

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JANAURY 9, 2023
6:30 P.M.
AGENDA**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ELECTION OF OFFICERS:

APPROVAL OF AGENDA:

DECLARATION OF CONFLICT OF INTEREST:

CALL TO THE PUBLIC: (Public comment will be limited to two minutes per person) *:

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

OPEN PUBLIC HEARING # 1... Consideration of a rezoning application and impact assessment to rezone property at 7777 Bendix Road (parcel 11-13-200-012) from Office Service District (OSD) to Medium Density Residential (MDR). The property consists of approx. 1 acre of land and is located on the northwest corner of Bendix and Grand River Avenue. The request is petitioned by Justin Tobey.

- A. Recommendation of Rezoning.
- B. Recommendation of Environmental Impact Assessment. (11-21-22)

OPEN PUBLIC HEARING #2...Consideration of a rezoning application and impact assessment to remove the Town Center Overlay District from the following 42 parcels:

11-10-400-003	11-10-400-020	11-10-400-034	11-10-401-046	11-11-300-008	11-11-300-019	11-11-305-015	11-14-100-004
11-10-400-004	11-10-400-025	11-10-401-013	11-10-401-047	11-11-300-009	11-11-300-020	11-11-305-017	11-14-100-007
11-10-400-007	11-10-400-028	11-10-401-043	11-11-300-002	11-11-300-011	11-11-304-012	11-11-305-020	11-14-100-008
11-10-400-018	11-10-400-030	11-10-401-044	11-11-300-003	11-11-300-012	11-11-304-013	11-11-305-023	11-14-100-011
11-10-400-019	11-10-400-033	11-10-401-045	11-11-300-004	11-11-300-013	11-11-305-010	11-14-100-001	11-14-100-012
11-15-200-005	11-15-200-018						

The request encompasses approximately 101.61 acres surrounding the intersection of Grand River Avenue and Dorr Road. The request is petitioned by Genoa Charter Township.

- A. Recommendation of Rezoning.
- B. Recommendation of Environmental Impact Assessment. (1-5-23)

OPEN PUBLIC HEARING #3...Continuation of public hearing for the proposed Genoa Charter Township Master Plan.

ADMINISTRATIVE BUSINESS:

- *Staff Report*
- *Annual Report*
- *Approval of December 12, 2022 Planning Commission meeting minutes*
- *Member discussion*

*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. Anyone speaking on an agenda item will be limited to 2 minutes.



GENOA CHARTER TOWNSHIP
Application for Re-Zoning

APPLICANT NAME: JUSTIN TOBEY ADDRESS: 7951 BENDIX RD BRIGHTON, MI 48114

OWNER NAME: JUSTIN TOBEY ADDRESS: 7951 BENDIX RD BRIGHTON, MI 48114

PARCEL #(s): 4711-13-200-012 PRIMARY PHONE: ()

EMAIL 1: JTOBEY@PTS-MO.COM EMAIL 2: 248-450-8825

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:
OFFICE SERVICE DISTRICT to MEDIUM DENSITY RESIDENTIAL
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 impact 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?

THIS SITE WAS PREVIOUSLY ZONED MDR ON THE 2018 ZONING MAP AND WAS CHANGED TO
OFFICE FOR A PROPOSED PROJECT WHICH NEVER CAME TO FRUITION. ADJACENT PARCELS (NRPUD AND RPUD)
ARE THE SAME IN THE MASTER PLAN FUTURE LAND USE AS MDR AND PUBLIC/RECREATIONAL FACILITIES.

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

Yes

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?

The parcel was advertised for years as commercial site but no projects were initiated.

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?

This district is intended for infill development within urban service areas of the Township planned for higher density residential with the necessary public water, public sewer, transportation and public services in place to support higher densities.

No new impacts to the area are expected.

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?

Yes.

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.

Yes, this site is better suited since it is a similar use to that on the adjacent parcel to the east as medium density residential apartments.

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?

This parcel had the proposed MDR zoning previously which was compatible with adjacent uses and still is.

Changing the list of uses for Office Service District would impact all OSD-zoned parcels.

Rezoning will allow vacant property to be developed as a use that is already found in the neighborhood.

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

None

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: Justin Tobey

ADDRESS: 7951 Bendix Rd

[Signature]
SIGNATURE

The following contact should also receive review letters and correspondence:

Name: Jennifer M. Austin

Email: jennifer.a@bosseng.com

Business Affiliation: Boss Engineering

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: 7777 Bendix Rd

PROJECT LOCATON & DESCRIPTION: Corner of Grand River Ave and Bendix Rd.

Construct 5-unit townhome or cond o medium density residential building.

SIGNATURE: [Signature]

DATE: 11/21/22

PRINT NAME: Justin Tobey

PHONE: 248 450 8825

COMPANY NAME & ADDRESS: 7951 Bendix Rd Brighton mi 48114



3121 E. Grand River Howell, MI 48843
517.546.4836 fax 517.548.1670
www.bosseng.com

December 12, 2022

Amy Ruthig, Planning Director
Genoa Township
2911 Dorr Road
Brighton, MI 48116

Re: 7777 Bendix Road Rezoning

Dear Ms. Ruthig,

The consultant review comments you forwarded regarding the 7777 Bendix Road Rezoning submittal do not require any revisions before the January 9th, 2023 Planning Commission meeting. Comments by the Brighton Area Fire Authority will be addressed in the site plan/construction plan phase of the project.

We would like to amend the answer to item #6 in the Rezoning Application: "Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district..."

Yes, this parcel is better suited to the requested MDR rezoning since it is a similar use to that on the adjacent parcel to the east which are medium density residential apartments. The zoning for this project parcel was changed within the last several years to accommodate a proposal for a medical office that was never built. This rezoning request is consistent with recent development trends in the area, especially for more rental housing. Since Covid-19 affected community need for in-person office visits, development needs for such a use in the area have diminished. In addition, site constraints such as topography, site access and limited surface area to meet office parking requirements will make parcel redevelopment for Office/Service unlikely.

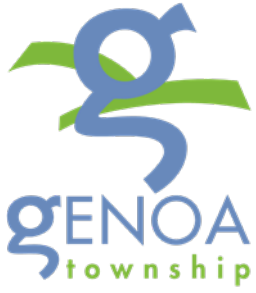
If you have any questions, please feel free to contact me.

Sincerely,

BOSS ENGINEERING COMPANY

A handwritten signature in cursive script that reads "Jennifer M. Austin".

Jennifer M. Austin, P.L.A.
Project Manager



**NOTICE OF PUBLIC HEARING
(REZONING)**

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

December 23, 2022

To Whom It May Concern:

Please be advised that the Planning Commission of Genoa Charter Township will conduct a public hearing on **Monday, January 9, 2023 commencing at 6:30 p.m.** As required by state law, you are receiving this notice because you have been identified as an owner or occupant of real property within 300 feet of the subject parcel.

The property in question is located at 7777 Bendix Road, on the northwest corner of Bendix and Grand River Avenue. **The applicant is requesting to rezone 1.07-acres from Office Service District (OSD) to Medium Density Residential (MDR) to allow for a 5-unit multi family dwelling. The request is petitioned by Justin Tobey.**

You are invited to attend this hearing. Members of the public will be able to speak during the public hearing portions of the meeting. If, prior to the meeting, members of the public have certain questions or wish to provide input on any business that will be addressed at the meeting then such persons may contact the Planning Commissioners through Kelly VanMarter, Township Community Development Director by email to amy@genoa.org, or by mail at 2911 Dorr Road, Brighton, Michigan 48116.

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.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Kelly VanMarter

Sincerely,

Amy Ruthig
Planning Director

Assessing

4711-13-200-009
ST. JOSEPH MERCY HEALTH SYSTEMS
REAL ESTATE DEPARTMENT
5333 MCAULEY DR RM 1117
YPSILANTI MI 48197-1094

4711-99-001-526
ADVANCED MEDICAL SOLUTIONS
106 W GRAND RIVER AVE
HOWELL MI 48843-2237

4711-99-002-400
MICHIGAN INSTITUTE OF UROLOGY PC
20952 E 12 MILE RD STE 200
SAINT CLAIR SHORES MI 48081-3203

4711-99-003-648
ALLERGY AND IMMUNOLOGY ASSOC OF AA
PAULA WILSON
4350 JACKSON RD STE 370
ANN ARBOR MI 48103

4711-99-001-576
ST JOSEPH MERCY /TRINITY HLTH SRVC
FINANCE DEPARTMENT
38701 7 MILE RD STE 200
LIVONIA MI 48152-1091

4711-99-001-225
CLARK ROBERT T MD PC
7575 GRAND RIVER RD STE 111
BRIGHTON MI 48114-9390

4711-99-003-582
ASSOC IN PHYSICAL MEDICINE & REHAB
MARK STRICKLER MD
5333 MCAULEY DR STE 2009
YPSILANTI MI 48197

4711-99-001-208
ST JOSEPH MERCY HEALTH/ MI HEART PC
FINANCE DEPARTMENT
38701 7 MILE RD STE 200
LIVONIA MI 48152-1091

4711-99-002-214
AVANTE RADIOLOGY & MRI
HURON VALLEY RADIOLOGY
DENISE DUNAWAY
5333 MCAULEY DR RM R-6016
YPSILANTI MI 48197-1005
4711-99-003-126
PROBILITY PHYSICAL THERAPY
7575 GRAND RIVER RD STE 115
BRIGHTON MI 48114-9390

4711-99-003-647
DR GREGORY PIRO - DERMATOLOGY
1155 BYRON RD
HOWELL MI 48843

Assessing

4711-99-003-118
PRINCIPIUM T W MANAGEMENT
7600 GRAND RIVER RD STE 110
BRIGHTON MI 48114-7396

4711-99-003-020
MAKE A WISH
7600 GRAND RIVER RD STE 175
BRIGHTON MI 48114-7712

4711-99-002-261
JM SALES ASSOCIATES
7600 GRAND RIVER RD STE 195
BRIGHTON MI 48114-7340

4711-99-003-021
SOVRAN DILLAMAN & YOUNG LLC
7600 GRAND RIVER RD STE 200
BRIGHTON MI 48114-9311

4711-99-003-060
SOVRAN & ASSOCIATES LLC
7600 GRAND RIVER RD STE 200
BRIGHTON MI 48114-9311

4711-99-003-022
PINNACLE WEALTH MANAGEMENT
7600 GRAND RIVER RD STE 220
BRIGHTON MI 48114-7339

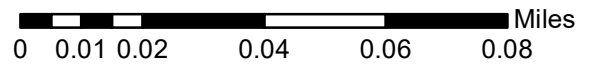
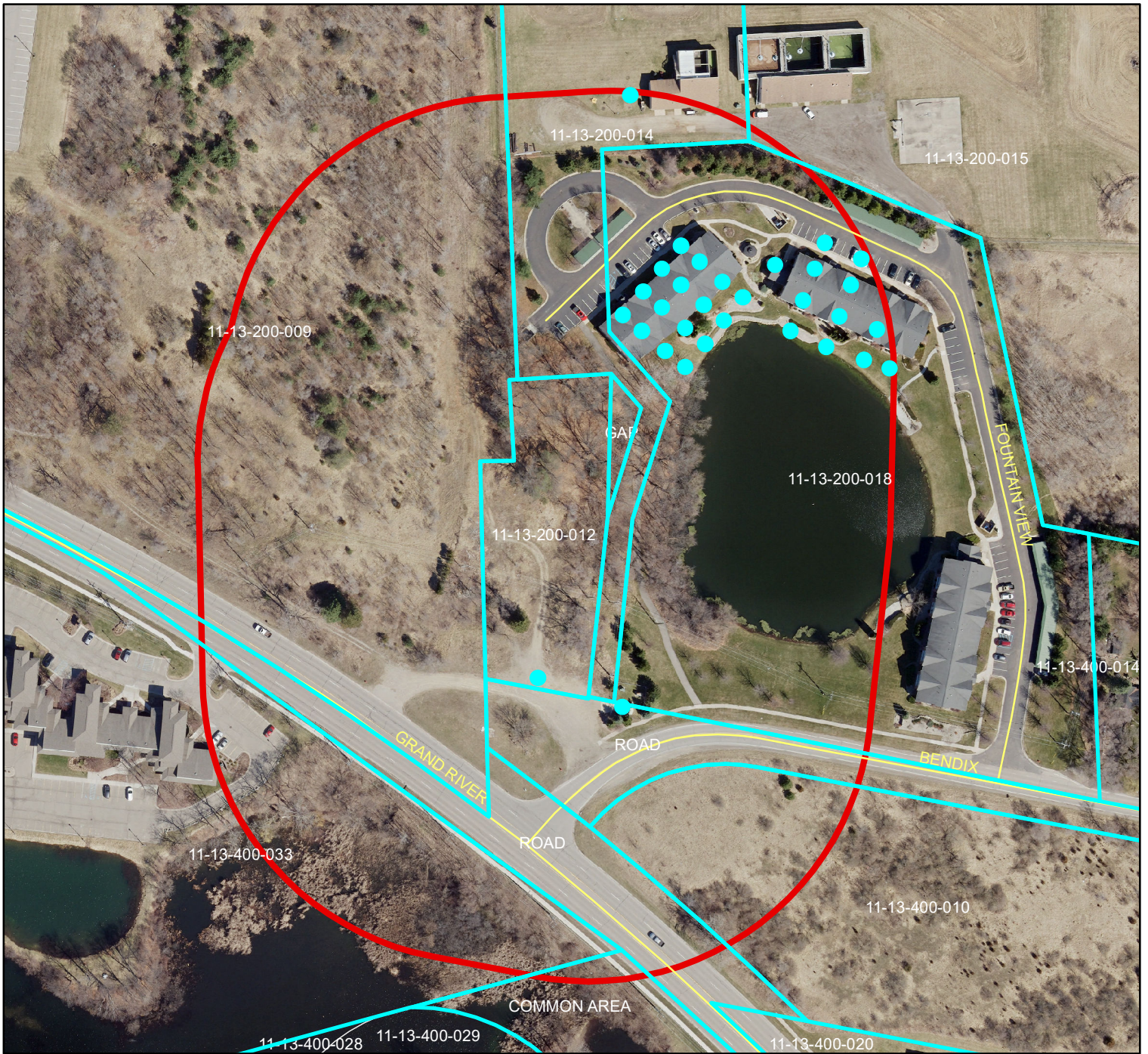
4711-99-003-447
PINNACLE TAX ADVISORY
7600 GRAND RIVER RD STE 225
BRIGHTON MI 48114-7341

4711-99-003-173
AMERIPRISE
7600 GRAND RIVER RD STE 230
BRIGHTON MI 48114-7339

4711-99-003-446
HEARTLAND FINANCIAL
7600 GRAND RIVER RD STE 295
BRIGHTON MI 48114-7340

4711-99-003-600
SIX NATIONS INC
7600 W GRAND RIVER STE 300
BRIGHTON MI 48114

300 Foot Buffer for Noticing



Re-Zoning: Justin Tobey

Address: 7777 Bendix Road

Parcel: 4711-13-200-012

Meeting Date: January 9, 2023



December 14, 2022

From: [C. Young](#)
To: [Amy Ruthig](#)
Subject: 7777 Bendix Road -- Rezoning application
Date: Wednesday, December 28, 2022 12:01:28 PM

Dear Amy,

Thank-you for your notice of public hearing. I will be out of town on January 9th and cannot attend.

I would, however, like to share my "no" on this request to change the zoning from OSD to MDR. Grand River is a main artery going thru and past many communities. The use of Grand River is best served by preserving its commercial utility, that is, retail, office, light industrial, medical, community use, etc. Residential dwellings should not use up the valuable space on this thoroughfare. Granted, there is no commerce at that location at the moment, however, new builds and businesses of varying types have been added to the area over recent years. 7777 Bendix should be preserved for commercial use and not changed to residential.

Thank-you for allowing us to share our thoughts on the matter.

I trust you will represent the will of the people and not just one person.

Best Regards,

Cheri Young
Owner
Sovran, Dillaman & Young
7600 Grand River Road
Brighton, MI 48116
810-220-4900



December 8, 2022

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Kelly Van Marter, AICP Assistant Township Manager and Planning Director
Subject:	Proposed rezoning from OSD to MDR (Review #1)
Location:	7777 Bendix Road – northeast corner of Bendix and Grand River Avenue
Zoning:	OSD Office Service District

Dear Commissioners:

At the Township’s request, we have reviewed the application and submittal materials proposing rezoning of a 1.07-acre site from OSD Office Service District to MDR Medium Density Residential.

The stated intent of the proposed rezoning is to promote future residential development.

This proposal has been reviewed in accordance with the applicable provisions of the Genoa Township Zoning Ordinance.

A. SUMMARY

1. MDR zoning is generally consistent with the rezoning criteria of Section 22.04.
2. Though not consistent with the current Future Land Use Map, the case can be made that conditions have changed/the request is consistent with recent development trends.
3. MDR zoning is more compatible with existing site constraints (topography, views, and vehicular access).
4. Development under OSD is unlikely due to site constraints and a lack of demand for such uses.
5. The request is anticipated to be compatible with the existing and planned uses in the surrounding area.
6. Consideration must be given to any technical comments provided by the Township Engineer, Utilities Director and/or Fire Authority with respect to infrastructure compatibility or capacity.

B. PROCESS

As outlined in Article 22 of the Township Zoning Ordinance, the process to amend the Official Township Zoning Map is as follows:


1. The Township Planning Commission holds a public hearing on the rezoning and makes its recommendation to the Township Board;
2. The Livingston County Planning Commission reviews the request and makes its recommendation to the Township Board; and
3. The Township Board considers these recommendations and takes action to grant or reject the rezoning request.

As a reminder for the Township’s consideration, requests for conventional rezoning cannot include conditions.

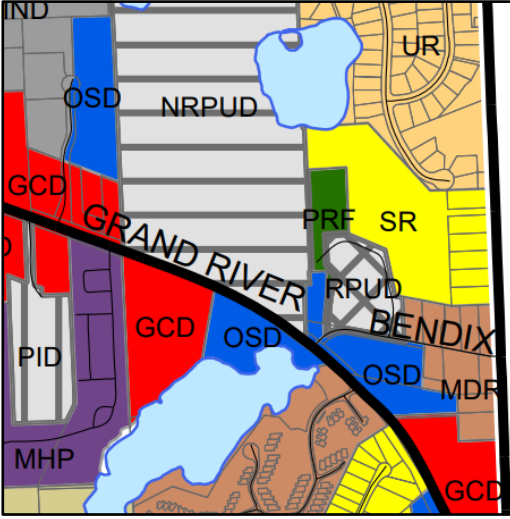
C. AREA OVERVIEW

The site is located at the northeast corner of Bendix Road and Grand River Avenue. Current zoning, as well as existing and planned land uses in the area are as follows:

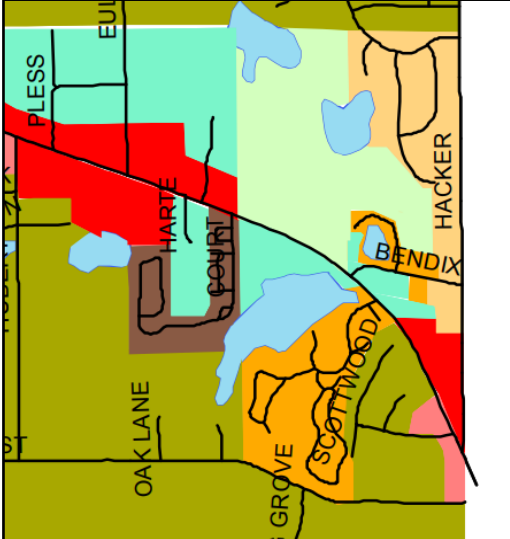
Existing Land Use	
Site	Undeveloped
North	Undeveloped
East	Multiple family residential
South	Office
West	Medical facility



Zoning	
Site	OSD
North	PRF
East	RPUD
South	OSD
West	NRPUD



Master Plan	
Site	Office
North	Medium Density Residential and Public/Institutional/Utilities
East	Medium Density Residential and Office
South	Office and Medium Density Residential
West	Public/Institutional/Utilities



D. REZONING REVIEW

- 1. Consistency 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.***

As depicted above, the Future Land Use Map identifies the site as Office, which is consistent with its current OSD zoning.

It is important to note that the property was previously planned and zoned as MDR (2012 zoning and 2013 Master Plan). However, the project that was precipitated the rezoning and Master Plan change was abandoned and the property has been marketed for office uses for the past 10 years with no success.

It is also worth noting that the draft Master Plan identifies the site as High Density Residential and the adjacent multi-family development to the east is planned as MDR.

Though the rezoning request is not consistent with the current Future Land Use Map, the Commission may consider the comments above as conditions that have changed since the Plan was adopted/consistency with recent development trends in the area.

- 2. Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district.***

The site has significant topography, as evidenced by the current sketch plan proposal for extensive site grading.

In order to support future development, some amount of site grading will be necessary; however, development under MDR is likely to be more compatible with site topography than under the current OSD zoning.

The Commission should also consider any technical comments provided by the Township Engineer under this criterion.

- 3. The ability of the site to be reasonably developed with one (1) of the uses permitted under the current zoning.***

As noted above, there has been little interest in an office development for this site. In our opinion, this is likely due to site constraints in the form of topography, limited visibility from Grand River and vehicular access.

- 4. The compatibility of all the potential uses allowed in the proposed zoning district 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.***

The uses allowed in MDR would be compatible with the adjacent development to the east. Though that property is developed under a RPUD, the underlying zoning is MDR.

Additionally, site development is greatly impacted by vehicular access limitations. Specifically, the Road Commission has indicated their support for the 5-unit residence noted on the concept plan with restrictions on where the drive approach may be located.

Given the combination of these conditions, we are of the opinion that the proposal is compatible with the aspects noted under this criterion.

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

Given the nature of the request (rezoning from non-residential to residential), we do not anticipate any concerns with infrastructure and services.

However, we defer to the Township Engineer, Utilities Director, and/or Brighton Area Fire Authority for any technical comments under this criterion.

6. *The apparent demand for the types of uses permitted in the requested zoning district in the Township in relation to the amount of land in the Township currently zoned to accommodate the demand.*

Over the past few years, there has generally been a reduction in the demand for office space (in part due to COVID and in part due to a glut of existing space).

Meanwhile, the Township has a general need for alternatives to detached single-family residences, which are the predominant uses in the Township. This need is recognized by the draft Master Plan.

7. *Where a rezoning is reasonable given the above criteria, a determination the requested zoning district is more appropriate than another district or amending the list of permitted or Special Land Uses within a district.*

Given the relative consistency with zoning/land use in the area, we are of the opinion that the MDR is an appropriate zoning designation, and that amending the text of the Zoning Ordinance (to add attached residential in OSD) would not be more appropriate.

8. *The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.*

There has not been a rezoning request for this property in the past year.

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

Respectfully,
SAFEBUILT STUDIO



Brian V. Borden, AICP
Planning Manager



December 7, 2022

Ms. Amy Ruthig
Genoa Township
2911 Dorr Road
Brighton, MI 48116

**Re: Bendix Road Rezoning
Site Plan Review No. 1**

Dear Ms. Ruthig:

Tetra Tech conducted a review of the proposed Bendix Road Rezoning plan last dated November 21, 2022. The plan was prepared by Boss Engineering on behalf of Justin Tobey. The site is a 1-acre parcel to the northwest of the Grand River Avenue and Bendix Road intersection. The Petitioner is proposing to rezone the site from office service district (OSD) to medium density residential (MDR).

The site has access to both public water main and sanitary sewer, which are required for MDR zoning. The proposed rezoning does not significantly change the impact on public utilities or traffic conditions. Therefore, we have no engineering related concern to the proposed rezoning to MDR.

Please call or email if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Shelby Byrne'.

Shelby Byrne, P.E.
Project Engineer



BRIGHTON AREA FIRE AUTHORITY

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

December 5, 2022

Amy Ruthig
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Bendix Road Rezoning
7777 Bendix Road
Genoa Twp., MI

Dear Amy,

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on November 23, 2022 and the drawings are dated November 21, 2022. The project is based on the rezoning and development of an existing vacant parcel zoned OSD Office Service District to MDR Medium Density residential. The proposal calls for a single-story, 6,600 square foot, Type VB, R-3, 5-unit apartment building. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition.

1. The building shall include the building address on the building. The address shall be a **minimum of 4"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation. Due to the location and distance from Bendix the address shall be displayed at the entrance to the driveway on a sign that is compliant with and approved by the Genoa Township sign ordinance.

IFC 505.1

2. The driveway to the residences shall be a minimum width of 26-feet. With a width of 26-feet, one side (building side) of the drive shall be marked as a fire lane. Include the location of the proposed fire lane signage and a detail of the fire lane sign in the submittal. Access roads to the 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.

IFC D 103.6

IFC D 103.1

IFC D 102.1

IFC D 103.3

3. The length of the access driveway exceeds 150-feet, requiring a means of emergency vehicle turn-around to be provided. Compliant with Appendix D of the International Fire Code.

IFC 503.2.5

IFC Appendix D103.1

4. A minimum vertical clearance of 13½ feet shall be maintained along the length of all apparatus access drives. This includes but is not limited to porte-cochere's, lighting, and large canopy trees.

IFC 503.2.1



December 5, 2022

Page 2

Bendix Road Rezoning

7777 Bendix Road

Site Plan Review

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".

Rick Boisvert, FM, CFPS
Fire Marshal

From: [Kelly VanMarter](#)
To: [Brian Borden](#)
Cc: [Amy Ruthig](#); [Byrne, Shelby](#)
Subject: FW: 7777 Bendix
Date: Thursday, December 8, 2022 11:04:38 AM

FYI

[Kelly VanMarter, AICP](#)
Township Manager

Genoa Charter Township
2911 Dorr Road, Brighton, Michigan 48116
Direct: (810) 588-6900, Phone: (810) 227-5225, Fax: (810) 227-3420
E-mail: kelly@genoa.org, Url: www.genoa.org

From: Kim Hiller <khiller@livingstonroads.org>
Sent: Monday, January 7, 2019 10:00 AM
To: joeperri@comcast.net
Cc: Kelly VanMarter <Kelly@genoa.org>
Subject: 7777 Bendix

Good morning Joe,

I have discussed your proposal to build a 5-unit residential building on the property at 7777 Bendix with our staff. We are agreeable to the proposal due to the property previously being a 4-unit residential building.

The road commission would require the approach to be located as close to the north property line as possible and it would need to be constructed to meet our joint (shared) driveway approach requirements. We also would not permit anything other than the driveway approach to be constructed within the public road right-of-way (such as signs, landscaping, etc.).

Please let me know if you have any other questions.

Thank you,

Kim Hiller, P.E.

Utilities and Permits Engineer
Livingston County Road Commission
3535 Grand Oaks Drive
Howell, MI 48843
Ph. (517) 546-4250
khiller@livingstonroads.org

**IMPACT ASSESSMENT
For
7777 Bendix Road Rezoning
From OSD to MDR
GENOA TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN**

Prepared for:

**Applicant / Owner
Justin Tobey
7951 Bendix Rd.
Brighton, Michigan 48114**

Prepared by:



3121 E. Grand River Howell, MI 48843
517.546.4836 fax 517.548.1670
www.bosseng.com

**Jennifer M. Austin, PLA
Boss Engineering
3121 E Grand River
Howell, MI 48843**

November 21, 2022

DISCUSSION ITEMS

A. Name(s) and address(es) of person(s) responsible for preparation of the Impact Assessment and a brief statement of their qualifications.

Prepared by:

Jennifer M. Austin, PLA
Boss Engineering
3121 E Grand River
Howell, MI 48843

Prepared for:

Applicant & Owner:

Justin Tobey
7951 Bendix Rd.
Brighton, MI 48114
248-450-8825

B. Description of the site, including existing structures, man-made facilities, and natural features, all-inclusive to within 10' of the property boundary.

The subject property (7777 Bendix Road) with Tax ID # 4711-13-200-012 is located in the NE ¼ of Section 13, Genoa Township, Livingston County, MI. Property description as provided by Livingston County Property Search:

SEC 13 T2N R5E COM E1/4 COR, TH S 480.5 FT, TH N76*40'W 1304.34 FT ALG C/L OF BENDIX RD TO THE POB, TH CONT N 76*40'W 111.03 FT, TH N 01*05'34"W 250 FT, TH S 88*28'16"E 38.78 FT, TH N 01*05'34"W 92.85 FT, TH N 88*54'26"E 117.51 FT, TH S 03*43'47"W 164.15 FT, TH S 08*33'59"W 208.12 FT TO THE POB, 1.03AC M/L SUBJ TO HWY ESMT ALG BENDIX RD.

The subject site is bordered to the north and east by a wooded buffer for Water's Edge Apartments zoned a RPUD (Residential Planned Unit Development), west by a wooded vacant lot zoned as NRPUD (Non-residential Planned Unit Development) and to the south by Bendix Road and Grand River Avenue. OSD (Office Service District)-zoned parcels are located to the south of Grand River. Lake Edgewood Sewer Treatment is located just to the east of the project site near Bendix Road.

Current office zoning of the subject site is a relatively recent change from the 2018 zoning map revision when this parcel was zoned medium density residential. The parcel is currently vacant.

C. Impact on natural features: A written description of the environmental characteristics of the site prior to development, i.e., topography, soils, vegetative cover, drainage, streams, creeks or ponds.

The site gradient at the west is 2-6% of Fox-Boyer complex soils and rolls down 18-25% to the east consisting of Fox-Boyer complex, toward the pond at the east adjacent

parcel (Water's Edge Apartments). These soil classifications are designated by the USDA Natural Resources Conservation Service map. A wooded buffer along the east property line consists of mainly deciduous Callery Pear volunteers, Boxelder (D.B.H. 20" +/-), and Eastern cottonwood (D.B.H. 30" +/-) trees. Scotch Pine trees from 3' tall to 35' tall are mixed in throughout the site and a specimen Blue Spruce approximately 40 feet tall stands at the southwest front of the site. An existing dirt drive runs from the front of the site to exit in the middle of the west property line.

SPECIFIC OVERVIEW

D. Impact on storm water management: description of soil erosion control measures during construction.

A stormwater basin is planned for the front of the site and soil erosion control measures will include a tracking mat, silt fence and seeding with mulch and/or matting.

E. Impact on surrounding land use: Description of proposed usage and other man-made facilities; how it conforms to existing and potential development patterns. Effects of added lighting, noise or air pollution which could negatively impact adjacent properties.

The planned land use for this site is for one building of 5 condo/townhome units as allowed per ordinance. The proposed rezoning from Office to MDR would put the parcel back into the zoning district it was designated as in the 2005 zoning map (last updated in 2018). In the future land use map, the parcel to the east is designated as MDR and parcels across Bendix Road from the project site are shown as Office and to the west as Public/Institutional Facilities. No new impacts to the area are proposed.

F. Impact on public facilities and services: Description of number of residents, employees, patrons, and impact on general services, i.e., schools, police, fire.

Five 2-bedroom unit apartments are planned for approximately 10-15 residents. No impact on general services is expected and normal police and fire protection services should remain unchanged.

G. Impact on public utilities: description of public utilities serving the project, i.e., water, sanitary sewer, and storm drainage system. Expected flows projected in residential units.

Public water, storm and sanitary sewer are planned.

H. Storage or handling of any hazardous materials: Description of any hazardous materials used, stored, or disposed of on-site.

No hazardous materials are expected to be stored on site.

I. Impact on traffic and pedestrians: Description of traffic volumes to be generated and their effect on the area.

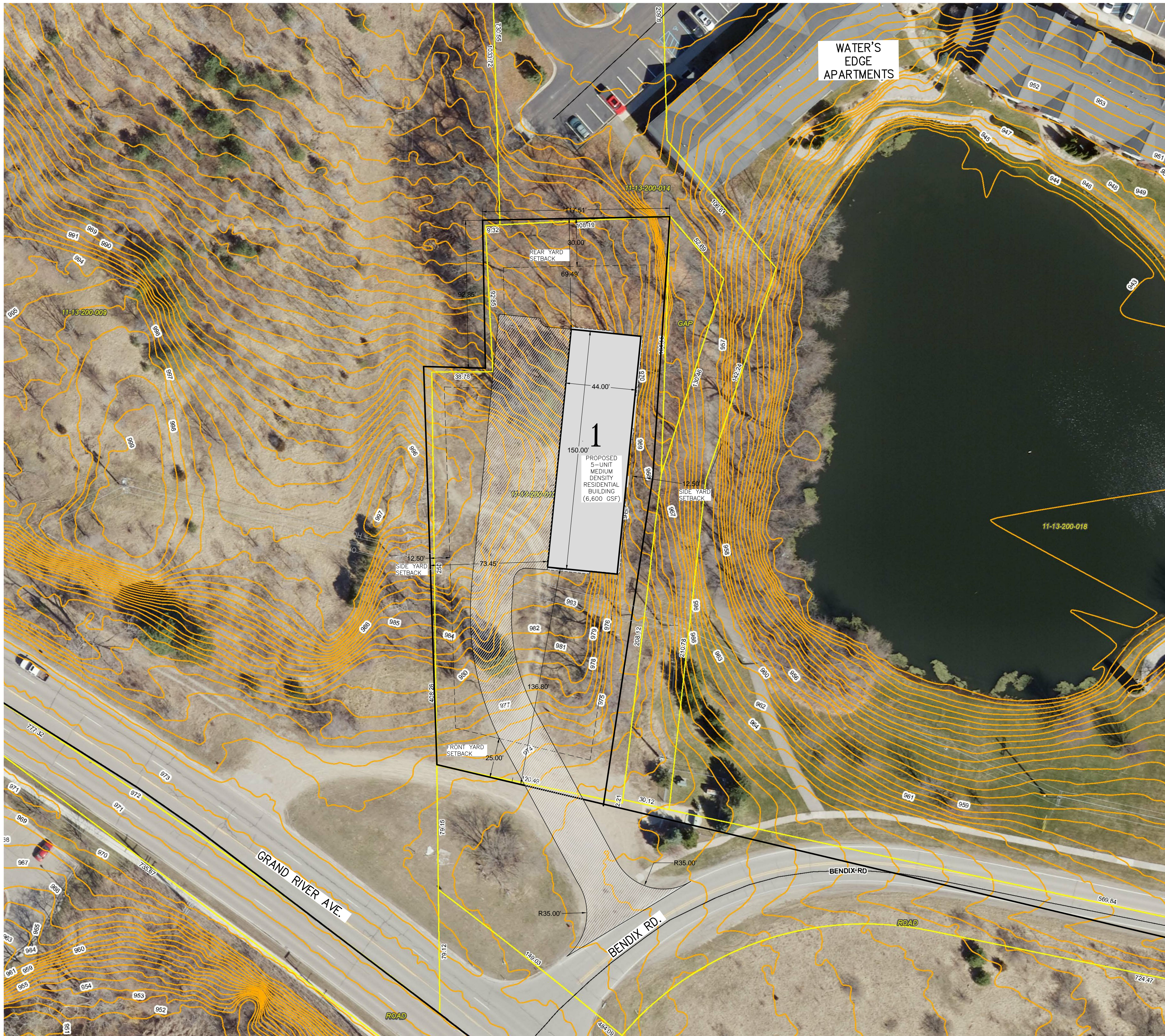
The driveway entrance off Bendix Road provides access to resident and visitor parking. Because there will only be 5 residential units on the parcel, minimal traffic and pedestrian increases are expected.

J. Special provisions: Deed restrictions, protective covenants, etc.

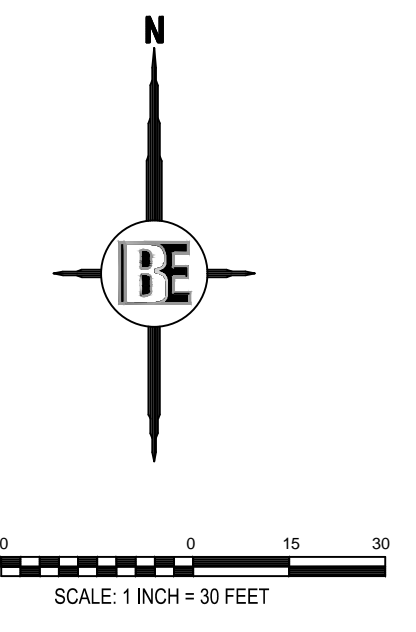
None.

K. Description of all sources:

- Genoa Township Zoning Ordinance
- Natural Resources Soil Conservation Services, USDA



WATER'S
EDGE
APARTMENTS



PROPOSED (PR)	EXISTING (EX)	LEGEND
FF	FF	CONTOUR
FG	FG	SPOT ELEVATION
T/A	T/A	FINISHED FLOOR ELEVATION
T/W	T/W	FINISHED GRADE ELEVATION
F/L	F/L	TOP OF ASPHALT
T/P	T/P	TOP OF CURB / CONCRETE
B/P	B/P	TOP OF WALK
RM	RM	FLOW LINE
INV	INV	TOP OF PIPE
MH	MH	BOTTOM OF PIPE
IN	IN	RIM ELEVATION
CB	CB	INVERT ELEVATION
RY	RY	MANHOLE STRUCTURE
ES	ES	INLET STRUCTURE
OV	OV	CATCHBASIN STRUCTURE
HY	HY	REARYARD STRUCTURE
UP	UP	END-SECTION
SN	SN	GATEVALVE STRUCTURE
SL	SL	HYDRANT
FM	FM	UTILITY POLE
PS	PS	SANITARY SEWER
ST	ST	SANITARY LEAD
WM	WM	FORCE MAN
WL	WL	PRESSURE SEWER
FO	FO	STORM SEWER
OH	OH	WATER MAN
C	C	WATER LEAD
E	E	FIBER OPTIC
T	T	OVERHEAD WIRE
X	X	CABLE
D	D	ELECTRIC
S	S	GAS
Y	Y	TELEPHONE
NFV	NFV	FENCE
		SILT FENCE
		WETLAND BOUNDARY
		LIMITS OF GRADING/CLEARING
		MANHOLE
		INLET / CATCHBASIN
		FLARED END-SECTION
		GATE VALVE
		HYDRANT
		UTILITY POLE
		SIGN
		NOT FIELD VERIFIED
		TO BE REMOVED
		SANITARY SEWER LABEL
		STORM SEWER LABEL
		WATER MAIN LABEL
		SOIL EROSION CONTROL MEASURE
		(P=PERMANENT, T=TEMPORARY)
		CONCRETE
		ASPHALT
		MODIFIED CURB

SITE DATA:

GENOA TOWNSHIP
PARCEL # 4711-13-200-012
7777 BENDIX RD
BRIGHTON, MI 48114
1.07 AC +/-

ZONING: ON 2005 ZONING MAP (LAST UPDATED 2015) THIS SITE WAS MDR (MEDIUM DENSITY RESIDENTIAL); THE 2020 UPDATED ZONING MAP CLASSIFIES IT AS OSD (OFFICE SERVICE DISTRICT).

PROPOSED REZONING TO MDR
EXISTING USE: VACANT
PROPOSED USE: MDR - ATTACHED TOWN HOMES OR CONDOS, 5 UNITS/ACRE
REQUIRES PUBLIC SEWER AND WATER

MIN. LOT AREA REQUIRED FOR ZONING: 1 ACRE

MIN. LOT WIDTH: 75 FT TOTAL EXISTING LOT WIDTH: 120.49 FT
MAX. LOT COVERAGE: 35% BLDG, 50% IMPERVIOUS

MIN. SETBACKS REQUIRED: EXISTING SETBACKS:
FRONT: 25-FT 136.80 FT
REAR: 30-FT 69.49 FT
SIDES: 12.5-FT (25 FT TOTAL TWO SIDES) 12.5 FT (EAST), 73.45 FT (WEST)

PARKING CALCULATION:
MULTIPLE-FAMILY RESIDENTIAL 2.0 SPACES PER EACH UNIT WITH 2 OR MORE BEDROOMS
2⁵=10 SPACES
SPACES REQUIRED: 10 SPACES
PROVIDED: 10 SPACES

BEBOSS Engineering
Engineers Surveyors Planners Landscape Architects
3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
517.546.4836 FAX 517.548.1670

PROJECT	7777 BENDIX RD BRIGHTON, MI
PREPARED FOR	JUSTIN TOBEY 7951 BENDIX RD BRIGHTON, MI 48114 248-490-8825
TITLE	SITE PLAN
DESIGNED BY:	JA
DRAWN BY:	JA
CHECKED BY:	
SCALE:	1" = 30'
JOB NO.:	E7675
DATE:	11/21/2022
SHEET NO.	1





GENOA CHARTER TOWNSHIP

Application for Re-Zoning

APPLICANT NAME: Genoa Township ADDRESS: 2911 Dorr Road

OWNER NAME: Multiple- See attached document ADDRESS: Multiple- See attached document

PARCEL #(s): Multiple- See attached document PRIMARY PHONE: (810) 227-5225

EMAIL: kelly@genoa.org

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:

Inclusion within the Town Center Overlay District (TCOD) to Removal of the Town Center Overlay District (TCOD) (base zoning remains unchanged).

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 impact 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?**

The draft Master Plan removes the Town Center area as a future land use category, as has been contemplated for several years due to lack of interest in the type of development envisioned. Two of the larger, and key, parcels were previously removed from the TCOD by request, and the Township now seeks to remove the remainder of the overlay district.

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

The request is only to remove the overlay district; underlying zoning will remain the same. The nature of the request will not impact any existing environmental features, as the TCOD generally allows a greater density/intensity of use than underlying zones. Future development will remain subject to environmental protection provisions of the Ordinance.

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?

The Township has determined that a general lack of interest in a Town Center development since creation of the overlay district in 2006 is sufficient evidence to move forward with its removal.

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?

The overlay district allows for increased density and intensity via taller buildings and mixtures of uses. The allowable uses are generally similar to that of the underlying zones, which will remain unchanged. Any future development will be subject to the regulations of the respective zoning district.

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?

Similar to the comment above, the host of allowable uses are generally similar, though removal of the TCOD will reduce overall density/intensity of uses. Accordingly, infrastructure and services will generally be sufficient for future development.

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.

To the contrary, the Township has initiated removal of the overlay district due to a lack of interest in a Town Center development.

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?

Given the nature of the request, this criterion is not applicable.

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

Given the nature of the request, this criterion is no applicable.

C. AFFIDAVIT

The undersigned says that they are the governing body 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: Genoa Charter Township

ADDRESS: 2911 Dorr Road Brighton, MI 48116



Kelly VanMarter
Township Manager

December 19, 2022

MITTEN MANAGEMENT, INC
6241 GRAND RIVER AVE. STE 300
BRIGHTON, MI 48114

Re: Proposed Rezoning - Remove Town Center Overlay District
Parcel # 11-11-300-020
Property Address: 6241 W GRAND RIVER

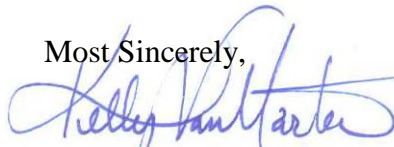
Dear valued property owner,

Genoa Charter Township is proposing to rezone your property referenced above to remove the Town Center Overlay District. The overlay district was created in 2006 with the hope of developing a traditional town center surrounding the intersection of Grand River Avenue and Dorr Road. The district required compliance with the Town Center overlay for any new use or for a project that required site plan review. This has proven overly burdensome for re-use and re-development of existing sites and businesses within the district. There have also been a number of projects that have successfully rezoned their property to eliminate the overlay district which provides further evidence that the concept may no longer be desirable or viable. Lastly, the current version of the draft Master Plan which is in the final stages of adoption proposes to eliminate the Town Center District.

Given these factors, the Planning Commission at their December 12, 2022 meeting directed staff to initiate a rezoning to remove the overlay district. In total there are 42 parcels and your property has been identified as one of those parcels. With the overlay district removed, the existing underlying zoning designation will be the controlling zoning for your land. I've attached to this letter a map of the subject area showing the affected parcels as well as the base zoning that will control development and use of land without the overlay in place.

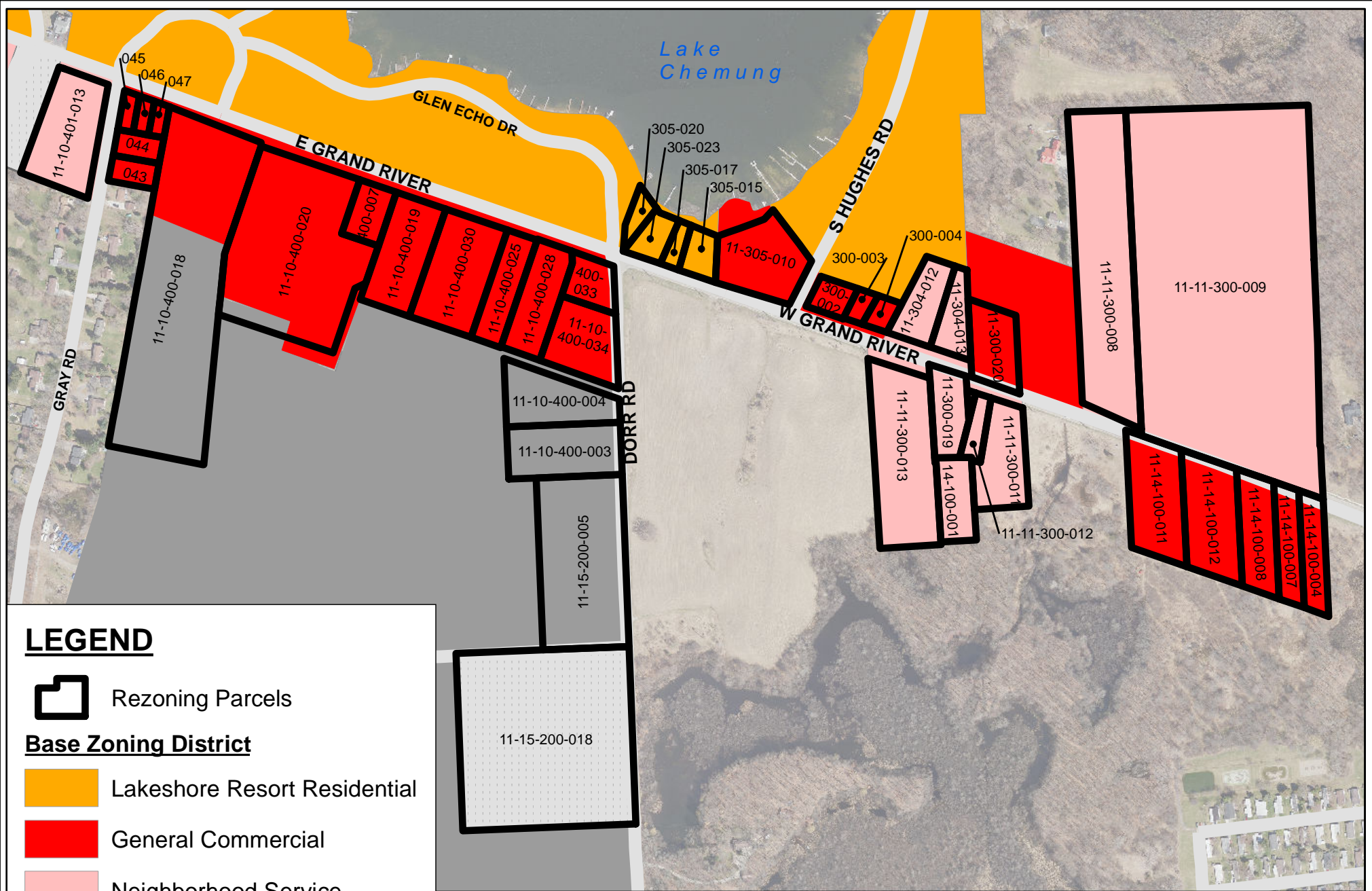
The Planning Commission hearing on the proposed rezoning is scheduled for Monday, January 9, 2023 at 6:30 p.m. The meeting will be held at the Genoa Charter Township Hall which is located at 2911 Dorr Road in Brighton, Michigan 48116. If you have any questions regarding the proposed rezoning, please contact my office or be present at the public hearing noted above. Written comments should be addressed to the Genoa Charter Township Planning Commission. All materials relating to the rezoning request are available for public inspection at the Township Hall.

Most Sincerely,



Kelly VanMarter
Township Manager






Cc: 23-01 Project Case File



LEGEND

 Rezoning Parcels

Base Zoning District

-  Lakeshore Resort Residential
-  General Commercial
-  Neighborhood Service
-  Industrial
-  Mixed-Use PUD

MAP SHOWS RESTORED BASE ZONING AFTER TOWN CENTER OVERLAY REMOVAL

1 inch = 500 feet

Parcel lines are approximate. Not intended for survey purposes.



11-14-100-001
TJS, LLC
7200 CHALLIS
BRIGHTON, MI 48116

11-11-300-002
DYNAMIC PROPERTIES LLC
3100 CHAR- ANN
HOWELL, MI 48843

11-10-400-003
1910 DORR RD LLC
620 W GRAND RIVER AVE
BRIGHTON, MI 48116

11-11-300-003
SURE WORK LLC
2226 SWARTHOUT ROAD
PINCKNEY, MI 48169

11-10-400-004
MERRILL, WILLIAM
1890 DORR RD
HOWELL, MI 48843

11-11-300-004
ROBERT PUSTE HOLDINGS LLC
17 WILD FLOWER HOLW
HENDERSONVILLE, NC 28739

11-14-100-004
DUMAS FRANK & LORRAINE
9243 SOUTH HAZEL
SOUTH LYON, MI 48178

11-15-200-005
DORR & STERLING INVESTMENTS LLC
5893 STERLING DR
HOWELL, MI 48843

11-14-100-007
SECHRIST NINE HOLDINGS, LLC
1914 PALMER DR
WIXOM, MI 48393

11-10-400-007
JESS HOLDING COMPANY LLC
5776 E GRAND RIVER
HOWELL, MI 48843

11-11-300-008
HOWELL MACHINE PRODUCTS
6265 W GRAND RIVER SUITE 100
BRIGHTON, MI 48114

11-14-100-008
BYRD GERALD R REVOCABLE TRUST
6430 GRAND RIVER ROAD
BRIGHTON, MI 48114

11-11-300-009
BORDINE INVESTMENT CO.
1835 S ROCHESTER RD
ROCHESTER, MI 48307

11-11-305-010
WILSON MARINE CORP.
6095 E GRAND RIVER
BRIGHTON, MI 48114

11-11-300-011
TJS,LLC
7200 CHALLIS
BRIGHTON, MI 48114

11-14-100-011
6300 GRAND RIVER INVESTMENTS LLC
6300 W GRAND RIVER
BRIGHTON, MI 48114

11-11-300-012
TJS, LLC
7200 CHALLIS
BRIGHTON, MI 48116

11-11-304-012
JSU INVESTMENTS LLC, JOHNNIE HOOKS
3271 SCHOOLHOUSE DR
WATERFORD, MI 48329

11-14-100-012
BYRD GERALD REVOCABLE TRUST
6430 GRAND RIVER
BRIGHTON, MI 48114

11-10-401-013
HOWELL PROPERTY INVESTMENTS LLC
6418 GOLDEN LANE
WEST BLOOMFIELD, MI 48322

11-11-300-013
MEDIA ONE OF SOUTHEAST MICH.
ONE COMCAST CENTER 32ND FLOOR
PHILADELPHIA, PA 19103

11-11-304-013
WIKMAN ROBERT
12650 GRAND RIVER AVE #18
BRIGHTON, MI 48116

11-11-305-015
LUFF, EDWARD L.
6055 E GRAND RIVER
HOWELL, MI 48843

11-11-305-017
KUIKAHI ROBERT
6035 E GRAND RIVER
HOWELL, MI 48843

11-15-200-018
GENOA REAL ESTATE COMPANY, LLC
10503 CITATION DRIVE SUITE 100
BRIGHTON, MI 48116

11-10-400-018
CEDARS INVESTMENTS, LLC
5670 E GRAND RIVER
HOWELL, MI 48843

11-10-400-019
MITTS LLC
5796 E GRAND RIVER
HOWELL, MI 48843

11-11-300-019
TJS, LLC
7200 CHALLIS
BRIGHTON, MI 48116

11-11-300-020
MITTEN MANAGEMENT, INC
6241 GRAND RIVER AVE. STE 300
BRIGHTON, MI 48114

11-11-305-020
NIEMI, GLENN & LISA
5851 CROOKED LAKE
HOWELL, MI 48843

11-10-400-020
GENOA REALTY VENTURES LLC CARE OF:
615 GRISWOLD
1425 FORD BUILDING
DETROIT, MI 48226

11-11-305-023
ASHLEIGH A BAKER LLC
473 JACKSON ST
COLUMBUS, OH 43206

11-10-400-025
TOBIN HOLDINGS LLC
5910 E GRAND RIVER
HOWELL, MI 48843

11-10-400-028
SUN ACQUISITION IV LLC
6095 W GRAND RIVER
BRIGHTON, MI 48116

11-10-400-030
WM ACQUISITION
6095 W GRAND RIVER
BRIGHTON, MI 48116

11-10-400-033
SUN ACQUISITION IV LLC
6095 W GRAND RIVER
BRIGHTON, MI 48114

11-10-400-034
SUN ACQUISITION IV LLC
6095 W GRAND RIVER
BRIGHTON, MI 48114

11-10-401-043
CEDAR CLOSET LLP
5670 E GRAND RIVER AVE
HOWELL, MI 48843

11-10-401-044
CEDAR CLOSET LLP
5670 E GRAND RIVER AVE
HOWELL, MI 48843

11-10-401-045
CEDAR CLOSET LLP
5670 E GRAND RIVER AVE
HOWELL, MI 48843

11-10-401-046
CEDAR CLOSET LLP
5670 E GRAND RIVER AVE
HOWELL, MI 48843

11-10-401-047
CEDAR CLOSET LLP
5670 E GRAND RIVER AVE
HOWELL, MI 48843

Town Center Overlay Removal Rezoning Impact Assessment
1-05-2023

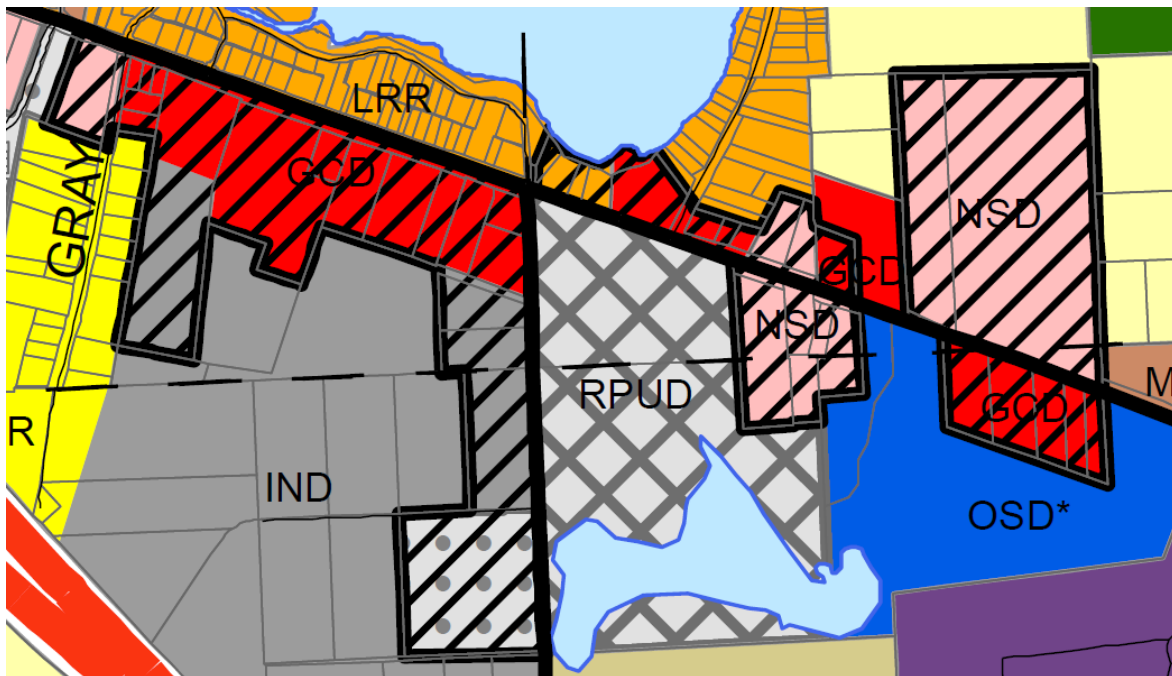
The following impact assessment follows the requirements of Section 18.07 “Written Impact Assessment Requirements” of the Genoa Township Zoning Ordinance.

1. Preparer.

Prepared by:
Kelly VanMarter, Township Manager
Charter Township of Genoa
2911 Dorr Road
Brighton, MI 48116

2. Location.

The Town Center Overlay District is located both north and south of Grand River Avenue, east and west of Dorr Road. There are 42 parcels consisting of approximately 101 acres that are currently within the overlay district. The parcels consist of developed commercial and industrial properties, developed residential properties as well as vacant parcels. See attached Exhibit A map showing the parcels proposed for the rezoning. An excerpt from the zoning map showing the overlay in dark black hatched lines is shown below.



3. Impact on natural features.

The request is only to remove the overlay district; underlying zoning will remain the same. The nature of the request will not impact any existing environmental features, as the TCOD generally allows a greater density/intensity of use than underlying zones. Future development will remain subject to environmental protection provisions of the Ordinance.

Town Center Overlay Removal Rezoning Impact Assessment
1-05-2023

4. Impact on stormwater management

The request is only to remove the overlay district. The underlying zoning will remain the same and the nature of the request will not impact stormwater management. Future development will remain subject to stormwater management provisions of the Ordinance.

5. Impact on surrounding land uses.

Removal of the overlay district will have no immediate impact on surrounding land uses. The overlay district allows for increased density and intensity via taller buildings and mixture of uses. The allowable uses are generally similar to that of the underlying zones, which will remain unchanged. Any future development will be subject to the regulations of the respective zoning district.

6. Impact on public facilities and services.

Similar to the comment above, the host of allowable uses are generally similar and removal of the overlay will decrease the density and intensity of allowable land uses. Any future development will be served by public water and sewer systems currently located in the area.

7. Storage and handling of any hazardous materials.

Removal of the overlay does not involve the use, storage or disposal of any hazardous materials. Any future development will be required to comply with all local, state, and federal requirements.

8. Traffic Impact Study.

Removal of the overlay district will generally reduce the density and intensity of allowable land uses which would have a positive impact on future traffic volumes in the area. Any new development proposed in the area will provide a detailed traffic study, if necessary, in accordance with the Township Zoning Ordinance.

9. Historical and Cultural Resources.

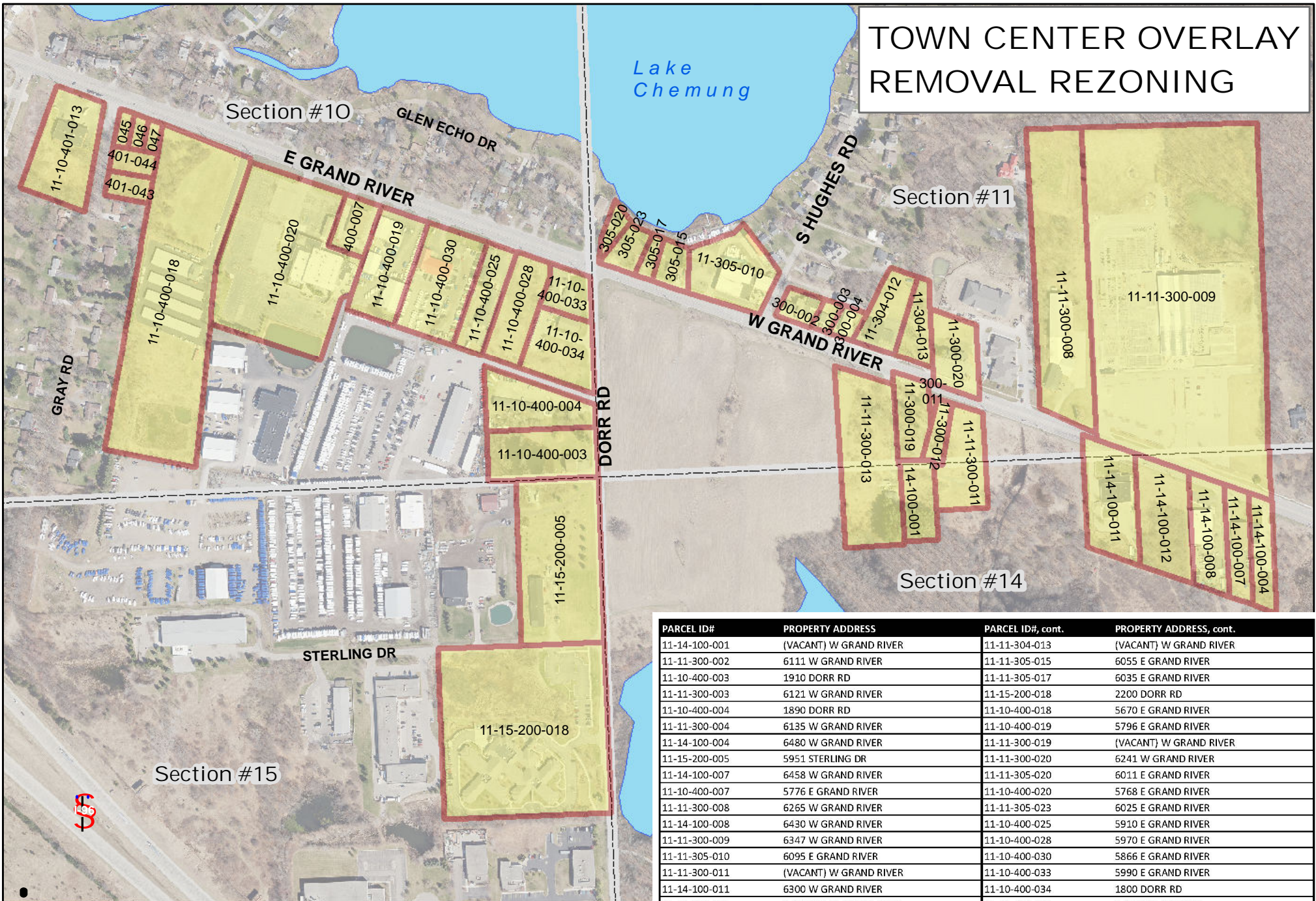
Removal of the overlay district does not involve the alteration or demolition of any historical or culturally significant features.

10. Special Provisions.

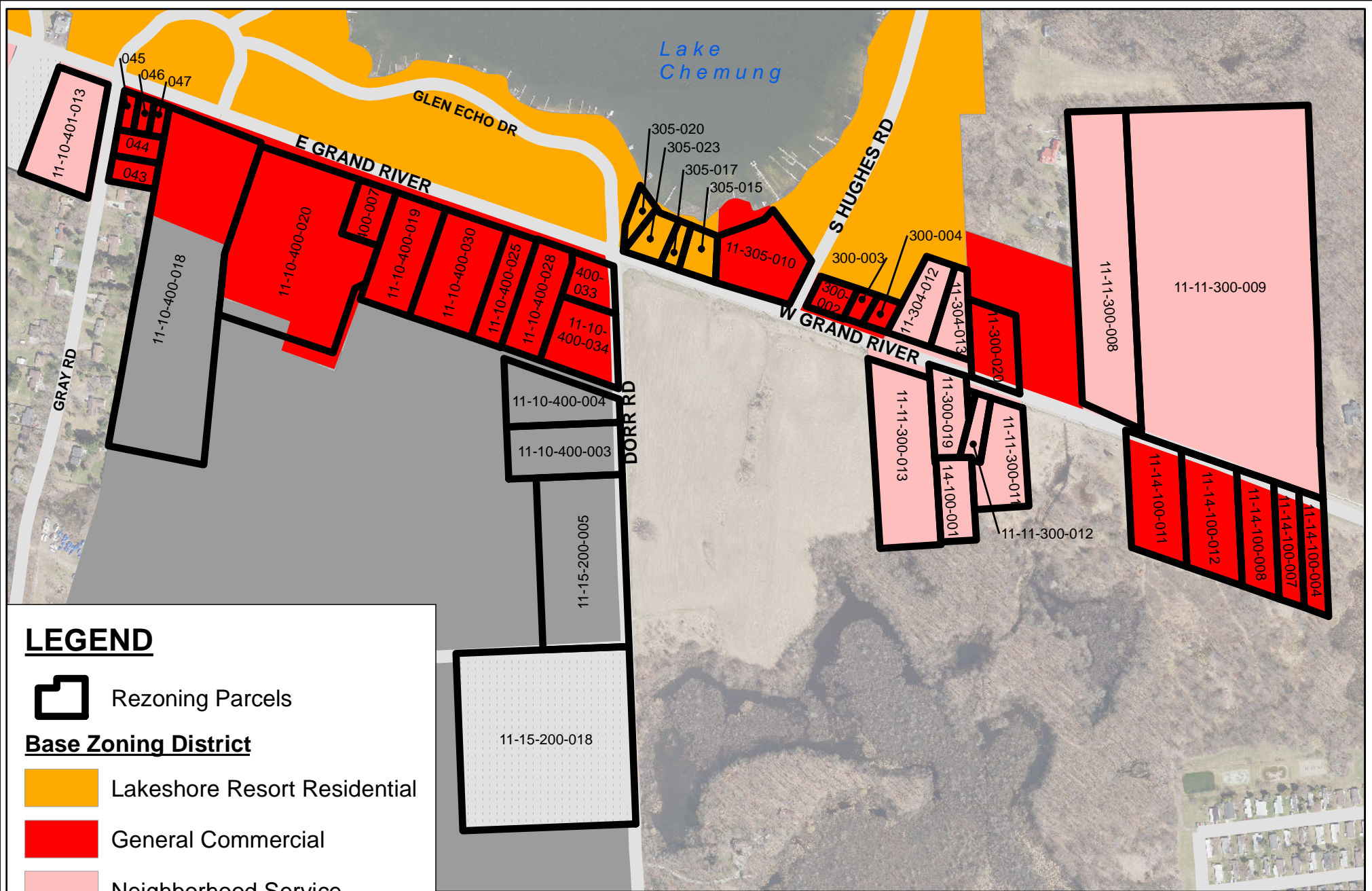
Rezoning to eliminate the overlay district has no impact on any existing deed restrictions or protective covenants.

EXHIBIT A

TOWN CENTER OVERLAY REMOVAL REZONING








PARCEL ID#	PROPERTY ADDRESS	PARCEL ID#, cont.	PROPERTY ADDRESS, cont.
11-14-100-001	(VACANT) W GRAND RIVER	11-11-304-013	(VACANT) W GRAND RIVER
11-11-300-002	6111 W GRAND RIVER	11-11-305-015	6055 E GRAND RIVER
11-10-400-003	1910 DORR RD	11-11-305-017	6035 E GRAND RIVER
11-11-300-003	6121 W GRAND RIVER	11-15-200-018	2200 DORR RD
11-10-400-004	1890 DORR RD	11-10-400-018	5670 E GRAND RIVER
11-11-300-004	6135 W GRAND RIVER	11-10-400-019	5796 E GRAND RIVER
11-14-100-004	6480 W GRAND RIVER	11-11-300-019	(VACANT) W GRAND RIVER
11-15-200-005	5951 STERLING DR	11-11-300-020	6241 W GRAND RIVER
11-14-100-007	6458 W GRAND RIVER	11-11-305-020	6011 E GRAND RIVER
11-10-400-007	5776 E GRAND RIVER	11-10-400-020	5768 E GRAND RIVER
11-11-300-008	6265 W GRAND RIVER	11-11-305-023	6025 E GRAND RIVER
11-14-100-008	6430 W GRAND RIVER	11-10-400-025	5910 E GRAND RIVER
11-11-300-009	6347 W GRAND RIVER	11-10-400-028	5970 E GRAND RIVER
11-11-305-010	6095 E GRAND RIVER	11-10-400-030	5866 E GRAND RIVER
11-11-300-011	(VACANT) W GRAND RIVER	11-10-400-033	5990 E GRAND RIVER
11-14-100-011	6300 W GRAND RIVER	11-10-400-034	1800 DORR RD
11-11-300-012	(VACANT) W GRAND RIVER	11-10-401-043	(VACANT) GRAY RD
11-11-304-012	6161 W GRAND RIVER	11-10-401-044	(VACANT) GRAY RD
11-14-100-012	(VACANT) E GRAND RIVER	11-10-401-045	(VACANT) E GRAND RIVER
11-10-401-013	5580 E GRAND RIVER	11-10-401-046	(VACANT) E GRAND RIVER
11-11-300-013	6168 W GRAND RIVER	11-10-401-047	(VACANT) E GRAND RIVER



LEGEND

 Rezoning Parcels

Base Zoning District

-  Lakeshore Resort Residential
-  General Commercial
-  Neighborhood Service
-  Industrial
-  Mixed-Use PUD

MAP SHOWS RESTORED BASE ZONING AFTER TOWN CENTER OVERLAY REMOVAL

1 inch = 500 feet

Parcel lines are approximate. Not intended for survey purposes.



2022 Planning Commission Annual Report

Meeting Date	Case #	Project Name	Review Type	Action/Recommendation
Jan. 10		Master Plan Update Review	Discussion Only	N/A
Feb. 14	21-09	Brighton Motors Parking Lot	Site Plan/Special Use	Postponed
	22-01	A & J Cartage	Site Plan/Special Use	Postponed
	22-04	Wonderland Marine Storage Building	Sketch Plan	Approved
	22-05	Misty Meadows Extension	Site Plan Extension	Approved
March 14	22-01	A & J Cartage	Site Plan/Special Use	Approved
	22-03	Grand River Self Storage	Site Plan/Special Use	Approved
	22-07	Bible Baptist Church Special Use	Site Plan/Special Use	Withdrawn from Agenda
	22-08	Innovation Interchange Sign	Sketch Plan	Approved
		Capital Improvement Plan	Disposition	Approved
April 11	22-07	Bible Baptist Church Special Use	Site Plan/Special Use	Approved
	22-02	Westbury Phase 2	Site Plan, Final Condo	Approved
	22-09	Chestnut Springs Master Deed Amend.	Amend to Master Deed	Put on hold prior to meeting
	22-10	Summerfield Pointe Conceptual	PUD Amend,Prelim Site Plan	Denied
April 25		Master Plan Discussion	Discussion Only	N/A
	22-12	Article 7 Amendment	Z.O Amendment	Approved
May 9	22-11	Panda Express	Site Plan	Approved
	22-13	Lanning Daycare Special use	Site Plan/Special use	Approved
	22-14	Two Men & Truck Special Use	Site Plan/Special Use	Put on hold prior to meeting
May 23	22-15	St. Joseph Health Hospital	Site Plan/PUD Amendment	Postponed
		Master Plan Discussion	Discussion Only	N/A
June 13	21-09	Brighton Motors Special use	Site Plan/Special Use	Approved

	22-16	Sylvan Glen Clubhouse	Site Plan	Approved
	22-17	Sydor, Richardson Road Rezoning	Rezoning	Approved
	22-18	Summerfield Estates Conceptual	Concept Plan	Postponed
	22-09	Chestnut Springs Master Deed Amed.	Master Deed Amendment	Approved
July 11	22-14	Two Men and a Truck Special Use	Special Use/Site Plan	Approved
	22-15	St. Joseph Health Hospital	Site Plan/PUD Amendment	Postponed
	22-19	Legacy Apartments PUD/Rezoning	Rezoning	Postponed
	22-20	Veteran Affairs Parking Lot	Site Plan	Approved
August 8	22-15	St. Joseph Health Hospital	Site Plan/PUD Amendment	Approved
	22-18	Summerfield Estates Concept	Concept Plan	N/A
September 12	22-19	Legacy Apartments PUD/Rezoning	Rezoning/Concept PUD	Approved
	22-06	Outdoor Resorts Shade Structure	Sketch Plan	Approved
	22-21	Log Cabin Smoker	Sketch Plan	Approved
	22-22	Grand River Self-Storage Amendment	Site Plan Amendment	Approved
October 11		Canceled		
November 14		Master Plan Draft Hearing	To be continued	
	22-25	Bottcher Systems	Special Use/Sketch Plan	Approved
	22-24	Summerfield Estates PUD Amendment	PUD Amendment/Site Plan	Postponed
	22-23	Image Pros	Sketch Plan	Approved
	22-26	Our Lady of the Fields Zip Line	Sketch Plan	Approved
December 12		Master Plan Public Hearing	To be continued	
	22-27	Wonderland Marine New Building	Special Use/Site Plan	Postponed

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
December 12, 2022
6:30 P.M.
MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Eric Rauch, Tim Chouinard, Diana Lowe, and Marianne McCreary. Absent were: Jeff Dhaenens and Glynis McBain. Also present was Township Manager Kelly VanMarter, Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to approve the agenda as presented. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC:

The call to the public was opened at 6:31 pm with no response.

OPEN PUBLIC HEARING #1...Consideration of special land use application, environmental Impact assessment and site plan for the construction of an 11,990 sq. ft. boat showroom and sales office building replacing the existing building for Wonderland Marine West located at 5796 Grand River Avenue. The request is petitioned by Mitts, LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (dated 11-1-22)
- C. Recommendation of Site Plan (dated 11-21-22)

Mr. Wayne Perry of Desine, Inc. and Mr. Gary Mitter, the applicant, were present. Mr. Perry provided a review of the request. They would like to demolish and reconstruct an 11,000 square foot showroom. They will also be removing and reconstructing the parking lot.

Mr. Borden reviewed his letter dated December 6, 2022.

1. Special Land Use:
 - a. The standards of Section 19.03 are generally met.

- b. In order to make favorable findings related to compatibility and impacts, the conditions of Section 7.02.02(c) need to be met to the Planning Commission's satisfaction.
 - c. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
2. Use Conditions:
- a. The majority of the use conditions are met; however, the buffer zone requirements are not fully met for either side or the rear of the site. Under the Town Center Overlay District (TCOD) regulations, the Planning Commission may waive the side yard requirements; however, the rear yard buffer zone is required.
3. Site Plan Review:
- a. The proposed parking does not fully comply with the dimensional requirements of Section 9.04.01.
 - b. The proposed building does not fully comply with the architectural requirements of Section 9.05.01. Per Section 9.05.03, the Township may modify these requirements.
 - c. Proposed sidewalks, street trees and lighting do not fully comply with the streetscape requirements of Section 9.06.01.
 - d. The proposed parking does not fully comply with the parking and loading requirements of Section 9.07.
 - e. The site plan does not fully comply with the open space requirements of Section 9.08.

He noted that The Township has not had one project that has been able to comply completely with the Town Center Overlay standards. Any projects within this zoning district have had the TCOD removed. He and Township Staff have discussed this, and it appears that this zoning has not produced projects as was anticipated. Due to this, he would recommend that this site have the TCOD removed and have it returned to its general zoning. Without this, the applicant would need to go to the Zoning Board of Appeals for many variances. Additionally, he and Staff recommend removing this district from the zoning ordinance. The Planning Commission has the ability to do this by a motion. Ms. VanMarter showed the zoning map and what properties would be affected.

Commissioner Rauch agrees with the suggestion; however, he questioned the sidewalk requirements and those projects that have left money in escrow for those improvements. Ms. VanMarter would like to keep the sidewalk requirements for all those properties.

Ms. Byrne reviewed her letter dated December 7, 2022.

1. The sidewalk cross section should be updated to show six inches of MDOT CLII sand subbase.
2. The Livingston County Drain Commissioner (LCDC) requires that the "Land Use Summary Table" found in Appendix J of their updated LCDC Procedures and Design Criteria for Stormwater Management Systems be included on the cover sheet of the construction plans.

3. The existing site plan originally showed standing water around the storm catch basin on the south of the site. More information should be provided as to what is causing the on-site flooding, and the site plan should demonstrate how this issue will be addressed. Aerial imagery shows that the area is frequently flooded throughout the year.

Mr. Perry acknowledged there is standing water in the spring; however, this catch basin flows into the retention basin on the Crystal Gardens property and they do not have the ability to change it. It is a seasonal, temporary problem. It is where the boats are stored so it does not create a problem. Mr. Mitter stated when the water is too high, they pump the water out of this area onto their vacant property. Mr. Perry noted that the LCDC does not allow a connection into the storm sewer on Grand River because it is at capacity.

Commissioner Rauch asked if this project would increase or decrease the impervious service. Mr. Perry stated it is being reduced.

The Brighton Area Fire Marshal's letter dated December 5, 2022 states the Knox box and Knox Padlock are now shown on the revised site plan submittal. All other previous comments will be addressed on the architectural plan review and are subject to inspection by the fire authority.

The call to the public was made at 6:56 pm with no response.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to table the request for the construction of an 11,990 sq. ft. boat showroom and sales office building replacing the existing building for Wonderland Marine West located at 5796 Grand River Avenue. **The motion carried unanimously.**

Commissioner Rauch noted that the TCOD zoning has been discussed very often over the last seven years, including during the latest Master Plan Update.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to direct Township Staff to take the action of removing the Township Center Overlay District (TCOD) from the zoning map. **The motion carried unanimously.**

OPEN PUBLIC HEARING #2...Continuation of public hearing for the proposed Genoa Charter Township Master Plan.

Ms. VanMarter stated a public hearing was held at the previous Planning Commission meeting; however, there are some changes that still need to be made before it can be presented to the Planning Commission.

The call to the public was made at 7:07 pm.

Ms. Liz Hoover of 661 Abbingdon Court questioned if sidewalks are part of the Master Plan. She has sidewalks on her property. Will this now be public even though the road is private. Ms. VanMarter stated public sidewalks are only on public road rights of way. If the roadway is private, then the sidewalk is private also.

Ms. Melanie Johnson of 3990 Chilson Road suggested including the Livingston County Pathways Plan in the Genoa Township Master Plan. Ms. VanMarter stated that the County's plan has been taken into consideration when developing the Non-motorized Network in the Township's Master Plan.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated there will be a Planning Commission meeting in January and there will be two items on the agenda as well as the election of officers.

Approval of the November 14, 2022 Planning Commission meeting minutes

Needed changes were noted.

Moved by Commissioner McCreary, seconded by Commissioner Rauch, to approve the minutes of the November 14, 2022 Planning Commission Meeting as corrected. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner Rauch, seconded by Commissioner Chouinard, to adjourn the meeting at 7:17 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary