cast mounting bracket supplied attachment of unit to wall with one almost invisible set screw

Electrical

- Medium base porcelain nickel plated brass screw shell socket

Labeling

- UL-CUL Wet location listed only when P8797-31 top cover is used
- UL-CUL listed for indoor use without cover

Type: EXT1
Cat.No.: P5644-31
Lamp(s): (2) 75PAR30/CAP/NFL-130V

Progress Lighting
Post Office Box 5704
Spartanburg, South Carolina
29304-5704

www.progresslighting.com

Rev. 8/99

Panera Bread
Outdoor Conceptual Review
2-20-07



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As Presented
at PC Meeting
04/27/15

bay master™ aluminum classic

promotional parasols

The Bay Master series of parasols with marine grade aluminum struts is our most durable promotional parasol collection. Intended for most commercial settings, this parasol features an extremely durable and rigid aluminum strut system. Proven in high traffic areas, ocean-front installations and exposed street-side locations, the Bay Master Classic with Aluminum Struts is guaranteed to endure most types of weather conditions.



TUUCI™



Features:

- a. Triton Polymer Finial
- b. Fiber Delrin Hub System
- c. Manual Lift w/ Stainless Steel Security Pin
- d. Reinforced Pocket Construction
- e. Reinforced Strut Joints
- f. Marine Salt Air-Exposed Mat
- g. Easily Replaceable Parts

shapes & sizes



hexagon

3' / 0.91 m
7'0" / 2.13 m
8'2" / 2.50 m
10'0" / 3.05 m
11'0" / 3.35 m



octagon

4' / 1.22 m
7'6" / 2.29 m
9'0" / 2.74 m
10'6" / 3.20 m
12'0" / 3.66 m



square

5' / 1.52 m
10' / 3.05 m
12' / 3.66 m
15' / 4.57 m



rectangle

6' x 6' / 1.83 x 1.83 m
8' x 8' / 2.44 x 2.44 m
10' x 8' / 3.05 x 2.44 m

global headquarters
2003 NW 35th Street, Miami, FL 33142, USA | 305.674.6178 | info@tuuci.com

European office
Boce van der Tuyn, 2009 JP Oostervaart, The Netherlands | +31.73.332.0471 | info@tuuci.eu

www.tuuci.com



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

MEMORANDUM

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director

DATE: April 30, 2015

RE: Nelligan's – Outdoor storage, sales and display
Special Land Use, Environmental Impact Assessment & Sketch Plan

MANAGER'S REVIEW: 

I have reviewed the proposed special land use, environmental impact assessment and sketch plan for outdoor storage, sales, and display, including mulch, landscape supplies, and brick pavers located at 7949 W. Grand River, Brighton, Michigan, parcel # 4711-13-400-025. This site has historically been used for outdoor storage and display and was most recently approved for boats display and sales (Hide-a-Way) and was previously occupied by Cadillac Brick.

This project was recommended for approval by the Planning Commission on Monday, April 27th, 2015. In an effort to move this item forward and allow Mr. and Mrs. Nelligan to prepare for spring business I have authorized the items that were approved by the Planning Commission to be used for review by the Township Board. My review and recommendation is based on the action taken by the Planning Commission and is provided for your consideration as follows:

SPECIAL LAND USE PERMIT

I recommend CONDITIONAL APPROVAL of the Special Land Use permit. This approval is recommended because the use meets the requirements of Section 19.03 of the Township Ordinance and is compatible with the prior use of the property and with adjacent properties. The following conditions are requested in association with this approval:

1. This special use permit will be granted for a period of one year with the ability for Township Staff to issue renewals if the site remains in compliance.
2. The display in front shall be permitted subject to the review and approval of Township staff to ensure that the design doesn't violate Township ordinances and is small and attractive.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

3. The applicant shall agree that upon termination of their lease or occupancy of the site, the display must be removed.
4. At no time shall any materials located within the rear storage area exceed the height of the brick screen wall.
5. The petitioner will ensure that there will be no blowing and/or other dispersing of dust or other materials into neighboring properties.
6. Trucks delivering materials to the site will arrive at the Grand River entrance and depart on the Hacker Road entrance.
7. Signage will be within Township ordinance and will require Township approval.

IMPACT ASSESSMENT

I recommend **APPROVAL** of the environmental impact assessment dated March 27, 2015.

SKETCH PLAN

I recommend **APPROVAL** of the sketch plan dated April 9, 2015 with the following conditions:

1. The applicant shall obtain a tenant build-out permit for their occupancy of the site within 7 days of this approval.
2. The applicant understands that where authorized by ordinance, a sign permit is required for all signs on the property.
3. The applicant will work with Township staff to address the requirements of the Township Engineer in the letter dated April 22, 2015.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,



Kelly VanMarter
Assistant Township Manager/Community Development Director



GENOA CHARTER TOWNSHIP APPLICATION
Sketch Plan Review

GENOA TOWNSHIP
PAID
APR - 9 2015
By Cash (initials)

TO THE GENOA TOWNSHIP PLANNING COMMISSION:

APPLICANT NAME & ADDRESS: NELIGANS OUTDOOR SERVICES
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: _____

SITE ADDRESS: 7949 W. GRAND RIVER BRIGHTON 48114
PARCEL #(s): _____

APPLICANT PHONE: (313) 622 7988 OWNER PHONE: () _____

LOCATION AND BRIEF DESCRIPTION OF SITE: BRICK BUILDING WITH SEVERAL PARKING SPACES IN FRONT. LARGE GATED AREA IN REAR WITH SMALL GARAGE.

BRIEF STATEMENT OF PROPOSED USE: BRICK PAVER INSIDE DISPLAY SHOWROOM. ADDITION STORAGE NEATLY STACKED WITHIN YARD.

THE FOLLOWING IMPROVEMENTS ARE PROPOSED: 4 ADDITIONS PARKING SPACES, AN OUTDOOR DISPLAY MADE OF PAVERS AND MULCH FOR PERSONAL USE AND POSSIBLY SALES. STORAGE OF PAVER PALLETS INSIDE YARD

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: (Signature)


ADDRESS: 7949 W. GRAND RIVER BRIGHTON 48114

| | | |
|---|----------------------------------|---|
| Contact Information - Review Letters and Correspondence shall be forwarded to the following: | | |
| <u>1. Don Nelligan</u> | of <u>NELIGANS OUTDOOR SERV.</u> | at <u>don@neligansoutdoorservices.com</u> |
| Name | Business Affiliation | Email Address |

| | |
|--|----------------------------|
| FEE EXCEEDANCE AGREEMENT | |
| All sketch plans are allocated one (1) consultant review and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal for a Land Use Permit. By signing below, applicant indicates agreement and full understanding of this policy. | |
| SIGNATURE: <u>(Signature)</u> | DATE: <u>4-9-15</u> |
| PRINT NAME: <u>Don Nelligan</u> | PHONE: <u>313 622 7988</u> |



**GENOA CHARTER TOWNSHIP
Special Land Use Application**

GENOA TOWNSHIP
PAID
APR - 9 2015
By Cash 

This application **must** be accompanied by a site plan review application and the associated submittal requirements. (The Zoning Official may allow a less detailed sketch plan for a change in use.)

APPLICANT NAME & ADDRESS: NELLIGANS OUTDOOR SERVICES
Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.

APPLICANT PHONE: (313) 622-7988 EMAIL: DON@NelligansOutdoorServices.com

OWNER NAME & ADDRESS: _____

SITE ADDRESS: _____ PARCEL #(s): _____

OWNER PHONE: (____) _____ EMAIL: _____

Location and brief description of site and surroundings:

BRICK BUILDING WITH SEVERAL PARKING SPACES IN FRONT.
LARGE GATED AREA IN REAR

Proposed Use:

BRICK PAVER & LANDSCAPE DESIGN CENTER. ADDITIONAL
DISPLAY AND STORAGE OUTSIDE FOR MATERIALS.

Describe how your request meets the Zoning Ordinance General Review Standards (section 19.03):

a. Describe how the use will be compatible and in accordance with the goals, objectives, and policies of the Genoa Township Comprehensive Plan and subarea plans, and will promote the Statement of Purpose of the zoning district in which the use is proposed.

AS A RETAIL BUSINESS WE WILL OFFER ASSISTANCE
TO HOMEOWNERS WITH REGARDS TO DESIGNING LANDSCAPE
PROJECTS TO CUSTOM FIT THEIR NEEDS.

b. Describe how the use will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity.

THE OUTSIDE STORAGE WILL CONSIST OF NEATLY STACKED
BRICK PAVER PALETS - NO MORE THAN 2 HIGH - AND MULCH PILES
NEATLY STORED ON CEMENT PAD. BUILDINGS WILL REMAIN UNTOUCHED.

c. How will the use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools?

SIMILAR TO EXISTING PROPERTIES + BUSINESSES

d. Will the use involve any uses, activities, processes, or materials potentially detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance? If so, how will the impacts be mitigated?

NONE AT ALL

e. Does the use have specific criteria as listed in the Zoning Ordinance (sections 3.03.02, 7.02.02, & 8.02.02)? If so, describe how the criteria are met.

OPEN AIR BUSINESS - OUTDOOR DISPLAY AND STORAGE OF BRICK PAVER MATERIALS

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO DESIGN, CONSTRUCT AND OPERATE, AND MAINTAIN THESE PREMISES AND THE BUILDINGS, STRUCTURES, AND FACILITIES WHICH ARE GOVERNED BY THIS PERMIT IN ACCORDANCE WITH THE STATED REQUIREMENTS OF THE GENOA TOWNSHIP ZONING ORDINANCE, AND SUCH ADDITIONAL LIMITS AND SAFEGUARDS AS MAY BE MADE A PART OF THIS PERMIT.

THE UNDERSIGNED Don Nelligan STATES THAT THEY ARE THE FREE OWNER OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: [Signature]

ADDRESS: 7549 Grand River Brighton 48114

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

Don Nelligan of Nelligans Outdoor Serv. at Don@NelligansOutdoorServices.ca
Name Business Affiliation Email

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: [Signature] DATE: 4-9-15

PRINT NAME: Don Nelligan PHONE: 313 622 7988

Motion by Commissioner Mortensen to recommend approval of the site plan application, subject to the following conditions:

1. Approval by The township board of the PUD amendment and the environmental impact assessment,
2. Umbrella signs will not be permitted on the tables on the patio.
3. The building colors and materials for the Panera Bread restaurant are approved and the renderings will become Township property.
4. The building depicted on lot 4 is regarded as a conceptual plan and when the details are finalized, it will be subject to further review by the planning commission and the Township board.
5. The requirements of the Township engineer spelled out in his April 24, 2015 letter will be complied with.
6. The requirements of the fire department, spelled out in the April 22, 2015 letter will be complied with.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of a special use, sketch plan, and environmental impact assessment, for proposed outdoor storage, sales, and display, including mulch, landscape supplies, and brick pavers, located at 7949 W. Grand River, Brighton, Michigan, parcel # 4711-13-400-025. The request is petitioned by Nelligan's Outdoor Services.

Mr. Don Nelligan and Ms. Lisa Nelligan were present on behalf of the petitioner Nelligan's Outdoor Services. The reason for the petition is that they wanted a building which could serve as a landscape display store to ease the process for customers. They sell mulch and pavers and need a location where people can come in and do their designs.

Planner Borden indicated that some existing conditions do not comply; however, the previous use was of greater impact. It is a tough site to work with and this use does improve the site. The site is lined with brick screen wall which limits the property. The ordinance has specific use requirements tied to outdoor mulch and display. There does not appear to be any huge issue. Covers of mulch are recommended to keep debris from blowing around as they are stored. Some of the front area does encroach on the setback. This area may or may not have been used for display. There does appear to be some flexibility here.

Commissioner Mortensen indicated that boats were stored in that area, including one pontoon and 3 or 4 boats in total. Borden indicated that technically this does not meet the requirement of the ordinance but the use existed before.

Mr. Nelligan would like to do a patio with a non-working fireplace and a sheet wall to entice people to want to come in and see the product they offer. They want to

give it some color and flair. Chairman Brown indicated that the displays inside the store are of high quality and that if the quality of the exterior matches the interior, it will be impressive.

Mr. Borden indicated that there is residential land use immediately east at Hacker. The gravel storage lot is allowable in the ordinance. There does not appear to be adverse impact proposed. The height of the wall was confirmed as compliant. The turnaround space might be tight if the lot is at full load but it appears doable.

Mr. Nelligan indicated that a monument sign is planned. A large sign was placed today but it is too large a smaller one will replace it.

Mr. Borden indicated that he wasn't sure that they want large vehicles on Hacker Road. Chairman Brown indicated that they do not necessarily want the large trucks on Grand River either. Mr. Nelligan indicated that entering from Grand River goes more quickly and entrance is more difficult from Hacker Road.

Mr. Markstrom stated that since this was an existing use, the biggest comment is that some items appear on site plan as new but are carry overs from the previous site plan. This is more an issue of preparation of plan than an issue of the content of plan. No drainage issues are known. There is no increase anticipated that would affect this. Ms. VanMarter indicated there is no history of drainage issues at this site.

Chairman Brown indicated that the fire department letter indicates that there are no objections to this use of the site. No environmental impacts are anticipated.

Commissioner Mortensen asked about the height of the materials. Mr. Nelligan is anticipating two piles of mulch, stretching it out so that it is not taller than the fence. Commissioner Mortensen indicated that there is a need to ensure that mulch does not blow into neighboring properties. Mr. Nelligan indicated that mulch that is piled is not prone to movement any more than mulch installed in home landscaping.

A call to the public was made with no response.

Planning Commission disposition of petition

- A. Recommendation of Special Use
- B. Recommendation of Environmental Impact Assessment (04-09-15)
- C. Recommendation of Sketch Plan (04-09-15)

Moved by Commissioner Mortensen to recommend approval of the special use to permit Nelligan's Outdoor services to sell and stock landscaping supplies and related materials at 7949 Grand River, subject to the following:

1. This special use permit will be granted for one year and if the site remains in compliance, Township staff can approve it on an annual basis without a special use fee.
2. The display in front is permitted and will be maintained.
3. Mulch stored in the rear and other materials such as pavers will be kept below the height of the brick fence.
4. Steps will be taken by the petitioner to prevent blowing and other dispersing of the materials into neighboring properties.
5. Trucks delivering materials to the site will arrive at the Grand River entrance and depart on the Hacker Road entrance.
6. Signage will be within Township ordinance and will require Township approval.
7. This recommendation is made because it meets the requirements of section 19.03 of the ordinance and is consistent with prior use of the property and with adjacent properties.

Supported by Commissioner Grajek. **Motion carried unanimously.**

Motion by Commissioner Figurski to recommend to the Township Board adoption of the environmental impact assessment dated March 27, 2015, dependent on approval by the Township board of the special use permit.

Supported by Commissioner Mortensen. **Motion carried unanimously.**

Motion by Commissioner Mortensen to recommend approval of the proposed sketch plan dated April 9, 2015 for outdoor storage, sales, and display, including mulch, landscape supplies, and brick pavers, located at 7949 W. Grand River, Brighton, Michigan, parcel # 4711-13-400-025, petitioned by Nelligan's Outdoor Services, subject to:

1. Approval of the Township board of the special use permit and environmental impact assessment.
2. Signage will be within the limits of the Township ordinance and will require the approval of Township staff.
3. Recommendations of the Township engineer, spelled out in his letter April 22, 2015 will be complied with and it is noted that the Brighton Area Fire Authority had no issues to raise in their letter.

Support by Commissioner Figurski. **Motion carried unanimously.**

Chairman Brown indicated that Commissioner Rauch has asked to be recused from agenda item #3. Commissioner Rauch stated that he and his wife have interest in having their children attend the Livingston Christian School at the proposed location and he requests to withdraw from decision making related to this project case.



April 24, 2015

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

| | |
|-------------------|--|
| Attention: | Kelly Van Marter, AICP Assistant Township Manager and Planning Director |
| Subject: | Nelligan's Outdoor Services – Special Land Use and Sketch Plan Review #1 |
| Location: | 7949 Grand River Avenue – just north of the intersection of Grand River Avenue and Hacker Road |
| Zoning: | GCD General Commercial District |

Dear Commissioners:

As requested, we have reviewed the sketch plan (which is a hand-marked version of a site plan most recently dated 2/14/12) proposing additional parking, a new sign and outdoor storage and display areas for the developed site at 7949 Grand River Avenue. Specifically, the applicant seeks special land use and sketch plan review/approval for the proposed project.

We have reviewed the proposal in accordance with the applicable provisions of the Genoa Township Zoning Ordinance and provide the following comments for your consideration.

A. Summary

1. The request for a new special land use on a developed property provides the Township with an opportunity to seek improvement to any existing site design deficiencies. With that being said, the site has previously been occupied by a similar use, the scope of the project is relatively limited, and there are a number of existing conditions that make full compliance difficult, at best.
2. Additional information and details are needed to ensure the general special land use standards. This generally revolves around the need to demonstrate compliance with the specific use requirements of Section 7.02.02(d).
3. The buffer zone and setback requirements of Section 7.02.02(d) are not met.
4. One of the proposed parking spaces may be difficult to exit.
5. The applicant needs to confirm that the sidewalk shown on the plan has been constructed.
6. If the site could function properly with only use of the Grand River access, consideration should be given to removing the 2nd drive.
7. The Commission may wish to require further details of existing site features and require improvements to deficiencies as deemed necessary.
8. The plan identifies a proposed sign; however, no details are provided.

B. Proposal/Process

The applicant requests special land use and sketch plan review/approval for a new project on a developed site. The submittal identifies 4 new parking spaces in front of the building, a new sign in the Hacker Road front yard, a new mulch storage area in the Hacker Road front yard and a new patio/display area in the Grand River front yard.

Table 7.02 of the Township Zoning Ordinance lists outdoor commercial display, sales or storage as a special land use in the GCD. Given the limited scope of the project, it is eligible for sketch plan review (as opposed to full site plan review) in accordance with Article 18 of the Township Zoning Ordinance.



Aerial view of site and surroundings (looking north)

C. Special Land Use Review

Section 19.03 of the Zoning Ordinance identifies the review criteria for Special Land Use applications as follows:

1. **Master Plan.** The Township Master Plan and Future Land Use map identify the site as General Commercial, which is intended “to serve the requirements of the community at large... and pass-by traffic along Grand River Avenue.” The location and nature of the site as a developed commercial property are generally consistent with this category.
2. **Compatibility.** Based on the submittal, it is our understanding that the site was previously used for boat sales, which likely included outdoor storage/display. It is unclear whether Nelligan’s is a current or proposed user of the property, although the landscape supply business could reasonably be viewed as similar to the prior use.

Surrounding uses to the west, north, and south are developed with, zoned and planned for commercial uses. Properties to the east are within Brighton Township, but are zoned for and developed with single-family residences.

The submittal does not include detail sufficient to verify compliance with the use requirements of Section 7.02.02(d), which are intended to protect surrounding land uses from any potential impacts of outdoor sales, display and/or storage activities. A finding under this criterion should not be made until compliance is demonstrated.

3. **Public Facilities and Services.** Given the site’s location and the nature of the proposed use, we do not anticipate issues with the capacity of public facilities and services. However, we defer to the Township Engineer and Fire Department for any specific comments/concerns they may have.
4. **Impacts.** As a previously developed site, adverse impacts upon the natural environment are not anticipated.
5. **Mitigation.** The Township may require mitigation necessary to limit or alleviate any potential adverse impacts as a result of the proposed project.

D. Use Requirements

Section 07.02.02(d) identifies the specific requirements for commercial outdoor display sales or storage as follows:

1. Minimum lot area shall be one (1) acre.

The submittal does not identify the size of the property. Based on the dimensions shown on the plan, the full site contains just over 1 acre; however, this appears to include right-of-way area(s). The applicant needs to identify the lot area.

2. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.

The plan shows 3 mulch piles to be stored on an existing concrete slab in the Hacker Road front yard. This area backs up to the existing brick screen wall along the east side of the property and a note states that the 3 piles will be separated by "cement bin blocks," though no details are provided.

Additionally, there is no indication that this area will be covered and/or fully contained. The applicant must provide additional details and/or a description of how these materials will be contained.

3. All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose stormwater without negatively impact adjacent property. The Township Board, following a recommendation of the Planning Commission and the Township Engineer, may approve a gravel surface for all or part of the display or storage area for low intensity activities, upon a finding that neighboring properties and the environment will not be negatively impacted.

A note on the original plan states that the land east of the building is a gravel storage area. The Impact Assessment states that dust control measures will be implemented as needed.

We defer to the Township Engineer for any technical comments; however, it appears that the site has been maintained with gravel for an extended period of time and we are unaware of any issues resulting from this condition.

4. No outdoor storage shall be permitted in any required yard (setback) of buildings for the district in which the commercial outdoor display, sales or storage use is located. Any approved outdoor sales or display within a parking lot shall meet the required parking lot setback; provided the Planning Commission may require additional landscaping screening or ornamental fencing.

The plan identifies property lines to the centerline of each road frontage. Based upon our best guess as to the actual front lot lines, neither the mulch storage nor the patio/display area meet the required front yard setback from Hacker and Grand River, respectively. Additionally, the patio/display area does not meet the minimum side yard setback from the northerly side lot line. This standard is not met.

5. The site shall include a building of at least five hundred (500) feet of gross floor area for office use in conjunction with the use.

Per the Impact Assessment, the existing building contains 1,120 square feet. This standard is met.

6. All loading and truck maneuvering shall be accommodated on-site.

The site has existing vehicular access from both Grand River and Hacker. We anticipate that larger delivery trucks would utilize the Hacker Road driveway to gain direct access to the storage area; however, the applicant should provide a description of delivery types and demonstrate that this standard will be met.

7. All outdoor storage area property lines adjacent to a residential district shall provide a buffer zone A as described in Section 12.02. A buffer zone B shall be provided on all other sides. The Planning Commission may approve a six (6) foot high screen wall or fence, or a four (4) foot high landscaped berm as an alternative.

There is an existing brick screen wall surrounding much of the outdoor storage area; however, its height is not identified. Additionally, much of the northerly side contains an existing chain link fence. Lastly, the plan shows 6 existing trees along Hacker Road, but no other landscaping is apparent.

Given the depth, screening and landscaping requirements, a Buffer Zone B is not fully provided. The Commission may allow the existing brick screen wall in lieu of the Buffer Zone B; however, the applicant must demonstrate that it is 6-foot tall. Additionally, consideration needs to be given to replacing the chain link fence with a screen wall/fence.

8. The height of all material and equipment stored in an outdoor storage area shall not exceed the height of any landscape screening, wall or fence. Boats and recreational vehicles may exceed the height of the fence provided that they are setback from the fence a distance equal to their height. Storage of materials up to the height of the GENOA TOWNSHIP ZONING ORDINANCE Commercial Districts 7-8 adjacent building wall may be permitted in the rear yard if it is illustrated on the site plan, the rear yard does not abut a residential district, will not be visible from an expressway and such storage is confined to within twenty (20) feet of the building.

There is no indication as to the height of the screening or the materials to be stored. The applicant must provide this information to verify compliance.

E. Sketch Plan Review

- 1. Dimensional Requirements.** As noted above, the outdoor storage and display areas do not comply with the front or side yard setback requirements of the GCD.
- 2. Building Materials and Design.** No changes are proposed to the existing building.
- 3. Parking.** The proposal includes 4 new parking spaces in the Grand River front yard. The parking spaces themselves appear to comply with the required setback, although the drive aisle does not.

The proposed spaces meet the dimensional standards of Section 14.06.04, although the applicant should be aware that spaces are required to be looped (or double striped). Additionally, the southernmost parking space may be difficult to exit given the angled side lot line and presence of a screen wall. The applicant should demonstrate that this space can function properly without harming vehicles or the screen wall.

- 4. Pedestrian Circulation.** The site plan identifies an existing sidewalk along Grand River Avenue, although it not present in the aerial photo on Page 2 above. The applicant needs to confirm that the sidewalk is in place.

- 5. Vehicular Circulation.** The site currently has one driveway on Grand River Avenue and one on Hacker Drive. The plan does not identify any changes to the existing vehicular circulation pattern as part of this project. The Grand River drive is identified as asphalt. The Hacker drive appears to be gravel. The driveway should be hard-surfaced with asphalt or concrete per Section 14.06.01. Furthermore, the need for the Hacker Road driveway is unclear. If the site could function properly with only use of the Grand River access, consideration should be given to removing the 2nd drive.
- 6. Landscaping.** The plan identifies existing landscaping. The table below notes greenbelt planting requirements; however, the remaining landscape standards are addressed under the Use Requirements section of this review letter.

| Location | Requirements | Existing | Comments |
|------------------------------------|-----------------------------|--------------------------------|--|
| Front yard greenbelt (Grand River) | 3 canopy trees 20' width | 3 canopy trees 10-15' width | Plantings provided; width is an existing condition |
| Front yard greenbelt (Hacker) | 6 canopy trees 20' width | 6 canopy trees 25' width | Requirements met |


- 7. Exterior Lighting.** The plan does not identify details of existing exterior site lighting. If existing light fixtures are not up to current Ordinance standards, the Commission may wish to require improvements as part of this project.
- 8. Waste Receptacles.** The plan identifies one existing receptacle/enclosure along the south side of the site, although no details are provided. If the existing receptacles/enclosures are not up to current standards, the Commission may wish to require improvements as part of this project.
- 9. Signage.** The submittal identifies a new sign in the Hacker Road front yard; however, no details are provided. If new signage is proposed, the applicant should provide details for the Commission's consideration.
- 10. Impact Assessment.** The submittal includes a brief Impact Assessment (dated April 9, 2015). In summary, the Assessment notes that the project is not anticipated to adversely impact natural features, public services/utilities, surrounding land uses or traffic.
- 11. Additional Considerations.** As is often noted, the request for a new special land use on a developed site provides the Township and applicant with an opportunity to improve established site design deficiencies. In this particular instance, there are some existing conditions that make full compliance difficult – established lot shape/size, presence of a large brick screen wall and previously-used gravel outdoor storage area.

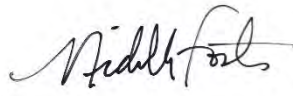
The extent of any improvements to be required should be in keeping with the nature/character of the project. Given the relatively limited scope of the proposal, in conjunction with existing site limitations, we do not believe full compliance is necessarily warranted/achievable in this instance.

Should you have any questions concerning this matter, please do not hesitate to contact our office. We can be reached by phone at (248) 586-0505, or via e-mail at borden@lslplanning.com and foster@lslplanning.com.

Sincerely,

LSL PLANNING, INC.


 Brian V. Borden, AICP
 Principal Planner


 Michelle Foster
 Project Planner



April 22, 2015

Ms. Kelly Van Marter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: Nelligan's Outdoor Services - Site Plan Review

Dear Ms. Van Marter:

We have reviewed the site plan submittal from Nelligan's Outdoor Services, dated April 9, 2015. The petitioner is proposing to establish a brick paver sales and design center at the former Hide-Away Boat Sales property, located at 7949 W. Grand River Avenue. There are no planned changes to the site grading, drainage or sewer and water service for this property. Tetra Tech has reviewed the documents and offers the following comments for consideration by the planning commission:

SUMMARY

1. All existing public and private utilities must be shown on the site plan.


SITE PLAN

1. The petitioner submitted a hand-marked site plan from the previous development at this address, Hide-Away Boat Sales. While there isn't much to depict in the way of actual site improvements, the petitioner must at least clearly show the locations of the public sewer adjacent to the site so any potential impacts can be evaluated. The petitioner should also review the site plan requirements to make sure that any resubmitted site plan drawings and documents include all of the mandatory information on the drawings.


Once the information has been included on the site plan we will confirm that there is no impact to the existing public and private utilities on or near the site or drainage patterns due to the proposed construction. The petitioner should revise and resubmit the site plan to address the above comment prior to approval.

Please call if you have any questions.

Sincerely,



Gary J. Markstrom, P.E.
Unit Vice President



Joseph C. Siwek, P.E.
Project Engineer

Copy: Don Nelligan



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

April 16, 2015

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Nelligan's Outdoor Services
7949 W. Grand River
Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on April 15, 2015 and the drawings are not dated. The project is based on an existing 1200 square foot building. The plan review is based on the requirements of the International Fire Code (IFC) 2012 edition.

Based on the information provided the Brighton Area Fire Department has no objections to the proposed site plan.

Cordially,

A handwritten signature in black ink that reads "D Bunge".

Derrick Bunge
Lieutenant - Fire Inspector



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

April 9, 2015

To Whom It May Concern:

There will be a public hearing on Monday, April 27 at 6:30 p.m. at Genoa Township Hall, located at 2911 Dorr Road, Brighton, Michigan, for a Special Land Use Permit in your general vicinity.

The property in question is located at 7949 W. Grand River, Brighton, being Parcel No. 4711-13-400-025. The Special Use is requested for proposed outdoor storage, sales and display, including mulch, landscape supplies, and brick pavers. The request is petitioned by Nelligan's Outdoor Services.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116 or via email at kathryn@genoa.org up to the date of the hearing and may be further received by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) day notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Sincerely,

Kelly VanMarter
Assistant Township Manager / Community Development Director
KKV/kp

SUPERVISOR
Gary T. McCrie

CLERK
Paulette A. Skolarus

TREASURER
Robin L. Hunt

MANAGER
Michael C. Archinal

TRUSTEES
H. James Mortensen
Jean W. Ledford
Todd W. Smith
Linda Rowell

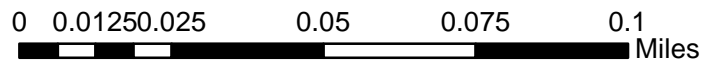


300' Buffer for Noticing

Blue outline identifies affected parcel.
Red outline indicates area within 300 feet of affected parcel.



Planning Commission Case #15-12
Applicant: Nelligans Outdoor Services
Address: 7949 W. Grand River
Parcels: 4711-13-400-025
Meeting Date: April 27, 2013



OWNER OR OCCUPANT
1 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
2 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
3 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
4 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
5 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
6 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
7 BLUEGILL
BRIGHTON MI 48114

OWNER OR OCCUPANT
8 BLUEGILL
BRIGHTON MI 48114

LON SEXTON
11025 ROBERTS RD
STOCKBRIDGE MI 49285

DIVERSIFIED GLASS SERVICES INC
21401 WIDGEON TERRACE
FORT MYERS FL 33931

MONTGOMERY CELESTE LIVING TRUST
8804 MARIA CT.
HOWELL MI 48855

BRIGHTON LAND LLC
5000 E. GRAND RIVER
HOWELL MI 48843

LIVINGSTON REAL PROPERTIES
PO BOX 1168
BRIGHTON MI 48116

PATRICE STARKWEATHER
RICHARD MORSE
2831 STANWOOD PL
BRIGHTON MI 48114

DJM OFFICE PARK LLC
DON MCCLUSKEY
419 FIELDSTONE DR
VENICE FL 34292

DJM OFFICE PARK LLC
DON MCCLUSKEY
419 FIELDSTONE DR
VENICE FL 34292

OWNER OR OCCUPANT
7982 W. GRAND RIVER
BRIGHTON MI 48114

OWNER OR OCCUPANT
7991 W. GRAND RIVER
BRIGHTON MI 48116

OWNER OR OCCUPANT
7979 W. GRAND RIVER
BRIGHTON MI 48116

OWNER OR OCCUPANT
7949 W. GRAND RIVER
BRIGHTON MI 48116

OWNER OR OCCUPANT
7885 W. GRAND RIVER
BRIGHTON MI 48116

OWNER OR OCCUPANT
7960 W. GRAND RIVER
BRIGHTON MI 48114

OWNER OR OCCUPANT
7900 W. GRAND RIVER
BRIGHTON MI 48116

GREG SONNANSTINE
7993 GRAND RIVER
BRIGHTON MI 48114

JEAN WIGGINS
2867 HACKER RD
BRIGHTON MI 48114

JASON & LAURA HUCK
2873 HACKER RD
BRIGHTON MI 48114

CHAD & LINDA KAY TURNBLOM
2879 HACKER RD
BRIGHTON MI 48114

BARRY & SHIRLEY FREEMAN
6592 COWELL RD
BRIGHTON MI 48116

STEPHANIE SCHULER
BONNIE BARNES
2891 HACKER RD
BRIGHTON MI 48114

ERIC EYESTONE
8043 WOODLAND SHORE DR
BRIGHTON MI 48114

PETREA WILLARD
8049 WOODLAND SHORE DR
BRIGHTON MI 48114

OWNER OF OCCUPANT
2885 HACKER RD
BRIGHTON MI 48114

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
MONDAY, APRIL 27, 2015
6:30 P.M.**

PLEASE TAKE NOTICE that the Planning Commission of Genoa Charter Township will conduct a public hearing on Monday, April 27, 2015, commencing at 6:30 p.m. at the Genoa Charter Township Hall, 2911 Dorr Road, Brighton, Michigan, as required under the provisions of the Michigan Zoning Enabling Act.

PLEASE TAKE FURTHER NOTICE that the items to be considered at said public hearing include, in brief, the following:

OPEN PUBLIC HEARING #1... Review of a special use, sketch plan, and environmental impact assessment for a proposed K-12 Livingston Christian School to be located within the Brighton Church of the Nazarene. The property in question is located at 7669 Brighton Road, Brighton, Michigan, being Parcel No. 4711-25-400-058. The request is petitioned by Brighton Nazarene Church.

OPEN PUBLIC HEARING #2... Review of a special use, sketch plan, and environmental impact assessment for proposed outdoor storage, sales and display, including mulch, landscape supplies, and brick pavers. The property in question is located at 7949 W. Grand River, Brighton, being Parcel No. 4711-13-400-025. The request is petitioned by Nelligan's Outdoor Services.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116 or via email at kathryn@genoa.org up to the date of the hearing and may be further received by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Signed:

**KELLY VANMARTER
ASSISTANT TOWNSHIP MANAGER/COMMUNITY
DEVELOPMENT DIRECTOR**

(04-10-2015 DAILY 236548)

April 9, 2015

Ms. Kelly VanMarter, AICP
Planning Director
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Impact Assessment

Nelligan's Outdoor Services
7949 W. Grand River Ave.
Genoa Twp., Michigan

a. Name and address of person responsible for preparation

Nelligan's Outdoor Services
7949 W. Grand River Ave.

b. Maps and written description/analysis of the project site.

Most of the existing site features will be used "as-is". A portion of the brick paver area in front of the 40' x 28' brick sales office will be used for parking and an outdoor paver patio display. The existing brick walls and chain link fences will remain. The 20' gate will remain open during normal business hours. Patrons will be able to park in the storage yard if necessary. The existing concrete apron will remain. In the gravel yard, the 20' x 54' concrete slab and the existing 12' x 17' shed will remain. The existing gate on Hacker Road will also remain. The existing monument sign will be reused. A separate signage permit will be obtained per township guidelines prior to reuse.

c. Impact on natural features

The grass area on the northwest part of the site will become a stone berm approximately 2' high to display paver patio display. The existing planters will be cleaned and new annuals may be added. The 20' stretch of gravel along the north side of the site will be removed and a grass buffer will be installed. The existing gravel areas will be cleaned and regraded. Dust control measures will be implemented as necessary and carried out in a timely manner.

d. Impact on stormwater management.

Current drainage patterns are established and to remain.

e. Impact on surrounding land use.

Site will be used to sell brick pavers and landscape materials. Currently there are commercial businesses to the north and south of the property, office/research to the west, and the residential use to the east. Proposed use is consistent with previous and potential development patterns currently in place. There will be no anticipated increase in light, noise or air pollution generated.

Ms. VanMarter

April 9, 2015

Page 2 of 2

f. **Impact on public facilities.**

Hours of operation will be approximately 8 a.m. to 6 p.m. a week and 10 a.m. to 4 p.m. on Saturday and Sunday. There will be an estimated 4 employees during the busiest times and an estimated maximum of 25 customers per day. No further impact on any public facility is anticipated.

g. **Impact on public utilities**

Building uses an existing well for fresh water and existing sanitary sewers for waste water. No changes to these systems are anticipated. Drainage control has been established and is to remain. The majority of the site is grass, gravel, and stone pavers (all permeable surfaces) and is to remain. No new impact to these facilities is anticipated.

f. **Storage and handling of any hazardous materials.**

No hazardous materials will be placed on the site at any time. Daily trash will be removed and placed in small dumpster to be removed at a predetermined interval by a waste management company.

i. **Impact on traffic and pedestrians.**

Display areas will be placed on existing hard surface areas described on the drawings.

Required parking areas have been established on the plan to conform to local ordinances.

Parking signage will be placed to assist motorist. Four parking spaces and 1 barrier-free space have been added to the plan. During hours of operation, additional parking can be provided on the gravel surface in storage area. The gates will remain open during business hours. Employee and customer traffic will be allowed to enter from Hacker Road. Deliveries will be instructed to use the Hacker Road entrance so as not to cause any issues on Grand River Avenue.

j. **Special provisions:** not applicable

If you have any questions, please don't hesitate to call me (313) 622-7988.

Sincerely,

Don Nelligan

Mike Archinal

From: oldstrom1966@aol.com
Sent: Friday, April 17, 2015 12:50 PM
To: Mike Archinal
Subject: North South Commuter Rail Project (WALLY)
Attachments: liv daily 20150416.pdf

Mr. Michael C. Archinal, AICP
Manager, Genoa Township

Dear Mr. Archinal:

My comments concern the current feasibility study for the commuter rail concept, known as "WALLY", planned to connect Howell to Ann Arbor and points in between, including Genoa Township.

The presenters at the second WALLY public meeting in Howell on March 30 urged those of us who were present to contact our elected officials and the following are my thoughts about the WALLY project.

The presenters told us that 11,782 Livingston County residents commute to Washtenaw County and 6,332 residents work at the University of Michigan and University Hospital.

The idea behind WALLY is to reduce peak automobile usage on US-23; the presenters conceded that WALLY, even if successful, will only remove a percentage of travelers from using US-23. Furthermore, no one knows who will ride the WALLY trains. A 2007 study found that about 1,300 commuters said they would ride WALLY trains.

The "problem" to be solved is the reduction of the traffic peaks. These occur twice daily, five days per week. The cause of the problem is that people find Washtenaw County a desirable place to work but not a desirable place to live.

There exist a number of possible solutions to reducing the peak traffic flows:

1. The WALLY solution.

The solution now being considered through the WALLY feasibility study is to spend about \$32 million tax dollars build the commuter rail system. Annual operating expenses, we learned, would be about \$7.2 million, fares would generate about \$2½ million, federal aid (more of our tax dollars) would be \$2 million and the remaining \$2+ million deficit would be made up by, presumably, local governments (more of our tax dollars). If we generously assume that WALLY would serve 1,500 commuters this means that the annual subsidy for each commuter, net of fares, would be about \$3,133. How can this be explained to us taxpayers?

I don't think that there is any realistic hope that Livingston County residents who do not work in Washtenaw County will chose to ride a WALLY train to Ann Arbor, board a city bus and eventually reach our destinations. This leaves the WALLY system serving an "elite" group of Livingston County residents. It will be difficult to explain to us taxpayers why we should foot the bill for the WALLY subsidies.

The Livingston Daily editorial, April 16, 2015, correctly described the WALLY proposal as a "money pit."

2. The Ann Arbor bus route solution.

The editorial in the April 16, 2015 edition of the Livingston Daily, copy attached, correctly stated that bus service from Ann Arbor to southern Livingston County "makes sense." The fly in the ointment seems to be the need for public funding.

3. The car pool and van pool solution.

This option should be first considered as the cost of car pools and van pools is far less than the first two solutions and would not require public funding. The MDOT web site explains how this system works. Car pools and van pools would definitely knock the peaks off traffic flows.

At the March 30 WALLY meeting, one presenter mentioned that WALLY must be more convenient and faster than the current commuter experience to be successful. Little thought seems to have been given to what happens to the commuters when the train stops in Ann Arbor. Presumably, the commuters will walk to work in rain, snow, heat or cold or wait in the rain, snow, heat or cold for an Ann Arbor bus to arrive.

Additionally, none of the WALLY presenters considered the inconvenience commuters will encounter just getting to the train. Commuters would leave home, drive to a WALLY train station (5 or 10 minutes?) and wait for the train to show up (5 or 10 more minutes?). The WALLY proposal calls for three stations between Howell and Ann Arbor and each of those stops would probably add five more minutes to the trip to Ann Arbor. Upon arrival, the commuters would be faced with the problem of getting to work at the end of the line.

Then, there exists the problem of the commuter train engine. My understanding is that these engines run 24 hours a day, whether or not they are operating. The folks near the Howell terminal won't like all that shake, rattle and roar. You may recall recent citizens' complaints over a work train and its engine which ran 24 hours a day.

Lastly, the commuter rail plan calls for a station to be located in Genoa Township. Should that happen, the township board will get an earful from Genoa residents who must get used to noise, increased traffic, lights around the parking area and the inevitable decline in property values associated with the commuter rail system.

In summary, the WALLY commuter line will prove to be less convenient and more time consuming than the present commuter experience. Therefore, it will fail. WALLY is not a proper use of public money, especially when the municipalities in Livingston County, including Genoa Township, will be called upon to subsidize this boondoggle.

Yours truly,
Stephen Oldstrom
4544 Golf View Drive
Brighton, MI 48116
810-588-4121



One Comcast Center
Philadelphia, Pennsylvania 19103

April 27, 2015

Gary McCririe
Supervisor
Township of Genoa
2911 Dorr Rd.
Brighton, MI 48116

**Re: Comcast/Time Warner Cable/Charter Transactions Terminated and
The Formation of GreatLand Connections Will Not Proceed**

Dear Mr. McCririe:

More than a year ago, Comcast Corporation ("Comcast"), the ultimate parent of the entity that holds the cable franchise in your community, entered into a merger agreement with Time Warner Cable, Inc. ("Time Warner Cable"). In addition to acquiring cable systems currently served by Time Warner Cable, certain existing Comcast-served cable systems were to be spun off to a new cable company called GreatLand Connections, Inc. We appreciate the careful consideration that was given to this transaction on a local level, and we are gratified that every one of the hundreds of local communities that were required to consent to the transaction did grant their consent.

However, at this time we have made a determination to terminate our merger agreement with Time Warner Cable and our transactions agreement with Charter Communications, Inc. And, since the formation of GreatLand Connections was always contingent upon the closing of our transaction with Time Warner Cable, the formation of GreatLand will not proceed.

Accordingly, by this letter, Comcast provides formal notice that the GreatLand Connections transaction will not proceed and withdraws the FCC Form 394 filing. It is not necessary for you to take any further action at this time. We look forward to continuing to serve your community.

If you have any immediate questions, you are welcome to contact me at (215) 286-7899 or send an email to klayton_fennell@comcast.com.

Sincerely,

A handwritten signature in black ink that reads "Klayton F. Fennell".

Klayton F. Fennell
Senior Vice President, Government Affairs

cc: Emmett Coleman, RVP of Government Affairs, Comcast Twin Cities Region
Lisa Birmingham, RVP of Government Affairs, Comcast Heartland Region
Andy Macke, RVP of Government Affairs, Comcast Big South Region
Derek Cooper, RVP of Government Affairs, Comcast Florida and SE AL Region

To Board 5/4/2015

Polly

From: Bud Clark <bclark@verimation.com>
Sent: Thursday, April 30, 2015 9:44 AM
To: Polly
Subject: RE: package for submission to township board

Thank you Polly. I don't really plan to address the Board other than to introduce myself and family, my hope is more that the Board or the attorney might ask questions that my write-up and the exhibits I provided might prompt them to ask. Please advise as to the date and time for this meeting.

Thanks again,
Bud Clark

From: Polly [mailto:pskolarus@genoa.org]
Sent: Wednesday, April 29, 2015 7:26 PM
To: Bud Clark
Subject: RE: package for submission to township board

Hi Bud, I will be glad to copy all of the attachments that you sent and provide them for the board you can address the board at the call to the public which is the first thing on the agenda and our township attorney will be there and he will be able to respond. Polly

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Bud Clark
Date: 04/28/2015 3:36 PM (GMT-05:00)
To: Polly
Cc: 'lisa clark'
Subject: package for submission to township board

Polly,

My dad asked that I hold off on sending something to the Twp. Board while he investigated other possible options, this is why you did not hear back from me sooner.

Please submit the (5) PDF files contained in the attached Zip folder to the Genoa Township Board for review and discussion at their next public hearing. I am happy to provide as many color hard copies of all of these documents should this make it easier for you.

Please advise when this meeting will take place as our family wishes to attend and voice our concerns on this matter.

Thank you,
Bud Clark Jr.

From: Polly [mailto:pskolarus@genoa.org]
Sent: Thursday, October 16, 2014 8:19 PM

To: Bud Clark

Subject: Re: Thank you / ***procedures for filing a petition?***

Bud, I will copy your correspondence for the next board meeting. You would be welcome to attend that meeting and make your feelings known to the board and make your request. However, I do not think our attorney will change his opinion. Polly

Sent from my iPad

On Oct 14, 2014, at 11:18 PM, Bud Clark <bclark@verimation.com> wrote:

Thank you Polly,

Does presenting the concerns and requesting official Township action to the board for their review/consideration require a petition effort at this point? Is there no other way for me to make this sort of appeal to the board? ...or perhaps on behalf of a smaller group of concerned Genoa property owners? Is there a form we need to complete for this?

THE ABOVE QUESTIONS ARE WHAT IS MOST IMPORTANT TO ME, HOWEVER I GOT ON A ROLL AND WROTE THE FOLLOWING FOR YOU TO CONSIDER IF YOU HAVE TIME. THANK YOU!!

I do appreciate that you feel bad for my dad, and I would ask you to help right this wrong and convince all involved at the Twp to do the right thing in disputing this ruling as a matter of Township business. This is the only thing that could help my dad as he has been diagnosed and now takes meds for clinical depression – 100% because of this situation. As it stands, there is not a buyer in existence willing to purchase my father's property at a fair market price once they've observed Wernette's intentional defacing and storing of household junk on the property he stole in court, and the devaluing effect it unquestionably has on my dad's remaining property. Not to mention the ingress/egress safety concerns Wernette is now intentionally causing. All because this ruling allows it. Doesn't the Township have rules to prevent someone from taking actions that devalue and/or cause other peoples' property to be unsafe? ...oh that's right, we do have the land use variance process and resulting public records that existed and pertain to the exact same property line, but couldn't be found for my dad's benefit. The reality now is that the 1986 official township business for which you sent records to me, per this ruling just simply never happened – this is what the ruling is asking you personally to accept, as well as any other Genoa resident. I tried very hard to convey this to Gary, and find it appalling that anyone in an official capacity at the township can consider this then shrug their shoulders and look the other way when it is so painfully clear that something so wrong happened as a result of the township's poor keeping of these public records.

I'm sorry to lay this on you, I hope to not offend you (not at all the intent), and I realize the repetitive nature of my communications, but the truth is the truth, this ruling is wrong as can be, and the township is now morally culpable and should do the right thing to fix it. In the meantime I will not stop advocating for my father and plan to become more vocal and more public with what I know is the truth as time goes on. So if a petition is the only way to get the truth recognized, then so be it.

Thanks,
Bud Clark

From: Polly [<mailto:pskolarus@genoa.org>]
Sent: Tuesday, October 14, 2014 11:06 AM
To: Bud Clark
Cc: Gary McCririe; Frank Mancuso (frank@mancusocameronlaw.com)
Subject: RE: Thank you / ***procedures for filing a petition?***

Bud, You may prepare the petition. There are no filing fees. Our township attorney would then review the request and make a recommendation to the board. I again spoke with our attorney Frank Mancuso and he again said that we will cooperate with your attorney in this matter. I do feel sympathetic toward your father and am very sad that this happened to him. Polly

From: Bud Clark [<mailto:bclark@verimation.com>]
Sent: Monday, October 13, 2014 5:25 PM
To: Polly
Cc: Gary McCririe
Subject: Thank you / ***procedures for filing a petition?***

Polly,

Thank you for the records of the variance, it is really appreciated. I believe that at least you are sympathetic to my dad's position and recognize how wrong this ruling was for my dad and our township - I only wish I could say the same for Gary.

It might interest you to know that in addition to storing junk on his new property as we had showed you, now Mr. Wernette has painted yellow over the paver bricks my dad installed in the area that was my dad's property according to the public records you've sent to me. It looks absolutely hideous, but that is exactly what Wernette wants. It has been Wernette's mission to harass my father at every turn, and it has worked out beyond his wildest dreams largely because the township could not locate these public records for my dad and sister upon their 2 separate requests, which in turn allowed for Wernette to steal my dad's property in court – this is the plain truth of the matter.

My sister and I plan to petition the Township Board to take action on this. We plan to seek signatures from the majority of Crooked Lake residents because this occurred in our lake community. Our plan is to be matter of fact (as opposed to a "bad-mouthing" of the township) with regard to these once missing public records which pertain to the same lot line, and the ingress/egress safety related concerns that have certainly resulted from this ruling. I would also point out that in the meeting minutes of 7/8/1986, Mr. Staley expressed the exact same concern for emergency personnel being able access the waterfront - this was a problem that my dad's improvements to the property were finally addressing before this ruling. So while Gary can pass this off as a non-concern on the part of the Township (which he did when we met to discuss this), it is a concern our Board members not only would, but factually did address - it is a matter of public record.

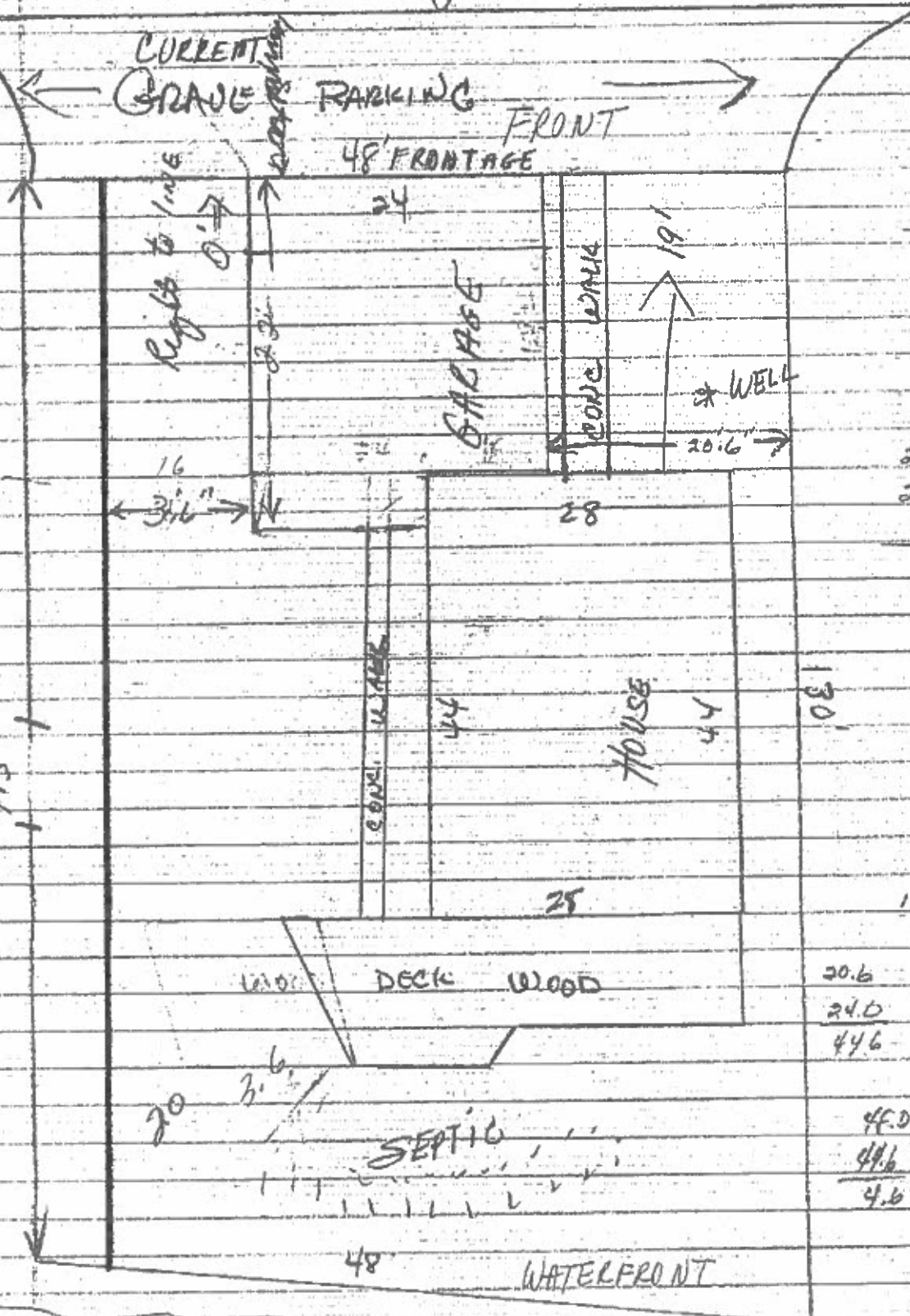
Are there specific forms we need to use for setting up a petition? Is there a filing fee? Note that I could not find this on the township website.

I am also wondering if there is a way we can present these concerns to the board and ask for them to consider taking action without doing a petition?

Thank you,

Bud Clark

Noble DR EXHIBIT B' ↑ N



LITTLE CROOKED LAKE

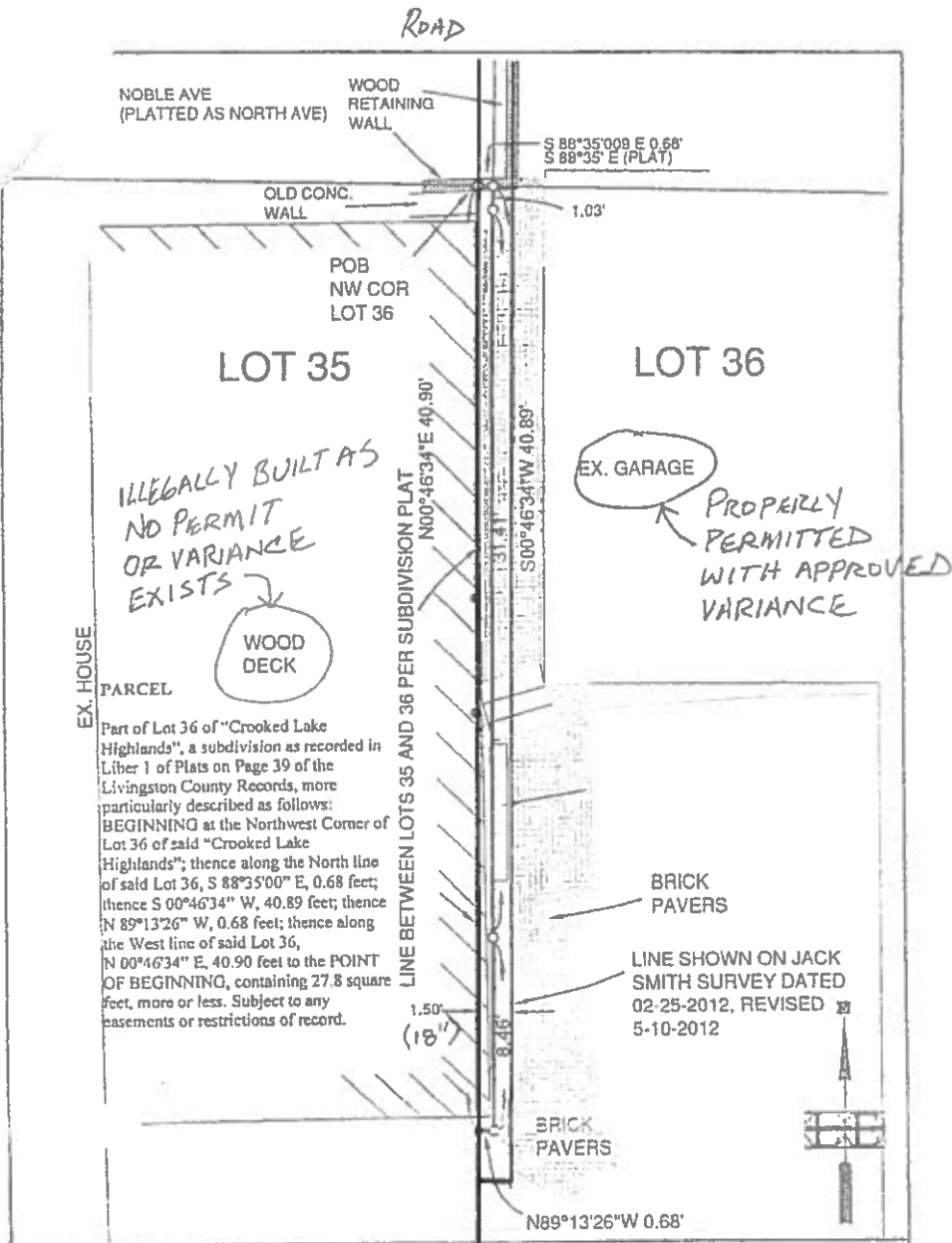
20.6
24
3.6

130

20.6
24.0
44.6

48.0
44.6
4.6

EXHIBIT C



| | | | | |
|--------|----------------|---------------------|----------------|--------------------------|
| LEGEND | SECTION CORNER | SET IRON ROD | FOUND MONUMENT | POB = POINT OF BEGINNING |
| | FENCE | FOUND IRON ROD/PIPE | SOIL BORING | "MAG" NAIL SET IN WALL |

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT 132-10.



LIVINGSTON ENGINEERING
 CIVIL ENGINEERING SURVEYING PLANNING
 3300 S. OLD U.S. 23, BRIGHTON, MICHIGAN 48114
 INTERNET: WWW.LIVINGSTONENGL.COM PHONE: (810) 225-7100 FAX: (810) 225-7099

DRAFT

| | | |
|--|------------------|------------------|
| CLIENT CLARK | 0' 5' 10' | DATE 05-14-2014 |
| DESCRIPTION SECTION 22 T2N-R5E, CENOA TOWNSHIP LIVINGSTON COUNTY, MICHIGAN | SCALE 1"=5' | REV |
| | JOB No. 10184-2 | CREW DL |
| | SHEET No. 1 of 1 | DRAWN BY S CHECK |



FILE: S:\10184-2\10184-2.dwg

EXHIBIT D

Genoa Township Zoning Board of Appeals
Regular Meeting, July 8, 1986

Page 5

requirement for construction of a pole barn. Case #86-40.

Mr. Allen stated he would like the variance due to the large garden he maintains. He has spoken with his neighbors and none seem to object.

Motion by Santo, supported by Risdon, to deny the request due to lack of hardship according to the township ordinances.

Voice vote: Motion carried unanimously.

7. A request by David Hartman, 3750 Noble, Brighton, section 22, for a variance to the front/road and side yard setback requirements to construct an attached garage. Case #86-41.

*INGRESS/EGRESS **
Mr. Staley expressed concern, if the proposed structure is built, of getting any emergency or necessary equipment to the front (water side) of the property, but that due to the topography of the lot the front is already inaccessible.

THIS SAFETY CONCERN WAS ELIMINATED BY MR. CLARK'S IMPROVEMENTS

Mr. Santo asked about the possibility of moving the proposed garage to the side and covering the front door of the house.

Mr. Hartman explained that he will be filling the area on which the garage will be built and if he moved it to the side there would be no access to his house. The septic is now serviced by means of a hose from the road to the water side of the property.

Motion by Santo, supported by Risdon, to grant the requested variance due to the serious topographical area of the lot with the contingency that plans be submitted prior to the start of construction and that Jim Stornant checks the road side lot line.

Voice vote: Motion carried unanimously.

8. A request by Joseph and Irene Mike, 5460 Brighton Road, Brighton, section 34, for a variance to the six (6) foot minimum fence requirement around a swimming pool. Case #86-43.

Mr. Mike presented pictures of the pool area which is

To: Genoa Township Board
From: The family of Peyton C. Clark Jr.
RE: Request for Township Board action as is necessary to honor a variance it granted.

Due to Genoa Township record keeping practices, which caused public records of an approved 1986 variance to be unavailable for use as evidence at trial in a property line dispute, we respectfully request that the Genoa Township Board consider the following:

- The historical occupation ruling in Wernette versus Clark, which Judge Latreille stated on record went back to “1974” “and quite possibly earlier than that”, is factually incorrect because public records from 1986 were not available for the judge to consider. The reason for this is that weeks before and even during the trial, in separate visits to Township Hall, Genoa Township personnel informed Mr. Clark and his daughter that these public records “could not be found”, and “nothing could be done to find them”. Note that after Judge Latreille made this ruling, Polly at Genoa Township Hall was able to locate these records (see Exhibit “A”). Also of note is that the legal system prevents Mr. Clark from now presenting these legitimate public records as evidence.
- This same ruling is now a published legal precedent that was established in our community, it defeats factual matters of 1986 public record as documented through the official activity of the Genoa Township Board - information that is specific to the disputed property line. Please review the following attachments: Exhibit “B” – Sketch submitted by David Hartman with his variance application in 1986. Note that the west property line (shown in green) was defined as a STRAIGHT LINE that ran from the road to the lake, this line was identified with visible stakes as required during the variance review process, and the iron rod survey markers for this line are still present in the ground. Note also that not one affected property owner is on record in 1986 to contest the location of this property line, as this would be documented in Exhibit “A”. Exhibit “C” – A recently drawn survey. Note that the green line represents the same STRAIGHT LINE between lots 35 and 36 that was depicted in Mr. Hartman’s 1986 sketch. The line shown in red is the revised property line resulting from Judge Latreille’s ruling - this 18” section of property was awarded to the Wernettes, property that Mr. Clark rightfully owned per Exhibit “A”. Also worth note is that there is no building permit or variance granted for the wooden deck on lot 35, which was proven to have been built *after* Mr. Clark’s garage on lot 36.
- This ruling/legal precedent has also resulted in safety concerns for ingress and egress at 3750 Noble, particularly for emergency personnel and equipment. It eliminated Mr. Clark’s safe passage (3-foot walkway) as the Wernettes have since blocked his access to it. Note that this same concern for emergency access was addressed by Mr. Staley as noted in the Board meeting minutes when the variance was granted (see Exhibit “D” attached).
- This is a legal precedent that should be contested by Genoa Township to honor a variance it granted, but also to address the resulting safety concerns that the Township Board tried to prevent in 1986. Allowing these public records to remain unrecognized by the court defeats the purpose of official Township Board activity intended to protect property interests, promote safety in our Township, and prevent what happened to Mr. Clark.

Due to the poor keeping of public records in this instance, we ask that the Township take the legal action now necessary to honor the variance it granted in 1986 per Exhibit “A”. We request that Genoa Township Board should “do the right thing” and present before Judge Latreille and/or any applicable court that:

- Genoa Township could not locate what are truthfully relevant 1986 public records in time for the Wernette versus Clark trial, and request that the court:
 - a) Reconsider the ruling in Wernette vs. Clark based upon the public records from the 1986 variance, which document the subject property line - a still properly marked STRAIGHT LINE.
 - b) Consider the ingress/egress safety concerns addressed by the Township Board in 1986, but are now being imposed as a direct result of the Judge Latreille’s ruling.
 - c) Allow Mr. Clark a new trial for a proper review of the aforementioned concerns.

Thank you for your time and consideration.

Exhibit 'A'
IDF 10

11-22-302-040

Appeal # 86-41
Date 7/8/86

NOTICE OF APPEAL
GENOA TOWNSHIP
ZONING BOARD OF APPEALS

*Appellant DAVID R. HARTMAN Address 3750 NOBLE
City BRIGHTON State MICHIGAN Zip 48116
Phone 229-7307

*Owner DAVID R. HARTMAN Address 3750 NOBLE
City BRIGHTON State MICHIGAN Zip 48116
Phone 229-7307

Location of Property _____

Present Zoning R-1-C

Action requested:

_____ Administrative review _____ Interpretation
_____ Variance _____ Special Exception

Supporting documents check list:

- 1) Copy of Appeals Order _____
- 2) Statement of description or use _____
- 3) Statement of position of Appellant _____
- 4) Site plan _____

Petitioner must be present at the public Hearing

TAX CODE #: 11-22-302-040

EXHIBIT 'A' 2 OF 10

Instruction to Appellant: Fill in appropriate Section 1, 2, 3 or 4. This application is not acceptable unless all required statements have been made. Additional information may be supplied on separate sheets if the space provided on this form is inadequate.

The following is an appeal from a determination made by the zoning ordinance enforcing officer on the following date:

Date

Section 1. INTERPRETATION

The appellant respectfully requests that an interpretation be made by the Board of Appeals of Article _____ Section _____ of the township zoning ordinance.

An appeal is made for an interpretation of the zoning map.

An interpretation is requested for the following reason:

Section 2 VARIANCE

The appellant respectfully requests that an adjustment of the terms of the zoning ordinance be made in the case of his property because the following peculiar or unusual conditions are present which justify an adjustment:

PROPERTY IS NOT ~~WIDE~~ ^{LARGE} ENOUGH FOR GARAGE BUILT PER TOWNSHIP ZONING

The following unnecessary hardship will result if the adjustment is not made:

WE HAVE CARS, RECREATIONAL VEHICLES AND LAWN EQUIPMENT TO STORE, IF WE DIDNT GET GARAGE WE WOULD HAVE TO RENT STORAGE AREA.

The appellant respectfully requests that the following special exception be made to enable him to use his property in the following manner:

Article _____ Section _____ of the zoning ordinance authorizes the Board of Appeals to make the special exception requested.

Section 4. ADMINISTRATIVE REVIEW

The appellant respectfully petitions that the following request be approved:

Authorization for the above request is found in Article _____ Section _____ of the zoning ordinance.

David R. Stalder
Signature of Applicant
Date 6-25-86

DECISION The appeal was granted/denied for the following reasons:

by the GENOA TOWNSHIP ZONING BOARD OF APPEALS and that the previous decision of the enforcing officer be confirmed/reversed.

Township Zoning Board of Appeals Michigan

By _____
Secretary
Date _____

EXHIBIT A 4 OF 10

Appeal # 86-41

Date 7/8/86

ZONING BOARD OF APPEALS

Property Owner David R Hartman

Site Address 3750 Noble, Brighton

Zoning of Property R-1-C Tax Code #11-22-302-040

Setbacks of Zoning: Road/
Front 40 Rear 50 Waterfront _____
Side 20 Side 20

Comments: Mr. Hartman is seeking a zero (0) setback on Noble street
to build a new garage.

Setbacks Requested: Road/
Front 0 Rear n/a Waterfront _____
Side 3.6 west _____ Side n/a

Amount of Variance: Front 40' Rear n/a Waterfront _____
Side 16.4' Side n/a

Well & Septic Information: _____

Additional Comments: _____

approved by 7/8/86

Variance Approved: Front _____ Rear _____ Waterfront _____
Side _____ Side _____

Variance Not Approved: _____ Date _____

EXHIBIT A 5 OF 10

Genoa Township Zoning Board of Appeals
Regular Meeting, July 8, 1986

Page 5

requirement for construction of a pole barn. Case #86-40.

Mr. Allen stated he would like the variance due to the large garden he maintains. He has spoken with his neighbors and none seem to object.

Motion by Santo, supported by Risdon, to deny the request due to lack of hardship according to the township ordinances.

Voice vote: Motion carried unanimously.

7. A request by David Hartman, 3750 Noble, Brighton, section 22, for a variance to the front/road and side yard setback requirements to construct an attached garage. Case #86-41.

Mr. Staley expressed concern, if the proposed structure is built, of getting any emergency or necessary equipment to the front (water side) of the property, but that due to the topography of the lot the front is already inaccessible.

Mr. Santo asked about the possibility of moving the proposed garage to the side and covering the front door of the house.

Mr. Hartman explained that he will be filling the area on which the garage will be built and if he moved it to the side there would be no access to his house. The septic is now serviced by means of a hose from the road to the water side of the property.

~~Motion by Santo, supported by Risdon, to grant the requested variance due to the serious topographical area of the lot with the contingency that plans be submitted prior to the start of construction and that Jim Stornant checks the road side lot line.~~

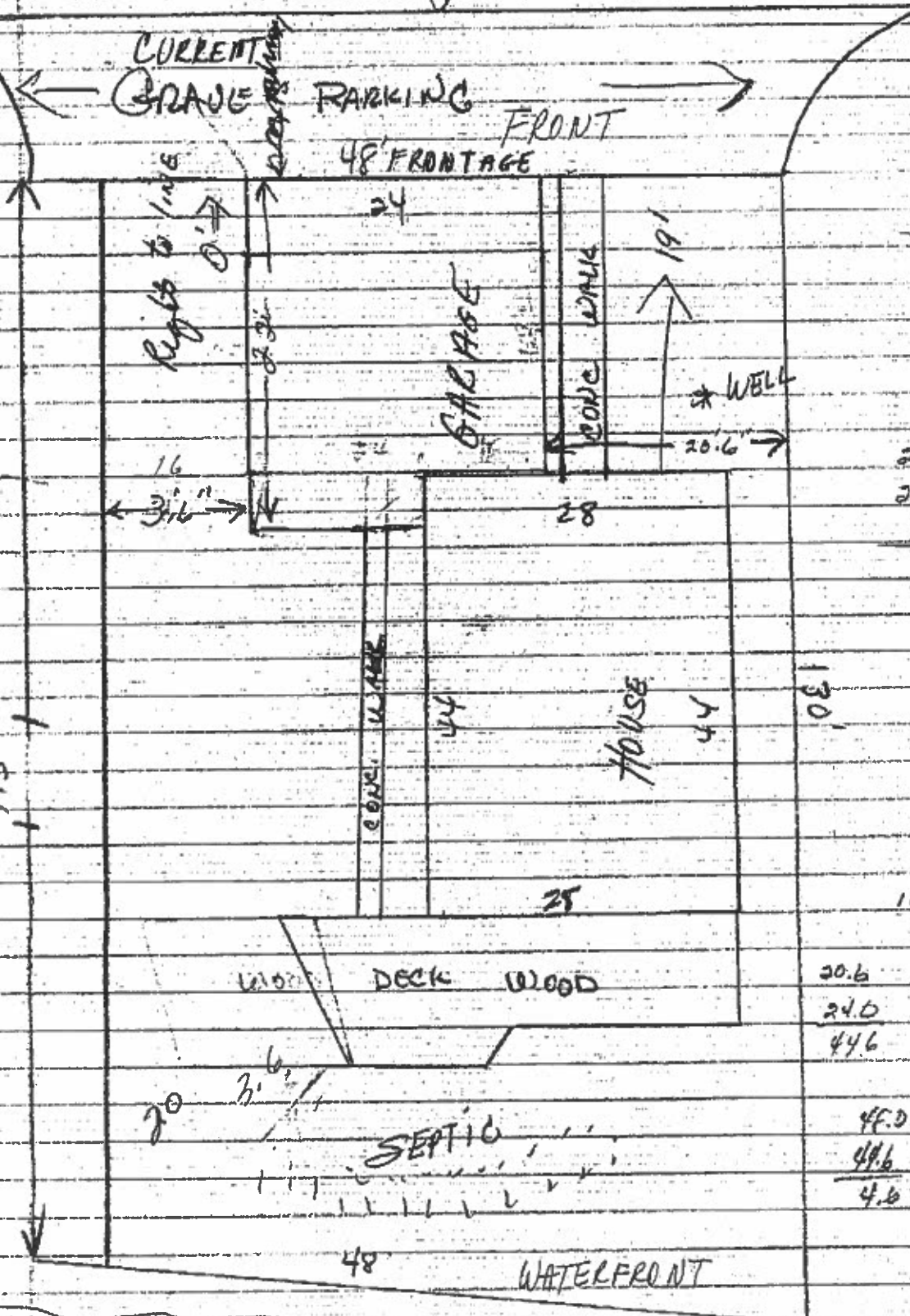
Voice vote: Motion carried unanimously.

8. A request by Joseph and Irene Mike, 5460 Brighton Road, Brighton, section 34, for a variance to the six (6) foot minimum fence requirement around a swimming pool. Case #86-43.

Mr. Mike presented pictures of the pool area which is

EXHIBIT A 6 OF 10
N

Noble Dr
V



| | | | |
|-------|----------|--|------|
| 48' | FRONTAGE | | |
| 24 | | | |
| 19' | | | |
| 20.6' | | | 20.6 |
| 28 | | | 24 |
| | | | 5.6 |
| 15' | | | |
| 44 | | | |
| 44 | | | |
| 130' | | | |
| 25 | | | 10 |
| 20.6 | | | 20.6 |
| 24.0 | | | 24.0 |
| 44.6 | | | 44.6 |
| 44.0 | | | 44.0 |
| 44.6 | | | 44.6 |
| 4.6 | | | 4.6 |
| 48' | | | |

LITTLE CROOKED LAKE



BOSS ENGINEERING COMPANY
 CIVIL ENGINEERS & LAND SURVEYORS

EXHIBIT A 7 OF 10

MORTGAGE REPORT

Certified To: Old Kent Bank of Brighton

Applicant: David R. Hartman and Caryn J. Hartman

I hereby certify that this inspection report shows the improvement or improvements as located on the premises described, that the improvement or improvements are entirely within lot lines, and that there are no encroachments upon the premises described by the improvement or improvements of any adjoining premises, except as indicated.

I further certify that this Mortgagee's inspection was prepared for identification purposes only for the Mortgagee in connection with a new mortgage and is not intended or represented to be a land or property line survey; that no property corners were set; and is not to be used, or relied upon, for the establishment of any fence, building, or other improvement lines.

Property Address: 3750 Noble

Description:

Lot 36 of "Crooked Lake Highlands Sub", a subdivision of part of Sections 21, 22, 27 and 28, T2N-R5E, Genoa Township, Livingston County, Michigan, as recorded in Liber 1 of Plats, pages 39-40, Livingston County Records.

Gary R. Boss

GARY R. BOSS R.L.S.

Date: May 16, 1986

Job Number: M16568



BOSS ENGINEERING COMPANY
 CIVIL ENGINEERS & LAND SURVEYORS

MAIN OFFICE: 3121 E. GRAND RIVER • HOWELL, MICHIGAN 48843 • (517) 546-4836 • BRIGHTON (313) 229-4773
 CHARLEVOIX OFFICE: BOX 28A • PORTAIR PLAZA • CHARLEVOIX, MICHIGAN 49720 • (816) 547-2872

EXHIBIT A BOX 10

Genoa Township

2980 Dorr Road • Brighton, Michigan 48116 • (313) 227-5225

June 26, 1986

TO WHOM IT MAY CONCERN:

RE: Zoning Board of Appeal

Notice is hereby given of an appeal brought by David R. Hartman, 3750 Noble, Brighton, Section 22, before the Zoning Board of Appeals, Genoa Township, Livingston County, Michigan. Said appeal is for a variance to the front/road and side-yard setback requirements to construct an attached garage.

As a land owner of property within a 300 foot radius of the affected premises, you are entitled to give testimony before the Board on matters pertaining to the above mentioned appeal.

The Zoning Board will meet to hear said case on Tuesday, July 8, 1986 at 7:30 p.m. at the Genoa Township Hall, corner of Dorr and Crooked Lake roads.

Sincerely yours,

FOR THE ZONING BOARD



James A. Stornant
Genoa Township Manager

JAS:rew

Supervisor
Robert R. Murray

Clerk
Paulette A. Skolarus

Treasurer
Lucille A. Glynn

Manager
James A. Stornant

Trustees
Maurine Crundall • Charles Kull • Gerald Grottle • Douglas Brown

EXHIBIT A 96F 10

11-22-302-045
Keller, David & Christine
3786 Noble Dr.
Brighton, MI 48116

11-22-302-050
Bozyk, James D.
3850 Highcrest Dr.
Brighton, MI 48116

11-22-302-070
Linahan, John & Jeanette
125 Brighton Lake Rd.
Brighton, MI 48116

11-22-302-071
Ussery, Virginia Hooper
10221 SW 124th St.
Miami, FL 33176

11-22-301-025
Zoziebko, Robert & Carol
6071 Berwyn St.
Dearborn Heights, MI
48127

11-21-400-002
Bloomingburg, Clare & Ruby
15119 Salem Ct.
Detroit, MI 48239

11-21-400-003
Bozyk, Jos
5000 Grover Dr.
Brighton, MI 48116

11-21-400-004
McCulloch, A C & Elaine
5151 McDowell St.
Muskegon, MI 49441

11-21-400-005
Sienicki, Leo
11351 Saint Aubin St.
Hamtramck, MI 48212

11-21-400-006
Budnick, Daniel & Janice
33046 Shrewsbury
Sterling Heights, MI
48077

11-21-400-013
Larson, Gerald
29960 Old Bedford St.
Farmington, MI 48018

EXHIBIT A

10 OF 10

DAVID HACTMAR

11-22-302-040

MACDONALD, HECTOR

3750 Noble Dr.

Brighton, MI 48116

11-22-302-002

Lackner, Harry & Ann

3824 Highcrest Dr.

Brighton, MI 48116

11-22-302-003

Williams, Laura

3836 Highcrest

Brighton, MI 48116

11-22-302-004

Gustin, Lillian

3844 Highcrest

Brighton, MI 48116

11-22-302-026

Stouffer, C P

240 Hazelhurst St. E.

Ferndale, MI 48220

11-22-302-027

Gaffka, Arnold & Julia

3762 Noble Dr.

Brighton, MI 48116

11-22-302-028

Gaffka, Arnold & Julia

11-22-302-029

Lesiw, Mykola & Natalie

12267 Moran St.

Detroit, MI 48212

11-22-302-030

Raasch, Gary

3754 Noble Dr.

Brighton, MI 48116

11-22-302-031

Macdonald, Hector

3750 Hill

Brighton MI 48116

PLEASE FORWARD

11-22-302-032

Elliot, James R.

17623 Fairway St.

Livonia, MI 48152

11-22-302-033

Ffeifer, Henry

3742 Noble Dr.

Brighton, MI 48116

11-22-302-034

McDiarmid, Donald & Mary

3738 Noble Dr.

Brighton, MI 48116

11-22-302-035

Wilk, Robert

24124 S. Duncan Dr.

Farmington Hills, MI

48024

11-22-302-036

Wilk, Robert

11-22-302-037

McDiarmid, Donald & Mary

11-22-302-038

Ffeifer, Henry

11-22-302-039

Elliot, James R.

11-22-302-041

Raasch, Gary

11-22-302-042

Lesiw, Mykola & Natalie

11-22-302-043

Gaffka, Arnold & Julia

11-22-302-044

Stouffer, C P