

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
AUGUST 14, 2023
6:30 P.M.
AGENDA**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

DECLARATION OF CONFLICT OF INTEREST:

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

OPEN PUBLIC HEARING #1... Consideration of a special use application, environmental impact assessment and site plan to allow for commercial outdoor recreational events at the existing Mt. Brighton facility. The property is located at 4141 Bauer Road on the south-east corner of Bauer and Challis Roads. The request is petitioned by VR US Holdings, Inc.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (6-28-23)
- C. Recommendation of Environmental Impact Assessment (7-27-23)

OPEN PUBLIC HEARING #2... Consideration of a special use application, environmental impact assessment and sketch plan to allow for used vehicle sales. The property in question is located at 7949 Grand River Avenue, located west of Hacker Road. The request is petitioned by Aric Wilson.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (7-19-23)
- C. Recommendation of Sketch Plan (7-19-23)

OPEN PUBLIC HEARING #3... Consideration of an amendment to a previously approved site plan for an expansion of a parking lot for an existing office/medical building located at 3399 E. Grand River Avenue on the north side of Grand River Avenue, west of Grand Oaks Drive. The request is petitioned by KULOL LLC.

- A. Disposition of amended site plan. (7-19-22)

ADMINISTRATIVE BUSINESS:

- *Staff Report*
- *Approval of July 10, 2023 Planning Commission meeting minutes*
- *Member discussion*
- *Adjournment*

<p>*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.</p>
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GENOA CHARTER TOWNSHIP Application for Site Plan Review

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: See Attached Document
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: See Attached Document

SITE ADDRESS: See Attached Document PARCEL #(s): _____

APPLICANT PHONE: See Attached Document OWNER PHONE: () See Attached Document

OWNER EMAIL: See Attached Document

LOCATION AND BRIEF DESCRIPTION OF SITE: See Attached Document

BRIEF STATEMENT OF PROPOSED USE: See Attached Document

THE FOLLOWING BUILDINGS ARE PROPOSED: See Attached Document

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: Sydney Ryan

ADDRESS: 4141 Bauer Rd, Brighton MI

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

1.) Sydney Ryan of Mt. Brighton at sydney.a.ryan@vailresorts.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.

DocuSigned by:
SIGNATURE: Tim Baker DATE: May-17- 2023
9617A28CB2F04BF
PRINT NAME: Tim Baker PHONE: 810 - 900 - 4071
ADDRESS: 4141 Bauer Rd, Brighton MI

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME AND ADDRESS: VR US Holdings, Inc. (D/B/A Mt. Brighton Ski Area) – 4141
Bauer Rd Brighton, MI

OWNER’S NAME AND ADDRESS: Vail Resorts – 390 Interlocken Crescent Rd Broomfield, CO

SITE ADDRESS: 4141 Bauer Rd Brighton, MI

Parcel # 4711-25-100-010

APPLICANT PHONE: (810) 900-4071

OWNER PHONE: (810) 900-4071

EMAIL: sydney.a.ryan@vailresorts.com

Location and Brief Description of Site:

❖ **Surroundings**

Mt. Brighton’s property is located off two primary routes – Challis Rd and Bauer Rd. Mt. Brighton parking space contains two exits, one exiting onto Bauer Rd and the second exiting onto Challis Rd. Challis and Bauer Rd are lined with trees on either side of them, therefore surrounding Mt. Brighton property with trees and other natural environmental growth.

❖ **Site**

Mt. Brighton property, alongside Challis Rd, stretches approximately one thousand two hundred and forty (1,240) meters (M) back. The front of the property – and the location of the parking space – extends alongside Bauer Rd approximately five hundred and seventy-five (575) M. The Mt. Brighton building, containing guest amenities available during ski season, is located within this 575M stretch. The building itself extends approximately one hundred and seventeen (117) M. Approximately two hundred (200) M from the Challis entrance into Mt. Brighton parking space is the Ski Patrol building utilized for first aid.

Guest Amenities referenced above are named as follows:

- ◆ Ski Hill Grill – Food Service and Bar
- ◆ Ore Creek – Food Service and Bar
- ◆ Chairlift Ski Shop – Merchandise Store and Tuning / Waxing Services
- ◆ Ski School – School for learning to ski / snowboard
- ◆ Rental – Ski / Snowboard Rentals
- ◆ Ranch – Locker Service



GENOA CHARTER TOWNSHIP

Special Land Use Application

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: VR US Holdings Inc. (d/b/a Mt. Brighton Ski Area) - 4141 Bauer Rd, Brighton, MI 48116
Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.

APPLICANT PHONE: (810)900-4071 EMAIL: sydney.a.ryan@vailresorts.com

OWNER NAME & ADDRESS: VR US Holdings Inc - 390 Interlocken Crescent, Broomfield, CO 80021

SITE ADDRESS: 4141 Bauer Rd, Brighton, MI 48116 PARCEL #(s): 4711-25-100-010

OWNER PHONE: (810) 900-4071 EMAIL: sydney.a.ryan@vailresorts.com

Location and brief description of site and surroundings:
See Attached Document

Proposed Use:
Mt. Brighton proposes utilizing Mt. Brighton property to hold community centered events in conjunction with applicable third parties and vendors.

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.

See Attached Document

- 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.

See Attached Document

- 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?

See Attached Document

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?

See Attached Document

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.

See Attached Document

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 authorized officer of VR US Holdings, Inc. STATES THAT THEY ARE THE FREE OWNER OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: Sydney Ryan

ADDRESS: 4141 Bauer Rd, Brighton MI, 48116

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

Sydney Ryan of Mt. Brighton at sydney.a.ryan@vailresorts.com
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: Tim Baker DATE: May-17-2023
DocuSigned by: 9617A28CB2F04BF...
PRINT NAME: Tim Baker PHONE: 810-900-4071

a) “Location and brief description of site and surroundings:”

- Surroundings

Mt. Brighton’s property is located off of two primary routes – Challis Rd and Bauer Rd. Mt. Brighton parking space contains two exits, one exiting onto Bauer Rd and the second exiting onto Challis Rd. Challis and Bauer Rd are lined with trees on either side of them, therefore surrounding Mt. Brighton property with trees and other natural environmental growth.

- Site

Mt. Brighton property, alongside Challis Rd, stretches approximately one thousand two hundred and forty (1,240) meters (M) back. The front of the property – and the location of the parking space – extends alongside Bauer Rd approximately five hundred and seventy-five (575) M. The Mt. Brighton building, containing guest amenities available during ski season, is located within this 575M stretch. The building itself extends approximately one hundred and seventeen (117) M. Approximately two hundred (200) M from the Challis entrance into Mt. Brighton parking space is the Ski Patrol building utilized for first aid.

Guest Amenities referenced above are named as follows:

- Ski Hill Grill – Food Service and Bar
- Ore Creek – Food Service and Bar
- Chairlift Ski Shop – Merchandise Store and Tuning / Waxing Services
- Ski School – School for learning to ski / snowboard
- Rental – Ski / Snowboard Rentals
- Ranch – Locker Service

On property, Mt. Brighton has a total amount of three (3) ponds onsite. The location of these ponds, in reference to their distance in meters from the front of Mt. Brighton property, are as follows:

- Pond One (1) begins approximately one hundred and sixty-two (162) M
- Pond Two (2) begins approximately two hundred and ninety (290) M
- Pond Three (3) begins approximately seven hundred (700) M

Note: Mt. Brighton owners understand the risk that comes with having bodies of water onsite – staff has full training in Emergency Response Plans (ERPs) to put in place given that an emergency involving water takes place.

b) “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”:

Events held at Mt. Brighton would be done with a focus on creating lasting bonds with the residents and businesses in the surrounding communities. Mt. Brighton’s proposed use of the ski area property for community events will be compatible and aid Township plans in the following ways:

- Existing Land Use:
 - Utilize Mt. Brighton’s expansive property rather than further crowd developed areas
 - Mt. Brighton has no intention of selling part of our property, however, to ensure the property can be retained – it must be utilized. With the property’s proximity to the highly developed and crowded Grand River, utilizing this site for events will ensure no further crowding while still economically benefiting the area.
- Economic Development:
 - Mt. Brighton employs nearly 600 people each ski season and, with the recent Vail Resorts increase in minimum wage, one of the highest paying employers. However, these people only have guaranteed employment through our ski season. By allowing Mt. Brighton to utilize property for events, employment opportunities will open up once again. This would greatly benefit surrounding areas due to the consistent and constant population increase as described in the Genoa Township Master Plan.
 - Note – employment opportunities could extend from the employers: Mt. Brighton and third party management.
 - Mt. Brighton events would center the local community – promoting local businesses and drawing attention to the area in a positive light
- Environmental Conditions
 - Mt. Brighton values environmental safety and compliance above all else. Vail Resort ownership requires a decrease in environmental impact to zero by 2030 – meaning utilizing Mt. Brighton property for events ensures intensive mitigation of environmental risks and a prioritization of growing our natural spaces.
- Greenways and Bike Paths
 - Mt. Brighton’s proposed use of property for events creates opportunities for outdoor recreational sports, activations and events which align with the prioritization of greenways and bike paths.

c) **“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”:**

Mt. Brighton functions during ski season with no detriment to the natural environment, public health, safety or welfare. This is done by ensuring consistent mitigation of risks with preventative maintenance. This ensures that, while functioning during ski season, Mt. Brighton does not alter the general vicinity surrounding the property. For any events held on Mt. Brighton property, these same preventative measures will be in place as follows:

- To control excessive production of traffic, Mt. Brighton will;
 - Utilize both entrances onto Mt. Brighton property
 - Employ staff members, as deemed necessary by reasonable persons, to direct parking traffic by:
 - Utilizing signage on property stretching alongside Challis Rd
 - Mitigates slowed and congested traffic on main roads by posting directions to event space
 - NOTE: Signage would only be posted on Mt. Brighton property unless offered explicit permission from additional property owner of proposed signage spacing to ensure compatibility with existing property owners
 - NOTE: Signage would not be posted more than twenty-four (24) hours (hrs.) before an event and would not be posted more than twenty-four (24) hrs. after an event has concluded
 - Sectioning off parking by grouping furthest spaces together and directing traffic their first
 - Mitigate congested traffic by quickly directing cars to available section
 - Staging traffic cones to create aisles and lanes directing traffic into created sections
 - Mitigate cutting through parking areas or
 - Mitigate vehicles parking in areas **not** designated as a section
 - Utilizing reflective PPE gear
 - Mitigate risk to employees working around vehicles
 - Utilizing ticket sales to limit maximum attendance for events, as deemed necessary by reasonable persons considering estimated attendance

- Number of Mt. Brighton parking attendants shall be determined by predicted attendance and shall not exceed six (6) Mt. Brighton staff members.
 - Given that attendance exceeds 2,100 guests, Mt. Brighton, or involved third party, will seek to contract spaces for additional parking off property
 - In the above situation, Mt. Brighton, or the involved third party, will utilize shuttle services for travel between contracted parking and Mt. Brighton property
 - Given that Mt. Brighton enters a new contract with a vendor for shuttle services, it will be provided to the Genoa Township for review
 - 2,100 guests determined to be Mt Brighton parking lot capacity due to the number of parking spots on site – totaling at 700 spaces
- To control excessive production of noise, Mt Brighton will;
 - Develop and maintain natural environment surrounding ski area to keep natural noise blockers* in place
 - Mitigate the distance noise travels in general vicinity
 - *Natural Noise Blockers refers to the natural growth of trees on property and in surrounding area
 - Set limitations, as deemed necessary by reasonable persons, on amount of sound equipment at events. This applies to sound equipment provided by Mt. Brighton or the individuals managing event
 - Mitigate the volume of noise in general vicinity
- To control excessive production of vibration, Mt. Brighton will;
 - Set “Quiet Hours” – No event will begin before eight AM (0800) and no event will end after midnight (0000)
 - Set limitations when necessary, as deemed by reasonable persons, on maximum level of frequency produced by sound equipment at events. This applies to sound equipment provided by Mt. Brighton and provided by the individuals managing event. Given that sound equipment produces high levels of frequency and creates excessive production of vibration, it will NOT be used on Mt. Brighton property.
 - Mitigate the level of frequency produced in order to mitigate excessive production of vibration
- To control excessive production of smoke, fumes and odors, Mt. Brighton will;
 - Utilize 8yd waste dumpster for all trash with weekly pickups scheduled on Mt. Brighton account with waste company under active account under Vail Resorts on behalf of Mt. Brighton.

- Mitigate odors traveling from Mt. Brighton ski area
 - When necessary, ensure all smoke/fume production is handled in the designated spaces at Mt. Brighton that have been approved due to the safety precautions taken in each space and done only by Mt. Brighton staff trained to operate in those spaces for safety. Safety precautions and training in these spaces are standardized and required across Vail Resorts.
 - All production of smoke, at the hands of Mt. Brighton staff, must be done behind maintenance building as marked by Appendix A
 - Mitigate smoke produced
 - All production of fumes, at the hands of Mt. Brighton staff, must be done in maintenance building as marked by Appendix A
 - Mitigate fumes produced
 - To control glare or other such nuisance, Mt. Brighton will;
 - Ensure event lighting centers ski area only which requires no new action on Mt. Brighton's behalf as lighting is already constructed and centers ski hill for safety during season. Any further construction of lighting fixtures will be designed to center the ski hill or parking lot alone.
 - Mitigate excessive light spillage onto other property areas
 - Ensure exterior lighting meets 12.03 Ordinance standards
 - All outdoor lighting on property are shielded to reduce glare
 - All outdoor lighting on property arranged to ensure lights are directed away from adjacent residencies
 - All outdoor lighting on property arranged and shielded to ensure no interference with vision of persons on adjacent road
 - All outdoor lighting on property height measures at approximately 25ft, not greater than 30ft
 - All outdoor lighting located in site parking lot was installed with Genoa Township involvement and approval, thus no changes are required for these
 - Keep communication with surrounding property owners open so as to respond to actionable issues, when deemed necessary by reasonable persons.
 - Mitigate other possible nuisances as they arise

d) "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?"

- Highways and Streets

- Mt. Brighton is right off of I-96 interstate as it connects to Grand River Avenue and then Challis Rd. Main roads and highways are easily accessible from Mt. Brighton ski area
 - Approximate driving distance to I-96 from Mt. Brighton is, at most, 5 minutes
- Police and Fire Protection
 - Driving Distance from Livingston County Sheriff Department to Mt. Brighton is, at most, 19 minutes
 - Given that an emergency requires police response, Mt. Brighton staff have training in Emergency Response Procedures (ERP) and are instructed to call the Livingston County Sheriff Department, when necessary as deemed by the ERP training.
 - Driving Distance from Brighton Fire Department to Mt. Brighton is, at most, 9 minutes
 - Given that an emergency requires fire department response, Mt. Brighton staff have training in ERP and are instructed to call the Brighton Fire Department, when necessary as deemed by the ERP training.
 - Given that emergency responders are required on site, all emergency vehicles must be parked by Ski Patrol, marked on site map under Appendix A.
- Drainage Structures
 - On Mt. Brighton property, we have two different locations that require drainage structures. These structures are maintained by our maintenance team on site. They are as follows:
 - Parking Area – Total number of drainage structures is equal to five (5)
 - Backside of Ski Hill – Total number of drainage structures is equal to four (4)
- Water and Sewage Facilities
 - Drinking Water – Mt. Brighton has a total of 3 drinking fountains on property
 - Mt. Brighton has a total number of 15 bathrooms available to women and 15 bathrooms available to men
- Schools
 - The *Maltby Intermediate School* is located further south on Bauer Rd, approximately 200m from the entrance to Mt. Brighton on

Bauer Rd. Its distance from Mt. Brighton ensures events will not cause disruption to the school.

e) “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?”

- As described in response to *Question b) on application*, Mt. Brighton will take actions to mitigate production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance so as to ensure the safety of guests, maintain the surrounding general vicinity and maintain Mt. Brighton and Vail Resorts *Commitment to Zero** so as to protect the natural environment on and surrounding Mt. Brighton property. These preventative actions ensure no potentially detrimental effects.
 - **Commitment to Zero is a company policy defined by Vail as “bold sustainability goal: to achieve a zero net operating footprint by 2030.”*

f) “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.

- Yes, the use has specific criteria - (q) - as listed in section 7.02.02 of the Zoning Ordinance
- Mt. Brighton’s property site is adequate to accommodate the intended use without significant impact on nearby properties
 - Mt. Brighton’s property has a standing room occupancy of approximately 5,000
 - Mt. Brighton’s interior property has an occupancy of approximately one thousand, one hundred and thirty-four (1,134) persons
 - See Appendix B for documentation
 - Property is located between two paved streets, both classified as public routes as defined by Livingston County Road Commission
- All spectator seating available on hill approximately 100m from property line, at point of **least** distance from property line as seen on Appendix A
- Site is periodically cleared of debris by Mt. Brighton staff along with partnering with vendors such as Waste Management and My Green Michigan for disposal of waste and compost.

Appendix B



August 9, 2023

Planning Commission
 Genoa Township
 2911 Dorr Road
 Brighton, Michigan 48116

Attention:	Amy Ruthig, Planning Director
Subject:	Mt. Brighton – Special Land Use and Sketch Plan Review #2
Location:	4141 Bauer Road – east side of Bauer Road, south side of Challis Road
Zoning:	PRF Public and Recreational Facilities District

Dear Commissioners:

At the Township’s request, we have reviewed the revised submittal materials requesting special land use and sketch plan review for inclusion of a commercial outdoor recreation establishment as part of the existing ski facility at Mt. Brighton (applicant’s response letter dated 7/28/23).

A. Summary

1. Special Land Uses (Section 19.03):

- a. The proposal is generally compatible with the Master Plan classification of Private Recreation.
- b. The Township may wish to seek input from the Road Commission to help mitigate any potential traffic concerns.
- c. The Township may wish to require an earlier end time for events (12AM is proposed; 10PM would be consistent with the Noise Ordinance). Alternatively, the Township may wish to set decibel limits for events that may extend past 10PM.
- d. In order to make favorable findings related to compatibility and impacts, the use conditions of Section 6.02.02(g) need to be met to the Commission’s satisfaction.
- e. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
- f. Any event expected to include more than 1,000 patrons will be subject to the procedures and requirements of the Township’s Assembly Ordinance.

2. Use Conditions (Section 6.02.02(g)):

- a. The entire parking lot does not appear to be improved. The Township may require improvements based on the request for a new special land use.

3. Sketch Plan Review:

- a. The Township may wish to require additional plantings to bring the site into compliance with the approved site plan.
- b. The Township may require improvement to any additional site deficiencies identified as part of this review process.

B. Proposal/Process

The applicant proposes to include commercial outdoor recreation as part of the existing ski facility. More specifically, the applicant proposes to hold “community centered events” on the 217-acre property, which is primarily used as a ski facility and, formerly, a golf course.

Table 6.02 lists commercial outdoor recreation facilities as a special land use in the PRF District. Such uses are also subject to the use conditions of Section 6.02.02(g).

Procedurally, the Planning Commission is to review the special land use, sketch plan, and Environmental Impact Assessment, and put forth recommendations to the Township Board following a public hearing.



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 identifies the subject site as Private Recreation, which is intended for “private recreational facilities such as golf courses, ski hills, campgrounds and private parks.”

The established ski hill (and former golf course) is consistent with this category. In our opinion, the proposal to include “community centered events” is also compatible with this classification.

- 2. Compatibility.** As previously noted, the subject site contains over 200 acres and has been developed for outdoor recreational uses (skiing and golf). The surrounding area includes residential uses of varying densities, generally to the south and west.

Based on the submittal materials it appears that the primary activity areas will be centrally located within the property, and generally away from residential properties.

The primary concerns under this criterion are related to traffic and noise. The submittal includes a plan for traffic/parking to help mitigate potential impacts on the roadways. Access to/from 2 main roadways will help to mitigate congestion issues.

Given the nature of the request, a traffic study may not be necessary; however, the Township may wish to seek input from the Livingston County Road Commission for any further mitigation efforts that may be warranted.

The submittal notes that events will not start before 8AM and will end by 12AM. Though events approved by the Township may be exempt from the Noise Ordinance, it is worth noting that this Ordinance reduces the allowable noise generation after 10PM (as opposed to 12AM).

As such, the Township may wish to require an earlier end time, or set decibel parameters on events that may run past 10PM.

Additionally, the use conditions of Section 6.02.02(g) are intended to help ensure compatibility. Provided the use conditions are met to the Commission’s satisfaction, we expect the proposal to be compatible with the surrounding area.

- 3. Public Facilities and Services.** The submittal notes that the site has existing well and septic systems that accommodate the existing ski facility, including a total of 30 bathrooms (15 female/15 male, which exceeds the minimum ratio required by the Township’s Assembly Ordinance).

The applicant must address any comments provided by the Township Engineer and/or Brighton Area Fire Authority related to this criterion.

- 4. Impacts.** Similar to comments above, provided the use conditions are met to the Township’s satisfaction, surrounding properties are not expected to be adversely impacted by the proposal.

With that being said, the applicant should also be aware that any event intended for more than 1,000 patrons will be subject to review and approval under the Township’s Assembly Ordinance.

- 5. Mitigation.** If further concerns arise as part of the review process, the Township may require additional efforts to mitigate potential adverse impacts.

D. Use Conditions

Commercial outdoor recreation establishments are subject to the use conditions of Section 6.02.02(g), as follows:

- 1. Such uses shall include, but need not be limited to, the following: recreational fields, rinks or courts, including football, softball, soccer, tennis, basketball, ice skating, and similar activities, swimming pools open to the general public or operated by a private non-profit organization, archery and shooting ranges, animal racing, go-cart, automobile or motorcycle tracks, music concert pavilions and bandshells, amusement parks and uses accessory to the above uses, such as refreshment stands, retail shops selling items related to the above uses, maintenance buildings, office for management functions, spectator seating and service areas, including locker rooms and rest rooms.**

Based on a pre-application meeting, the events intended may include music, refreshment stands and retail shops, which are generally compatible with this condition.

- 2. The site shall be adequate to accommodate the intended use(s), parking and adequate buffer areas without significant impact on nearby properties in terms of noise, traffic, lighting glare, views, odors, trespassing, dust or blowing debris, as determined by the Planning Commission. The applicant shall provide documentation the site size is adequate using national facility standards.**

There is a relatively large, existing parking lot in the northwest portion of the property. The revised submittal notes that 700 spaces are available. In the context of the Township’s Assembly Ordinance, this amount of parking is sufficient for up to 2,100 patrons (ratio of 1 space per 3 patrons).

However, it does not appear that the entire parking lot is improved with hard surfacing, as required by Ordinance. Given the proposal to add another special land use to the property, the Township may require that the parking lot be improved to current standards.

The submittal identifies a parking plan that includes employees to direct traffic, temporary event signage, and a sectioned parking/exiting strategy.

- 3. The site shall be located on a paved street which is classified as a Primary Route by the Livingston County Road Commission.**

The subject site has frontage on Bauer and Challis Roads, both of which are paved and classified as Minor Arterial roadways (which are considered Primary Roads).

4. No building or spectator seating facility shall be located within one hundred (100) feet of a property line.

The revised aerial photo included with the submittal notes the location of spectator seating, while the submittal states that “all spectator seating available on hill approximately 100m from property line, at point of least distance.”

5. The site shall be periodically cleared of debris.

The submittal states that the “site is periodically cleared of debris by Mt. Brighton staff” and that they will partner “with vendors such as Waste Management and My Green Michigan for disposal of waste and compost.”

E. Sketch Plan Review

As previously noted, the submittal includes older site plans and aerial photos. Most of the site development regulations are covered by the use conditions noted above.

However, given the request for a new special land use, the Township may require improvements to bring the site into (or closer to) compliance with current Ordinance standards.

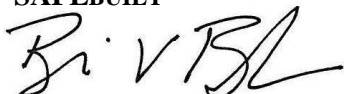
Of note, one of the site plan pages includes a landscape plan depicting numerous plantings around and within the parking lot. Aerial photos show fewer plantings than the site plan. The Township may require replacement plantings to bring the site into compliance with the approved site plan.

Additionally, aerial photos indicate that parking lot light fixtures are tilted upward to cast light outward. The revised submittal notes that existing lighting will be corrected to meet the current standards of Section 12.03.

Lastly, the Township may require improvement to any other site deficiencies identified as part of this review process.

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

Respectfully,
SAFE BUILT


Brian V. Borden, AICP
Michigan Planning Manager



August 7, 2023

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

**Re: Mt. Brighton Events
Special Use Site Plan Review No. 2**

Dear Ms. Ruthig:

Tetra Tech conducted a second review of the special land use and site plan submittal for Mt Brighton Events received on July 27, 2023. The submitted documents include the special land use application, impact assessment, and the original site plan for the property dated April 5, 1999. The applicant is requesting a special use to hold events on site. We offer the following comments:

GENERAL

1. The Petitioner should obtain approval from the Brighton Area Fire Authority prior to Township approval.

TRAFFIC CONTROL

2. A more detailed traffic plan should be provided for how event traffic will be managed. Both Bauer Road and Challis Road are maintained by the Livingston County Road Commission, and they should review and approve of the proposed traffic management plan.

We recommend the petitioner address the above comments prior to approval. 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

July 17, 2023

Amy Ruthig
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Mt Brighton Events Special Use
4141 Bauer Rd.
Brighton, MI
Attn: Sydney Ryan
sydney.a.ryan@vailresorts.com

Dear Amy,

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on June 30, 2023 and the Genoa Township special land use application is dated May 17, 2023. This review is based on the application to hold special events on the property of Mt. Brighton and all documents submitted. The review is based on incident management for large events and requirements of the International Fire Code (IFC) 2021 edition.

1. In section C of the outline submitted, there is reference to the driving distance from "Brighton Sheriff Department". Police response to this area would be provided by the Livingston County Sheriff Department. It is unknown what the response time would be to this area and would depend on the staffing levels of the sheriff department.
2. Also found in section C of the submitted outline is the fire department response. The Brighton Area Fire Authority has two fire stations similar distances from Mt. Brighton. If fire apparatus are in quarters at the time of an emergency response times would be between four and seven minutes.
3. Lastly, section C references that when emergency responders are required to be on site that emergency vehicles must be parked by ski patrol. Whenever emergency vehicles are required to be on site for an event, the location of emergency vehicles will be determined through event planning meetings.
4. In various locations of the submitted outline it is stated that when an emergency arises staff is to call the sheriff department or the fire department. If emergency services are on site and an emergency occurs, emergency services will be contacted by radio when available or via face to face. If emergency services are not on site, or if the above modes of communication are not available, staff shall call 911.

Additional comments will be provided during event planning meetings and will be determined by event type and size. If there are any questions about the comments on this plan review please contact me at 810-229-6640.



June 30, 2023

Page 2

Mt Brighton Events Special Use

4141 Bauer Rd.

Site Plan Review

Cordially,

A handwritten signature in black ink, appearing to read "D Bunge".

Derrick Bunge, Captain Fire Inspector

cc:Amy Ruthig amy@genoa.org

From: [Bob & Jan Adamski](#)
To: [Amy Ruthig](#)
Subject: Mt Brighton Request for Special Use permit.
Date: Monday, July 31, 2023 5:34:33 PM

My name is Janet Adamski. I reside at 4518 Kingswood Dr. (Mt. Brighton subdivision), and my home (and the Moyers' home) are the closest to Mt. Brighton. The purpose of this note is to request information/clarification on the Notice of Public Hearing August 14, 2023 concerning Mt. Brighton's request for "special use permit" to allow for "commercial outdoor recreational events" at the Ski facility.

What types of outdoor events are included? Will local approval be required for these events, or will they receive a "blanket" approval for all events? How frequently will events be held? What does term "special use" mean?

I have a number of concerns I'd like to express. What level of noise will be allowed? My ears rang for several days after last Saturday's Country Festival.

What, if any, type(s) of construction will be involved? How will it impact our neighborhood, and when would it be scheduled?

What about traffic impact? We already struggle with 3 nearby schools, blockage by trains, impact of impending roundabout at Challis and Bauer. Recent construction in last few years has made it much more difficult to go from place to place. We have concerns about participants using the turnarounds in our subdivision for access, the the disruption in general of having special events.

Will this affect our water? We are all using wells here, not city water.

I have lived here for over 30 years. This is a quiet, friendly subdivision and we'd like to keep it that way. Please don't take that away from us. Those of us who have committed to this area for many years should be listened to.

Thank you for your time.

Jan

From: [Peggy Moyer](#)
To: [Amy Ruthig](#)
Subject: Re: Question on Mt. Brighton Request
Date: Tuesday, August 1, 2023 10:44:06 AM
Attachments: [image001.png](#)
[image001.png](#)

Thank you, Amy. Wish there were more specifics available on what kinds of events. We truly support them hosting community-centered events (ie Brighton's Jazzfest), but our concerns are with events that put public usage up next to our property on the back side of the ski hill (ie utilization of paths for races). We have a path right next to our property that currently is used for their work vehicles (which has never been a problem), but would not appreciate it being used for other purposes. Also, I do believe Pine Knob has an 11pm noise curfew...their request of midnight laye.

Jerry and Peggy Moyer

On Tue, Aug 1, 2023, 9:56 AM Amy Ruthig <amy@genoa.org> wrote:

Good Morning,

I have attached the applicant's packet for your review. In regards to if they would require a permit for each event, that would fall under the Planning Commission and Township Board's decision. They are requesting to hold community centered events. All projects receive reviews by our consultants (Planner, Engineer and the BAFD). I have included those for your review Typically, the applicant will receive a second round of reviews from the resubmitted information that is requested by our consultants in their 1st review. The packet that your are reviewing is their resubmittal from the review letters that are included. Hopefully that made sense. Please contact me with any questions that you have.

Thank you,

Amy Ruthig

Planning Director



Genoa Charter Township

2911 Dorr Road, Brighton, Michigan 48116

Office: 810-227-5225 Ext. 114 Direct: 810-224-5824

E-mail: amy@genoa.org, Url: www.genoa.org

From: Peggy Moyer <moyerpeggy307@gmail.com>

Sent: Monday, July 31, 2023 4:25 PM

To: Amy Ruthig <amy@genoa.org>

Subject: Question on Mt. Brighton Request

Dear Amy,

We just received our notice letter and we would like some information on what would "commercial outdoor recreational events" look like? What kinds of events would fall under this special use permit that VR US Holdings, Inc., is requesting? Is a new permit requested and needed for each event, or does getting this approval give them unlimited approval for all future events? Thank for your help.

Jerry and Peggy Moyer

08 August 2023

To: Genoa Township Planning Commissioners

As residents of the Mt. Brighton subdivision, with property neighboring the Mt. Brighton Ski Area (MBSA), we are writing in response to the request by MBSA for a special use permit and the public hearing on 14 August, which we are unable to attend.

The MBSA application and associated documents do not specify in any meaningful way the scope of “outdoor recreational events”, including type, number, duration, etc. We are against the township granting such a broad use permit.

Our concerns are for maintaining the peacefulness of our neighborhood. It consists of a variety of residents, including the elderly, newborns, and off-shift employees – all who require rest throughout the day. Events such as amplified concerts are disruptive to our residents. Low frequency sound and vibration was heard/felt in our homes during the concert held earlier this summer at MBSA.

The application further uses vague, subjective and troubling language, for example suggesting that ticket sales and noise limitations will be determined by “reasonable persons”.

In summary, we are not opposed to outdoor summer events at MBSA that maintain the quiet enjoyment of our neighborhood.

Sincerely,

Jonathan and Lynn Nelson

4533 Mt. Brighton Drive
810.923.5954

The former golf course area is a rare buffer to the ever expanding building and noise of our county. It is

are not disruptive to the it would be irresponsible for the township to approve such a permit

While the township has provided some reports and studies of the impact on safety and environmental, however no studies have been done on the impact to our neighborhood and others nearby.

From: [Martin Lindsley](#)
To: [Amy Ruthig](#)
Subject: Request by Mt Brighton to hold outdoor recreational events.
Date: Wednesday, August 9, 2023 7:22:43 PM

My wife and I have lived in the Mt Brighton sub since 1991. We appreciate the peace and quiet that it provides. We are concerned that if the request by the Mt Brighton ski area is approved it will negatively impact the neighborhood. I am assuming that what they are planning are events similar to the country music festival that was recently held. If that is the case I think that the chances of excessive noise, traffic, alcohol and drug use will be present. Traffic on Bauer and Challis is already dangerous enough without the probability of a significant number of impaired drivers on the road. My wife and I will be in New York when the hearing is scheduled or we would attend. If you would like to discuss our concerns with me please call me on (586) 201 8164. Thank you.

Regards,

Martin Lindsley

Sent from my iPad

Mt. Brighton - Environmental Impact Assessment

June 28, 2023

- A. **Name(s) and address(es) of person(s)** responsible for preparation of the impact assessment
- a. Sydney Ryan

Mt. Brighton - Sr. Administrator

4141 Bauer Rd, Brighton MI

- B. **Map(s) and written description:** Please view Zoning maps provided with Special Land Use Application and Appenix A from the Special Land Use Application for maps of property. Mt. Brighton's property is located off of two primary routes – Challis Rd and Bauer Rd. Mt. Brighton parking space contains two exits, one exiting onto Bauer Rd and the second exiting onto Challis Rd. Challis and Bauer Rd are lined with trees on either side of them, therefore surrounding Mt. Brighton property with trees and other natural environmental growth. Mt. Brighton property, alongside Challis Rd, stretches approximately one thousand two hundred and forty (1,240) meters (M) back. The front of the property – and the location of the parking space – extends alongside Bauer Rd approximately five hundred and seventy-five (575) M. The Mt. Brighton building, containing guest amenities available during ski season, is located within this 575M stretch. The building itself extends approximately one hundred and seventeen (117) M. Approximately two hundred (200) M from the Challis entrance into Mt. Brighton parking space is the Ski Patrol building utilized for first aid. On property, Mt. Brighton has a total amount of three (3) ponds onsite. The location of these ponds, in reference to their distance in meters from the front of Mt. Brighton property, are as follows:

- Pond One (1) begins approximately one hundred and sixty-two (162) M
- Pond Two (2) begins approximately two hundred and ninety (290) M
- Pond Three (3) begins approximately seven hundred (700) M

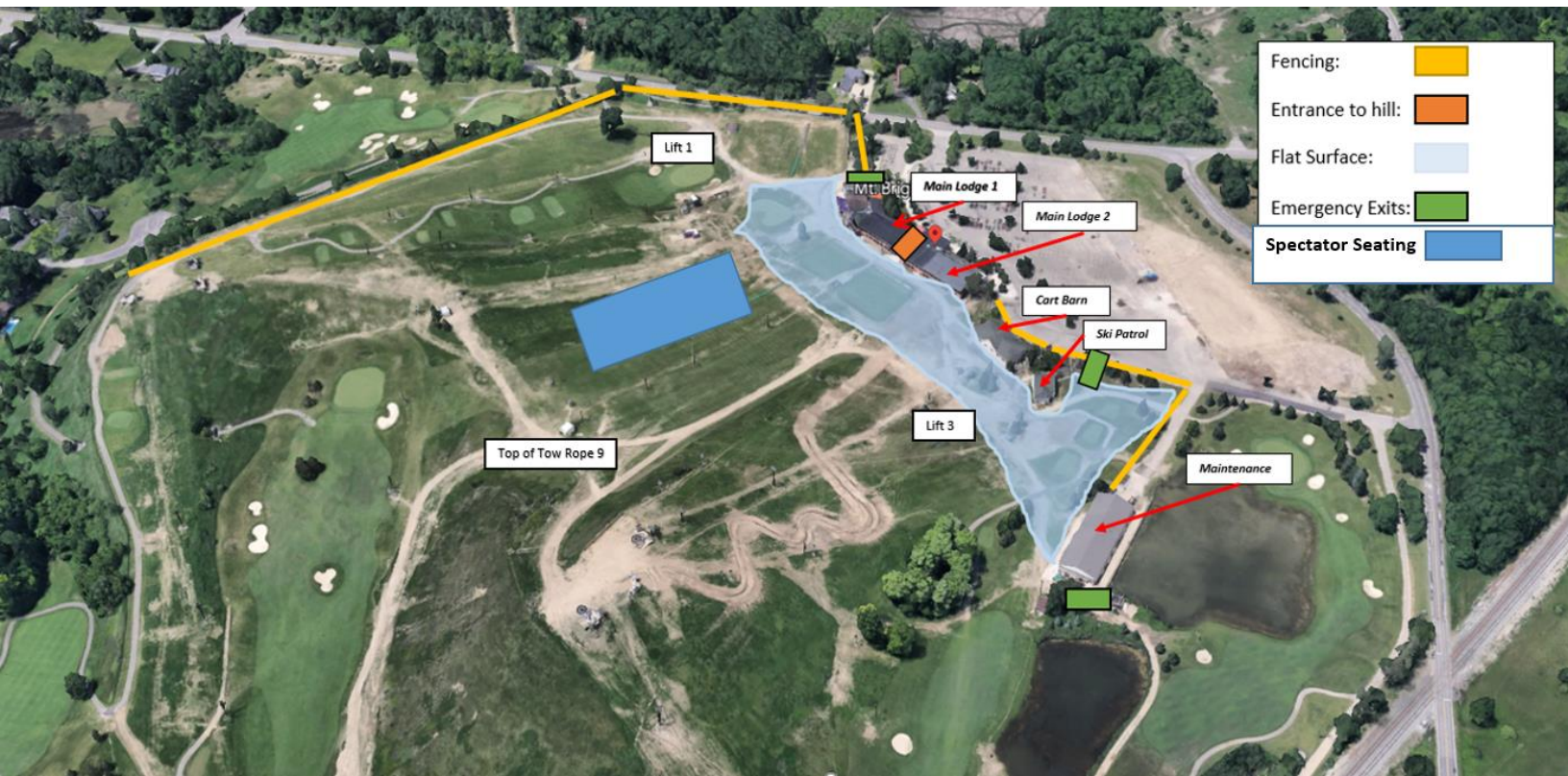
No permanent changes to site for development are proposed under this submittal.

- C. **Impact on natural features:** There will be no impact to natural features as no permanent development will be made. Please refer to written description of site above.
- D. **Impact on storm water management:** Existing infrastructure will remain preserved. No impact is predicted as event capacity, function and preparation will be aligned with winter season operations, therefore no additional detention or sediment control systems are anticipated.
- E. **Impact on surrounding land used:** Mt. Brighton's proposed use of the site aligns with historic site use during operations. This ensures capacity for all community events remains within

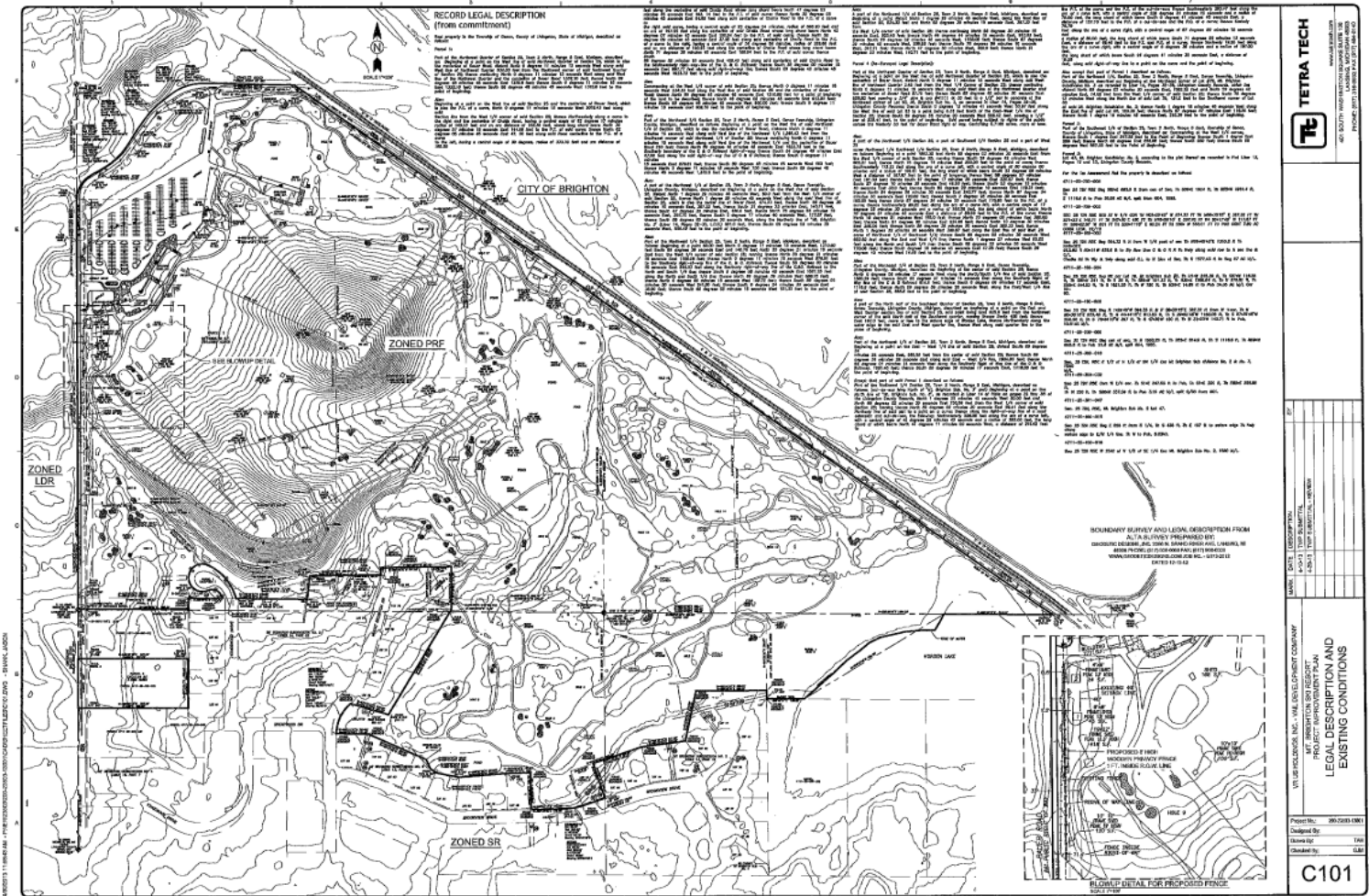
existing structures on site. Community events proposed will increase light, noise and traffic during summer months due to interest in events. However, increased production will align to the increased production during the winter season due to interest in Mt. Brighton winter operations. As Mt. Brighton has this draw during the winter season without negative impact to adjacent properties, the same is concluded for community events held in the summer season.

- F. **Impact on public facilities and services:** Mt. Brighton has private facilities and services to accommodate more than 3,000 guests in the winter season. These facilities will be operational for all community events, when necessary, ensuring no anticipated impact on any public facility or service. While Mt Brighton facilities have significant capacity, we anticipate the majority of community events under this submittal to not exceed 1,500 guests thus further ensuring capacity for events without impact on public facilities or services.
- G. **Impact on public utilities:** Mt. Brighton is serviced with on-site septic and well systems resulting in no impact on public utilities from proposed use.
- H. **Storage and handling of any hazardous materials:** No storing or handling of hazardous materials shall occur in relation to proposed use.
- I. **Impact on Traffic and Pedestrians:** Proposed use will result in increased traffic in surrounding area due to interest in events. However, proposed use will not create an increase large enough that existing structure capacity would require development or expansion. During winter season, Mt. Brighton draws traffic into area due to interest in operations. Historically, Mt. Brighton's existing parking layout and the multiple entrances onto different roads ensure no negative impact to surrounding areas during winter. Proposed use aligns with this structure; therefore, no negative impact to surrounding areas or roads.
- J. **Special Provisions:** No Special Provisions proposed.

Appendix A



ALL PERMIT INFORMATION ANSWERS ARE NO



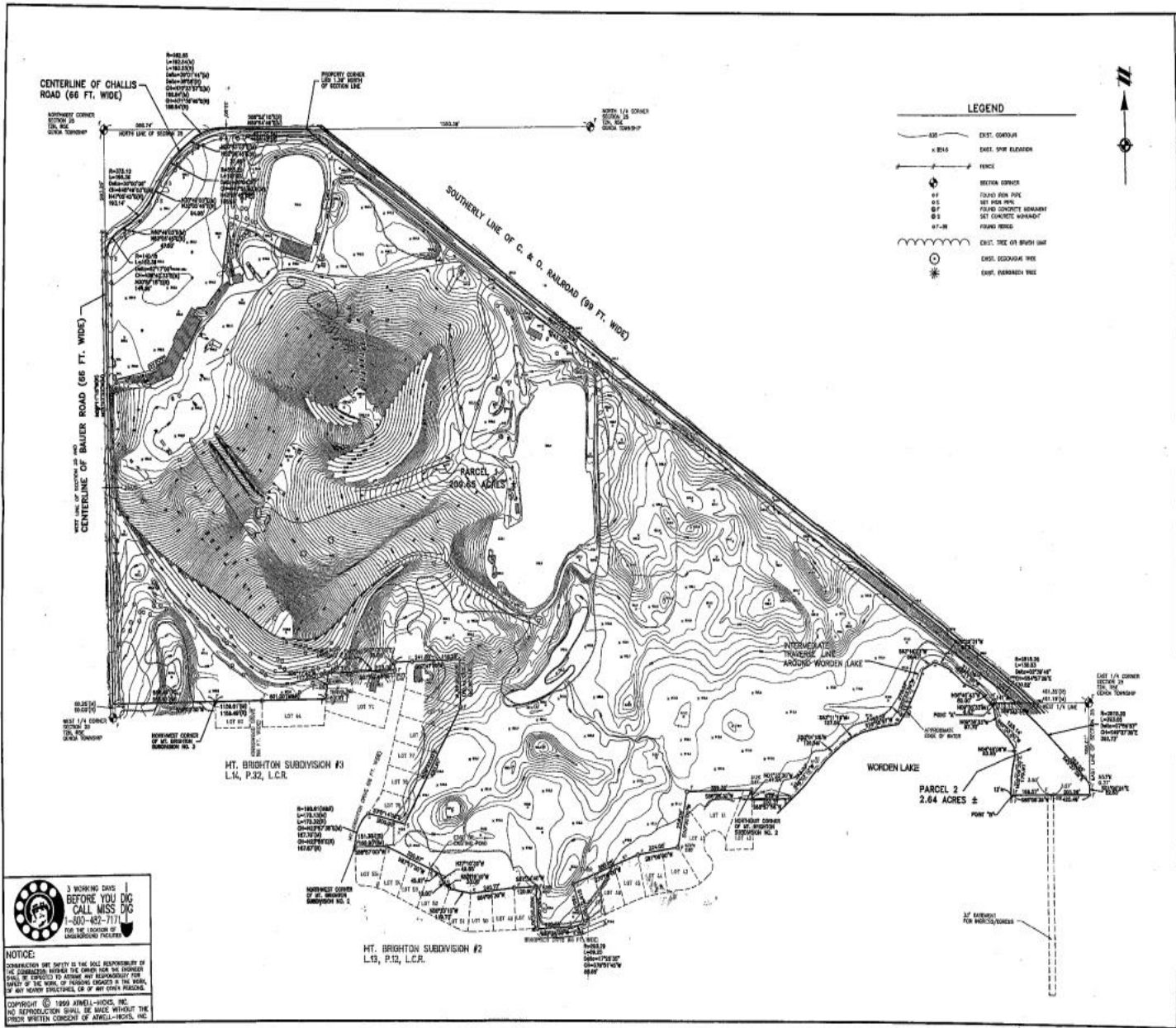
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LEGAL DESCRIPTION AND EXISTING CONDITIONS

Project No: 201-0281-081
 Checked By: [Name]
 Drawn By: [Name]
 Date: 6/24

C101



ATWELL-HICKS, INC.
 Surveyors
 Planning • Environmental Services
 1000 West 10th Street, Suite 100
 Billings, MT 59102
 406-243-4000
 406-243-4000

SECTION 25
 TOWN OF MOUNT BRIGHTON
 COUNTY OF GERALDINE
 STATE OF MONTANA
 LIVINGSTON COUNTY, MICHIGAN

DESIGN 3
 MOUNT BRIGHTON
 BOUNDARY SURVEY
 WITH CONTOURS

DATE FILE: 1/11/2021
 REGION
 DATE: APRIL 5, 1999

AH

SCALE: 1" = 200 FEET
 IN. LMD. OR. 125
 PIA. LMD.
 BOX 4 (13)
 AIR L201102
 FILE NO. LV-100-1-2



3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 800-482-7171

























NOTICE:
 CONSTRUCTION ONE MONTH TO THE DATE RESPONSIBILITY OF THE CONTRACTOR. IT IS THE OWNER'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND TO PROVIDE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE WORK AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE WORK AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE WORK AREA.

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Zoning Map

Genoa Charter Township Livingston County, Michigan

Legend

	AG		GC
	CE		NS
	RR		OS
	LDR		NRPUD
	SR		IND
	LRR		PID
	UR		PRF
	MDR		MUPUD
	HDR		RDPUD
	RPUD		Town Center
	MHP		CAPUD
	RC		ICPUD

Subject property

- Updates:
- 04/11/08 - Multiple Revisions (42 parcels)
 - 08/12/08 - 4499 S. 4495 Oak Pointe Drive (LDR)
 - 03/25/11 - United Way Conditional Rezoning (OSD)
 - 08/06/12 - 7777 Bertha Rezoning (OSD)
 - 10/21/12 - Corrected Map re: 100ft stipulation for Pie Rise from 05/15/2008 (AG)
 - 11/29/12 - Corrected Map re: Zoning property approved 3/1/10/04 (MUPUD)
 - 01/07/13 - Dakota (14-100-014) Conditional Rezoning (OSD)
 - 10/10/13 - Corrected Map re: (25-200-026) - new rezoned (R18C3) (RPUD)
 - 11/13/14 - Rezone Lucy Rd 425 Area, Rezone Larson Elementary (09-100-036,RR-NRPUD), Correct Brighton Lake Rd. Error (RPUD-LDR)
 - 05/04/15 - Real Olive (05-400-025) to MRPUD
 - 06/10/15 - Cheasnut Landing Rezoning (GCC/TC to GCD)
 - 9/12/15 - Cleary University Rezone to MUPUD
 - 03/27/16 - Lakeshore Village (04-400-013) from MDR to HDR
 - 09/16/16 - Oketo Rezone (12-100-007,008,010-013) RR & PRF to CE
 - 06/17/19 - Fimora Park Rezoning (PRF)
 - 08/31/19 - Chestnut Springs Rezoning (LDR)
 - 05/12/19 - Birkenstock Self Storage Rezoning (PID)
 - 07/19/20 - Premier PUD Rezoning (RDPUD)
 - 08/02/20 - Blue Basilia Rezoning (LDR)
 - 08/16/20 - Versa S. Larson Rezoning (CAPUD & ICPUD)
 - 08/01/22 - 5320 Richardson Rd Rezoning (RR to CE)
 - 11/21/22 - Legacy Arts Rezoning (RSD/MR/TCO to RPUD/HDR)

1 inch = 3,500 feet

Official Zoning Map
Adopted May 2, 2005, Revised Nov. 21, 2022
Created by Kelly VanMarter
Basemap layers provided by:
Livingston County GIS



GENOA CHARTER TOWNSHIP APPLICATION
Sketch Plan Review

GENOA TOWNSHIP

JUL 19 2023

RECEIVED

TO THE GENOA TOWNSHIP PLANNING COMMISSION:

APPLICANT NAME & ADDRESS: Aric Wilson 1011 Madison St, Brighton, MI 48116

If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: Cam Family Investments LLC

7949 W Grand River Rd, Brighton, MI 48114

SITE ADDRESS: PARCEL #(s): 471113400025

APPLICANT PHONE: (810) 772-1831

OWNER PHONE: ()

LOCATION AND BRIEF DESCRIPTION OF SITE: Located between existing automotive businesses, 0.96 acre lot surrounded by fence with 1482 sq/ft existing building.

BRIEF STATEMENT OF PROPOSED USE: Used vehicle sales

THE FOLLOWING IMPROVEMENTS ARE PROPOSED: Maintaining existing gravel lot, adding improvements to the existing landscape to increase curb appeal.

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: Aric Wilson

ADDRESS: 1011 Madison Street, Brighton, MI 48116

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

Aric Wilson of Aric's Autos LLC aricsautos@gmail.com
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: Aric Wilson

DATE: 07/05/2023

PRINT NAME: Aric Wilson

PHONE: 810-772-1831



GENOA CHARTER TOWNSHIP
Special Land Use Application

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 Aric Wilson 1011 Madison St, Brighton, MI, 48116

Submit a letter of Authorization from Property Owner if application is signed by Acting Agent

APPLICANT PHONE: (810)772-1831 EMAIL: aricsautos@gmail.com

OWNER NAME & ADDRESS: Celeste Montgomery Trust, 8804 Maria Ct., Howell, MI 48855

SITE ADDRESS 7949 W Grand River, Brighton, MI 48114 PARCEL #(s): 4711-13-400-025

OWNER PHONE: (517) 540-0613 EMAIL: N/A

Location and brief description of site and surroundings:

The site is located on West Grand River between Safelite Auto Glass and Champion Buick GMC

The site is a 0.96 acre fenced in property including a 1482 Sqft building.

Proposed Use:

Used Vehicle Sales

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.

Aric's Autos will strive to not only meet the automotive needs of Genoa Twp but our surrounding communities as well, driving

business and traffic to benefit the many other businesses Genoa Twp has to offer.

Our goal is to connect with the community and have a reputation of professionalism in both appearance of our lot and quality of our service.

- 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 site is located directly in between 3 existing automotive businesses and would maintain the character of the general vicinity.

Aric's Autos will be operated efficiently, organized and professionally. The site will be maintained to meet and

exceed standards of surrounding businesses and area.

- 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?

The site has been a commercial rental for many years and meets the requirements to be served by essential public facilities.

Applicant will provide adequate refuse disposal with local waste management company

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?

No, there will be no automotive repair on site.

This site will be strictly for the sales, storage and display of inventory.

There are no potentially detrimental consequences to this site being utilized for vehicle sales.

c. 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.

(1) Site will be in compliance with State of Michigan standards for used vehicle sales. (3) No vehicles will be displayed on greenbelt area.

(2) Site has both paved and gravel surfaces, current gravel surface will be maintained and will not impact neighboring properties negatively.

(4) Building has 1482sq/ft of office space. (5) Most inventory will be driven in, any unloading will be on site to not disturb traffic.

(6) This property has an existing buffer zone that meets all requirements of surrounding areas.

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 Celeste Montgomery STATES THAT THEY ARE THE FREE OWNER OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: Celeste Agnes Montgomery

ADDRESS: 8804 Maria Ct., Howell, MI 48855

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

Aric Wilson of Aric's Autos LLC at aricsautos@gmail.com
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: Aric Wilson DATE: 07/05/2023

PRINT NAME: Aric Wilson PHONE: 810-772-1831

August 10, 2023

Planning Commission
 Genoa Township
 2911 Dorr Road
 Brighton, Michigan 48116

Attention:	Amy Ruthig, Planning Director
Subject:	Aric’s Auto Sales – Special Land Use and Sketch Plan Review #1
Location:	7949 Grand River Avenue – double frontage lot on Grand River and Hacker Road
Zoning:	GCD General Commercial District

Dear Commissioners:

At the Township’s request, we have reviewed the special land use and sketch plan submittal proposing automobile sales at 7949 Grand River Avenue, which is a previously developed site (sketch plan dated 7/14/23).

A. Summary

1. Special Land Uses (Section 19.03):

- a. Given the presence of existing auto-oriented businesses in the immediate area, the proposal is generally compatible with the Master Plan classification of Mixed-Use – East Grand River.
- b. In order to make favorable findings related to compatibility and impacts, the applicant must provide lighting details and the use conditions of Section 7.02.02(c) need to be met to the 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 (Section 7.02.02(c)):

- a. Pending input from the Township Engineer, the Commission may allow the existing gravel surfacing to remain, or may require that it be paved.

3. Sketch Plan Review:

- a. The Township may require improvement to the existing gravel surfacing.
- b. The applicant must provide lighting details.
- c. The site does not fully meet current Ordinance standards with respect to landscaping (Grand River greenbelt), signage (setback/r-o-w encroachment) and parking (number of customer spaces, barrier-free space striping, and looped striping).
- d. The Township may require improvement to any additional site deficiencies identified as part of this review process.

B. Proposal/Process

The applicant proposes to establish automobile sales at the previously developed site.

Table 7.02 lists new and used automobile sales as a special land use in the GCD. Such uses are also subject to the use conditions of Section 7.02.02(c).

Procedurally, the Planning Commission is to review the special land use, sketch plan, and Environmental Impact Assessment, and put forth recommendations on each to the Township Board following a public hearing.



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 identifies the subject site as Mixed Use – East Grand River. The Plan states the following as part of its description of this classification: “regional commercial uses, such as auto-oriented uses (including fast-food) are only intended at interchange uses and where otherwise currently existing along Grand River Avenue.”

While the subject site is not an existing auto-oriented use, it is situated amongst other such uses, including a relatively large auto dealership to the north.

Given the existence of auto-oriented uses in the immediate area, we are generally of the opinion that this standard is met.

- 2. Compatibility.** As noted above, the immediate area includes several existing auto-oriented uses, including a relatively large auto dealership; however, it should also be noted that there are residential uses to the east across Hacker Road.

One of the concerns often associated with auto sales is lighting. The sketch plan does not identify any existing or proposed exterior site lighting. As such, we request the applicant provide details of existing or proposed lighting to ensure compliance with current standards and protection of nearby properties from light intrusion.

Additionally, the use conditions of Section 7.02.02(c) are intended to help ensure compatibility. In order to make a favorable finding under this criterion, the use conditions must be met to the Commission’s satisfaction.

- 3. Public Facilities and Services.** As a previously developed site along the major commercial roadway through the Township, we anticipate that necessary facilities and services are already in place.

However, the applicant must address any comments/concerns provided by the Township Engineer and/or Brighton Area Fire Authority related to this criterion.

4. **Impacts.** Similar to comments above, the applicant must provide lighting details for review and the use conditions must be met to the Township's satisfaction in order to make a favorable finding under this criterion.
5. **Mitigation.** If further concerns arise as part of the review process, the Township may require additional efforts to mitigate potential adverse impacts.

D. Use Conditions

New and used automobile sales establishments are subject to the use conditions of Section 7.02.02(c), as follows:

1. **Sale space for used mobile homes, recreational vehicles and boats may only be carried on in conjunction with a regularly authorized new mobile home, recreational vehicle or boat sales dealership on the same parcel of land.**

The submittal references only used automobile sales.

2. **All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose storm water 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.**

The sketch plan depicts vehicle display areas in the Hacker Road front yard (functions as the site's rear yard), which contains a mix of paved and gravel surfacing.

Pending input from the Township Engineer, the Commission may allow the gravel surfacing to remain in place, or may require that it be improved to meet this condition.

3. **No storage or display of vehicles shall be permitted in any landscape greenbelt area, provided the Township may permit a display pod for an automobile within the greenbelt area where it is integrated into the landscape design.**

The submittal notes that no vehicles will be stored or displayed in landscape greenbelt areas.

4. **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.**

The existing building contains 1,482 square feet of floor area.

5. **All loading and truck maneuvering shall be accommodated on-site.**

The submittal notes that all loading will be accommodated on-site, and that most inventory will simply be driven to the site.

6. **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.**

The site is not adjacent to a residential district, though the vehicle display area is generally screened/enclosed by fencing, masonry walls, and landscaping.

E. Sketch Plan Review

Many of the site development regulations are covered above; however, given the request for a new special land use, the Township may require improvements to bring the site into (or closer to) compliance with current Ordinance standards.

Of note, the Township may require improvements to the gravel surfacing and lighting details (existing or proposed) are needed to ensure compliance with current standards (Section 12.03).

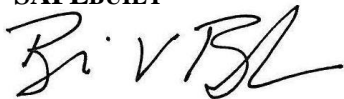
Additionally, we provide the following for the Commission's consideration:

- The sketch plan depicts 3 greenbelt trees along Grand River, though 4 are required;
- The existing sign along Grand River does not provide the required 10' setback (and appears to slightly encroach into the right-of-way);
- 7 customer parking spaces are required, though only 4 are depicted;
- Required ADA striping for the barrier-free parking space is required; and
- Customer parking spaces are required to provide looped (double) striping.

Lastly, the Township may require improvement to any other site deficiencies identified as part of this review process.

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

Respectfully,
SAFE BUILT



Brian V. Borden, AICP
Michigan Planning Manager



August 8, 2023

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

**Re: Aric's Auto Sales
Special Use Sketch Plan Review No. 1**

Dear Ms. Ruthig:

Tetra Tech conducted a review of the special land use and sketch plan submittal for Aric's Auto Sales last dated July 14, 2023. The property is a 0.96-acre site adjacent to both Hacker Road and Grand River Avenue at 7949 Grand River Avenue in Brighton. The Petitioner is proposing to use the existing building with no improvements to the site for Aric's Auto Sales. We offer the following comments:

GENERAL

1. The bar scale on the sketch plan is incorrect. The sketch plan is drawn at 1" = 30', but the graphic scale is shown as 1/30"=1'.
2. The existing parking spaces are not striped per the Township's Zoning Ordinance. The parking lot and access drive between Grand River Avenue and the existing building is paved, but the area to the east of the existing brick wall is gravel parking lot and vehicle display area. Section 7.02.02 of the Zoning Ordinance requires that outdoor storage areas be hard surface unless approved otherwise. Since the gravel surface is existing and proposed activities are of a low intensity, we have no concern with the vehicle display area being gravel, but the Petitioner should consider at least paving the proposed customer parking spaces.
3. The two parking spaces shown near the existing gate in the northeast corner of the site are not accessible and should not be considered parking spaces.
4. The sketch plan should include parking calculations based on the parking space numerical requirements in section 14.04 of the Township's Zoning Ordinance.
5. Since the barrier free parking space is not detailed, it is unclear if the space meets the Township's Requirements. The barrier free parking space needs to be signed and marked.

We recommend the petitioner address the above comments prior to approval. 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

August 3, 2023

Amy Ruthig
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Aric's Auto Sales - **SPECIAL LAND USE**
7949 Grand River Ave.
Genoa Twp., MI

Dear Amy,

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on July 26, 2023 and the drawings are dated July 14, 2023. The project is based on an existing property and building to be used for used auto sales. 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 6"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.

IFC 505.1

2. The location of a Knox Box shall be indicated on future submittals. The Knox box shall be located adjacent to the main entrance of the structure, in a location coordinated with the fire authority.

IFC 506.1

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 "D Bunge".

Derrick Bunge
Captain Fire Inspector

cc: Amy Ruthig amy@genoa.org

Impact Assessment 7949 W Grand River

Aric's Autos LLC

aricsautos@gmail.com

810-772-1831

a. **Name(s) and address(es) of person(s) responsible for preparation:**

Aric Wilson, 1011 Madison Street, Brighton, MI 48116

Aric has nearly a decade of experience in professional automotive sales, with a strong family background in the car business dating back three generations.

b. **Map(s) and written description/analysis of the project site:**

Most of the existing features will be used as-is. A portion of the existing brick paver area will be used for customer parking and the display of (+/-) 5 vehicles. There will be a maximum of 5 vehicles on display during normal business hours. The existing brick walls and chain link fence will remain. The existing 20' gate will remain open during normal business hours. Customer parking will remain in front of the existing sales office and an ADA compliant space with an additional customer space will remain in the storage lot near the side entrance to the sales building. The existing concrete apron will remain. In the gravel lot, the 20' x 56' concrete slab will remain, as well as the existing 12'x17' out building which will be used for yard tool and trash receptacle storage. The existing monument sign will be re-used and a sign permit will be obtained per township guidelines if needed.

c. **Impact on natural features:** All existing trees and greenery will remain. All existing planters will be cleaned, and new annuals and shrubbery will be added. All existing grass buffers will remain and be maintained. All existing gravel areas will be cleaned, maintained, and graded. New gravel will be added as needed. Dust control measures will be implemented as necessary and carried out in a timely manner.

d. **Impact on stormwater management:** All ground cover is existing and will remain. Current drainage patterns are established and will remain.

e. **Impact on surrounding land used:** Site will be used to sell and display premium pre-owned vehicles. Business does not plan to rely solely on drive-by sales customers and plans to drive the majority of traffic through online channels. The front paver space will be used for the display and storage of a maximum of 7 vehicles. The rear yard will be used for storage and display of remaining inventory not to exceed 30 vehicles. Vehicles will be arranged to allow vehicular, pedestrian and fire department access if needed. There are currently existing automotive related commercial businesses to the north and south of the property. Proposed automotive sales will be consistent with developmental patterns currently in place. There will be no anticipated increase in light, noise or air pollution.

f. **Impact on public facilities and services:** Hours of operation will be approximately 9am to 7pm Monday thru Friday and 10 am to 3pm on Saturdays. The business will be closed on Sundays. There will be an estimated maximum of 4 employees with a maximum of 10-12 patrons daily. No further impact on any public facility will be anticipated.

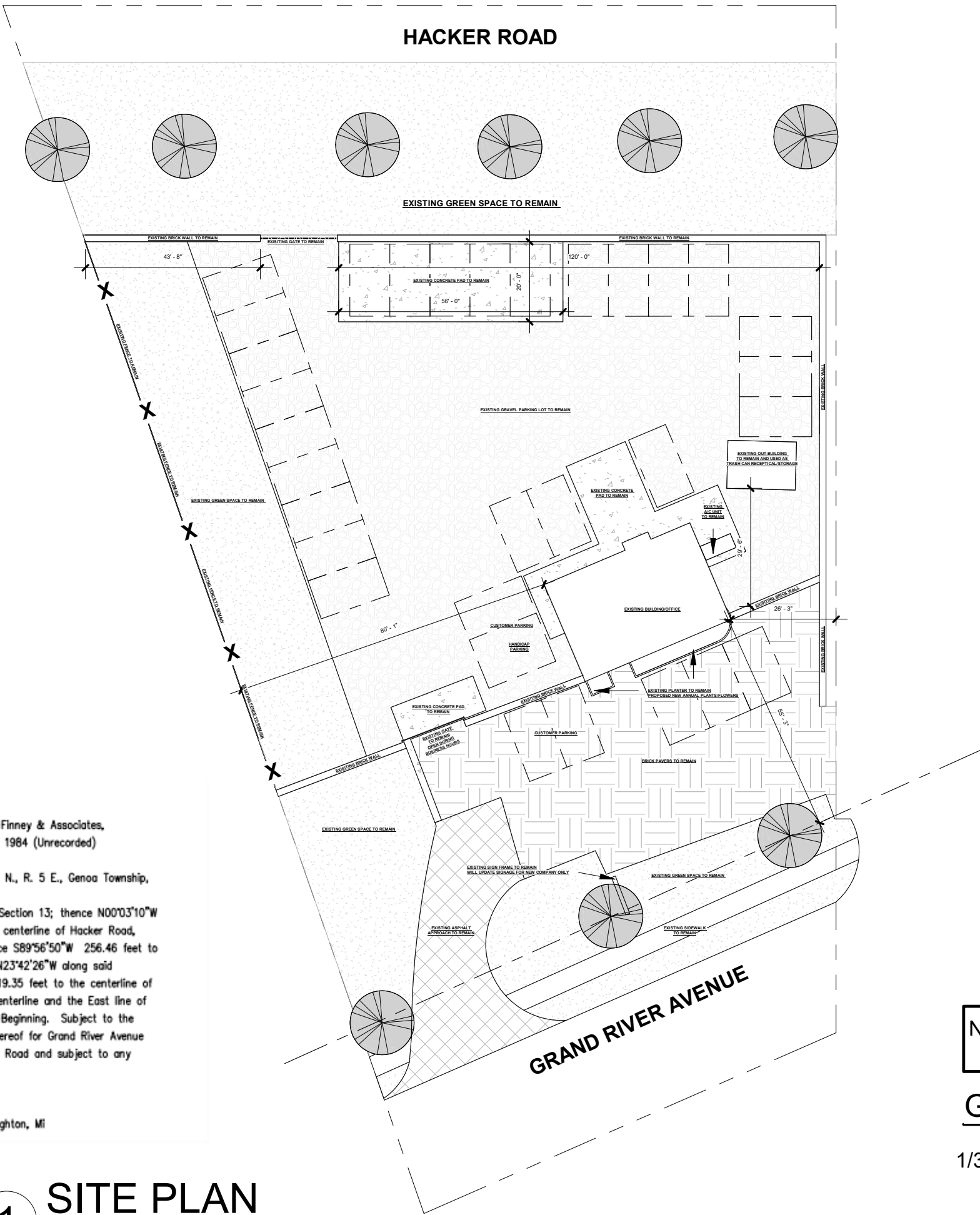
g. **Impact on public utilities:** Building uses an existing well for fresh water and existing sanitary sewers for waste water. No changes to these systems are anticipated. Drainage

control is established and is to remain. The majority of the site is grass, gravel and stone paver (all permeable surfaces) and are to remain. No impact to these utilities is anticipated.

- h. **Storage and handling of any hazardous materials:** No hazardous materials are to be used or placed on site. Daily trash will be removed and placed in a trash receptacle to be kept in the existing 12' x 17' storage shed. Trash to be removed on a weekly basis by a local waste management company.
- i. **Impact on Traffic and Pedestrians:** The current sidewalk to west of the building exists to aid in pedestrian travel. Vehicles will be displayed on existing pavers not to disrupt any patron traffic into property. Existing patron parking is shown on the plan as well as an ADA compliant space near the side entrance of the sales building. Parking signage will be placed to assist patrons and avoid any confusion. Most inventory will be driven in. In the rare instance that inventory is shipped, all loading will be done on site and the Grand River entrance will be utilized only. The Grand River gate will remain open during regular business hours. Business does not anticipate using the Hacker Rd gate for any purpose. There will be no service work performed on site, as the business plans to use local automotive shops for any mechanical work. Vehicles may be washed on site, using only environmentally friendly products with no acids or anything potentially harmful to the environment. Any heavy exterior detailing will need to be done indoors offsite.
- j. **Special Provisions:** N/A

Prepared by Aric Wilson, President, Aric's Autos LLC
Please call 810-772-1831 or email aricsautos@gmail.com with any questions.

ARIC'S AUTO'S LLC
7949 GRAND RIVER AVE
BRIGHTON, MI
SITE PLAN



LEGAL DESCRIPTION

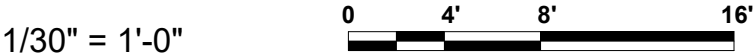
Reference: Certified Land Survey prepared by Finney & Associates,
Job No. 84-4810, Dated March 7, 1984 (Unrecorded)

Part of the Southeast 1/4 of Section 13, T. 2 N., R. 5 E., Genoa Township, Livingston County, Michigan, described as:
Commencing at the Southeast Corner of said Section 13; thence N00°03'10"W along the East line of said Section 13 and the centerline of Hacker Road, 669.30 feet to the POINT OF BEGINNING; thence S89°56'50"W 256.46 feet to the centerline of Grand River Avenue; thence N23°42'26"W along said centerline, 112.81 feet; thence N70°49'24"E 319.35 feet to the centerline of Hacker Road; thence S00°03'10"E along said centerline and the East line of said Section 13, 207.96 feet to the Point of Beginning. Subject to the rights of the public in the Westerly 50 feet thereof for Grand River Avenue and in the Easterly 33 feet thereof for Hacker Road and subject to any easements of record.

Tax ID No.: 4711-13-400-025
Also known as: 7949 Grand River Avenue, Brighton, MI

NOTE: IF THIS DRAWING IS A REDUCTION,
GRAPHIC SCALE MUST BE USED.

GRAPHIC SCALE



1 SITE PLAN
SCALE 1" = 30'-0"



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: KULOL LLC, 8885 Pontiac Trail, South Lyon MI 48178
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: KULOL LLC, 8885 Pontiac Trail, South Lyon MI 48178

SITE ADDRESS: 3399 E Grand River Ave, Howell MI 48843 PARCEL #(s): 4711-05-300-056

APPLICANT PHONE: () _____ OWNER PHONE: () _____

OWNER EMAIL: davidburcon@gmail.com

LOCATION AND BRIEF DESCRIPTION OF SITE: Office Building on Grand River Ave
just west of Latson - across from Home Depot

BRIEF STATEMENT OF PROPOSED USE: To plant 4 abbervidies along the back of the parking lot
between the current gaps (current 5 evergreens plated) adjacent the condos providing additional privacy (beauty) and a
light barrier from car head lights entering the parking lot. This would replace the proposed
bushes around the drainge pit - which would be counterproductive to the intended purpose.

THE FOLLOWING BUILDINGS ARE PROPOSED: _____

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: David Burcon

ADDRESS: 20925 Currie Road, Northville MI 48167

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

1.) David Burcon of KULOL LLC at davidburcon@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: *David Burcon* Digitally signed by David Burcon Date: 2023.07.24 10:07:55 -04'00' DATE: 7 12 2023
PRINT NAME: David Burcon PHONE: 734 330-4662
ADDRESS: 20925 Currie Road, Northville MI 48167

Moved by Lowe, supported by Croft, to approve the Third Amendment to the Master Deed involving the Condominium Bylaws for the Chestnut Springs Site Condominium development to allow a detached accessory structure on Lot 25. **The motion carried unanimously.**

7. Consideration of a recommendation for approval of an environmental impact assessment corresponding to a site plan for the expansion of a parking lot for an existing office/medical building located at 3399 E. Grand River Avenue on the north side of Grand River Avenue, west of Grand Oaks Drive. The request is petitioned by Crane Construction, Inc.

Mr. Steve Crane, the applicant, was present and provided a review of the proposed project. They have made the changes requested by the Planning Commission.

Moved by Skolarus, supported by Croft, to approve the environmental impact assessment dated June 1, 2022 with the condition that all requirements of the site plan approval by the Planning Commission be satisfied prior to issuance of a land use permit for the project. **The motion carried unanimously.**

8. Discussion regarding improvements to the Chilson Hills Cemetery.

Mr. Archinal stated that the Township is able to use ARPA funds for these improvements. He recommends that parking improvements be made. He does not know of any communities that water their cemeteries. There would be the need for a well if a water source was installed for visitors to use. He noted that there could be a possibility for the Township to tap into the irrigation well from the Oak Pointe golf course. That would require electrical to be installed. Staff will do what is requested by the Township Board.

Ms. Skolarus stated clean up was done to the entrance and a tree was removed.

Supervisor Rogers has spoken to townships who have cemeteries and they do not water their grass. Having a spigot for visitors would be acceptable if possible. He showed an engineered drawing outlining all of the gravesites. A lot of work would need to be done to clean them all up.

Ms. Lowe would like a spigot at the cemetery, but she would like to see the cost. Ms. Skolarus stated she has a quote for the well that is between \$15,000 and \$20,000. The electrical would cost approximately \$2,000.

After a discussion, the Board agreed to use ARPA funds and make parking improvements, increase the number of clean ups done per year to four, open up and add gravel to the main six-foot-wide access aisle, and clean up and delineate the small walkways between gravesites.

9. Request to enter into a closed session to discuss legal strategy related to Case No. 18-29855-CZ Ikle vs. Goebel et al pursuant to MCL 15.2568(e).

- A gate for the existing dumpster enclosure will be installed to Zoning Ordinance standards.

The motion carried unanimously.

A recess of the Planning Commission was called at 8:15 p.m. The Planning Commission was called back to order at 8:25 p.m.

OPEN PUBLIC HEARING #3...Consideration of an environmental impact assessment and site plan for the expansion of a parking lot for an existing office/medical building located at 3399 E. Grand River Avenue on the north side of Grand River Avenue, west of Grand Oaks Drive. The request is petitioned by Crane Construction, Inc.

- A. Recommendation of Environmental Impact Assessment (dated 6-1-22)
- B. Disposition of Site plan (dated 6-21-22)

Steven Crane with Crane Construction and David LeClair with Livingston Engineering were present for the petitioner.

Steven Crane reviewed the project. He stated that VA is doing renovations in the building and is going to occupy the bottom floor. The VA has a bus that would bring veterans to the building and they will require additional parking. U of M has an agreement in their lease for a certain number of spaces.

Mr. LeClair stated that when the building was first built in the 1990's, it was meant for medical and general office. The existing 71 spaces would not meet the current ordinance for medical parking. The VA is going to be adding 27 parking spaces. They are proposing to expand the existing detention pond and would bring the site into compliance with the new Livingston County Drain Commission Standards, adding additional light poles and landscaping and additional handicap parking spaces.

Mr. Border reviewed his letter dated June 30, 2022:

1. The amount of parking proposed requires Planning Commission approval as it slightly exceeds the 120% limit (121% proposed).
2. The applicant must replace at least 4 of the greenbelt evergreen trees with deciduous canopy trees.
3. The Commission may allow substitution of evergreen trees for up to 50% of the required greenbelt trees.
4. We suggest the applicant incorporate additional plantings and/or fencing/berming to create a more substantial, denser buffer along the rear lot line that will further protect the adjacent residential use.
5. There is a minor discrepancy on the landscape plan with respect to the number of Norway and Blue Spruce.
6. The applicant must ensure that the plantings identified in the previously approved site plan are still in place and/or are in good condition. Any plantings that have been removed or are dead/diseased, must be replaced to match the previously approved plans.
7. The applicant must provide shielding for proposed light fixtures to protect the adjacent residential properties to the north.
8. The applicant must address any comments provided by the Township Engineer and/or Brighton Area Fire Authority.

Ms. Byrne reviewed her letter dated July 6, 2022:

1. The response letter from the Petitioner, dated June 22, 2022, notes that the proposed additional flow to the existing detention basin was designed in accordance with conversations with the Livingston County Drain Commissioner (LCDC). The provided plans do not include information on any infiltration testing or calculations as required by the updated LCDC standards and an approval letter should be provided from the LCDC to ensure this requirement is being waived prior to approval.
2. The detention basin outlet detail shows the 100-year detention and channel protection orifice at 958.75 and 958.5 respectively, but the design storm elevation calculations show the 100-year elevation at 960.70 and the channel protection elevation at 960.43. The outlet detail should be revised to show the correct orifice elevations.

The Brighton Area Fire Authority letter dated July 5, 2022 states that all of the previous concerns have been addressed.

A call to the public was made at 8:41 p.m. with no response.

Commissioner McCreary asked if this a medical use or general office. Mr. Crane stated that there will be a small lab with medical staff and they would have nurses on staff, may also include physical therapy.

Commissioner Rauch stated that there is residential backing up the parking lot. He asked if the petitioner would be agreeable to add more of a screen for the houses. Mr. Crane stated that they will add more landscaping to fill in the gaps of the existing screen.

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens to recommend to the Township Board approval of the Environmental Impact Assessment dated June 1, 2022 for the expansion of a parking lot for an existing office/medical building located at 3399 E. Grand River Avenue on the north side of Grand River Avenue, west of Grand Oaks Drive. **The motion carried unanimously.**

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to approve the site plan dated June 21, 2022 for the expansion of a parking lot for an existing office/medical building located at 3399 E. Grand River Avenue on the north side of Grand River Avenue, west of Grand Oaks Drive with the following conditions:

- The Planning Commission finds the 121% parking is sufficient.
- Replacement of the 4 evergreen trees with 4 canopy trees.
- Lighting fixtures and details will comply with the Township Zoning Ordinance and must receive staff approval.
- Petitioner will incorporate additional plantings along the north property line to fill in the gaps in the landscaping.
- Landscaping plan discrepancies will be corrected.
- The applicant must address any comments provided by the Township Engineer and/or Brighton Area Fire Authority.

The motion carried unanimously.

OPEN PUBLIC HEARING #4...Consideration of a rezoning application, PUD Agreement, Environmental Impact Assessment and conceptual PUD Plan for a proposed rezoning and conceptual plan approval for a proposed development of 204 apartment units. The proposed rezoning is to go from Neighborhood Service District (NSD)/Medium Density Residential (MDR) with Town Center Overlay (TC) to High Density Residential (HDR) with a Residential Planned Unit Development (RPUD) overlay. The request involves parcels 4711-11-300-014 and 4711-

August 9, 2023

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
Subject:	Amendment to approved site plan
Location:	3399 Grand River Avenue – north side of Grand River, west of Grand Oaks Drive
Zoning:	GCD General Commercial District

Dear Commissioners:

At the Township’s request, we have reviewed the request for an amendment to a previously approved site plan.

More specifically, the applicant obtained site plan approval in 2022 for a parking lot expansion and related site improvements, including a landscape plan.

The applicant now seeks to amend the landscape plan by removing 90 shrubs from around the detention pond and adding 4 Arborvitae between the parking lot and abutting residential use.

A. Summary

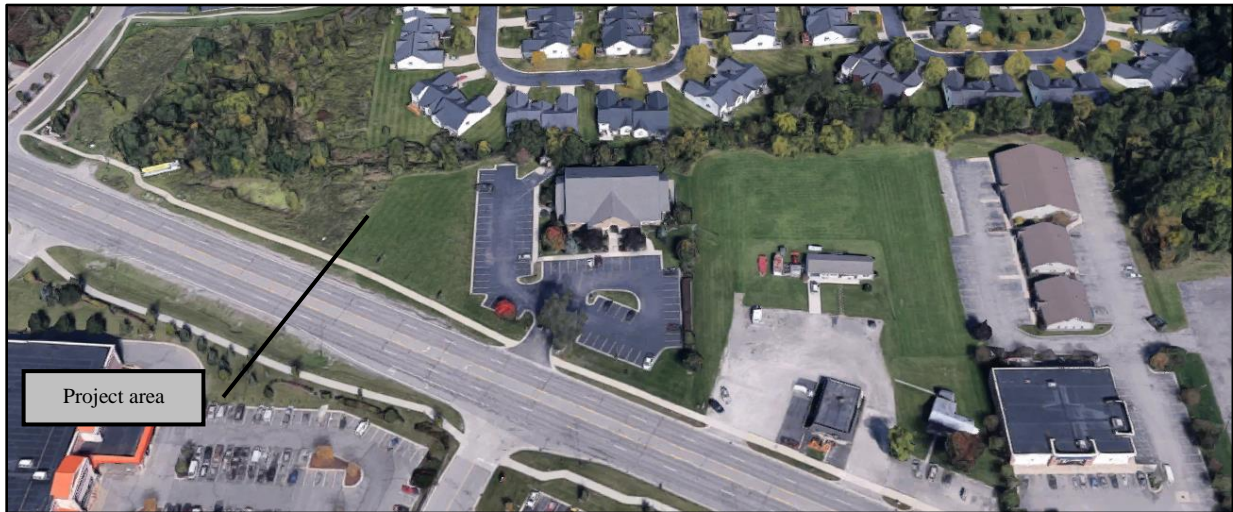
1. The proposed amendment to an approved site plan is subject to Planning Commission review and approval.
2. The applicant proposes to remove 90 shrubs and add 4 Arborvitae.
3. The stated rationale for this change is tied to financial considerations and suitability of the land around the detention pond to support shrub plantings.
4. Simply based on quantities, the proposed change does not appear entirely equitable.
5. We suggest the applicant identify alternative locations that can accommodate additional plantings to offset the significant difference in quantities.
6. Section 12.02.13 allows the Planning Commission to waive or modify landscaping requirements.

B. Background/Proposal/Process

In 2022, the Township granted site plan approval for a parking lot expansion associated with a change in use.

At this time, the applicant seeks to amend the approved landscape plan by removing 90 shrub plantings around the detention pond, which are/were required by Ordinance, and adding 4 Arborvitae to improve screening between the north-facing parking spaces and abutting residential uses.

Procedurally, Section 18.10 requires review of the site plan amendment via the same process as the original site plan. As such, Planning Commission has review/approval authority over the amended site plan.



Aerial view of site and surroundings (looking north)

C. Review

The approved landscape plan included greenbelt, detention pond and buffer/parking lot plantings.

As previously noted, the applicant proposes to amend the landscape plan with the removal of 90 shrubs around the detention pond and the addition of 4 Arborvitae between the parking lot and abutting residential uses.

The applicant's rationale for this change is tied to project costs related to clean up of the detention pond area and concern that the shrub plantings will be difficult to maintain due to soil and site conditions.

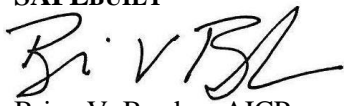
We have no concerns with the added buffering provided by the 4 new Arborvitae. In fact, both of our 2022 review letters encouraged the applicant to increase the number of plantings in this area.

However, the apparent exchange of 90 shrubs for 4 Arborvitae does not seem entirely equitable, and we suggest the applicant evaluate alternatives to provide additional landscaping elsewhere on the site.

Section 12.02.13 allows the Planning Commission to waive or modify landscaping requirements for a variety of reasons, including topography and poor soil conditions.

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

Respectfully,
SAFE BUILT


Brian V. Borden, AICP
Michigan Planning Manager

From: [Byrne, Shelby](#)
To: [Amy Ruthig](#)
Cc: [Kelly VanMarter](#); [Markstrom, Gary](#)
Subject: VA Parking Lot Site Plan Amendment
Date: Wednesday, August 9, 2023 1:23:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Amy,

Since the site plan amendment for the VA Parking Lot project only includes landscaping changes, we have no engineering related concern to the proposed amendment. Please let me know if you have any questions or comments.

Thank you,

Shelby Byrne, P.E. | Project Engineer
Direct +1 (517) 316-3952 | Mobile +1 (810) 588-9114 | Fax +1 (517) 484-8140 |
shelby.byrne@tetrattech.com

Tetra Tech | *Leading with Science*®
3497 Coolidge Road | East Lansing, MI 48823 | tetrattech.com

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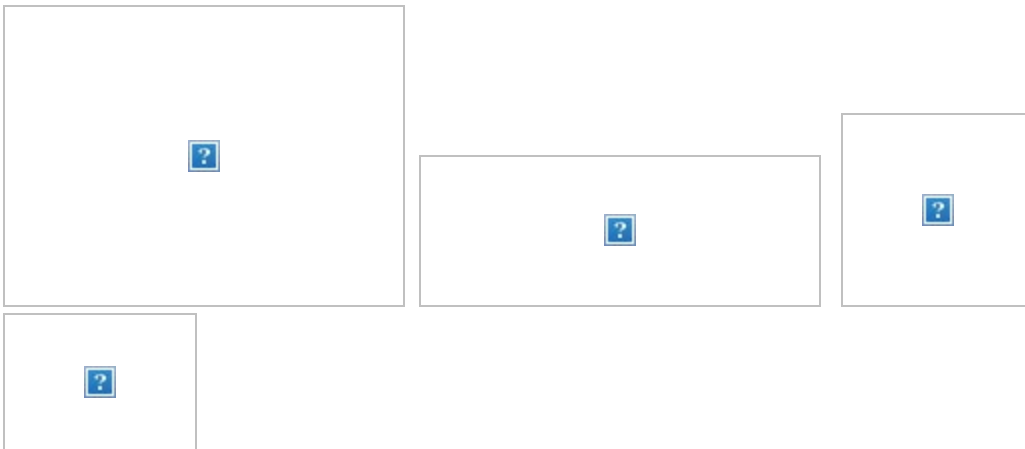


From: [Rick Boisvert](#)
To: [Amy Ruthig](#)
Subject: Re: VA Parking Lot Site Plan Amendment
Date: Thursday, August 3, 2023 1:25:50 PM
Attachments: [image001.png](#)

Amy, there are also no changes to fire protection and safety from a fire department standpoint with this plan.

Cordially,

Rick Boisvert, FM, CFPS
Fire Marshal
Brighton Area Fire Authority
615 W. Grand River
Brighton, MI 48116
O:(810)229-6640 D:(810)299-0033
F:(810)229-1619 C:(248)762-7929
rboisvert@brightonareafire.com



On Wed, Aug 2, 2023 at 3:02 PM Amy Ruthig <amy@genoa.org> wrote:

Good Afternoon,

Attached is the submittal for the VA parking lot Site Plan amendment.

The review is due August 9th, 2023.

Any questions, please contact me.

July 17, 2023

Amy Ruthig
Planning Director
Genoa Charter Township

Amy,

I wish to thank you, and all involved, for taking the time to review my proposal. I take great pride in the Howell Grand Oakes Building, and I am proud to be a part of the Howell community with great tenants like the VA and U of M Medical.

The proposal is to eliminate the bushes around the drainage pit/retention pond and add bushes to the parking lot area bordering the condos – providing them with additional privacy.

Please review the attached letters from my consultants Steven Crane from Crane Construction and Arnold Chrome for CJ Chrome Services:

Steven Crane analysis of the additional costs already associated with the project due to:

- Excessive amounts of construction materials were dumped and buried in the lot. Over 25 full tractor trailer loads were hauled out at great expense.
- The condos behind the property pumped their muck into the retention basin. This had to be mucked out at significant expense.
- I question why this was allowed to happen? This was an additional cost of over 180K beyond the budget - my business partner and I had to pay out of pocket. While it stung – It was extremely necessary because the old drainage field was failing and would have caused continuous problems especially for the condos behind the property.

Arnold Chrome, President of CJ Chrome Services analyzed the viability of planting bushes in this area around the retention pond:

- Steep grade
- Soil composition
- Potential for cat tails and weeds to be the only surviving entity causing an ugly aesthetic.

Please review the attached picture showing that the view from the road and parking lot is extremely pretty – just a beautiful rolling lawn. I feel bushes with a potential poor survival rate will only attract weeds, cat tails and collect trash - turning this beautiful area into an eye sore for the township and tenants.

Picture A: Shows the view from the sidewalk / road – nothing but a beautiful manicured green lawn – just like a golf course.

Picture B: This is a view from the left side of the new parking lot. The x's represent where the new arborvitaes will be planted. Please note this may not be the exact location – please refer to the plans.

Picture C: A front view of the parking lot area. Please note in summer there is an abundance of vegetation and tree cover. The new bushes are needed for winter when the area is bare.

I sincerely thank you and all parties involved for taking the time to review my proposal.

Best Regards,

A handwritten signature in black ink, appearing to read "David Burcon". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

David Burcon

Managing member, KULOL LLC

Cell: 734 330-4662

David Burcon

From: Arnold Kromberg <cjkromservices@gmail.com>
Sent: Monday, May 8, 2023 10:29 PM
To: David Burcon
Subject: Grand Oaks Centre Landscape Evaluation

Good evening Dave,

Based on continuing evaluation of the property area at the Grand Oaks Centre I wanted to provide professional feedback for a number of the landscape related objectives.

As a high quality provider we will always support your service need requests but we take our professional responsibility to provide feedback seriously. We are always looking ahead to the sustainability, and quality of work, one, two, five, ten years down the road.

Here is current evaluation of key area requests.

North West Parking Lot Area (adjacent to condo community)

- Evergreens are currently installed per engineering site plan
- Previous discussion was conducted with Crane Construction in November 2022 to possibly add additional soil fill to the area in effort to support planting of additional evergreens to better fill the gaps between the trees. The excavation contractor advised against, and declined, adding any additional soil based on existing run-off concerns raised by the condo community
- It is possible to change the privacy block approach by moving to a variety like Emerald Green Arborvitae which would provide ability to install plantings more closely together in the limited space available
- The existing new evergreens would need to be removed

Retention Pond Area

- In evaluating specification to install large quantity of shrubs/bushes around the retention area there are a number of potential concerns
- The long term sustainability of plantings likely could be an issue
- The area has a large amount of aggregate (asphalt, concrete, rock, etc) debris in the soil which makes planting very difficult and impacts the ability for shrub root system to thrive and survive long term
- The very steep grade around the entire area also presents unique planting and sustainability issues
- Depending on the level of moisture regularly maintained in the area it could promote cattail growth which may adversely/negatively impact shrub root health
- We continue to monitor the grass quality (newly installed turfgrass) in the area to promote a healthy green surface

This information is not intended to be critical of the requested plan but potential long term concerns are important to evaluate/consider. Thank you for the opportunity to provide services and if you have any questions please contact me any time.

Kind regards,

Arnold Kromberg

Arnold Kromberg
CJ Krome Servics
2191 W. Marr Rd
Howell, MI 48855
P: 810-923-7850

July 16, 2023

David Burcon
Kulol
20925 Currie Rd
Northville, MI 48167

CC: Jennifer Balyeat

Reference: Grand Oaks Centre Parking Lot Expansion
Landscape Plan

Mr. Burcon,

Thank you for the opportunity to provide landscape detail related to the Grand Oaks Centre project [Livingston Engineering plan 22147].

Regarding creating an incremental privacy block solution for the parking lot area adjacent to the Landings of Rolling Ridge Condominiums information is provided below for consideration.

Current Engineering Plan Detail

- Addition of five evergreens were specified per plan
- Spacing as installed is 12 ft between plantings

Site Location Space Limitation(s)

- Depth behind parking lot curb is extremely limited to support landscape planting
- Steep grade currently exists which limits landscape options
- Site excavation contractor advised against additional backfill in the area due to previous runoff/flooding concerns raised with condominium community

Incremental Privacy Block Solution Recommendation

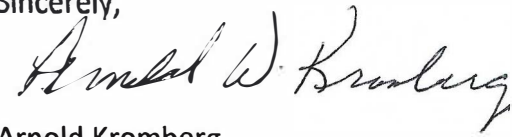
- Recommendation is to add Emerald Green arborvitae to provide additional site block between evergreen plantings
- Arborvitae can be planted in space forward to existing curb area (area closer to curb location) due to smaller root ball configuration
- Three to four arborvitae would be planted at equal spacing to cover 12 ft gap between evergreens
- When mature, Emerald Green arborvitae grow tight together

Emerald Green Arborvitae Product Detail

- Estimated initial installed height
 - 6 ft – 7 ft
- Appearance
 - Narrow pyramidal shape with soft green sprays of scale-like leaves
- Mature Height
 - 10 ft-15 ft
- Growth Rate
 - 1ft – 1.5 ft per year
- Lifespan
 - 25 years

Please let me know if you have any questions or require any additional detail.

Sincerely,

A handwritten signature in black ink that reads "Arnold W. Kromberg". The signature is written in a cursive style with a large initial 'A' and a long, sweeping tail.

Arnold Kromberg

Owner

CJ Krome Servics

Crane Construction, Inc.

893 S. Old US 23
Brighton, MI 48114
Phone: (810) 229-9161
Fax: (810) 229-9304

Mr. David Burcon
Kulol, LLC
20925 Currie Road
Northville, MI 48167

Re: Parking Lot

Dear Dave,

I am writing this letter to help explain why the parking lot ran so far over budget at your facility.

It is a crime that whoever gave permission to dump debris on this property wasn't held accountable; I don't know if the Township, County or the State allowed this. As you witnessed, there were concrete curb, sidewalk, trees, and blacktop buried on the site all of which had to be excavated and hauled away.

I received information that the people building the condo project behind your property pumped their mud and water into your retention basin. We had to muck out that material which had sat there for years. In reality, the basin wasn't working properly because of this.

When we bid this project we had to make some assumptions regarding the parking lot. Once we had the job we went in for approval. The engineering ran over as the township and county requirements were much more than anticipated and the scope of work changed dramatically. We had to add a forebay to the basin, two structures and excavate much more dirt (that turned out to be rubble as stated above) and bring in stone and fabric to stabilize the area.

This was a great project for the community and the veterans. It is a shame that you have to shoulder the burden of someone else's sins.

Regards,

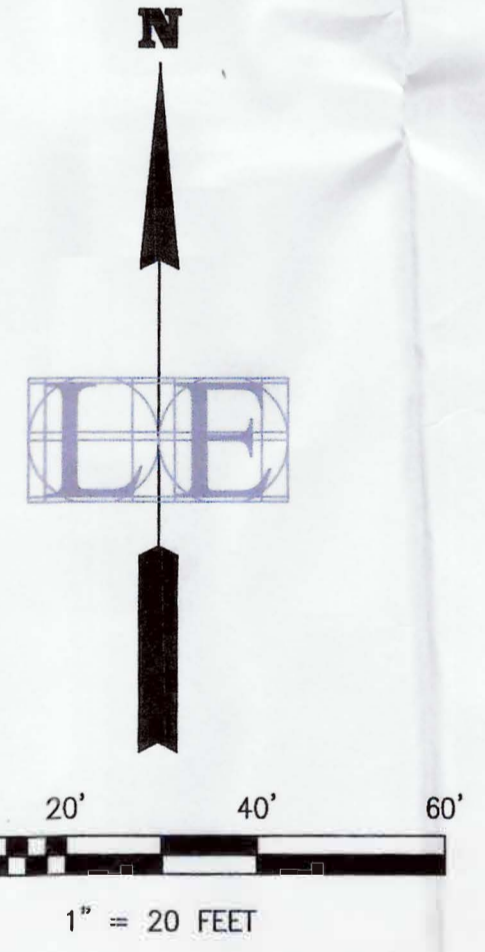
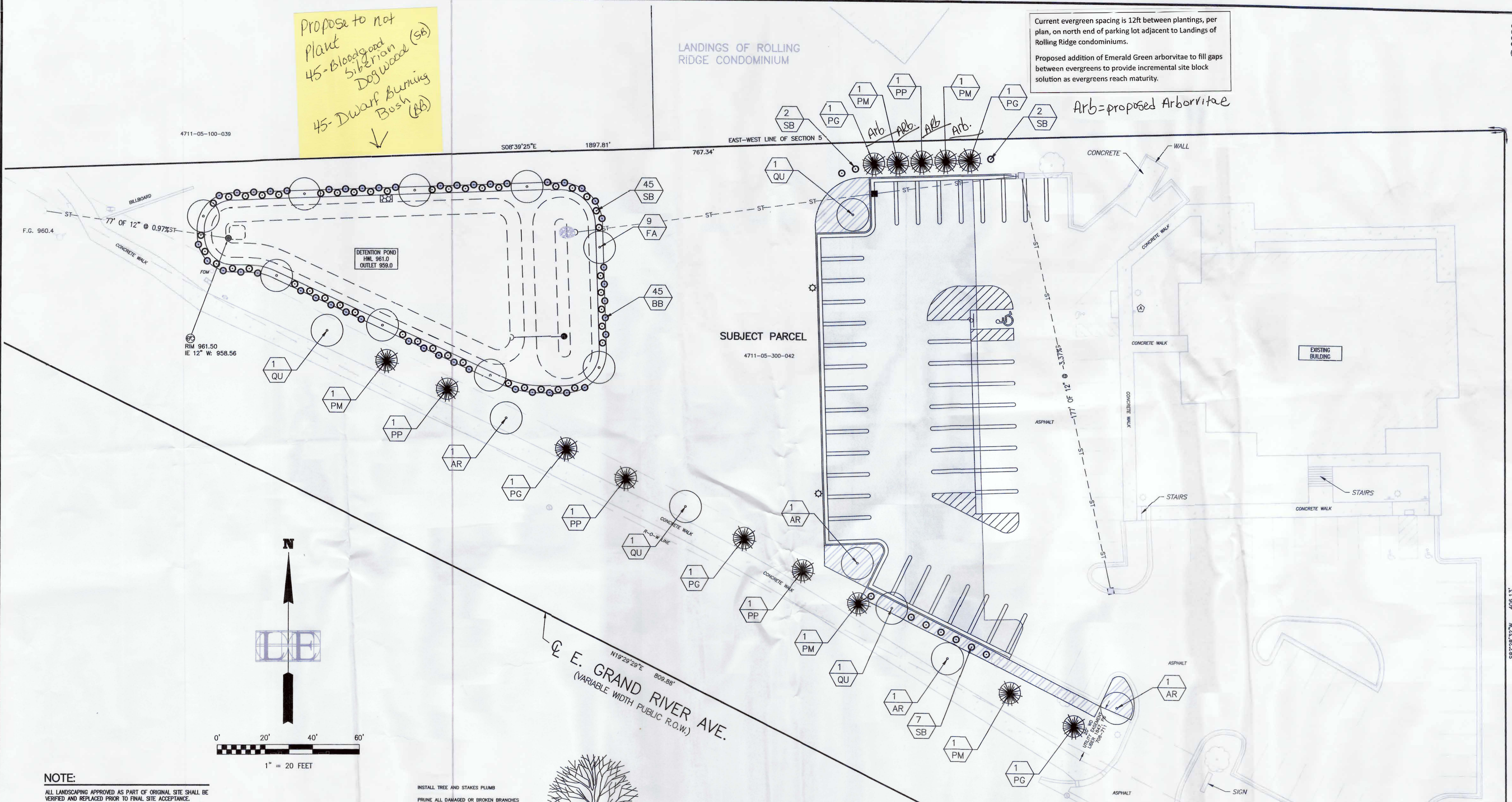
Steve

Propose to not plant
45-Bloodgood Siberian Dogwood (SB)
45-Dwarf Burning Bush (BB)

LANDINGS OF ROLLING RIDGE CONDOMINIUM

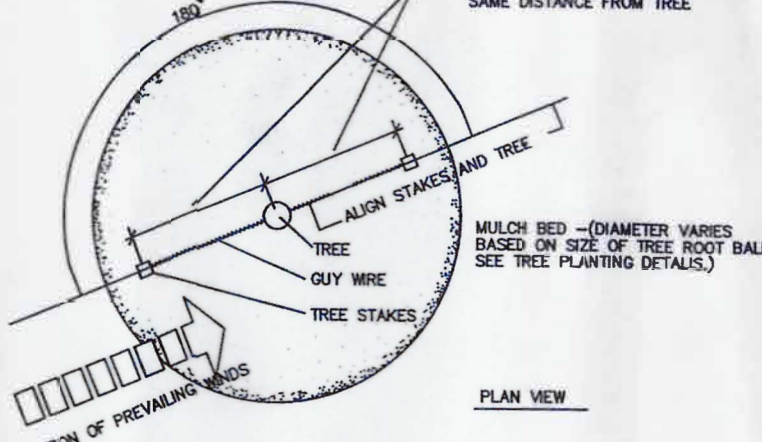
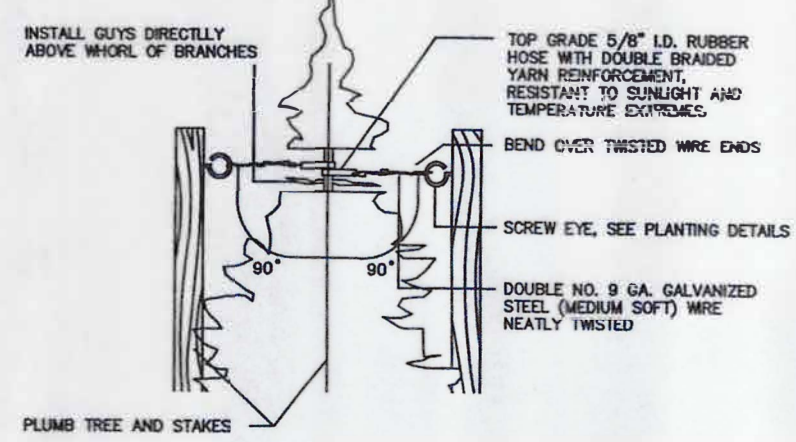
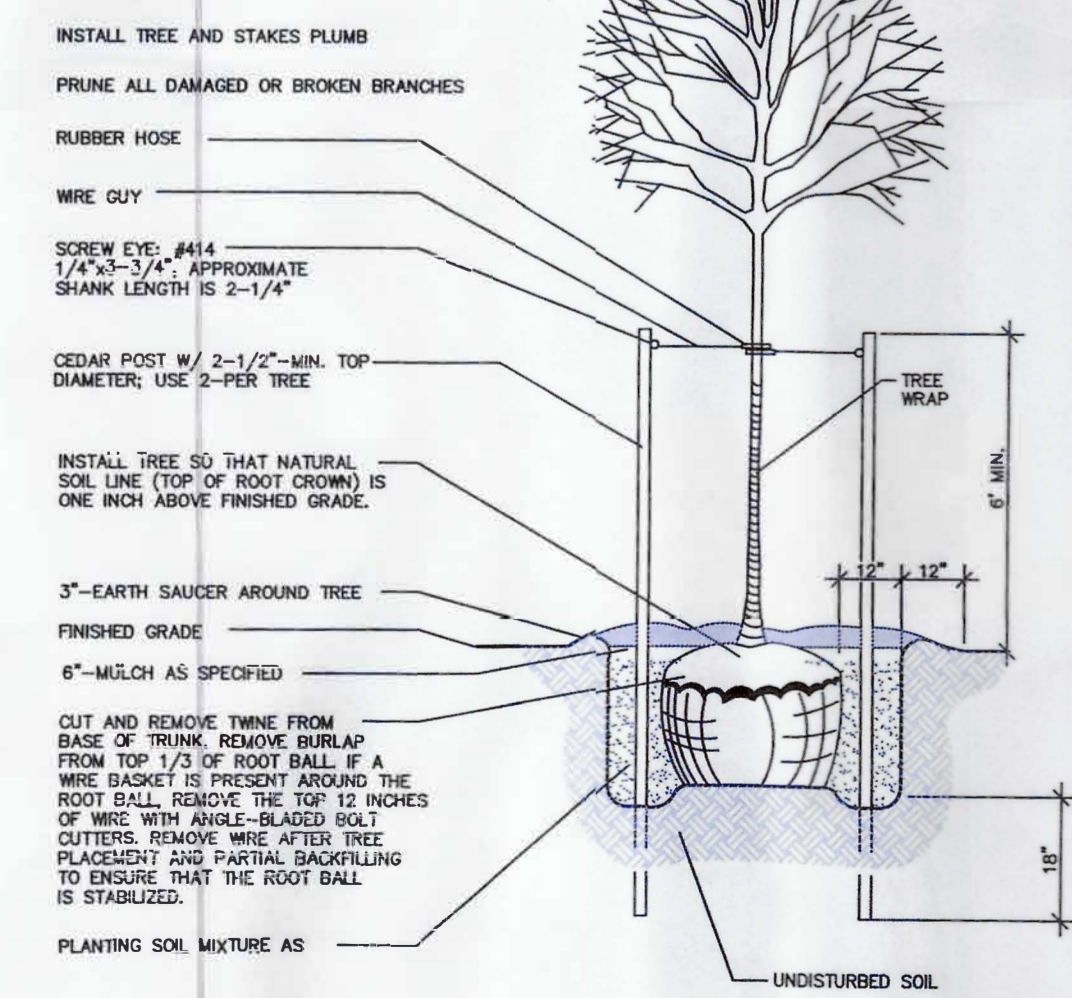
Current evergreen spacing is 12ft between plantings, per plan, on north end of parking lot adjacent to Landings of Rolling Ridge condominiums.
Proposed addition of Emerald Green arborvitae to fill gaps between evergreens to provide incremental site block solution as evergreens reach maturity.

Arb=proposed Arborvitae



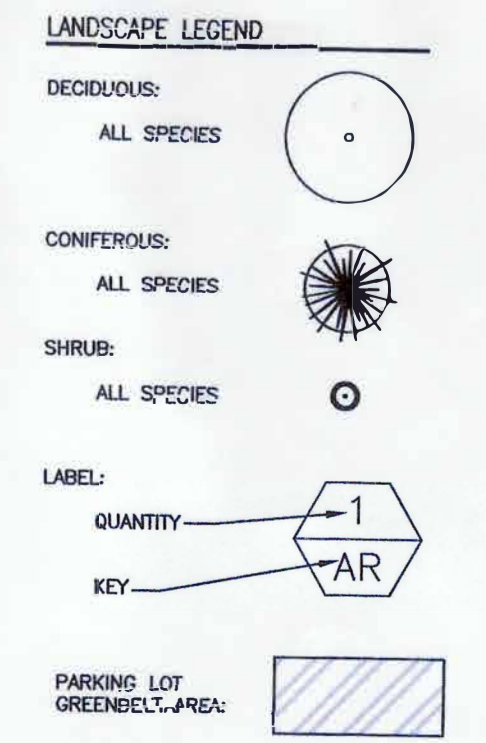
NOTE:
ALL LANDSCAPING APPROVED AS PART OF ORIGINAL SITE SHALL BE VERIFIED AND REPLACED PRIOR TO FINAL SITE ACCEPTANCE.

Planting List					
				Size	
Key	Qty	Genus	Common Name	Caliper	Height
Deciduous Trees					
AR	4	Acer rubrum	Red Maple	2.5"	B & B
QU	4	Quercus alba	White Oak	2.5"	B & B
FA	9	Fagus grandifolia	American Beech	2.5"	B & B
Evergreen Trees					
PG	5	Picea glauca	Norway Spruce	6"	B & B
PM	5	Picea mariana	Black Spruce	6"	B & B
PP	4	Picea pungens	Blue Spruce	6"	B & B
Large Shrubs					
SB	55	Cornus A. 'Sibirica Bloodgood'	Bloodgood Siberian Dogwood	30"	B & B
BB	45	Euonymus A. 'Compacta'	Dwarf Burning Bush	24"	B & B



LANDSCAPING NOTES:

- The contractor(s) shall verify the location of all underground utilities prior to construction.
- All plant beds are to be spaced and to be mulched with shredded bark.
- Plants shall conform to the sizes as shown on the drawings and shall be of sound health. All measurements such as spread, ball size, height, caliper and quality designations shall be in conformance to the latest edition of the American Standard for Nursery Stock.
- All evergreen tree species are to be full, dense plants branched fully to the ground.
- Prune all dead and broken branches from all plants immediately after installation.
- Planting soil mixture shall be prepared on-site by mixing 3 parts topsoil to 1 part existing site soils to 1 part peat, adding 5 lbs. of superphosphate to each cubic yard of the mixture.
- Organic mulch requirements: shade trees, ornamental trees and evergreen trees - 6" of shredded bark; shrubs and shrub beds - 4" of shredded bark; ground cover beds and perennial flowers - mulch with 1" of peat.



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LIVINGSTON ENGINEERING
CIVIL ENGINEERING SURVEYING PLANNING
3300 S. OLD US. 23 BRIGHTON, MI 48114
PHONE: (810) 225-7000 FAX: (810) 225-7099
http://www.livingstoneng.com

Client
KULOL LLC
20925 CURRIE RD
NORTHVILLE MI 48867
PHONE: (734) 550-4882

PARKING LOT EXPANSION
3399 E. GRAND RIVER AVENUE
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN
LANDSCAPE PLAN

DATE: _____
REVISIONS: _____
Drawn: HJC
Checked: DBL
Approved: DBL
Date: 07/19/2022
Job no. 22147
Scale: Vertical: 1" = 20'
Horizontal: _____
C8.0

A

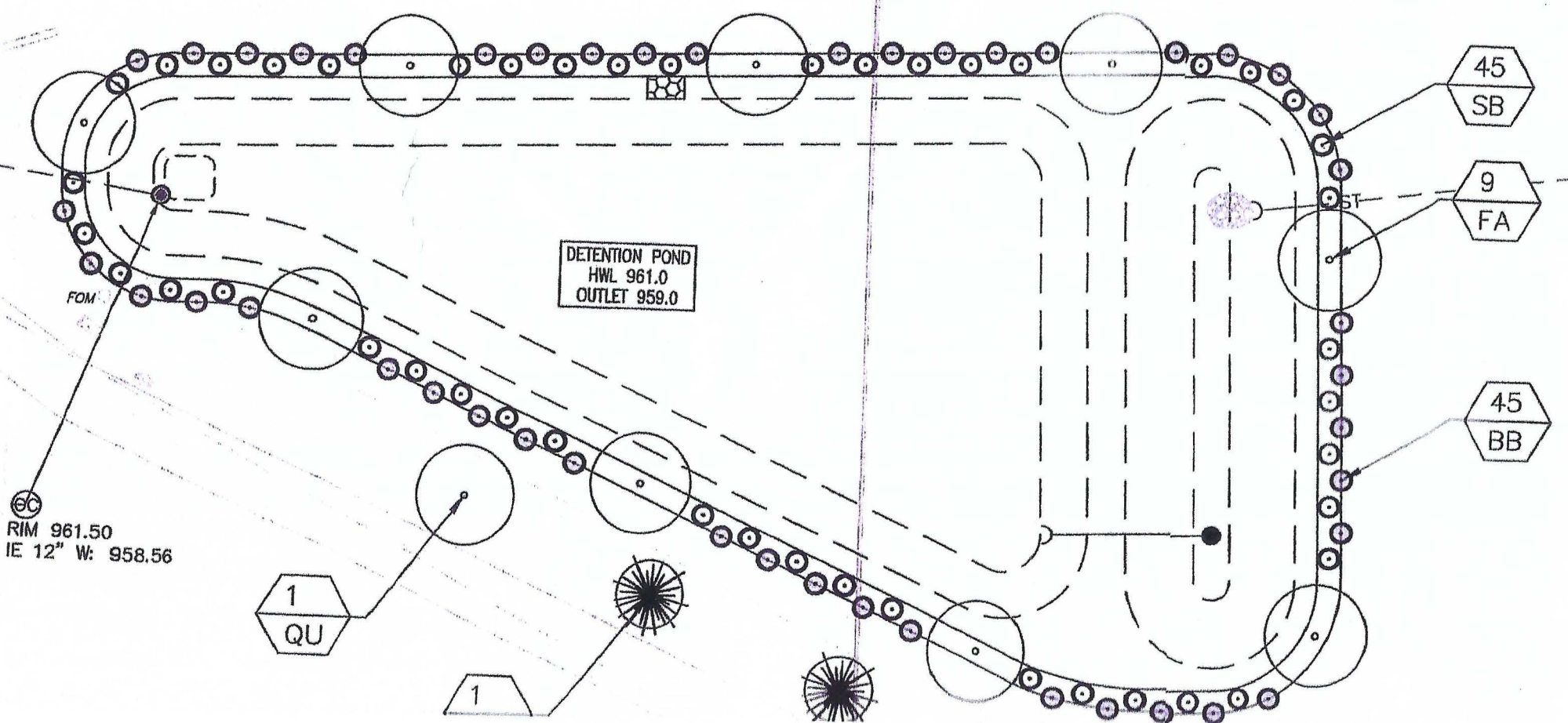


4711-05-100-039

Propose to not
plant
45-Bloodgood
Siberian
Dogwood (SB)
45-Dwarf Burning
Bush (BB)

S08°39'25"E

1897.81'



EC
RIM 961.50
IE 12" W: 958.56

DETENTION POND
HWL 961.0
OUTLET 959.0

1
QU

1

45
SB

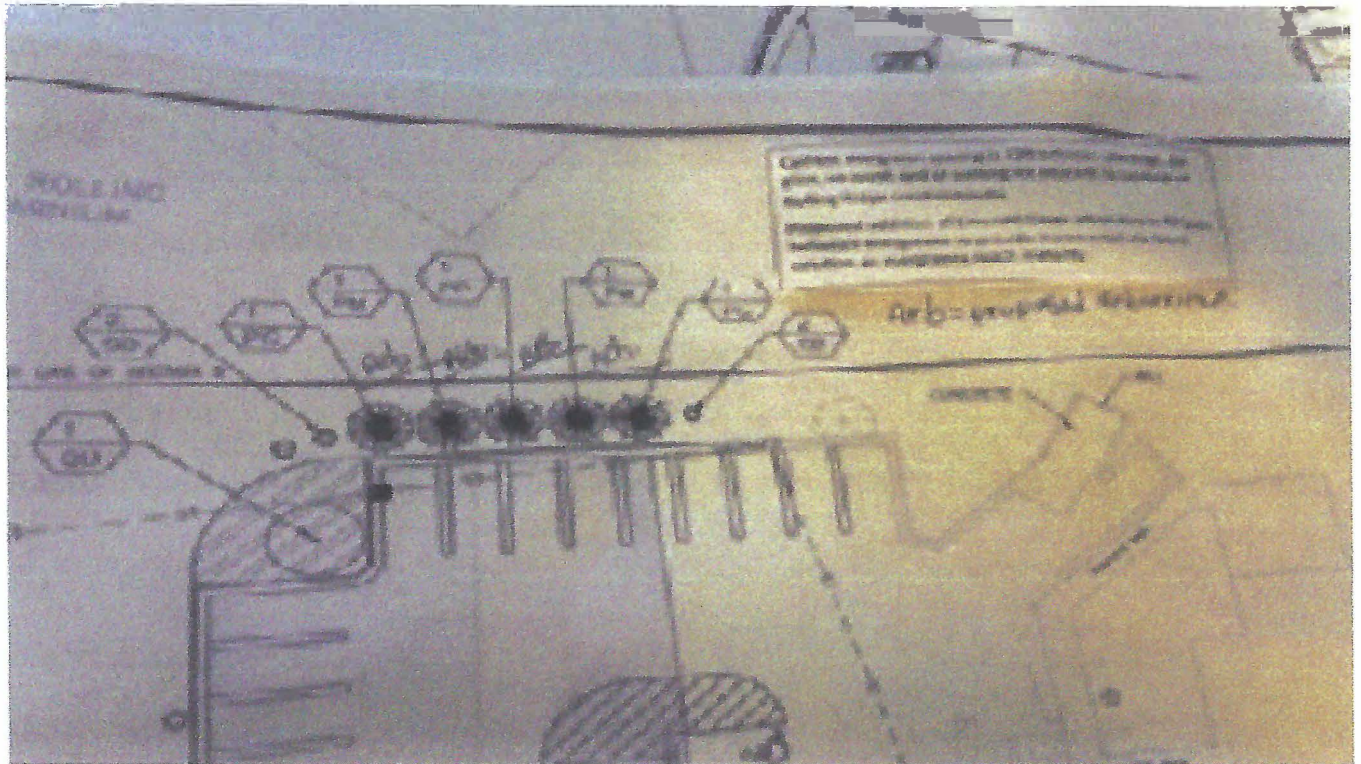
9
FA

45
BB



C





Taken from page C8 of original blueprint

Current evergreen spacing is 12' between plantings, per plan, on north end of parking lot adjacent to Landings of Rolling Ridge Condominiums.

Proposed addition of (4) Emerald Green Arborvitae to fill gaps between evergreens to provide incremental site block solution as evergreens reach maturity.

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
July 10, 2023**

MINUTES

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:35 p.m. Present were Chris Grajek, Diana Lowe, Marianne McCreary, Eric Rauch, Tim Chouinard, 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 Dhaenens, 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 made at 6:36 pm with no response.

OLD BUSINESS:

OPEN PUBLIC HEARING # 1... (REQUESTED TO BE POSTPONED UNTIL THE SEPTEMBER 11, 2023 PLANNING COMMISSION MEETING) Consideration of special land use application, environmental impact assessment and sketch plan to allow for a proposed Bed and Breakfast located at 7854 Collingwood Drive, just west of Grand River Avenue. The request is petitioned by Nazmiye Yapici.

- A. Recommendation of Special Use.
- B. Recommendation of Environmental Impact Assessment (5-14-23)
- C. Recommendation of Sketch Plan (5-17-23)

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to postpone Open Public Hearing #1 until the September 11, 2023 Planning Commission meeting. **The motion carried unanimously.**

NEW BUSINESS:

OPEN PUBLIC HEARING #2... Consideration of a rezoning application, amendment to the Latson Road PUD Agreement, Environmental Impact Assessment and conceptual PUD Plan for a proposed rezoning and conceptual plan approval to expand the existing Planned Unit Development. The rezoning request is from Country Estates (CE) to Interchange Campus Planned Unit Development (CAPUD) and Interchange Commercial Planned Unit Development (ICPUD) for approximately 138 acres of undevelopment land. The request involves Parcel 4711-09-300-046 which is located at the southeast intersection of Latson Road and Beck Road. The remaining parcels are located south of Crooked Lake Road and west of Latson Road consisting of the following Parcel ID#s: 4711-17-200-006, 4711-17-200-002, 4711-17-400-015, 4711-17-400-013, and 4711-17-400-014. The request is petitioned by Todd Wyett.

- A. Recommendation of rezoning
- B. Recommendation of PUD Agreement Amendment
- C. Recommendation of Environmental Impact Assessment (6-21-23)
- D. Recommendation of Conceptual PUD Plan (5-31-23)

Mr. Todd Wyett, Mr. Eric Lord, from Atwell Hicks, and Mr. Brad Strader, with MKSK Studios were present. Mr. Wyett stated they have an existing PUD Agreement for approximately 200 acres for a high tech industrial park and commercial development. They are requesting rezoning an additional 138 acres. He showed a video describing the original proposal. He stated it is consistent with the Master Plan and he has been working on this development with the township for 11 years. This will bring in high-paying employment, commercial development and residential properties to the township.

Mr. Strader stated they have been marketing Phase I of the project, and now an opportunity has come up to expand the development and amend the PUD. He showed how this project is consistent with the existing Master Plan, the two phases of the proposed development, the proposed rezoning, draft land use summaries and their transition from one type of use to another, the revised entry sign and landscaping, the requested allowable uses and prohibited uses for each of the different zoning districts, and open space concepts for both phases. He presented the traffic impact study, which shows that most intersections will operate at a grade of D, some will need improvements, Latson Road would need to be widened, and traffic signals would need to be upgraded. They will work with the township and the Road Commission to make these improvements.

Mr. Lord stated new water and sanitary sewer mains were installed south of the interchange to the proposed development site last year. He provided a review of the additional water and sewer improvements that will be made by the developer.

Mr. Strader stated they have received the requested changes to the PUD Agreement. They will make those changes prior to it being presented to the Township Board if recommended for approval by the Planning Commission.

Mr. Borden reviewed his letter dated July 5, 2023.

1. PUD Qualifying Conditions (Section 10.02):
 - a. Based on his review of the revised submittal, the Ordinance standards are generally met.
2. Rezoning Criteria (Section 22.04):
 - a. The proposed zoning designations of ICPUD and CAPUD are consistent with the Future Land Use Map and goals of the Township Master Plan.
 - c. Rezoning is necessary to implement the vision and goals of the I-96/Latson Road Subarea Plan.
 - d. He noted that Mr. Strader addressed his comment regarding the clarification/additional discussion on the “auto services” and “self-storage” uses as part of this PUD; however, he would still request they provide more detailed definition to these uses as neither one of them are shown as uses in the Ordinance.
3. Conceptual PUD Plan (Section 10.03.06):
 - a. The applicant has addressed the comments from his initial review letter.
 - b. The PUD Agreement needs to incorporate language addressing compatible uses, per Section 10.03.06(c)2(c).
 - c. The PUD Agreement needs to incorporate language addressing expansion into the future transition area, per Section 10.03.06(i).
 - d. The applicant must address staff’s and/or the Township Attorney’s comments on the restated and amended PUD Agreement.
 - f. The proposal includes changes to the previously approved gateway/development highway sign, which is subject to Planning Commission approval.

He stated that the applicant must address any technical comments provided by the Township’s Engineering Consultant, Utilities Director, Brighton Area Fire Authority, and the Livingston County Road Commissioner as appropriate.

He added that this is a conceptual plan and each time a site is proposed to be developed, it will need to be reviewed by himself, the Township Engineer, and other agencies and be presented to the Planning Commission and Township Board for review and approval.

Ms. Byrne reviewed her letter dated July 5, 2023.

1. The site plan provided is very conceptual and all future developments within the PUD will need to have their own site plan review and approval.

2. What Mr. Lord stated this evening and what the impact assessment notes regarding the water and sewer service are correct.
3. Figures 2 and 3 in the impact assessment are outdated and no longer show existing infrastructure accurately. Some of the water main and force main shown as proposed is now existing. These figures also don't match with the latest concepts that the Township has, which have been attached separately for reference. The impact assessment and concept plans should provide more detail on how the proposed expansion area will be served with water and sanitary sewer service, including updated concepts or alternatives on how water and sewer would be routed to the entire PUD area.
4. The impact assessment states that a stormwater management plan will be prepared for the entire development. The master plan will have central detention facilities. The detention sizing should be determined based on the entire site to ensure that there will be proper storm management as the property develops rather than developing individual stormwater management plans for each new building. The site naturally drains to the Marion Genoa Drain that is a county maintained and operated drain. The Livingston County Drain Commissioner's office will need to be included in the stormwater master plan development process.
5. The general layout of the on-site roadways and intersections with Latson Road appear to be well thought out and provide for circulation through the site. The final layout may vary from this concept once end users of the sites are determined.
6. A detailed traffic impact study was completed for the proposed amended PUD. The proposed development is anticipated to cause multiple intersections in the study area to operate at level of service E or F with the increase in traffic. The traffic impact study includes a list of recommended improvements to mitigate the increase in traffic in section 11. These improvements will need to be considered by the Township as the PUD develops in the future. Any site drive or intersection recommendations should be included in future site plans for approval.
7. Improvements to Latson Road are subject to LCRC approval and should be submitted for review and comment by the Township. Since this parcel is the first major development on the south side of Latson, and as such is the gateway to Genoa Township, we recommend additional concepts be considered to promote the township with either monument signage or landscaping details as part of the overall development plan.
8. The Innovation Interchange preliminary Latson Road concepts show one of the site driveways lined up directly with Sweet Road. The property directly to the west of Sweet Road is not within the proposed PUD area, so lining up the intersection will not be possible as shown.

The Fire Marshal's letter dated July 6, 2023 stated, "Comments herein are generic to the overall PUD concept. BAFA will provide additional comments at each specific phase of the development as it relates to fire safety, water supply, fire hydrants and emergency vehicle access. All the previous PUD comments presented by the fire authority have been addressed in

writing or acknowledged by the applicant. The fire authority has no opposition to the PUD approval and will review each portion of the project as they are submitted.”

Commissioner Dhaenens requested additional details regarding the residential portion of the development. Mr. Wyett said the multi-family would not be developed until after the industrial park development has started. He does not believe they can start the single-family residential because of the difficulty to extend the water and sewer into that area before the other development is completed.

Commissioner McCreary questioned the timeline of the project. Mr. Wyett stated he is unsure. It could take 5 to 20 years to complete.

The call to the public was made at 7:35 pm.

Ms. Coleen Quinn of 4042 Brookstone Court is concerned with a proposed high-tech battery plant and questioned. Will this be a China-based company? Where will the workers be coming from? This will cause traffic issues. The residential renderings presented looked cheap.

Ms. Aubree Kugler of Cooper Riesterer PLC who represents Veronica and Frank Godwin of 2482 Latson Road stated they are concerned with the buffers between this development and their home. They are also concerned with the traffic and the difficulty they would have entering and exiting their property. They are also concerned that this development will cause drainage issues on their property.

Mr. Bill Reiber of 3154 Stillriver Drive stated that hospitals, housing, restaurants, and hotels are not needed in this area. New ones have just been built. There are a lot of vacant buildings already in the township. He asked who will be paying for the road improvements. This new housing could increase the population by over 4,000 people.

Mr. Kevin Wetzel of 390 Natanna Drive is concerned with a battery plant being developed here. He asked if the asphalt plant will be allowed to be built on this property, could the residential portion be rezoned to industrial or will it remain residential, and will the businesses own or rent the buildings.

Mr. Tim Quinn of 4042 Brookstone Court asked who did the needs study for this property. He is concerned for the children at the school.

Ms. Jayne Locke of 3401 Pineview Trail is a precinct delegate and represents approximately 3,000 residents. All her constituents are against this development. The proposal is inconsistent with the current Master Plan and future land use map. This will affect property values. She noted that online, the zoning shown for the property is already changed to the new zoning.

Ms. Debra Towles of 3210 Pineview Trail agrees with everyone's concerns. She is also concerned that the description is listed incorrectly on the agenda. The properties are north of Crooked Lake Road and the southwest corner of Latson and Beck Road. The people who live west of these properties are not being considered. They are zoned country estates and high density residential will be next to it.

Mr. Carl Hauss of 16880 Hauss, Eastpointe, MI stated that the township has an opportunity to embrace a unique use of these properties. It will create good jobs and housing opportunities. His property of 42 acres is immediately east of these properties at Latson and Crooked Lake Road. He would like similar uses to be considered for his property and would like some REU's to be designated for him. This will be a positive for the community.

Mr. Leo Nicholas of 2290 South Latson Road has lived here for 45 years. He anticipated the changes to Latson Road were going to be detrimental to his property, but it was not. He is in favor of change and this proposal.

Ms. Susan Nickels of 4935 Fairways Drive agrees with her neighbors. She is concerned with the possibility of a battery plant being developed there. Will this be a Chinese owned plant? This will increase traffic and new apartments were just approved on Grand River at Dorr. She is against this.

Mr. William Vinton of 1990 South Latson Road is in support of this project. It is very well thought out.

Mr. Matt Hurley of 4070 Brookstone Court believes the concern is that the plan is conceptual, and no one is sure of what will be built here. Will there be other properties in the area who will want to be rezoned for this same type of use?

Mr. Eric Wilkinson of 3561 Crooked Lake lives next to the area where the residential development is being proposed. He moved here to avoid being surrounded by density. He questioned how many more meetings will be held when a vote will be taken and what is the date of that meeting.

Ms. Amy Newman of 2510 South Latson Road is concerned that the three maple trees will be removed when the new roadways are put in. This will affect her and her neighbors. She questioned how these businesses will be powered with electricity.

Mr. Tom Jatkowski of 3414 Pineview Trail stated these properties were supposed to remain five-acre parcels. He moved here for country living and now it is being taken away. He is against this proposal.

Ms. Debra Beattie of 3109 Pineview Trail agrees with the people who spoke. This is the country, and it is being proposed to be changed to a city in their backyards.

Mr. Nick Fianni, a member of the Livingston County Board of Commissions, who lives at 5840 Sterling Drive, stated that residents moved here because it was zoned country estates, and they would like to continue to maintain their way of life. He does not see the benefit of this proposal. The residents of Genoa Township are most important.

The call to the public was closed at 8:13 pm.

Commissioner Dhaenens stated that the concerns are traffic and increasing buffer zones to the south and to the west. He advised the members of the public that the first phase has already been approved. Tonight's issue is regarding the second phase. He stressed this is just a conceptual plan and all buildings will need to come before the township for review and approval before they are built.

Mr. Wyett reiterated that the first phase has already been approved. He can increase buffer zones. Many of the residents who spoke live north of the expressway and some who abut this property are in favor of the proposal.

Mr. Strader stated that the traffic study showed what improvements will be needed and the developer will pay for these improvements.

Ms. VanMarter stated that the Livingston County Road Commission will not be paying for any of the improvements. They do not have money to repair existing roads so they will not fund this. She worked on the 2012 new Master Plan and the south Latson Road corridor was part of that. The township held many public meetings and put out surveys to obtain feedback from the residents. It was determined that, except for the small area adjacent to the expressway, this area would not be developed as commercial to keep it separate from the commercial area along Grand River. A part of the discussion for this development was the question of, "what type of employment center the township wants to be". Many residents leave here to go to other places to work, so part of the plan was to attract high tech and high quality users so that people who live here can work here also. The Master Plan was again updated last year, again with multiple meetings and public hearings being held, and this area remained the same. She encouraged all residents to become involved in the Master Plan process. It is updated every five years.

Mr. Wyett stated that the battery plant is not related to China and this zoning would not allow for an asphalt plant. Ms. VanMarter requested the applicant add an asphalt plant to the list of prohibited uses.

Mr. Wyett stated they would either build to suit or sell property, depending on what the business would like. He answered the question asking if the accessory residential area could be changed to industrial. This would not be allowed. It is zoned transitional.

Ms. VanMarter requested to have Ms. Locke contact her regarding the property showing CAPUD zoning online. She would like to see where that is shown. Regarding the typo on the agenda, that is staff's mistake; however, the correct notices were sent to the correct residents within the required mailing area.

Chairman Grajek stated that the first phase of this development has been approved for almost 12 years. The owner has the right to develop that property as long as it is consistent with the requirements of the township. The issue this evening is Phase II and the owner has the right to request the rezoning.

Ms. VanMarter stated the request is up for a vote tonight. The Planning Commission can vote to recommend approval or denial to the Board and then it would go before them for review and a vote. The Commission can also table the item this evening.

Board Member McCreary questioned the traffic study and would like it explained. She is concerned with the increase in traffic and how it will affect the surrounding area. Mr. Strater stated that the traffic study was done by a model based on the surrounding uses and times and days. He stated they will meet with the Road Commission and make any changes required. Additionally, as development is done, they will do updated traffic impact studies. Mr. Lord stated the traffic study provides what improvements will need to be made at each intersection.

Commissioner Rauch believes this would be a benefit to the community. He noted that the development north of I-96 was done by many different developers and different PUD's whereas this will be done by one and will be able to maintain the same design standards and will have continuity. He suggested a discussion regarding setting a clear southern boundary for the industrial zoning to allow for the transition between the industrial and residential zoning, while allowing for flexibility.

Commissioner McBain is in support of this proposal because it allows for flexibility. She would like the township to determine what the vision is for this area so everyone knows what it will look like in the future when it is complete.

Chairman Grajek believes there are items that need to be finalized before this can move forward this evening. He would also like more information on the traffic study. Commissioner Dhaenens reiterated his concerns regarding buffer zones, traffic, and that the allowable uses are compatible with the zoning and Master Plan.

Moved by Commissioner Dhaenens, seconded by Commissioner Rauch, to postponed Open Public Hearing #2 for the rezoning, PUD Agreement Amendment, Environmental Impact Assessment dated 6-21-23, and the Conceptual PUD Plan dated 5-31-23 until the September 11, 2023 Planning Commission meeting. **The motion carried unanimously.**

Ms. VanMarter advised the public that since it has been postponed until a date certain, a new notice will not be sent out. She encouraged anyone with questions to reach out to her or Amy Ruthig.

OPEN PUBLIC HEARING #3...Consideration of a Zoning Ordinance Text amendment to Article 11 of the Zoning Ordinance, entitled "Solar Energy Collectors and Commercial Solar Energy Systems".

- A. Recommendation of Zoning Ordinance Amendment to Article 11 entitled "Solar Energy Collectors and Commercial Solar Energy Systems.

Ms. VanMarter reviewed the changes that she made to the ordinance since it was presented to the Planning Commission last month. If recommended for approval, these changes will go to the Livingston County Planning Commission and then to the Township Board.

The call to the public was made at 9:30 pm.

Ms. Marsha Leslie lives on Griffith Drive and is a member of the Brighton Garden Club. She asked the Planning Commission consider requiring perennials planted under the panels when a solar farm is being proposed

Mr. Kevin Wetzel of 390 Natanna Drive appreciates the township not allowing solar farms on agricultural land.

The call to the public was closed at 9:34 pm.

Ms. VanMarter stated that the ordinance does require dual use perennial ground cover vegetation to promote ecological benefits, including native plants with substantial root systems to support soil and that turf grass is not permitted as ground cover.

Moved by Commissioner Dhaenens, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Zoning Ordinance Amendment to Article 11 entitled "Solar Energy Collectors and Commercial Solar Energy Systems", including any minor changes made by the Township Manager and Planner. **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated there will be one item on the August 14 Planning Commission meeting agenda.

She will be sending out information regarding the Planning Conference being held in October for any Commissioners who are interested in attending.

Approval of the June 12, 2023 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the June 12, 2023 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner McBain, seconded by Commissioner Lowe, to adjourn the meeting at 9:39 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary