

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION PUBLIC HEARING
JULY 8, 2024
MONDAY
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 proposed third amendment to the Master Deed of the Timber Green and fourth amendment to the Planned Unit Development. The proposal entails withdrawal of Units 10, 11, and 12 from the condominium. This land area will then be combined with contiguous property under common ownership (residence to the north with access to/from Chilson Road). The amendment will modify the easement rights of the withdrawal area to clarify that access via Timber Green Court will only be for secondary emergency access. The request is petitioned by Chestnut Development, LLC.

- A. Recommendation of PUD agreement amendment

OPEN PUBLIC HEARING #2... Consideration of a Zoning Ordinance Text Amendments of Article 16 “Sign Standards” of the Zoning Ordinance

- A. Recommendation of Zoning Ordinance Amendment to Article 16 entitled “Sign Ordinance”.

OPEN PUBLIC HEARING #3... Consideration of a Zoning Ordinance Text amendment to Article 10 of the Zoning Ordinance, entitled “Planned Unit Development”.

- A. Recommendation of Zoning Ordinance Amendment to Article 10 entitled “Planned Unit Development”.

ADMINISTRATIVE BUSINESS:

- Staff Report
- Approval of June 10, 2024 Planning Commission meeting minutes
- Member discussion
- Adjournment

*Citizen’s Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented. Anyone speaking on an agenda item will be limited to 2 minutes.



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: Chestnut Development, LLC, 3800 Chilson Road, Howell, MI 48843
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: same as above

SITE ADDRESS: Chilson Road, Howell PARCEL #(s): _____

APPLICANT PHONE: (810) 227-3103 OWNER PHONE: (810) 599-5147

OWNER EMAIL: steve@chestnutdev.com and cathy@crlaw.biz

LOCATION AND BRIEF DESCRIPTION OF SITE: The site is located on Chilson Road.
It is the previously approved Timber Green Condominium Project.

BRIEF STATEMENT OF PROPOSED USE: The Application requests amendments to an approved
PUD Agreement and approved Master Deed for Timber Green Condominium in the forms attached.
The purpose is to clarify and confirm the withdrawal of 3 units in the condominium project.

THE FOLLOWING BUILDINGS ARE PROPOSED: N/A

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: Catherine A. Riesterer, attorney and authorized agent of applicant

ADDRESS: 7900 Grand River, Brighton, MI 48114

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

1.) Catherine Riesterer of Cooper & Riesterer, PLC at cathy@crlaw.biz
Name Business Affiliation E-mail Address

FEE EXCEEDANCE AGREEMENT

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

SIGNATURE:  DATE: May 20, 2024
PRINT NAME: Catherine A. Riesterer, attorney and* PHONE: 810-227-3103 ext 1112
ADDRESS: 7900 Grand River, Brighton MI 48114 *authorized agent



June 25, 2024

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Amy Ruthig, Planning Director
Subject:	Timber Green – Condominium/PUD Amendment Review #2
Location:	West side of Chilson Road, north of E. Coon Lake Road
Zoning:	RPUD Residential Planned Unit Development

Dear Commissioners:

At the Township’s request, we have reviewed the revised submittal proposing to amend the Timber Green condominium and PUD (plans dated 5/16/24).

A. Summary

1. The applicant must address any comments provided by the Township Attorney or staff with respect to the amended Master Deed.
2. The applicant should provide documentation of the Association’s approval in writing.
3. Sheet 5 of Exhibit B does not depict the entirety of Parcel #11-29-200-037.
4. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority.
5. The Fire Authority may wish to require a gate and sign at the terminus of Timber Green Court since it will only be for secondary emergency access to the withdrawal property.

B. Proposal/Process

The applicant proposes the third amendment to the Master Deed and fourth amendment to the Planned Unit Development.

Specifically, the proposal entails withdrawal of Units 10, 11, and 12 from the condominium. This land area will then be combined with contiguous property under common ownership (residence to the north with access to/from Chilson Road).

Additionally, the amendment will modify the easement rights of the withdrawal area to clarify that access via Timber Green Court will only be for secondary emergency access.

Procedurally, amendments to an approved condominium/PUD go through the Planning Commission for review and recommendation to the Township Board.

The Board has the final approval authority over both aspects of the proposal.



Aerial view of site and surroundings (looking north)

C. Review Comments

Condominium Amendment

The applicant must address any comments provided by the Township Attorney or staff with respect to the amended Master Deed.

Additionally, Township staff indicated that the Timber Green Homeowners Association has verbally agreed to the proposed amendment to the Master Deed; however, the applicant should have such approval documented in writing as part of this review process.

PUD Amendment

In response to our initial review, the applicant has added paragraph 4 to the PUD Agreement ensuring that the withdrawal property will be combined with the contiguous property under common ownership to the north.

Additionally, an updated Exhibit B is included with the revised submittal; however, Sheet 5 of the Exhibit does not depict Parcel #11-29-200-037 in its entirety.

Plans

The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority. Since the easement rights will now be only for secondary emergency access, the Fire Authority may wish to require a gate and signage noting such.

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



June 28, 2024

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

**Re: Timber Green Amendment 3
Site Plan Review No. 2**

Dear Ms. Ruthig:

Tetra Tech has conducted a second review of the Timber Green site plan revision last submitted June 19, 2024. The Third Amendment to Master Deep was prepared by Cooper and Riesterer, PLC and site plan documents were prepared by Monument Engineering Group Associates, Inc on behalf of Chestnut Development. The site is located on a 31.93-acre parcel on the west side of Chislon Road and the petitioner is proposing the withdrawal of units from the condominium subdivision. Tetra Tech has reviewed the documents and offers the following comments:

GENERAL

1. The survey plan needs the signature and seal of the professional surveyor.
2. The final plan set should include a final revision date.

PAVEMENT/PARKING LOT

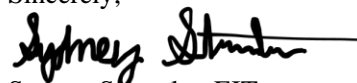
1. The area being removed from the condominium includes a cul-de-sac. Since this portion will no longer be built, the current dead end for the remaining units will need to function as a cul-de-sac. The Brighton Area Fire Authority will need to approve the revised road layout and turn around dimensions. It will also need to be determined who will pay for any road improvements if required.


DRAINAGE/GRADING

1. The storm facilities within the parcels being removed from the condominium have been put in an easement. The easement should include where the culvert crosses the access road.

We recommend the petitioner address the above comments to the Township's satisfaction prior to approval. Please call or email if you have any questions.

Sincerely,


Sydney Streveler, EIT
Civil Engineering Group


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

June 11, 2024

Amy Ruthig/Sharon Stone
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Timber Green
Chilson Rd
Genoa Twp., MI

Dear Amy,

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on May 21, 2024 and the drawings are dated May 16, 2024. The project is based on the revision of an existing residential site plan to eliminate three parcels. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition.

1. Amendment 3 appears to eliminate the required culdesac at the end of the road. This is a required emergency vehicle turnaround area. An alternate means of turnaround shall be provided. **(An updated vehicle circulation plan shows the roadway accommodating BAFA turning radius around the drive. We have no objection to the Amendment as submitted.)**

IFC 503

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

Cordially,

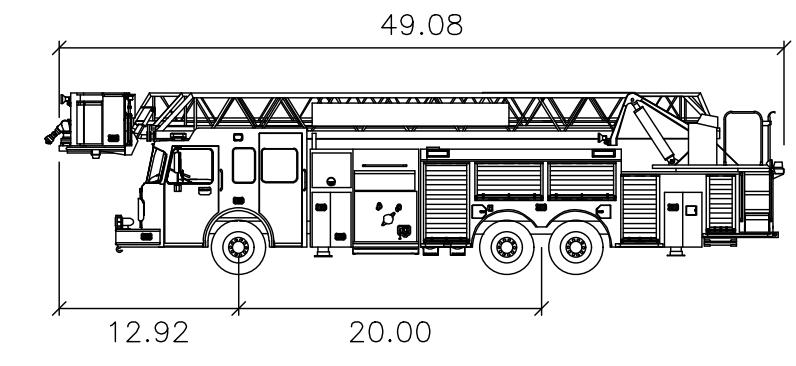
A handwritten signature in black ink, appearing to read "R. Boisvert".

Rick Boisvert, CFPS
Fire Marshal

cc: Amy Ruthig amy@genoa.org
Sharon Stone sharon@genoa.org

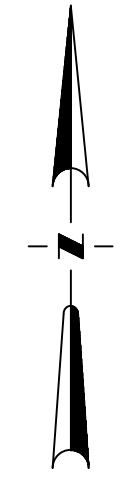


EMERGENCY VEHICLE



Smeal Platform RM 100ft

	feet
Width	: 8.33
Track	: 7.83
Lock to Lock Time	: 6.0
Steering Angle	: 48.0



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MONUMENT ENGINEERING GROUP ASSOCIATES, INC.

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MICHIGAN 48836
(OFFICE) 517-223-3512
MONUMENTENGINEERING.COM

SERVICE DISABLED VETERAN OWNED
SMALL BUSINESS (SDVOBS)

Call MISS DIG
3 full working days before you dig:

Michigan's Utility Notification Organization
One-Call

1-800-482-7171
www.missdig.org

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

CLIENT :

CHESTNUT DEVELOPMENT
6253 GRAND RIVER AVE
SUITE 700
BRIGHTON, MI 48114

AUTOTURN EVALUATION
TIMBER GREEN COURT
NE 1/4 OF SECTION 29, T2N-R5E
GENOA TOWNSHIP, LIVINGSTON COUNTY, MI

DATE	
PLAN SUBMITTALS/REVISIONS	

ORIGINAL ISSUE DATE:
6/18/2024

PROJECT NO: 20-056

SCALE: 1" = 30'

FIELD:
DRAWN BY: MN
DESIGN BY: MN
CHECK BY: MB

1

NOT FOR CONSTRUCTION



GENOA TOWNSHIP

JUN 18 2024

RECEIVED

**FOURTH AMENDMENT TO
PLANNED UNIT DEVELOPMENT AGREEMENT
FOR
TIMBER GREEN**

THIS FOURTH AMENDMENT TO PLANNED UNIT DEVELOPMENT AGREEMENT (“Fourth Amendment to PUD Agreement”) is made as of the ____ day of _____, 2024, by and between Genoa Charter Township (“Township”), the offices of which are located at 2911 Dorr Road, Brighton, Michigan 48116, and Chestnut Development, L.L.C., a Michigan limited liability company (“Developer”), the address of which is 3800 Chilson Road, Howell, Michigan 48843.

WHEREAS, Developer is the owner and developer of certain land located in the Township of Genoa, County of Livingston, State of Michigan, more particularly described on Exhibit A to the PUD Agreement (“Property”); and

WHEREAS, in 2003, Developer first submitted its Application for rezoning the Property to Planned Unit Development (“PUD”), its PUD Plan, PUD Agreement and Impact Assessment to the Township for the PUD to be known as “Timber Green”; and

WHEREAS, at its February 16, 2004, regular public meeting, the Township Board approved the PUD Plan, PUD Agreement and Impact Assessment submitted by the Developer and rezoned the property to a PUD Zoning District to permit various land uses under a comprehensive development plan; and

WHEREAS, pursuant to the Township Board Approval and the Township’s Ordinances, Developer and Township executed a PUD Agreement for the development of the Timber Green PUD on December 15, 2005, which was recorded on July 13, 2015 at 2015R-021740; and

WHEREAS, pursuant to the Township Board Approval and the Township’s Ordinances, Developer and Township executed a First Amendment to PUD Agreement for the development of the Timber Green PUD on September 12, 2014, recorded on September 26, 2014 at 2014R-027338; and

WHEREAS, pursuant to the Township Board Approval and the Township’s Ordinances, Developer and Township executed a Second Amendment to PUD Agreement for the development of the Timber Green PUD on October 20, 2014, which was recorded at 2015R-027367; and

WHEREAS, The Developer filed a “Notice of Withdrawal of Units 10-12 From Timber Green Pursuant to MCL 559.167”, recorded on May 24, 2021, at Instrument number 2021R-022842, Livingston County Register of Deeds (“Notice of Withdrawal”).

WHEREAS, Developer now wishes to effectuate a fourth amendment to the PUD Agreement to clarify the record and ensure the recorded PUD Agreement is consistent with the Third Amendment to the Master Deed, which has been approved by the Developer and the Association, and which reflects the Units as they currently exist.

WHEREAS, the Township Board, in its _____ meeting, approved the Developer’s request to amend the PUD Agreement consistent with the Developer’s request;

NOW, THEREFORE, Developer and Township, in consideration of the mutual covenants of the parties described herein, agree to amend the PUD Agreement as follows:

1. Amendment of Legal Description for Property. The PUD Agreement, as amended, defined the “Property” to be included in the Condominium Project as the land legally described in Exhibit A to the PUD Agreement, as amended. Exhibit A to the PUD Agreement is hereby replaced and superseded by the Exhibit A to this Fourth Amendment to PUD Agreement. Further, the definition of “Property,” as used in the PUD Agreement and any amendments thereto, is hereby amended to be defined as the real property described on Exhibit A attached hereto.

2. Reduction of Condominium Units. Section II, Paragraph B, is deleted in its entirety and hereby replaced as follows:

“Developer represents that Developer has developed the Property identified as Parcels 1 through 9, both inclusive, and Parcels A and B-2 in accordance with the PUD Plan, as amended, as a residential building site condominium project under the provisions of the Condominium Act. Parcel B was established and was approved as a separate building parcel under the Township’s applicable parcel division ordinance, which parcel is acknowledged by the Township to have been approved by the Livingston County Department of Public Health for the installation of an on-site wastewater system in accordance with its regulations pertaining to parcel divisions rather than site condominiums. The removed Parcels 10,11 and 12, will not be included in the site condominium project and together with Parcel C are included in Exhibit B and in this PUD Agreement solely to evidence the Developer’s agreement to restrict those parcels with reference to the Preservation Areas included within its boundaries as elsewhere herein provided and is not otherwise subject to participation in the proposed site condominium or restricted by any other aspects of the proposed development except as may be specifically set

forth herein.”

3. **Amendment of Approved Plan for PUD.** Sheet C-3 of the of the Final Site Development Plan was attached as part of Exhibit B to the PUD. The Second Amendment to the PUD Agreement, replaced and superseded Sheet C-3 of the Final Site Development Plan. That amended Sheet C-3 is hereby further amended to be consistent with the changes herein as reflected on the attached Exhibit B to this Fourth Amendment to PUD Agreement.

4. **Combination of Units.** This Fourth Amendment is granted with the understanding that the Units previously identified as 10, 11 and 12 which have been withdrawn, and the adjacent parcel identified as parcel C, (tax ID#11-29-200-037) will all be combined with the parcel to the north, identified as 11-20-400-012.

5. **Continuing Effect.** Except as amended and modified by this Fourth Amendment to PUD Agreement, all other terms and conditions of the PUD Agreement, as previously amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth at the outset of this Fourth Amendment to PUD Agreement.

GENOA CHARTER TOWNSHIP,
a Michigan municipal corporation

By: _____
Bill Rodgers, Supervisor

By: _____
Paulette A. Skolarus, Clerk

STATE OF MICHIGAN)
) SS.
COUNTY OF LIVINGSTON)

The foregoing Fourth Amendment to Planned Unit Development Agreement was acknowledged before me this _____ day of _____, 2024, by Bill Rodgers and Paulette A. Skolarus, the Supervisor and Clerk, respectively, of Genoa Charter Township, a Michigan municipal corporation, on behalf of the corporation.

_____, Notary Public
_____ County, Michigan
My commission expires: _____
Acting in _____ County, Michigan

CHESTNUT DEVELOPMENT, L.L.C.,
a Michigan limited liability company

By: _____
Steven J. Gronow, Managing Member

STATE OF MICHIGAN)
) SS.
COUNTY OF LIVINGSTON)

The foregoing Fourth Amendment to Planned Unit Development Agreement was acknowledged before me this ____ day of _____, 2024, by Steven J. Gronow, Managing Member of Chestnut Development, L.L.C., a Michigan limited liability company, on behalf of the limited liability company.

_____, Notary Public
_____ County, Michigan
My commission expires: _____
Acting in _____ County, Michigan

Drafted by and when recorded return to:

Catherine A. Riesterer
COOPER & RIESTERER, PLC
7900 Grand River Road
Brighton, MI 48114
810-227-3103 ext 1112

EXHIBIT A
LEGAL DESCRIPTION

PART OF THE NORTHEAST 1/4 OF SECTION 29, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE ALONG THE NORTH LINE OF SECTION 29, S 86°39'11" W, 212.30 FEET; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CHILSON ROAD, ON THE ARC OF A CURVE TO THE RIGHT 192.33 FEET, RADIUS 785.51 FEET, CENTRAL ANGLE OF 14°01'43" AND A CHORD BEARING S 36°41'12" E, 191.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CHILSON ROAD ON THE ARC OF A CURVE RIGHT 373.97 FEET, RADIUS OF 785.51 FEET, CENTRAL ANGLE OF 27°16'40", AND A CHORD BEARING S 16°02'03" E, 370.45 FEET; THENCE N 87°36'15" E, 23.53 FEET; THENCE ALONG THE EAST LINE OF SAID SECTION 29, S 03°07'47" E, 600.81 FEET; THENCE S 87°15'19" W, 203.60 FEET; THENCE S 03°07'47" E, 216.00 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 29, AS PREVIOUSLY SURVEYED AND MONUMENTED, S 87°15'19" W, 1114.10 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4, S 87°47'04" W, 97.81 FEET; THENCE ALONG THE NORTHEASTERLY LINE OF THE ANN ARBOR RAILROAD RIGHT-OF-WAY NORTHWEST ON AN ARC OF A CURVE TO THE RIGHT 124.74 FEET, RADIUS OF 4612.69 FEET, CENTRAL ANGLE 01°32'58" CHORD BEARING N 56°06'05" W, 124.74 FEET; THENCE N 05°55'55" E, 305.57 FEET; THENCE N 07°57'54" E, 50.53; THENCE N 14°19' 51" E, 92.74 FEET; THENCE N 09°07'48" W, 353.64 FEET; THENCE N 86°39'11" E, 94.57 FEET; THENCE S 71°53'59" E, 360.17 FEET; THENCE N 18°05'59" E, 316.41 FEET; THENCE N 86°10'33" E, 431.74 FEET; THENCE N 67°42'55" E, 347.08 FEET; THENCE N 69°43'33" E, 58.24 FEET TO THE POINT OF BEGINNING. CONTAINING 31.93 ACRES AND SUBJECT TO EASEMENTS OR RESTRICTIONS OF RECORD.

EXHIBIT B
UPDATED PAGE C-3

NE CORNER SECTION 29 T2N, R5E

EAST LINE SECTION 29

CHILSON ROAD (VARIABLE WIDTH)(PUBLIC)

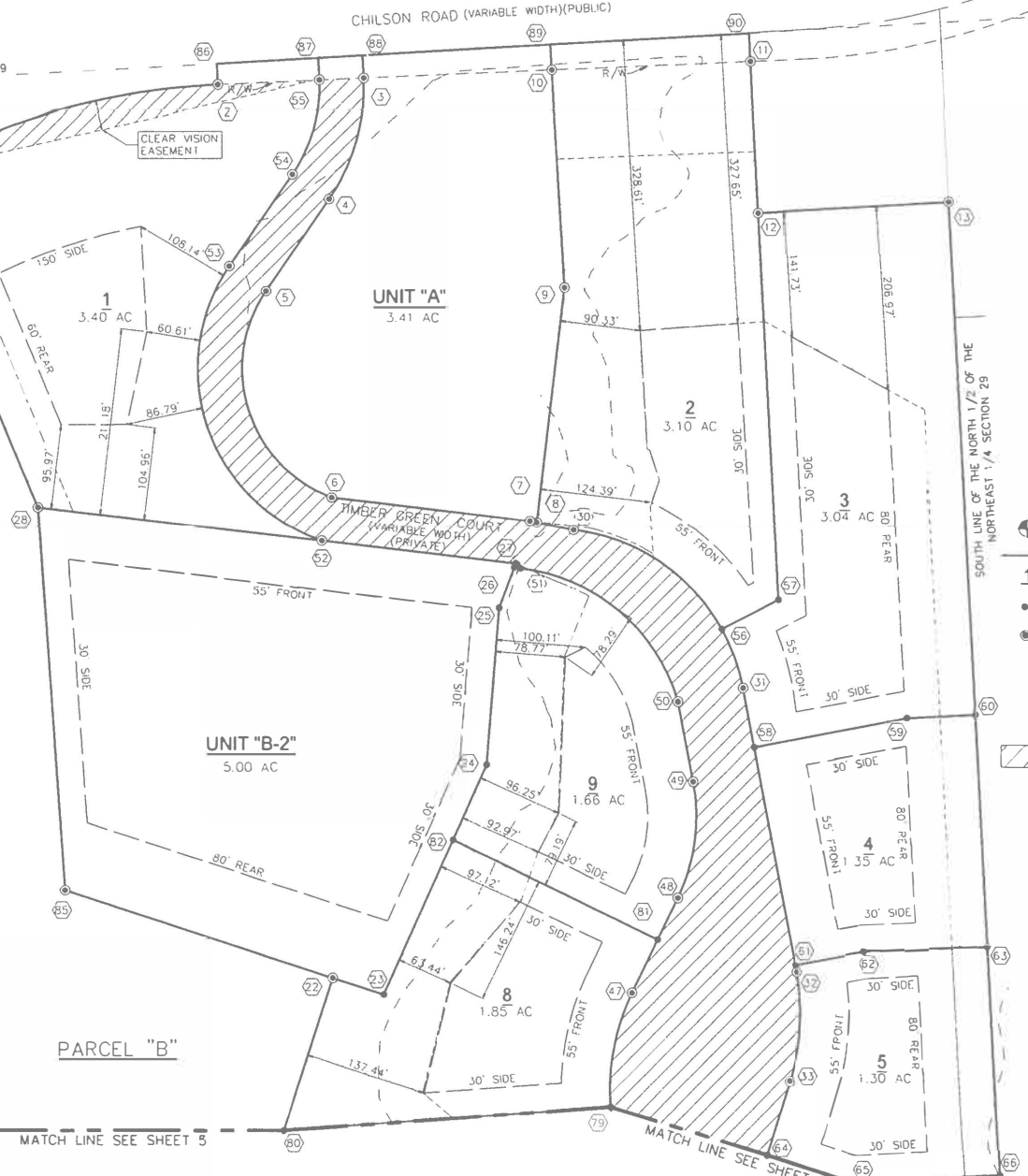
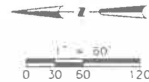
E 1/4 CORNER SECTION 29 T2N, R5E

COORD NO	NORTHING	EASTING
1	N 9853.76	E 9902.67
2	N 9477.72	E 10004.99
3	N 9313.25	E 10011.84
4	N 9352.57	E 9874.86
5	N 9424.15	E 9770.64
6	N 9351.19	E 9537.90
7	N 9177.92	E 9511.35
8	N 9120.22	E 9509.72
9	N 9087.78	E 9773.78
10	N 9101.28	E 10020.74
11	N 8877.29	E 10030.12
12	N 8850.04	E 9857.94
13	N 8653.16	E 9869.73
22	N 9352.41	E 8997.80
23	N 9294.86	E 8978.99
24	N 9177.97	E 9237.65
25	N 9163.17	E 9413.28
26	N 9145.88	E 9458.55
27	N 9144.21	E 9462.94
28	N 9681.96	E 9526.88
29	N 9811.58	E 9848.04
30	N 9078.81	E 9500.93
31	N 8888.52	E 9322.82
32	N 8829.18	E 9024.85
33	N 8817.08	E 8887.03
47	N 9015.19	E 8481.06
48	N 8963.04	E 9087.99
49	N 8945.36	E 9218.56
50	N 8961.98	E 9307.65
51	N 9138.89	E 9457.72
52	N 9362.73	E 9488.92
53	N 9465.37	E 9798.95
54	N 9393.79	E 9903.16
55	N 9363.20	E 10009.76
56	N 8912.24	E 9388.90
57	N 8848.14	E 9421.92
58	N 8876.23	E 9256.95
59	N 8703.90	E 9289.10
60	N 8625.71	E 9292.85
61	N 8830.64	E 9012.67
62	N 8753.25	E 9027.11
63	N 8511.20	E 9033.82
64	N 8963.52	E 8800.31
65	N 8767.65	E 8769.29
66	N 8600.99	E 8777.28
79	N 9039.84	E 8853.62
80	N 9408.17	E 8827.24
81	N 8985.97	E 9040.98
82	N 9216.12	E 9153.22
85	N 9653.77	E 9096.10
86	N 9478.70	E 10028.50
87	N 9364.57	E 10034.91
88	N 9314.63	E 10037.47
89	N 9102.83	E 10049.06
90	N 8878.79	E 10061.31

PARCEL "B"

MATCH LINE SEE SHEET 5

MATCH LINE SEE SHEET 3



LEGEND

- = SECTION CORNER
- = LIMITS OF OWNERSHIP/UNIT LIMIT
- = UNIT NUMBER
- = IRON FOUND
- = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER (ALL UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG)
- = GENERAL COMMON ELEMENTS
- = CONSERVATION EASEMENT PRESERVATION AREA
- = PRESERVATION AREA
- = BUILDING SETBACK
- = COORDINATE POINT
- = WETLAND LIMITS

NOTES
 1 RESTRICTED PRESERVATION AREAS INCLUDE ALL AREAS NOT DESIGNATED AS PRESERVATION AREAS. GENERAL COMMON ELEMENTS OR BUILDING ENVELOPES
 2 ALL UNITS AND COMMON ELEMENTS ARE CONVERTIBLE AREAS PURSUANT TO ARTICLE VII OF THE MASTER DEED
 3 REMOVE ALL TREES WITHIN THE CLEAR VISION EASEMENT. EASEMENT SHALL BE GRADED FLAT AND GRASS SHALL BE PROPERLY MAINTAINED IN PERPETUITY SO AS NOT TO OBSCURE CLEAR VISION AREA

PROPOSED _____ AS-BUILT _____

INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS

MEGA
ENGINEERING GROUP ASSOCIATES

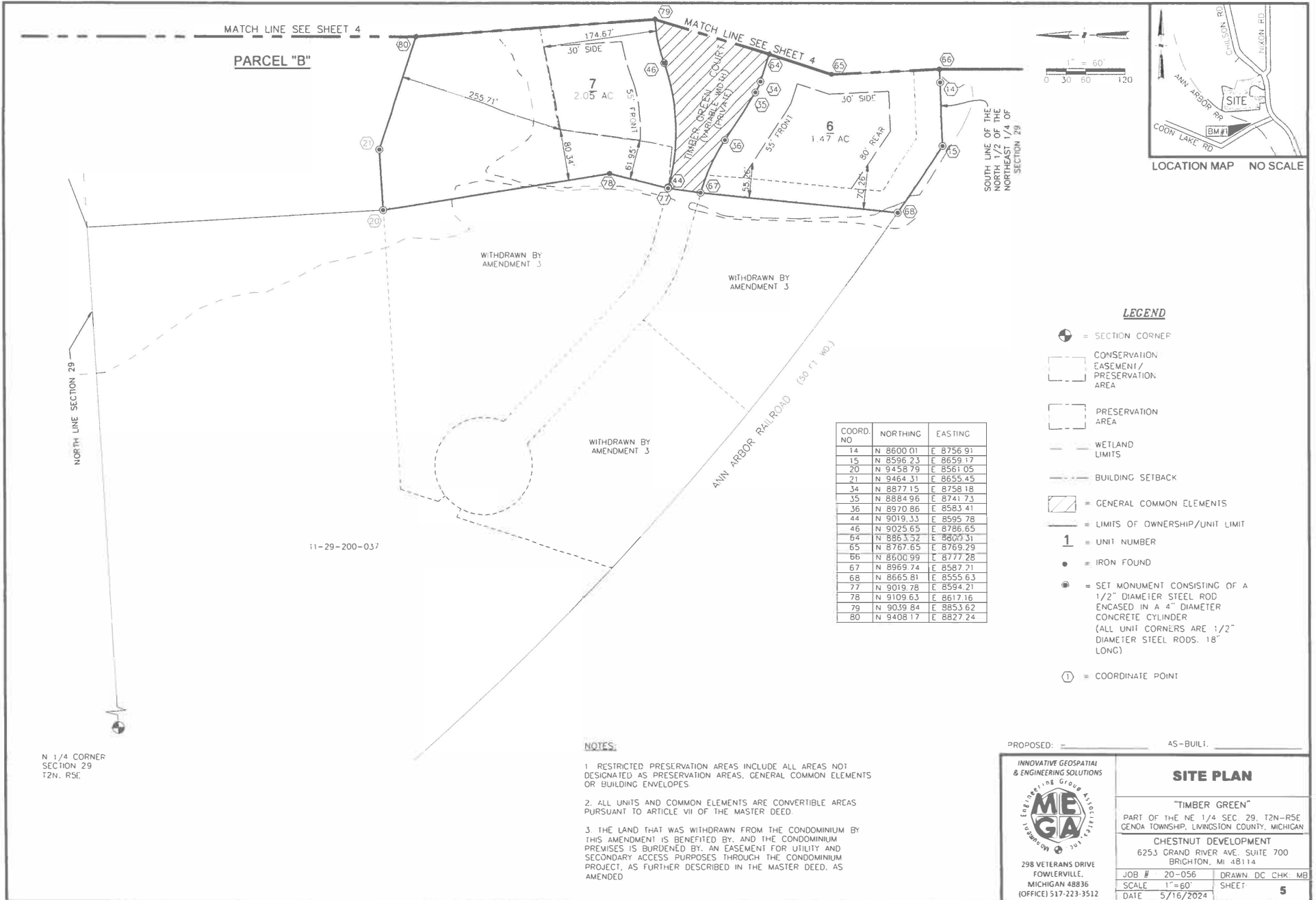
298 VETERANS DRIVE
FOWLERVILLE,
MICHIGAN 48836
(OFFICE) 517-223-3512

SITE PLAN

"TIMBER GREEN"
PART OF THE NE 1/4 SEC. 29, T2N-R5E,
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

CHESTNUT DEVELOPMENT
6253 GRAND RIVER AVE. SUITE 700
BRIGHTON, MI 48114

JOB #	20-056	DRAWN	DC	CHK.	MB
SCALE	1"=60'	SHEET	4		
DATE	5/16/2024				



INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS

MEGA

298 VETERANS DRIVE FOWLERVILLE, MICHIGAN 48836 (OFFICE) 517-223-3512

SITE PLAN

"TIMBER GREEN"

PART OF THE NE 1/4 SEC. 29, T2N-R5E CENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

CHESTNUT DEVELOPMENT

6253 GRAND RIVER AVE. SUITE 700 BRIGHTON, MI 48114

JOB #	20-056	DRAWN DC	CHK: MB
SCALE	1"=60'	SHEET	5
DATE	5/16/2024		

**THIRD AMENDMENT TO MASTER DEED
OF
TIMBER GREEN**

THIS THIRD AMENDMENT TO MASTER DEED OF TIMBER GREEN (the “Third Amendment”) is made and executed on this ____ day of _____, 2024, by Chestnut Development, LLC, a Michigan limited liability company of 3800 Chilson Road, Howell, Michigan 48843 (the “Developer”), and Timber Green Homeowners Association, a Michigan nonprofit corporation of 3985 Timber Green Court, Howell, MI 48843 (the “Association”).

RECITALS:

A. Timber Green (the “Project”) was established by the recording of the Master Deed of Timber Green, dated the 2nd day of November, 2005, and recorded December 28, 2005, at Liber 5002, Pages 613 through 681, inclusive, of the Livingston County Register of Deeds (the “Master Deed”) establishing the real property described in Article II of the Master Deed, together with the improvements located and to be located thereon and the appurtenances thereto, as a condominium project under the provision of Act 59 of the Michigan Public Acts of 1978, as amended (the “Act”).

B. The Master Deed was amended pursuant to the First Amendment to Master Deed of Timber Green, dated the 26th day of January 2011, and recorded January 27, 2011, at Instrument No. 2011R-002925, Livingston County Register of Deeds (“First Amendment”). The First Amendment withdrew Units 10-14 from the Project.

C. The Master Deed was again amended pursuant to the Second Amendment to Master Deed of Timber Green, dated the 17th day of October 2014, and recorded January 27, 2015, at Instrument No. 2015R-002675, Livingston County Register of Deeds (the “Second Amendment”). The Second Amendment among other things added additional property and renumbered Units 13 and 14 to become new Units 11 and 12, respectively.

D. The Developer revoked the Second Amendment to the Master Deed by the recording of a certain “Notice of Revocation of the Second Amendment to Master Deed of Timber Green”, dated March 15, 2021, and recorded on March 22, 2021, at Instrument No. 2021R-012588, Livingston County Register of Deeds (“Revocation”).

E. The Developer filed a “Notice of Withdrawal of Units 10-12 From Timber Green Pursuant to MCL 559.167”, recorded on May 24, 2021, at Instrument number 2021R-022842, Livingston County Register of Deeds (“Notice of Withdrawal”).

F. To clarify the record, the Association and the Developer have agreed to create a Third Amendment to the Master Deed which clarifies the current state of the Project with updated Exhibit B drawings.

G. Developer and the Association have sought and obtained the approval of the Township for the recording of this Third Amendment.

NOW, THEREFORE, with the incorporation of the above recitals, the Master Deed is amended as provided below:

1. **Ownership of Units 10-12.** The Master Deed is hereby amended to clarify that Units 10 through 12 are not within the Project.

2. **Rights Retained by Developer.** Article VIII, Section 2 of the Master Deed is hereby amended to add a new subsection (e) as follows:

“(e) **Secondary Access Easement for Parcel C.** The Developer, on behalf of itself and its successors and assigns, reserves for the perpetual benefit of Parcel C as depicted on the Condominium Subdivision Plan, and the removed Units 10-12, the right of use of the Condominium roadways and the Common Areas located between Units 6 and Unit 7 for the sole purpose of secondary access for police, fire, and emergency medical services only. The primary access to Parcel C and the removed property shall be through and across property not within the Timber Green Project.”

3. **Condominium Subdivision Plan.** The Condominium Subdivision Plan attached to the Master Deed as Exhibit B is hereby amended as reflected in the attached document.

4. **Continuing Effect.** Except as amended and modified by this Third Amendment, all terms and conditions of the Master Deed, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, Developer and the Association have duly executed this Amendment as of the day and year first written above.

-Signatures on the next page -

CHESTNUT DEVELOPMENT, LLC

By: Steven Gronow
Its: Member

STATE OF MICHIGAN)
)ss
COUNTY OF LIVINGSTON)

The foregoing instrument was acknowledged before me this ____ of _____, 2024, by Steven Gronow as member of Chestnut Development, LLC, a Michigan limited liability company, on behalf of said company.

_____, Notary Public
State of Michigan, County of Livingston
My Commission Expires:
Acting in the County of Livingston

**TIMBER GREEN
HOMEOWNERS ASSOCIATION**

By: Robert Moran
Its: President

STATE OF MICHIGAN)
)ss
COUNTY OF LIVINGSTON)

The foregoing instrument was acknowledged before me this ____ of _____, 2024, by Robert Moran as President of Timber Green Homeowners Association, a Michigan nonprofit corporation, on behalf of said corporation.

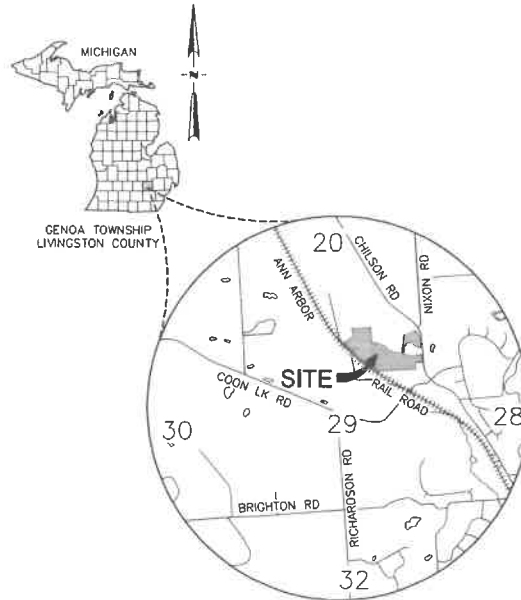
_____, Notary Public
State of Michigan, County of Livingston
My Commission Expires:
Acting in the County of Livingston

DRAFTED BY AND WHEN RECORDED RETURN TO:
Catherine A. Riesterer (P40914)
COOPER & RIESTERER, PLC
7900 Grand River Road
Brighton, MI, 48114
(810) 227-3103

REPLAT NO. 3 OF
LIVINGSTON COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 350
EXHIBIT "B" TO THE AMENDED MASTER DEED OF

TIMBER GREEN

PART OF THE NE, 1/4 SEC 29, T2N-R5E
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



LOCATION MAP

LEGAL DESCRIPTION

PART OF THE NORTHEAST 1/4 OF SECTION 29, T2N-R5E, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE ALONG THE NORTH LINE OF SECTION 29, S 86°39'11" W, 212.30 FEET; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CHILSON ROAD, ON THE ARC OF A CURVE TO THE RIGHT 192.33 FEET, RADIUS 785.51 FEET, CENTRAL ANGLE OF 14°01'43" AND A CHORD BEARING S 38°41'12" E, 191.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CHILSON ROAD ON THE ARC OF A CURVE RIGHT 373.97 FEET, RADIUS OF 785.51 FEET, CENTRAL ANGLE OF 27°16'40", AND A CHORD BEARING S 16°02'03" E, 370.45 FEET; THENCE N 87°36'15" E, 23.53 FEET; THENCE ALONG THE EAST LINE OF SAID SECTION 29, S 03°07'47" E, 600.81 FEET; THENCE S 87°15'19" W, 203.60 FEET; THENCE S 03°07'47" E, 216.00 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 29, AS PREVIOUSLY SURVEYED AND MONUMENTED, S 87°15'19" W, 1114.10 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4, S 87°47'04" W, 97.81 FEET; THENCE ALONG THE NORTHEASTERLY LINE OF THE ANN ARBOR RAILROAD RIGHT-OF-WAY NORTHWEST ON AN ARC OF A CURVE TO THE RIGHT 124.74 FEET, RADIUS OF 4612.69 FEET, CENTRAL ANGLE 01°32'58", CHORD BEARING N 56°06'05" W, 124.74 FEET; THENCE N 03°55'55" E, 305.57 FEET; THENCE N 07°57'54" E, 50.53; THENCE N 14°19' 51" E, 92.74 FEET; THENCE N 09°07'48" W, 353.64 FEET; THENCE N 86°39'11" E, 94.57 FEET; THENCE S 71°53'59" E, 360.17 FEET; THENCE N 18°05'59" E, 316.41 FEET; THENCE N 86°10'33" E, 431.74 FEET; THENCE N 67°42'55" E, 347.08 FEET; THENCE N 69°43'33" E, 58.24 FEET TO THE POINT OF BEGINNING, CONTAINING 31.93 ACRES AND SUBJECT TO EASEMENTS OR RESTRICTIONS OF RECORD.

SURVEYOR



MONUMENT ENGINEERING GROUP ASSOCIATES, INC.
INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS
298 VETERANS DRIVE,
FOWLERVILLE, MI 48836
PHONE: 517-223-3512

DEVELOPER

CHESTNUT DEVELOPMENT
6253 GRAND RIVER AVE., SUITE 700
BRIGHTON, MI 48114

SHEET INDEX

SHEET 1 * COVER SHEET
SHEET 2 * SURVEY PLAN 1
SHEET 3 * SURVEY PLAN 2
SHEET 4 * SITE PLAN 1
SHEET 5 * SITE PLAN 2
SHEET 6 * UTILITY PLAN 1
SHEET 7 * UTILITY PLAN 2


NOTE

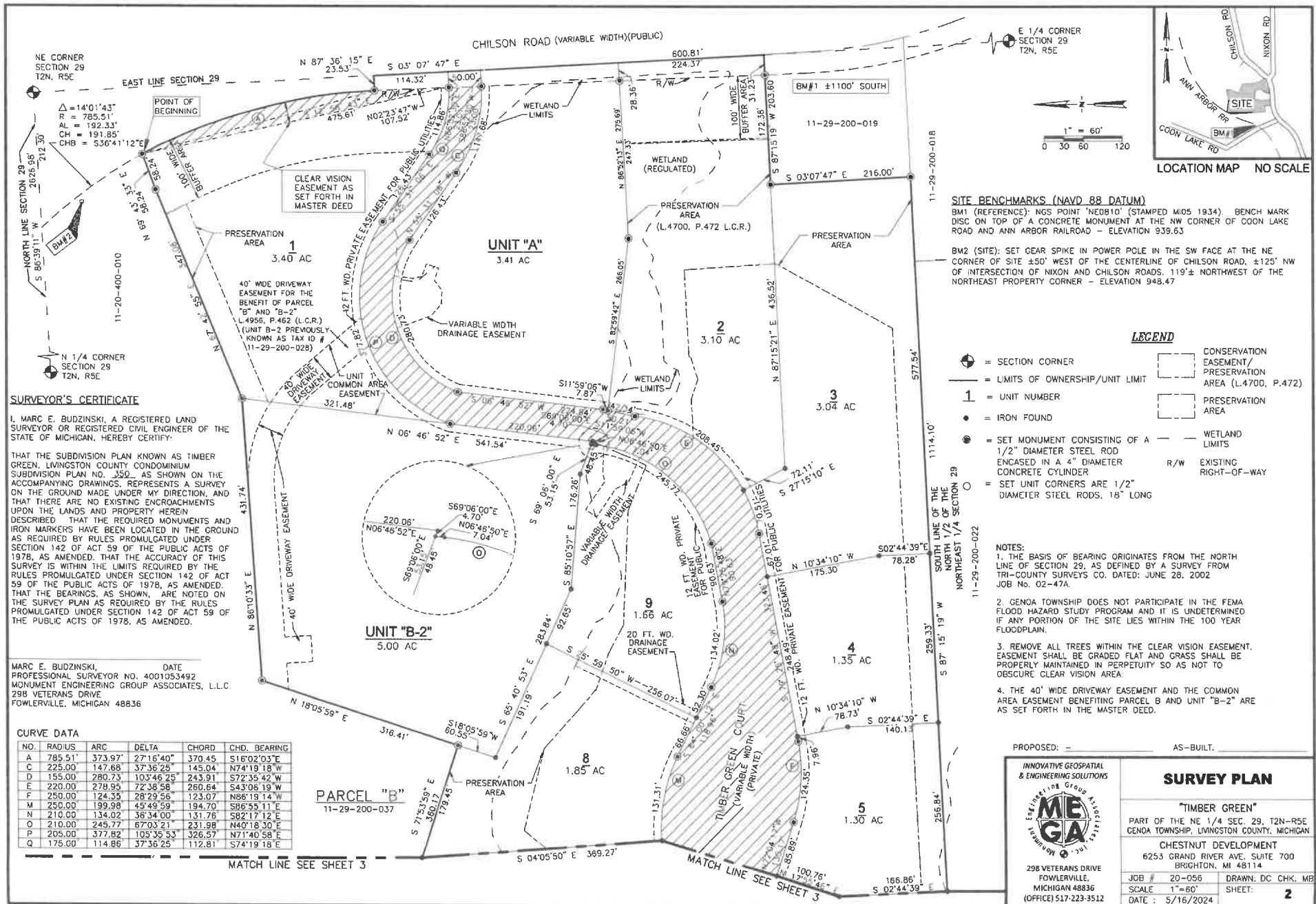
- THE ASTERISK (*) AS SHOWN IN THE DRAWING INDEX INDICATES AMENDED OR NEW DRAWINGS WHICH ARE REVISED, DATED: MAY 12, 2020. THESE DRAWINGS ARE TO REPLACE OR BE SUPPLEMENTAL TO THOSE PREVIOUSLY RECORDED.
- PURSUANT TO SECTION 559.410 OF THE CONDOMINIUM ACT OF 1978, THE AMENDING PROFESSIONAL FOR THIS REPLAT IS RESPONSIBLE ONLY FOR SUCH ITEMS INCLUDED IN THIS REPLAT AS AMENDED FROM LIVINGSTON COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 350 AS RECORDED IN DOCUMENT #2011R-002925 OF LIVINGSTON COUNTY RECORDS

NOTE: ATTENTION COUNTY REGISTER OF DEEDS

- THE CONDOMINIUM SUBDIVISION PLAN NUMBER MUST BE ASSIGNED IN CONSECUTIVE SEQUENCE. WHEN A NUMBER HAS BEEN ASSIGNED TO THIS PROJECT, IT MUST BE PROPERLY SHOWN IN THE TITLE, SHEET 1 AND THE SURVEYOR'S CERTIFICATE, SHEET 2.
- THIS CONDOMINIUM SUBDIVISION PLAN IS NOT REQUIRED TO CONTAIN DETAILED PROJECT DESIGN PLANS PREPARED BY THE APPROPRIATE LICENSED DESIGN PROFESSIONAL SUCH PROJECT DESIGN PLANS ARE FILED, AS PART OF THE CONSTRUCTION PERMIT APPLICATION, WITH THE ENFORCING AGENCY FOR THE STATE CONSTRUCTION CODE IN THE RELEVANT GOVERNMENTAL SUBDIVISION. THE ENFORCING AGENCY MAY BE LOCAL BUILDING DEPARTMENT OR THE STATE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PROPOSED: _____ AS-BUILT: _____

INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS  298 VETERANS DRIVE FOWLERVILLE, MICHIGAN 48836 (OFFICE) 517-223-3512	COVER
	"TIMBER GREEN" PART OF THE NE 1/4 SEC. 29, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CHESTNUT DEVELOPMENT 6253 GRAND RIVER AVE., SUITE 700 BRIGHTON, MI 48114 JOB # : 20-056 DRAWN: DC CHK: MB SCALE : N/A SHEET: DATE : 5/16/2024 1



SURVEYOR'S CERTIFICATE

I, MARC E. BUDZINSKI, A REGISTERED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER OF THE STATE OF MICHIGAN, HEREBY CERTIFY:

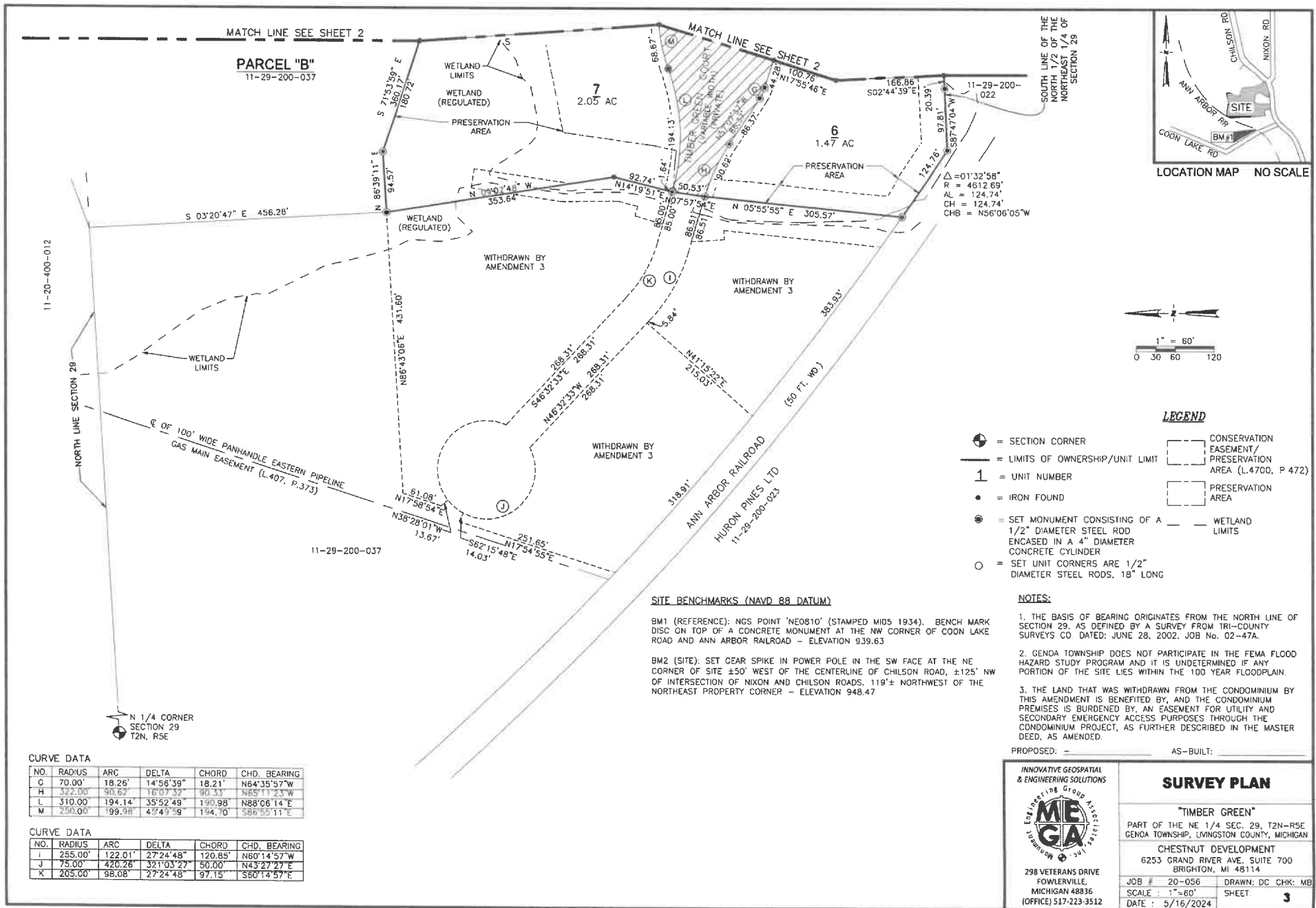
THAT THE SUBDIVISION PLAN KNOWN AS TIMBER GREEN, LIVINGSTON COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 350, AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION, AND THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND PROPERTY HEREIN DESCRIBED THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED, THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED, THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

MARC E. BUDZINSKI, DATE PROFESSIONAL SURVEYOR NO. 4001053492 MONUMENT ENGINEERING GROUP ASSOCIATES, L.L.C. 298 VETERANS DRIVE FOWLERVILLE, MICHIGAN 48836

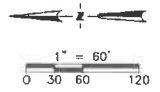
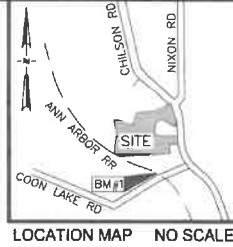
CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHD. BEARING
A	785.51'	373.97'	27°16'40"	370.45'	S16°02'03"E
C	225.00'	147.68'	37°36'25"	145.04'	N74°19'18"W
D	155.00'	280.73'	103°46'25"	243.91'	S72°35'42"W
E	220.00'	278.95'	72°38'58"	260.64'	S43°06'19"W
F	250.00'	124.35'	28°29'56"	123.07'	N56°19'14"W
M	250.00'	199.98'	43°49'59"	194.70'	S86°55'11"E
N	210.00'	134.02'	36°34'00"	131.76'	S82°17'12"E
O	210.00'	245.77'	67°03'21"	231.98'	N40°18'30"E
P	205.00'	377.82'	105°35'53"	326.57'	N71°40'58"E
Q	175.00'	114.86'	37°36'25"	112.81'	S74°19'18"E

FILE:Project\2020\20-056 Timber Green\Draw\18/20-056_L1_B-2_Survey.dwg PLOT DATE: 8/18/2024 9:32 AM



PARCEL "B"
11-29-200-037



- LEGEND**
- = SECTION CORNER
 - = LIMITS OF OWNERSHIP/UNIT LIMIT
 - = UNIT NUMBER
 - = IRON FOUND
 - = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER
 - = SET UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG
 - = CONSERVATION EASEMENT/PRESERVATION AREA (L.4700, P.472)
 - = PRESERVATION AREA
 - = WETLAND LIMITS

- NOTES:**
1. THE BASIS OF BEARING ORIGINATES FROM THE NORTH LINE OF SECTION 29, AS DEFINED BY A SURVEY FROM TRI-COUNTY SURVEYS CO DATED: JUNE 28, 2002. JOB No. 02-47A.
 2. GENOA TOWNSHIP DOES NOT PARTICIPATE IN THE FEMA FLOOD HAZARD STUDY PROGRAM AND IT IS UNDETERMINED IF ANY PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOODPLAIN.
 3. THE LAND THAT WAS WITHDRAWN BY THE CONDOMINIUM BY THIS AMENDMENT IS BENEFITED BY, AND THE CONDOMINIUM PREMISES IS BURDENED BY, AN EASEMENT FOR UTILITY AND SECONDARY EMERGENCY ACCESS PURPOSES THROUGH THE CONDOMINIUM PROJECT, AS FURTHER DESCRIBED IN THE MASTER DEED, AS AMENDED.

PROPOSED: _____ AS-BUILT: _____

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHD. BEARING
G	70.00'	18.26'	14°56'39"	18.21'	N64°35'57"W
H	322.00'	90.62'	16°07'32"	90.53'	N85°11'23"W
L	310.00'	194.14'	35°52'48"	190.98'	N88°06'14"E
M	250.00'	199.98'	47°47'09"	194.70'	S86°55'11"E

CURVE DATA

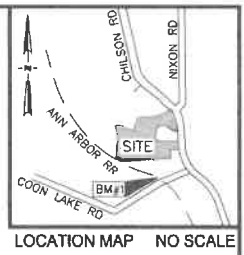
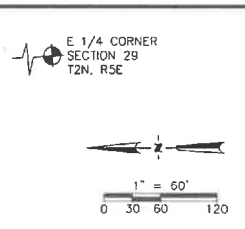
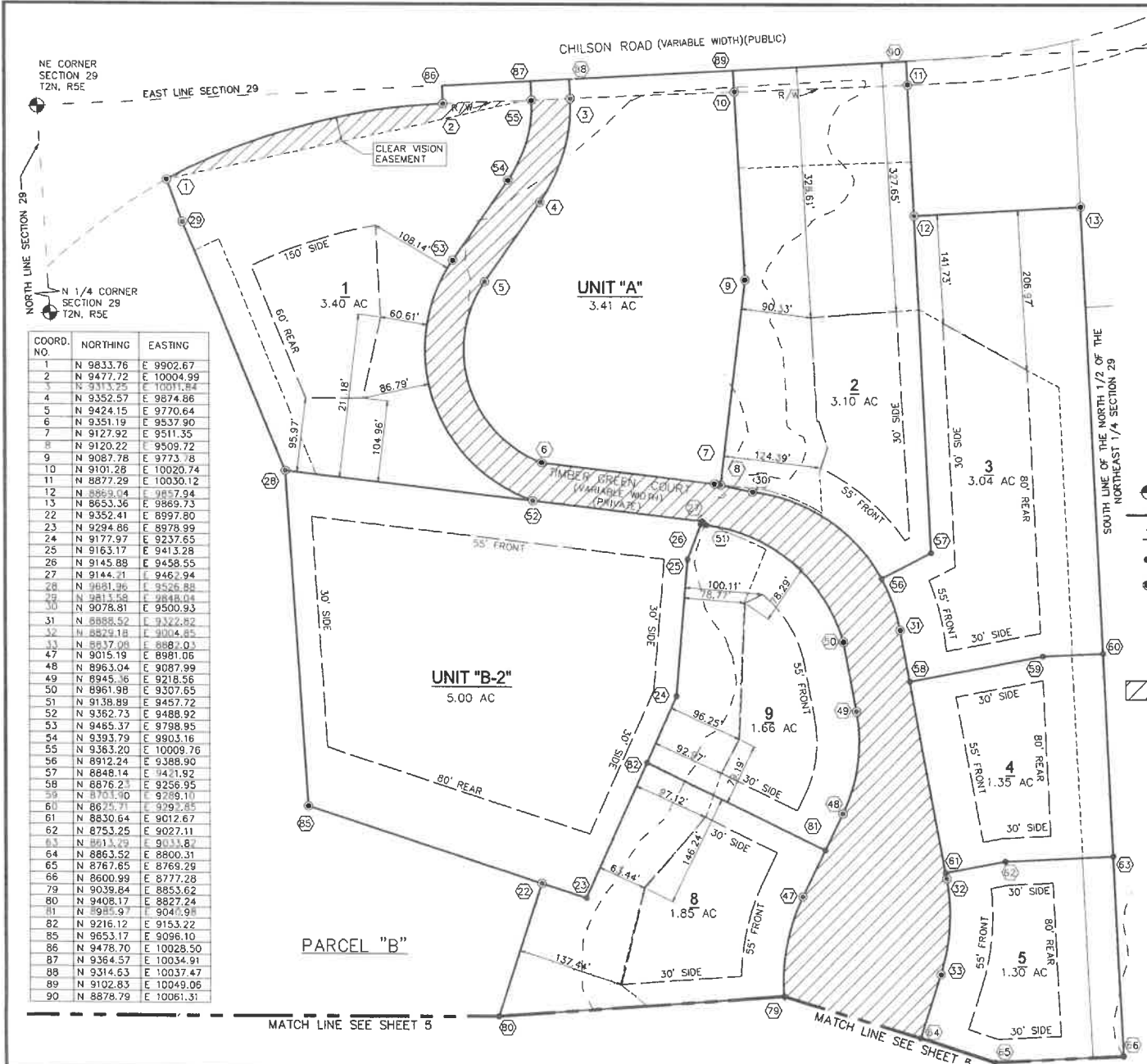
NO.	RADIUS	ARC	DELTA	CHORD	CHD. BEARING
I	255.00'	122.01'	27°24'48"	120.85'	N60°14'57"W
J	75.00'	420.26'	32°03'27"	50.00'	N43°27'27"E
X	205.00'	98.08'	27°24'48"	97.15'	S80°14'57"E

SITE BENCHMARKS (NAVD 88 DATUM)

BM1 (REFERENCE): NGS POINT 'NE0810' (STAMPED M05 1934). BENCH MARK DISC ON TOP OF A CONCRETE MONUMENT AT THE NW CORNER OF COON LAKE ROAD AND ANN ARBOR RAILROAD - ELEVATION 939.63

BM2 (SITE): SET GEAR SPIKE IN POWER POLE IN THE SW FACE AT THE NE CORNER OF SITE ±50' WEST OF THE CENTERLINE OF CHILSON ROAD, ±125' NW OF INTERSECTION OF NIXON AND CHILSON ROADS. 119'± NORTHWEST OF THE NORTHEAST PROPERTY CORNER - ELEVATION 948.47

 MEGA ENGINEERING GROUP 298 VETERANS DRIVE FOWLERVILLE, MICHIGAN 48836 (OFFICE) 517-223-3512	INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS
	SURVEY PLAN "TIMBER GREEN" PART OF THE NE 1/4 SEC. 29, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CHESTNUT DEVELOPMENT 6253 GRAND RIVER AVE, SUITE 700 BRIGHTON, MI 48114
JOB # 20-056 SCALE: 1"=60' DATE: 5/16/2024	DRAWN: DC CHK: MB SHEET: 3



COORD. NO.	NORTHING	EASTING
1	N 9833.76	E 9902.67
2	N 9477.72	E 10004.99
3	N 9313.25	E 10011.84
4	N 9352.57	E 9874.86
5	N 9424.15	E 9770.64
6	N 9351.19	E 9537.90
7	N 9127.92	E 9511.35
8	N 9120.22	E 9509.72
9	N 9087.78	E 9773.78
10	N 9101.28	E 10020.74
11	N 8877.29	E 10030.12
12	N 8869.04	E 9857.94
13	N 8653.36	E 9869.73
22	N 9352.41	E 8997.80
23	N 9294.86	E 8978.99
24	N 9177.97	E 9237.65
25	N 9163.17	E 9413.28
26	N 9145.89	E 9458.55
27	N 9144.71	E 9462.94
28	N 9081.96	E 9352.88
29	N 9011.58	E 9848.04
30	N 9078.81	E 9500.93
31	N 8888.52	E 9222.82
32	N 8829.18	E 9004.85
33	N 8637.08	E 8887.03
47	N 9015.19	E 8981.06
48	N 8963.04	E 9087.99
49	N 8945.16	E 9218.56
50	N 8961.98	E 9307.65
51	N 9138.89	E 9457.72
52	N 9362.73	E 9488.92
53	N 9465.37	E 9798.95
54	N 9393.79	E 9903.16
55	N 9363.20	E 10009.76
56	N 8912.24	E 9388.90
57	N 8848.14	E 9421.92
58	N 8876.23	E 9256.95
59	N 8701.90	E 9289.10
60	N 8625.71	E 9292.85
61	N 8830.64	E 9012.67
62	N 8753.25	E 9027.11
63	N 8613.29	E 9033.87
64	N 8863.52	E 8800.31
65	N 8767.85	E 8769.29
66	N 8600.99	E 8777.28
79	N 9039.84	E 8853.62
80	N 9408.17	E 8827.24
81	N 9191.97	E 9041.98
82	N 9216.12	E 9153.22
85	N 9653.17	E 9096.10
86	N 9478.70	E 10028.50
87	N 9364.57	E 10034.91
88	N 9314.63	E 10037.47
89	N 9102.83	E 10049.05
90	N 8878.79	E 10061.31

- LEGEND**
- = SECTION CORNER
 - = LIMITS OF OWNERSHIP/UNIT LIMIT
 - 1 = UNIT NUMBER
 - = IRON FOUND
 - = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER (ALL UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG)
 - ▨ = GENERAL COMMON ELEMENTS
 - ▭ = CONSERVATION EASEMENT/PRESERVATION AREA
 - ▭ = PRESERVATION AREA
 - = BUILDING SETBACK
 - Ⓣ = COORDINATE POINT
 - = WETLAND LIMITS

- NOTES:**
- RESTRICTED PRESERVATION AREAS INCLUDE ALL AREAS NOT DESIGNATED AS PRESERVATION AREAS, GENERAL COMMON ELEMENTS OR BUILDING ENVELOPES.
 - ALL UNITS AND COMMON ELEMENTS ARE CONVERTIBLE AREAS PURSUANT TO ARTICLE VII OF THE MASTER DEED.
 - REMOVE ALL TREES WITHIN THE CLEAR VISION EASEMENT. EASEMENT SHALL BE GRADED FLAT AND GRASS SHALL BE PROPERLY MAINTAINED IN PERPETUITY SO AS NOT TO OBSCURE CLEAR VISION AREA.

PROPOSED: — AS-BUILT.

INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS

MEGA ENGINEERING GROUP

SITE PLAN

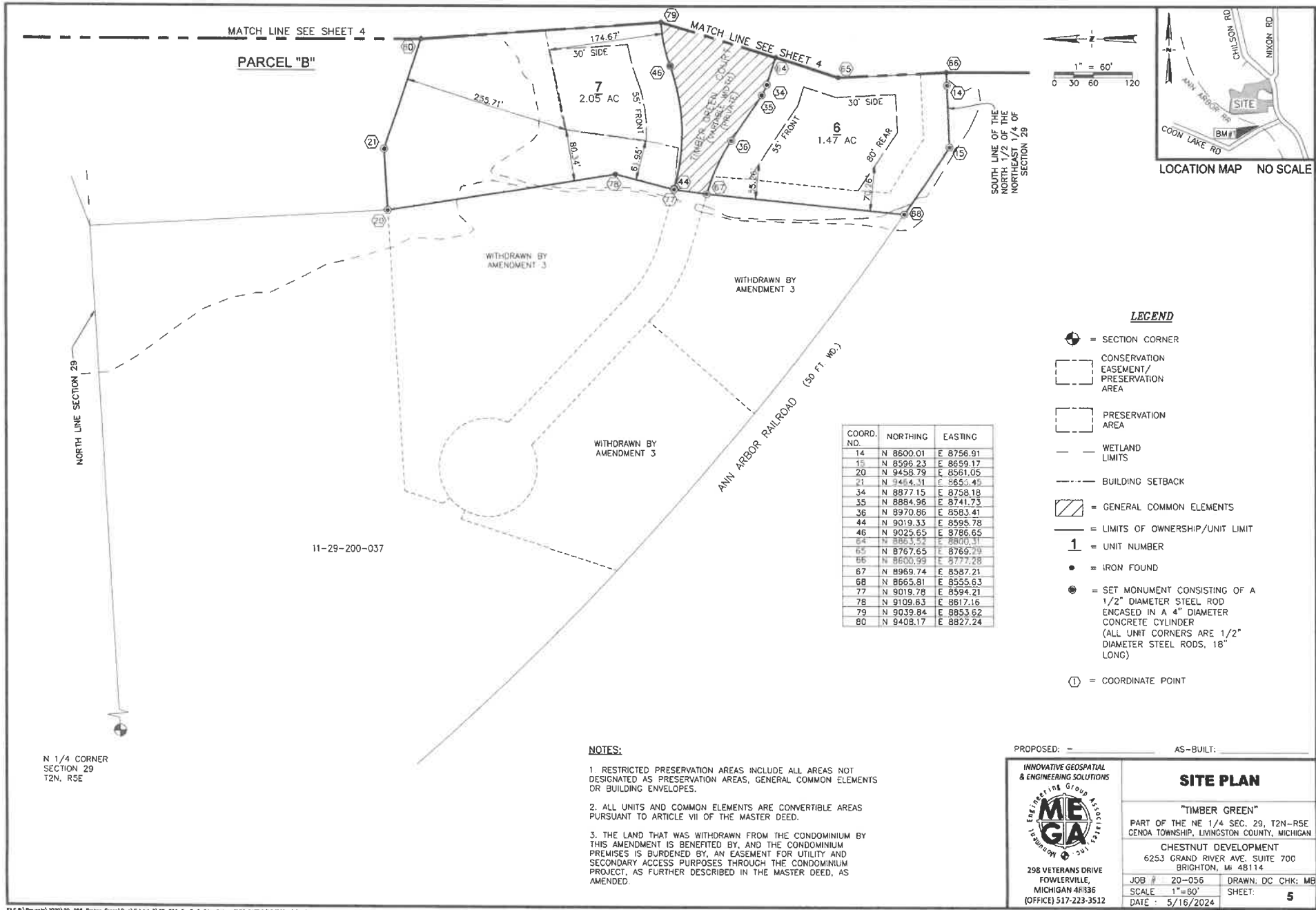
"TIMBER GREEN"
PART OF THE NE 1/4 SEC. 29, T2N-R5E
GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

CHESTNUT DEVELOPMENT
6253 GRAND RIVER AVE., SUITE 700
BRIGHTON, MI 48114

298 VETERANS DRIVE
FOWLERVILLE,
MICHIGAN 48836
(OFFICE) 517-223-3512

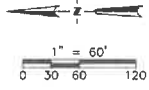
JOB #: 20-056
SCALE: 1"=60'
DATE: 5/16/2024

DRAWN: DC CHK: MB
SHEET: 4



MATCH LINE SEE SHEET 4

PARCEL "B"



LOCATION MAP NO SCALE

WITHDRAWN BY AMENDMENT 3

WITHDRAWN BY AMENDMENT 3

WITHDRAWN BY AMENDMENT 3

ANN ARBOR RAILROAD (50 FT. RD.)

SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 29

NORTH LINE SECTION 29

11-29-200-037

N 1/4 CORNER SECTION 29 T2N, R5E

LEGEND

- = SECTION CORNER
- = CONSERVATION EASEMENT/PRESERVATION AREA
- = PRESERVATION AREA
- = WETLAND LIMITS
- = BUILDING SETBACK
- = GENERAL COMMON ELEMENTS
- = LIMITS OF OWNERSHIP/UNIT LIMIT
- 1** = UNIT NUMBER
- = IRON FOUND
- = SET MONUMENT CONSISTING OF A 1/2" DIAMETER STEEL ROD ENCASED IN A 4" DIAMETER CONCRETE CYLINDER (ALL UNIT CORNERS ARE 1/2" DIAMETER STEEL RODS, 18" LONG)
- = COORDINATE POINT

COORD. NO.	NORTHING	EASTING
14	N 8600.01	E 8756.91
15	N 8596.23	E 8659.17
20	N 9458.79	E 8561.05
21	N 9444.31	E 8653.45
34	N 8877.15	E 8758.18
35	N 8884.96	E 8741.73
36	N 8970.86	E 8583.41
44	N 9019.33	E 8595.78
46	N 9025.65	E 8786.65
64	N 8593.54	E 8600.31
65	N 8767.65	E 8769.79
66	N 8600.99	E 8777.28
67	N 8969.74	E 8587.21
68	N 8665.81	E 8555.63
77	N 9019.78	E 8594.21
78	N 9109.63	E 8617.16
79	N 9039.84	E 8853.62
80	N 9408.17	E 8827.24

NOTES:

1. RESTRICTED PRESERVATION AREAS INCLUDE ALL AREAS NOT DESIGNATED AS PRESERVATION AREAS, GENERAL COMMON ELEMENTS OR BUILDING ENVELOPES.
2. ALL UNITS AND COMMON ELEMENTS ARE CONVERTIBLE AREAS PURSUANT TO ARTICLE VII OF THE MASTER DEED.
3. THE LAND THAT WAS WITHDRAWN FROM THE CONDOMINIUM BY THIS AMENDMENT IS BENEFITED BY, AND THE CONDOMINIUM PREMISES IS BURDENED BY, AN EASEMENT FOR UTILITY AND SECONDARY ACCESS PURPOSES THROUGH THE CONDOMINIUM PROJECT, AS FURTHER DESCRIBED IN THE MASTER DEED, AS AMENDED.

PROPOSED: _____ AS-BUILT: _____

INNOVATIVE GEOSPATIAL & ENGINEERING SOLUTIONS

298 VETERANS DRIVE
FOWLERVILLE,
MICHIGAN 48335
(OFFICE) 517-223-3512

SITE PLAN

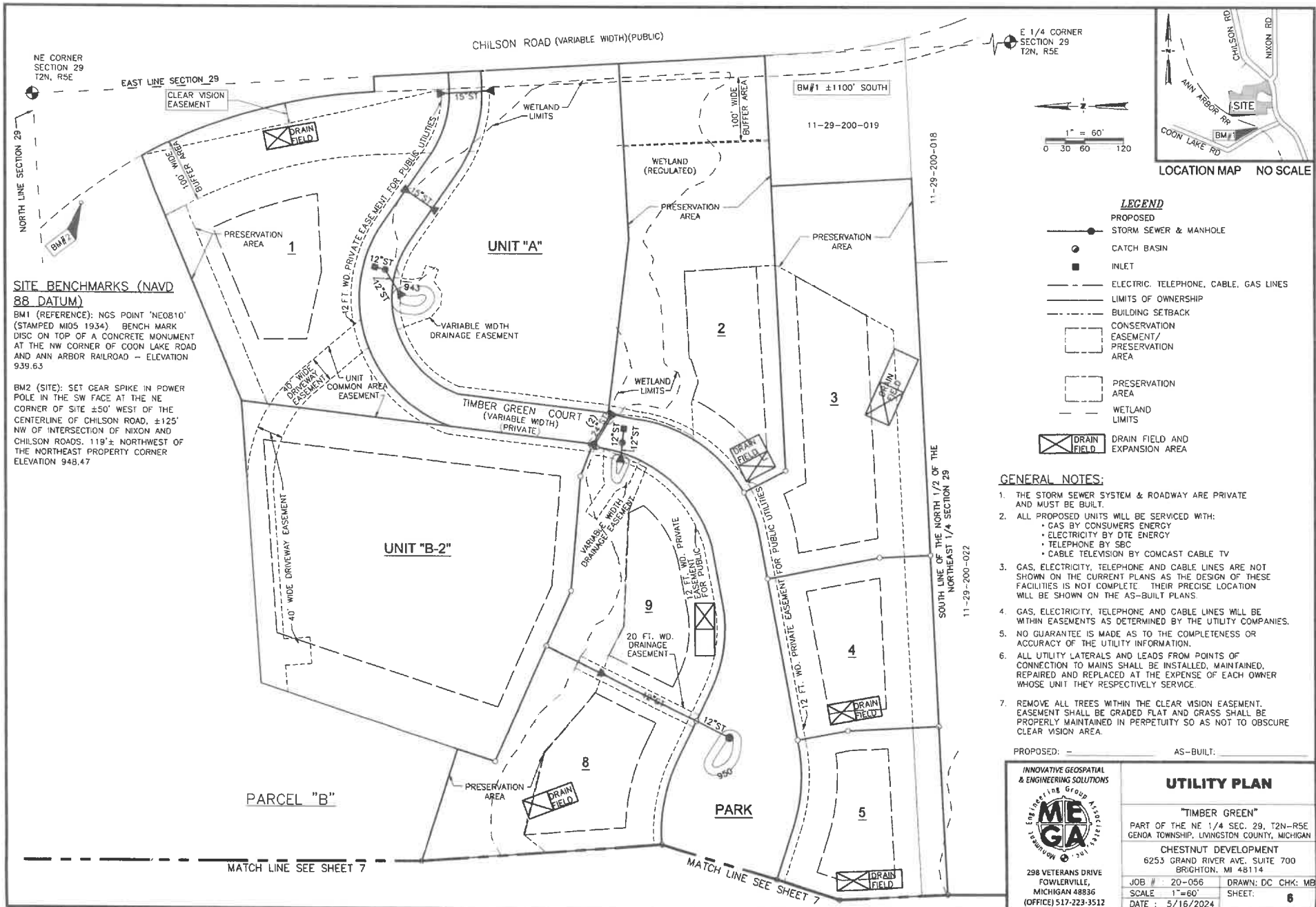
"TIMBER GREEN"

PART OF THE NE 1/4 SEC. 29, T2N-R5E
CENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

CHESTNUT DEVELOPMENT
6253 GRAND RIVER AVE. SUITE 700
BRIGHTON, MI 48114

JOB # 20-056	DRAWN: DC CHK: MB
SCALE 1"=60'	SHEET: 5
DATE: 5/16/2024	

FILE P:\Projects\2020\20-056 Timber Green\Del\Sheet 8\20-056_C1_8-5_S4s-2.dwg PLOT DATE: 6/18/2024 9:32 AM



NE CORNER SECTION 29 T2N, R5E

EAST LINE SECTION 29

CHILSON ROAD (VARIABLE WIDTH)(PUBLIC)

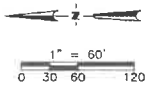
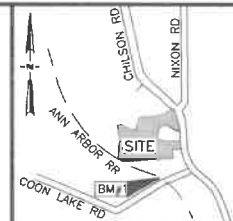
E 1/4 CORNER SECTION 29 T2N, R5E

NORTH LINE SECTION 29

SITE BENCHMARKS (NAVD 88 DATUM)

BM1 (REFERENCE): NGS POINT 'NE0810' (STAMPED MD05 1934) BENCH MARK DISC ON TOP OF A CONCRETE MONUMENT AT THE NW CORNER OF COON LAKE ROAD AND ANN ARBOR RAILROAD - ELEVATION 939.63

BM2 (SITE): SET GEAR SPIKE IN POWER POLE IN THE SW FACE AT THE NE CORNER OF SITE ±50' WEST OF THE CENTERLINE OF CHILSON ROAD, ±125' NW OF INTERSECTION OF NIXON AND CHILSON ROADS. 119'± NORTHWEST OF THE NORTHEAST PROPERTY CORNER ELEVATION 948.47



- LEGEND**
- PROPOSED STORM SEWER & MANHOLE
 - CATCH BASIN
 - INLET
 - ELECTRIC, TELEPHONE, CABLE, GAS LINES
 - - - LIMITS OF OWNERSHIP
 - - - BUILDING SETBACK
 - - - CONSERVATION EASEMENT/PRESERVATION AREA
 - - - PRESERVATION AREA
 - - - WETLAND LIMITS
 - ⊠ DRAIN FIELD

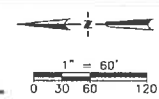
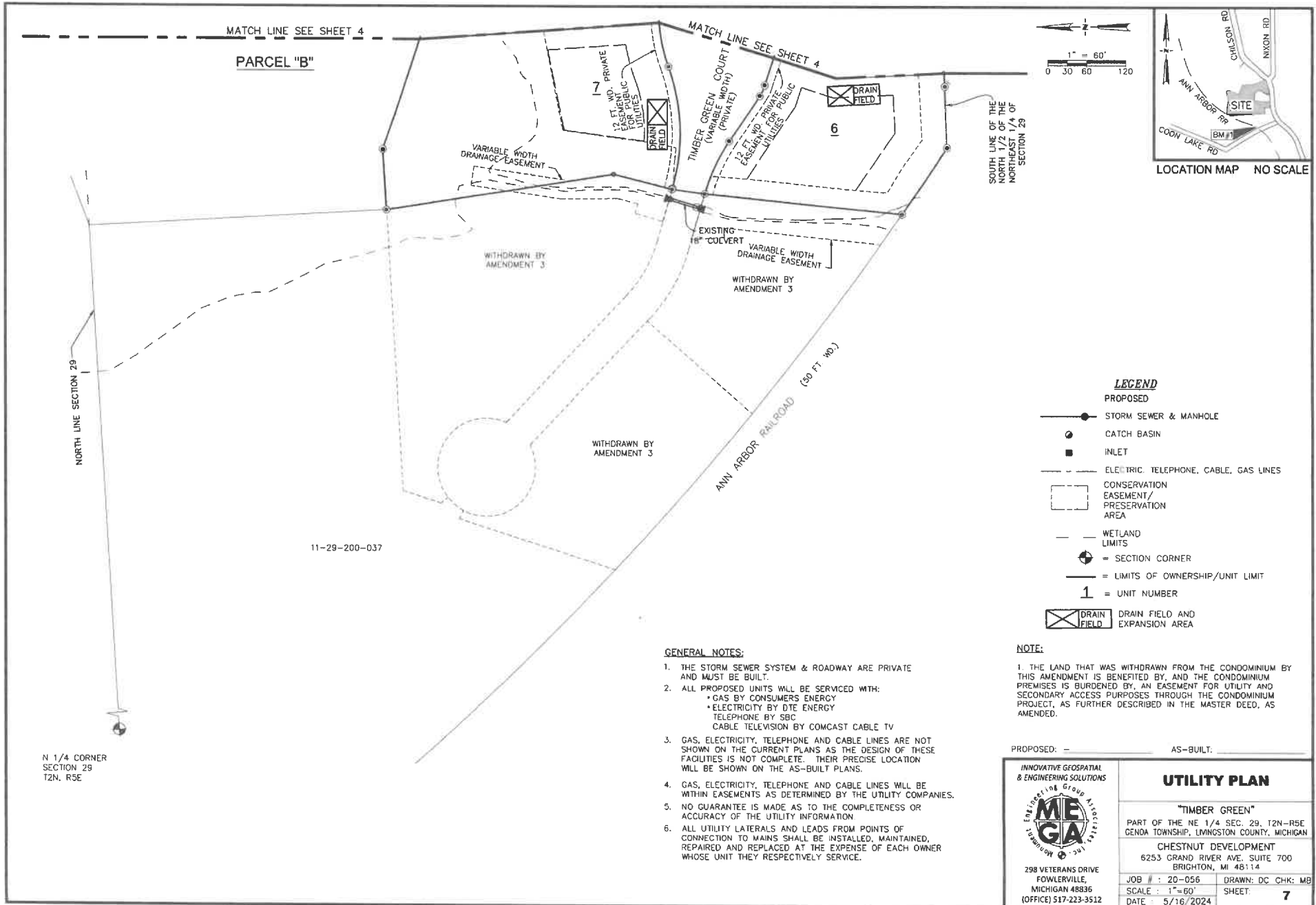
GENERAL NOTES:

1. THE STORM SEWER SYSTEM & ROADWAY ARE PRIVATE AND MUST BE BUILT.
2. ALL PROPOSED UNITS WILL BE SERVICED WITH:
 - GAS BY CONSUMERS ENERGY
 - ELECTRICITY BY DTE ENERGY
 - TELEPHONE BY SEC
 - CABLE TELEVISION BY COMCAST CABLE TV
3. GAS, ELECTRICITY, TELEPHONE AND CABLE LINES ARE NOT SHOWN ON THE CURRENT PLANS AS THE DESIGN OF THESE FACILITIES IS NOT COMPLETE. THEIR PRECISE LOCATION WILL BE SHOWN ON THE AS-BUILT PLANS.
4. GAS, ELECTRICITY, TELEPHONE AND CABLE LINES WILL BE WITHIN EASEMENTS AS DETERMINED BY THE UTILITY COMPANIES.
5. NO GUARANTEE IS MADE AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITY INFORMATION.
6. ALL UTILITY LATERALS AND LEADS FROM POINTS OF CONNECTION TO MAINS SHALL BE INSTALLED, MAINTAINED, REPAIRED AND REPLACED AT THE EXPENSE OF EACH OWNER WHOSE UNIT THEY RESPECTIVELY SERVE.
7. REMOVE ALL TREES WITHIN THE CLEAR VISION EASEMENT. EASEMENT SHALL BE GRADED FLAT AND GRASS SHALL BE PROPERLY MAINTAINED IN PERPETUITY SO AS NOT TO OBSCURE CLEAR VISION AREA.

PROPOSED: — AS-BUILT: —

<p>298 VETERANS DRIVE FOWLERVILLE, MICHIGAN 48836 (OFFICE) 517-223-3512</p>	UTILITY PLAN	
	<p>"TIMBER GREEN" PART OF THE NE 1/4 SEC. 29, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN</p> <p>CHESTNUT DEVELOPMENT 6253 GRAND RIVER AVE, SUITE 700 BRIGHTON, MI 48114</p>	
JOB # 20-056	SCALE 1"=60'	DATE 5/16/2024
DRAWN: DC	CHK: MB	SHEET 6

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- LEGEND**
- PROPOSED**
- STORM SEWER & MANHOLE
 - CATCH BASIN
 - INLET
 - - - - - ELECTRIC, TELEPHONE, CABLE, GAS LINES
 - CONSERVATION EASEMENT/PRESERVATION AREA
 - - - - - WETLAND LIMITS
 - ⊕ = SECTION CORNER
 - = LIMITS OF OWNERSHIP/UNIT LIMIT
 - 1 = UNIT NUMBER
 - ⊠ DRAIN FIELD DRAIN FIELD AND EXPANSION AREA

- GENERAL NOTES:**
- THE STORM SEWER SYSTEM & ROADWAY ARE PRIVATE AND MUST BE BUILT.
 - ALL PROPOSED UNITS WILL BE SERVICED WITH:
 - GAS BY CONSUMERS ENERGY
 - ELECTRICITY BY DTE ENERGY
 - TELEPHONE BY SBC
 - CABLE TELEVISION BY COMCAST CABLE TV
 - GAS, ELECTRICITY, TELEPHONE AND CABLE LINES ARE NOT SHOWN ON THE CURRENT PLANS AS THE DESIGN OF THESE FACILITIES IS NOT COMPLETE. THEIR PRECISE LOCATION WILL BE SHOWN ON THE AS-BUILT PLANS.
 - GAS, ELECTRICITY, TELEPHONE AND CABLE LINES WILL BE WITHIN EASEMENTS AS DETERMINED BY THE UTILITY COMPANIES.
 - NO GUARANTEE IS MADE AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITY INFORMATION.
 - ALL UTILITY LATERALS AND LEADS FROM POINTS OF CONNECTION TO MAINS SHALL BE INSTALLED, MAINTAINED, REPAIRED AND REPLACED AT THE EXPENSE OF EACH OWNER WHOSE UNIT THEY RESPECTIVELY SERVICE.

NOTE:

1. THE LAND THAT WAS WITHDRAWN FROM THE CONDOMINIUM BY THIS AMENDMENT IS BENEFITED BY, AND THE CONDOMINIUM PREMISES IS BURDENED BY, AN EASEMENT FOR UTILITY AND SECONDARY ACCESS PURPOSES THROUGH THE CONDOMINIUM PROJECT, AS FURTHER DESCRIBED IN THE MASTER DEED, AS AMENDED.

PROPOSED: — AS-BUILT: —

	UTILITY PLAN	
	"TIMBER GREEN" PART OF THE NE 1/4 SEC. 29, T2N-R5E GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CHESTNUT DEVELOPMENT 6253 GRAND RIVER AVE, SUITE 700 BRIGHTON, MI 48114	
JOB # : 20-056	DRAWN: DC CHK: MB	
SCALE : 1"=60'	SHEET: 7	
DATE : 5/16/2024		

**ARTICLE 16
SIGN STANDARDS**

Sec. 16.01 STATEMENT OF PURPOSE

The purpose of this article is to regulate signs and outdoor advertising within Genoa Township to protect public safety, health and welfare; minimize abundance and size of signs to reduce motorist distraction and loss of sight distance; promote public convenience; preserve property values; support and complement objectives of the Township Master Plan and this Zoning Ordinance; and enhance the aesthetic appearance within the Township. The standards contained herein are intended to be content neutral. These objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination and other aspects of signs in the Township in order to:

- 16.01.01 Recognize that the proliferation of signs is unduly distracting to motorists and pedestrians, creates a traffic hazard, and reduces the effectiveness of signs needed to direct and warn the public. Too many signs can overwhelm the senses, impair sightlines and vistas, create confusion, reduce desired uniform traffic flow, create potential for accidents, affect the tranquility of residential areas, impair aesthetics and degrade the quality of a community. (as amended 11/02/20)
- 16.01.02 Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- 16.01.03 Eliminate potential conflicts with traffic control signs, which could create confusion and hazardous consequences. (as amended 11/02/20)
- 16.01.04 Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
- 16.01.05 Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- 16.01.06 Protect the public right to receive messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution. (as amended 11/02/20)
- 16.01.07 Protect the individual user's rights to convey a message balanced against the public's right to be free of signs which unreasonably compete with one another, distract drivers and pedestrians, and create safety concerns and confusion. This ordinance is intended to balance the individual user's desire to attract attention with the citizen's right to be free of unreasonable distractions. (as amended 11/02/20)
- 16.01.08 Prevent signs which unduly distract motorists and residents because of the periodic changing of the message on such signs pose a greater risk to the Township's interest in traffic safety and aesthetics. (as amended 11/02/20)
- 16.01.09 Maintain and improve the image of the Township by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- 16.01.10 Prohibit portable signs in recognition of their significant negative impact on traffic safety and community aesthetics. (as amended 11/02/08)

16.01.11 Regulate the light emitted by signs to protect the Township's natural, existing, and desired dark skies. (as amended 11/02/20)

Sec. 16.02 **DEFINITIONS**

16.02.01 **Awning Sign:** a sign that is mounted, painted, or otherwise applied on or attached to an awning or other fabric, plastic, or protective cover that projects no more than six (6) feet over a door, entrance, or window of a building that is wholly supported by the building to which it is attached. A canopy is not an awning. (as amended 11/02/20)

16.02.02 **Business center:** a grouping of two or more establishments on one or more parcels of property which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of establishments. A business center shall be considered one use for the purposes of determining the maximum number of monument signs. A vehicle dealership shall be considered a business center regardless of the number or type of models or makes available, however, used vehicle sales shall be considered a separate use in determining the maximum number of signs, provided that the used sales section of the lot includes at least twenty-five percent (25%) of the available sales area. (as amended 11/02/20)

16.02.03 **Banner:** a temporary sign made of fabric, plastic or other non-rigid material sign without enclosing structural framework. (as amended 11/02/20)

16.02.04 **Establishment affiliation signs:** signs not exceeding a total of two (2) square feet per establishment indicating acceptance of credit cards or describing affiliations and are attached to a permitted sign, exterior wall, building entrance or window. (as amended 11/02/20)

16.02.05 **Canopy sign:** a wall sign that is mounted, painted, attached to or otherwise applied on the roof, fascia, soffit or ceiling of a rigid metal or similar structural protective cover which is permanently attached to and projects from the building. Awnings and shelters above a fuel service island are not a canopy. (as amended 11/02/20)

16.02.06 **Changeable message sign, manual:** a reader board attached to a sign or the exterior of a wall where copy is changed manually.

16.02.07 **Directional sign:** a sign that which assists motorists in determining the flow of pedestrian or vehicular traffic such as enter, exit, crosswalk and one-way signs. (as amended 11/02/20)

16.02.08 **Electronic Message Sign (EMS):** a sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays. (as amended 11/02/20)

16.02.09 **Gas station pump island signs:** A sign affixed to or mounted on a fuel pump. (as amended 11/02/20)

16.02.10 **Menu board:** a sign located at a drive-through food service order lane. (as amended 12/17/10)

- 16.02.11 **Incidental/Informational sign:** a permanent sign which is incidental, accessory and subordinate to a permitted use which is located upon the building site on which said sign is erected or maintained and is intended to provide only noncommercial, site-specific pedestrian, environmental, educational or interpretive information. Examples include but are not limited to a building entrance/exit sign, open/closed sign, days/hours of operation sign, restroom sign, establishment affiliation signs, trail marker, educational plaques -and gas station pump island signs. (as amended 11/02/20 and)
- 16.02.12 **Monument sign:** a three-dimensional, self-supporting, solid base-mounted freestanding sign placed in the ground surface such that the entire bottom of the sign is affixed to the ground and is not supported by poles, columns or uprights, consisting of sides extending up from the base, and upon which a message, business, establishment, group of businesses or center name is affixed. (as amended 11/02/20)
- 16.02.13 **Moving Sign:** a sign in which the sign itself or any portion of the sign moves or revolves. A “rotating sign” is a type of moving sign. Such motion does not refer to the method of changing the message on the sign.
- 16.02.14 **Nit:** a unit of illuminative brightness equal to one (1) candela per square meter (cd/m²), measured perpendicular to the rays of the source. (as amended 12/17/10)
- 16.02.15 **Parking lot signs:** A sign which is typically a pole sign and regulates vehicle traffic within a permitted parking lot and includes information of a general directive or informational nature such as no parking, handicapped parking, and loading area. (as amended 11/02/20 and)
- 16.02.16 **Pole sign:** a sign supported on the ground by a pole or poles, the sole purpose of which pole or poles is to hold the sign. (as amended 11/02/20)
- 16.02.17 **Portable sign:** a freestanding sign designed to be moved from place to place, whether or not it is permanently attached to the ground or structure. This includes hot-air and gas filled balloons, pennants, streamers, festoons, ribbons, tinsel, pinwheels, flags and searchlights. (as amended 11/02/20)
- 16.02.18 **Projecting sign:** a sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than twelve (12) inches beyond such building or wall.
- 16.02.19 **Roof sign:** a sign that is located above the top of the wall of a flat roof building, above the eave on a pitched roof building or above the deck line of a mansard roofed building.
- 16.02.20 **Sign:** any device, structure, fixture, figure, banner, pennant, flag, balloon, poster, handbill, flyer, painting, streamer, placard, or similar object consisting of written copy, symbols, logos and/or graphics, designed for the purpose of identifying or bringing attention to an establishment, product, goods, services or other message to the general public. This definition of sign shall not include:
- (a) Legal notices, including but not limited to signs required for proposed zoning changes or variance requests.
 - (b) Decorative displays in connection with a recognized holiday, provided that the display doesn’t exceed 75 days.

(c) Signs required by law (e.g. fire, traffic code).

(d) Flags of any country, state, municipality, university, college or school.
(as amended 11/02/20)

16.02.21 **Temporary sign:** A sign that refers to an occurrence, happening, activity or series of activities, specific to an identifiable time and place or appears to be intended to be displayed for a limited period of time which is not intended to be lasting and is not constructed from an enduring material such as masonry and metal which remains unchanged in position, character, and condition (beyond normal wear), and is not permanently affixed to the ground, wall or building. Examples include but are not limited to posters, banners, a-frame/sandwich board and corrugated plastic/yard type signs. (as amended 11/02/20)

16.02.22 **Vehicle Sign:** A sign consisting of written copy, symbols, logos and/or graphics measuring more than ten (10) square feet in size attached to, mounted, pasted, painted, or drawn on any vehicle, whether motorized or drawn, that is placed, parked, or maintained on a parcel and is visible from the public right of way. (as amended 11/02/20)

16.02.23 **Wall sign:** a sign attached parallel to and extending not more than twelve (12) inches from the wall of the building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof shall be considered wall signs.

16.02.24 **Window sign:** signs which are affixed to an inside surface of a window or are positioned within two (2) feet of the inside of a window so that they are visible from the outside. (as amended 11/02/20)

Sec. 16.03 **APPLICATION OF STANDARDS**

16.03.01 **Requirement for Permit.** Except as expressly provided herein, it is unlawful for any person to erect, re-erect, alter or relocate any sign without obtaining a permit from the Zoning Administrator and paying the applicable permit fee. (as amended 11/02/20)

16.03.02 **Exempt Signs.** The following signs are specifically exempt from obtaining a sign permit but shall be required to comply with all other requirements of this ordinance:

(a) **Historical marker:** plaques or signs describing state or national designation as an historic site or structure and/or containing narrative, not exceeding twelve (12) square feet in area.

(b) **Integral signs:** names of buildings, dates of erection, monumental citations, commemorative tablets when carved into stone, concrete or similar material or made of bronze, aluminum or other noncombustible material and made an integral part of the structure and not exceeding twenty-five (25) square feet in area.

(c) **Parking lot signs:** A sign which regulates vehicle traffic within a permitted parking lot and includes information of a general directive or informational nature such as no parking, handicapped parking, and loading area; and does not exceed a maximum of six (6) feet in height and four (4) square feet in area. (as amended 11/02/20)

(d) **Regulatory, directional and street signs:** erected and maintained by a public agency with the purpose of directing, managing or regulating traffic in compliance with Michigan Manual of Uniform Traffic Control Devices Manual. Such signs include, but are not

limited to, street signs, traffic signals, traffic safety signs, speed limit signs, Township gateway/entry signs, neighborhood identification signs and directional signs. Regulatory, directional and street signs shall be allowed within the public street right-of-way provided such signs are not placed in a manner that obstructs visibility. (as amended 3/5/10 and 11/02/20)

- (e) **Street address signs (street numbers).** Street address signs shall be allowed within the public street right-of-way provided such signs are not placed in a manner that obstructs visibility. (as amended 3/5/10 and 11/02/20)
- (f) **Temporary signs:** Temporary signs shall be allowed subject to the following:
 - (1) All temporary signs shall be setback a minimum of ten (10) feet from the back of curb for curbed roadways and ten (10) feet from the edge or gravel or gravel shoulder for uncurbed or gravel roadways;
 - (2) Temporary signs shall not be located within the twenty-five (25) feet clear vision area as provided in Section 16.06.03(b);
 - (3) Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured;
 - (4) Temporary signs shall not be illuminated.
 - (5) All temporary signs must be made of durable water resistant materials and shall be well maintained. Frayed, torn, broken or illegible signs will be deemed unmaintained and required to be removed.
 - (6) The dimensional standards and regulations applicable to temporary signs are as follows:

Within Agricultural Districts, Residential Districts, RPUD, Residential in MUPUD and Neighborhood Street Frontage in TCOD:				
Type	Number	Area	Height	Duration
Temporary Sign(s)	Not more than five (5) per lot provided there is a minimum separation distance of ten (10) feet between any other temporary sign.	6 sq. ft.	4 ft.	No more than 45 consecutive days.
Extra Temp. Sign(s)	Not more than two (2) per lot provided there is a minimum separation distance of ten (10) feet between any other temporary sign.	32 sq. ft.	6 ft.	No more than 45 consecutive days.

Within Nonresidential Districts, NRPUD, RDPUD, ICPUD, CAPUD, Nonresidential in MUPUD and Grand River, Dorr Road, and Town Center Street Frontage in TCOB:				
Type	Number	Area	Height	Duration
Temporary Sign(s)	One (1) sign per lot with one (1) additional sign allowed for each one-hundred (100) linear feet of frontage in excess of the minimum lot width required in the zoning district subject to a minimum separation distance of one hundred (100) feet between any other temporary sign.	6 sq. ft.	4 ft.	No more than 45 consecutive days per year.
Extra Temp. Sign(s)	Not more than two (2) per lot provided there is a minimum separation distance of one-hundred (100) feet between any other temporary sign.	32 sq. ft.	6 ft.	No more than 45 consecutive days per year.

(as amended 11/02/20)

- (g) **Warning signs:** such as no trespassing, warning of electrical currents or animals provided that such signs do not exceed six (6) square feet. Warning signs shall be allowed within the required setback area provided such signs are not placed within the public street right-of-way and do not obstruct visibility. (as amended 3/5/10 and 11/02/20)
- (h) **Incidental/Informational signs:** Incidental/informational signs are permitted within the non-residential districts, but are subject to the setbacks applicable to principal buildings for the zoning district and shall not exceed four-(two (24)) square feet in size with a maximum height of six (6) feet. (as amended 11/02/20 and _____)

Sec. 16.04 **PROHIBITED SIGNS**

The following signs shall be prohibited in any district in the Township:

- 16.04.01 **Vehicle signs.** A vehicle sign may only be parked or placed when located in compliance with the setbacks applicable to principle buildings only when it is determined that there are no other options for placement on the premises and that the vehicle is located in the least visible location as seen from the public road right of way. (as amended 11/02/20)
- 16.04.02 **String/Rope lights.** Exterior string and/or rope lights shall be prohibited, other than holiday decorations which comply with Section 16.02.20(b). (as amended 11/02/20)
- 16.04.03 **Signs in right-of-way.** With the exception of signs placed by the Michigan Department of Transportation or Livingston County Road Commission, non-regulatory signs placed in any public right-of-way, including those attached to a utility pole or affixed to a tree shall be prohibited. No sign in any zoning district shall be erected or placed in the public right-of-way except for the regulatory, directional, and street signs erected by a public agency, street address signs, and temporary signs as expressly authorized by Section 16.03.02(d), 16.03.02(e) and 16.03.02(f) of this Ordinance. The Township retains the right to remove any signs found to be in violation of this section. (as amended 12/17/10 and 11/02/20)

~~16.04.04 Pole signs. Pole signs shall be prohibited.~~

16.04.05 **Portable signs.** Portable signs shall be prohibited except a permit may be issued to allow an establishment to use a portable sign only one time and after it has opened at the location or have new owners for a period not to exceed fourteen (14) days subject to the setbacks in Section 16.06.03. (as amended 11/02/20)

16.04.06 **Roof signs.** Roof signs shall be prohibited.

16.04.07 **Moving.** Signs having moving members, or parts or emitting a sound shall be prohibited.

16.04.08 **Lights.** Signs using high intensity lights or flashing lights, spinners or animated devices; neon signs in agricultural or residential districts shall be prohibited.

16.04.09 **Obstruct vision.** Signs that obstruct vision or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area shall be prohibited. No sign in any zoning district shall be erected or placed in the public right-of-way except as may otherwise be expressly authorized by this Ordinance. The Township retains the right to remove any signs found to be in violation of this section. (as amended 12/17/10)

16.04.10 **Emergency or traffic.** Signs that simulate or could in any way be confused with the lighting of emergency vehicles or traffic signals shall be prohibited.

16.04.11 **On Towers.** Any type of signage including logos shall not be permitted on a public or private radio, television, cellular phone, or water towers with the exception of the name of the municipality, or the name of the person or entity that conveyed the property or granted an easement to the Township or the Utility Authority upon which the tower is located. (as amended 11/02/20)

16.04.12 **Costumed people.** Any person dressed with a business logo or as a representation of a business or establishment logo/mascot for the purpose of drawing attention and advertising that business or establishment. (as amended 12/31/06 and 11/02/20)

16.04.13 **Exceeding size limits.** Any sign that exceeds the height or area limits of this article shall be prohibited. (as amended 3/5/10)

16.04.14 **Vacant land.** Signs on vacant land shall be prohibited except for temporary signs as provided in Section ~~16.032.023~~(f). (as amended 11/02/20)

Sec. 16.05 **REQUIRED ADDRESS SIGN**

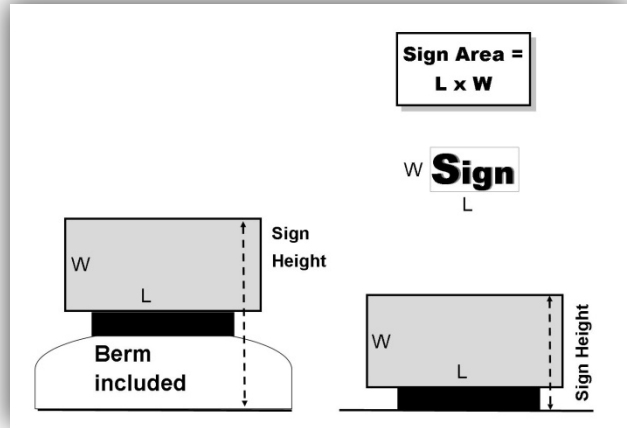
All residences and non-residential buildings shall have an address sign which is clearly visible from the adjacent street and shall comply with the requirements of the Fire Authority if applicable. (as amended 11/02/20)

Sec. 16.06 **GENERAL STANDARDS FOR PERMITTED SIGNS**

Signs may be permitted subject to the requirements of this section; provided that no such sign shall be erected or altered until a permit has been issued unless otherwise provided for in section 16.03.02.

16.06.01 **Measurement of sign area:**

- (a) The area for signs shall be measured by calculating the square footage of the sign face, measured by enclosing the most protruding points or edges of a sign within a parallelogram or rectangle including any frame. On a monument sign, a decorative masonry base shall not be included in the sign area measurement.



- (b) Where a sign has two or more faces, the area of only the larger face shall be considered when calculating maximum size, provided all faces are part of the same structure, back-to-back, contain the same message and are separated by no more than two (2) feet.
- (c) The wall sign area square footage shall be determined by enclosing the portion of the wall which contains a message, lettering, symbol and/or logo within a parallelogram or rectangle. Signs placed on awnings and canopies shall also be counted towards the allowable wall sign area. (as amended 11/02/20)

16.06.02 **Sign height:** The height of the sign shall be measured from the average grade to the uppermost point of the sign. Average grade shall be measured fifty (50) feet along the frontage from both sides of the sign. Placing a sign on top of a berm is permitted only if the berm is long enough to meet the average grade requirement and landscaping is provided on the berm.

16.06.03 **Sign setbacks:**

- (a) All signs, unless otherwise provided for, shall be setback a minimum of ten (10) feet from any public street right-of-way or property line. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
- (b) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained within a triangular area measured twenty-five (25) feet back from intersections of public and/or private road right-of-way lines. Greater clear vision areas may be required by the Michigan Department of Transportation or the Livingston County Road Commission in particular areas. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic control devices or street signs. (as amended 11/02/20)

16.06.04 **Sign materials:** as permitted in the various zoning districts, signs shall be designed to be compatible with the character of building materials and landscaping to promote an overall

unified and aesthetic effect in accordance with the standards set forth herein. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

16.06.05 **Illumination:** Sign illumination shall comply with all of the following requirements:

- (a) Signs shall be illuminated only by steady, stationary shielded light sources directed solely at the sign, or internal to it.
- (b) Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shaded so as not to project onto adjoining properties or thoroughfares.
- (c) Sign illumination that could distract motorists or otherwise create a traffic hazard shall be prohibited.
- (d) Illumination by bare bulbs or flames is prohibited.
- (e) Underground wiring shall be required for all illuminated signs not attached to a building.
- (f) Electronic message signs may be permitted subject to Section 16.07.03. (as amended 12/17/10 and 11/02/20)

16.06.06 **Construction and maintenance:** Every sign shall be constructed and maintained in a manner consistent with the building code provisions and maintained in good structural condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports.

16.06.07 **Sign safety:** All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure of at least twenty (20) pounds per square foot. All signs, including any cables, guy wires or supports shall have a minimum clearance of four (4) feet from any electric fixture, street light or other public utility pole or standard.

Sec. 16.07 **SPECIFIC SIGN STANDARDS**

The number, display area and height of signs within the various zoning districts are provided in table 16.1 and its accompanying set of footnotes. Some additional standards for specific types of signs are given below:

16.07.01 **Awning signs:** Awning signs shall be fully adhered to the face of the awning which may project a maximum of six (6) feet from the edge of the building, measured horizontally parallel to the ground. Any sign area on the awning shall be included in calculations of maximum wall sign square footage. (as amended 11/02/20)

16.07.02 **Canopy signs:** Canopy signs shall not project vertically above or below the front fascia of the canopy by more than eighteen (18) inches and shall not project beyond or overhang the fascia horizontally by more than one (1) foot. Canopy signs shall not project above the roof or parapet of the building and conduit, raceways and wiring shall not be exposed. Any sign area on the canopy shall be included in calculations of maximum wall sign square footage. (as amended 12/31/06 and 11/02/20)

16.07.03 **Changeable message signs:** Changeable message signs shall be permitted on any non-residential sign, subject to the following regulations:

(a) Only one changeable message sign shall be permitted per establishment. Changeable message signs shall only be part of one of the following types of conforming signs and shall be subject to the area, height, and placement requirements for that sign:

- (1) A monument sign; or
- (2) A window sign.

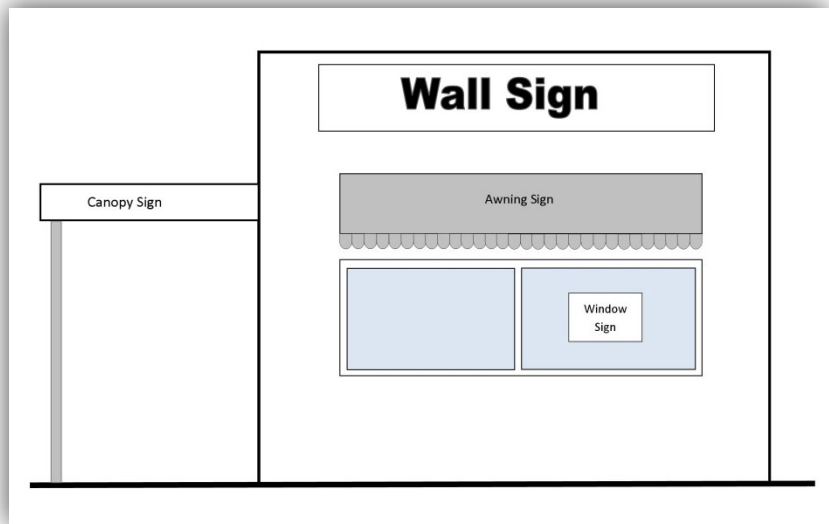
(b) Changeable message signs may not be added to a nonconforming sign.

(c) The changeable message portion of a monument sign shall not exceed one-third (1/3) of the sign area and the remainder of the sign shall be of a permanent character.

(d) Changeable message signs affixed or hung in a window shall be limited to one (1) per establishment or two (2) for establishments in corner units or lots and shall be a maximum of two (2) square feet in area. (as amended 11/02/20)
(as amended 11/02/20)

16.07.04 **Electronic Message Sign (EMS):** Electronic message signs shall meet all of the requirements for changeable message signs in Section 16.07.02 above, in addition to following requirements below:

(a) Electronic message signs shall not exceed the following illuminative brightness:



Time of Day	Brightness	
	Within 300 feet of residential district or use	At least 300 feet from residential district or use
Night time	300 nits (cd/m ²)	500 nits (cd/m ²)
Day time	3,500 nits (cd/m ²)	5,000 nits (cd/m ²)

- (b) The message on an electronic message sign may change a maximum of four (4) times per hour, except for time or temperature displays. At all other times the sign message and background must remain constant. If the sign is within 300 feet of a residential use or zoning district, the message shall remain static from dusk until dawn.
- (c) The lettering and/or message components being displayed at any given time shall not change, flash or fade to another color. The electronic message sign shall have a default design that will freeze the sign in a dark or blank position if a malfunction occurs. (as amended 11/02/20)
- (d) Electronic message signs shall not contain any moving, blinking, flashing, scrolling or animated parts nor have the appearance of having any movement or animation. Only static messages shall be displayed.
- (e) Electronic message signs shall be located with a minimum separation distance of one hundred fifty (150) feet from any other electronic message sign.
- (f) Electronic message signs shall only be permitted in non-residential zoning districts. (as amended 12/17/10)
- (g) A non-glare panel or equivalent to substantially reduce glare shall be installed to cover the electronic message sign display. (as amended 11/02/20)
- (h) All permitted electronic message signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions. (as amended 11/02/20)
- (i) A written certification from a sign manufacturer or other approved testing agency that the light intensity has been preset to conform to the brightness and display standards established herein and that the preset levels are protected from end user manipulation by password protected software or other method. (as amended 11/02/20)
- (j) The owner or controller of any electronic message sign must adjust the sign to meet the brightness standards established herein and that any necessary adjustments must be made immediately upon notice of non-compliance from the Township. (as amended 11/02/20)

16.07.05 **Directional signs:** No more than one (1) directional sign shall be permitted per approved driveway, with a maximum sign area of four (4) square feet per sign, and a maximum height of three (3) feet. Any area of a directional sign that includes an establishments name, symbol or logo shall be calculated as part of the allowable monument sign square footage, as specified in table 16.1. (as amended 11/02/20)

16.07.06 **Incidental/Informational signs:** Incidental/informational signs are permitted within the non-residential districts, but are subject to the setbacks applicable to principal buildings for the zoning district and shall not exceed four (4) square feet in size with a maximum height of six (6) feet. (as amended _____)

- 16.07.076 **Menu board:** Up to two (2) menu board signs shall be permitted per drive-through order lane. Each menu board shall be a maximum of twenty (20) square feet. Menu board sign(s) shall not be located in the front yard. (as amended 12/17/10 and 11/02/20)
- 16.07.087 **Monument signs:** A minimum setback of ten (10) feet shall be provided from the right-of-way, when located to ensure adequate sight distance for motorists. Dimensional standards for monument signs are given in table 16.1.
- 16.07.098 **Municipal and non-profit organization signs:** Local government, church, school, museum, library, public park or other non-profit institution permanent wall and/or monument signs shall comply with the standards provided for the Neighborhood Services District in table 16.1 (as amended 12/17/10 and 11/02/20)
- 16.07.1009 **Pole signs.** Pole signs are permitted subject to the sign standards contained herein provided that the signs are subject to the setbacks applicable to principal buildings for the zoning district in which they are located and shall not exceed four (4) square feet in size with a maximum height of six (6) feet. (as amended _____)
- 16.07.11 **Rental office directional signs:** Up to two (2) signs identifying or directing motorists to a rental or management office in a multiple family development, provided that such signs are a maximum of four (4) feet in height, are setback a minimum of fifteen (15) feet from any property line or public right-of-way, and do not exceed three (3) square feet in area. (as amended 11/02/20)
- 16.07.129 **Residential community or development identification signs:** One permanent sign per driveway which does not exceed thirty-six (36) square feet in area and a maximum height of six (6) feet identifying developments such as a college, a subdivision, an apartment complex, condominium communities, senior housing complexes, mobile home parks and similar uses. (as amended 11/02/20)
- 16.07. 131 **Wall signs:** Signs shall not project beyond or overhang the wall or any permanent architectural feature by more than one (1) foot and shall not project above the roof or parapet. (as amended 12/17/10)
- 16.07. 142 **Window signs:** Window signs shall be permitted to occupy no more than twenty five (25%) of the window area on which they are displayed except as provided for in 16.07.02(d). The window area is calculated as the glazing area of the surface of the window, including windowpane dividers such as grilles, muntins, grids, mullions or similar. In no case shall any individual window sign be more than two hundred (200) square feet and the combined area of all window signs shall not exceed five hundred (500) square feet. (as amended 12/17/10 and 11/02/20)

Table 16.1 Sign Dimensional Standards and Regulations

DISTRICT (7)	WALL SIGN		MONUMENT SIGN		
	MAX. NO. OF SIGNS ⁽¹⁾	MAX SIZE	MAX. NO. OF SIGNS ⁽³⁾	MAX. SIZE ^(3,4,5)	MAX. HEIGHT
Agricultural Districts	1	10 sq. ft.	1	10 sq. ft.	6 ft.
Single Family Residential (6)	N/A	N/A	(See Exempt Signs)		

GENOA TOWNSHIP ZONING ORDINANCE

Multiple Family Residential	N/A	N/A	(See Exempt Signs)		
Manufactured Home District	N/A	N/A	(See Exempt Signs)		
Neighborhood Service District Town Center Overlay District	1 per establishment	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
General Commercial District Regional Commercial District	1 per establishment	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Office Service District	1 per establishment	10% of front facade ⁽²⁾	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Public and Recreational Facilities District	1	10% of front ⁽²⁾ facade	1 ⁽⁴⁾	72 sq. ft.	6 ft.
Industrial District	1	10% of front ⁽²⁾ facade	1	60 sq. ft.	6 ft.
Planned Industrial and PUD Districts (7)	1	10% of front ⁽²⁾ facade	1	60 sq. ft.	6 ft.

(as amended 11/02/20)

Footnotes to Table 16.1:

- (1) One wall sign shall be allowed per establishment with its own public entrance. The sign may be attached to the façade that faces the street or on another façade where the establishment provides a public entrance; in either case, however, the sign may only be attached to a portion of the building that is occupied by the establishment. For a multi-tenant office building with common entrances, one (1) building identification sign shall be allowed. (as amended 11/02/20)

- (2) The maximum wall sign shall not exceed ten percent (10%) of the facade of the building that the sign is attached to and is occupied by the establishment or one-hundred (100) square feet, per use or establishment whichever is less. The maximum allowable wall sign area may be utilized in the following manner:
 - a. Two wall signs may be permitted for establishments located on a corner or through-lot. One sign, meeting the maximum allowable sign area, shall be permitted on each side of the building that fronts along the public right-of-way, including I-96.

 - b. The Planning Commission shall permit two wall signs for establishments located on a lot which under certain circumstances, where obstructed views and building orientation, require additional visibility. The total collective sign area of the two signs may not exceed one-hundred (100) square feet. (as amended 11/02/20)

 - c. Buildings containing one use or establishment use, as determined by the Planning Commission, the size of the wall sign may be increased up to the maximum square footage given in the following table.
 1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance = 150 square foot maximum wall sign area.

 2. Over 400 linear feet of building frontage facing a public street and having a public entrance = 200 square foot maximum wall sign area.

 3. The maximum wall sign can be increased by up to twenty percent (20%) if required number or size of landscape materials is exceeded by at least twenty percent (20%). (as amended 11/02/20)

- (3) For buildings or lots having frontage and vehicular access along a second public street, frontage along I-96, or for a business/retail shopping center, office center, or industrial park with a combined gross floor area over 60,000 square feet, a second sign or a larger sign shall be permitted by the Planning Commission provided that the total sign area does not increase the maximum signs square footage listed for that district in the table above by more than fifty percent (50%). The Planning commission shall also approve one (1) additional monument sign for each outlot with at least one hundred (100) feet of public street frontage provided the site provides shared access. (as amended 11/02/20)
- (4) Any logo or business/establishment identification on any directional sign or any logo or business/establishment identification area on a second sign at any driveway shall be included when calculating maximum sign area. (as amended 11/02/20)
- (5) A ten (10) percent increase in the maximum permitted monument sign area is permitted if extensive landscaping and a decorative brick base consistent with the materials of the principal building are provided.
- (6) Refer to Section 16.07.~~1209~~ for residential identification signs.
- (7) PUD District development agreements may provide for specific sign standards.

Sec. 16.08 **VALIDITY AND SEVERABILITY CLAUSE**

This Article and the various components, sections, subsections, sentences and phrases are hereby declared to be severable. If any court of competent jurisdiction shall declare any part of this Ordinance to be unconstitutional or invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare unconstitutional or invalid the application of any provision of this Article to a particular parcel, lot, use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building or structure not specifically included in said ruling. (as amended 11/02/20)

(as amended 12/31/06, 08/24/07, 03/05/10, ~~and~~ 11/02/20, and _____)

**ARTICLE 10
PLANNED UNIT DEVELOPMENT**

Sec. 10.01 PURPOSE

- 10.01.01 **Purpose.** The purpose of this Section is to permit the coordinated development on larger sites, protect significant natural features present which the property owner and Township wish to preserve, to provide the opportunity to mix compatible uses or residential types, or allow clustering of residential units to preserve common open space and natural features.
- 10.01.02 **Innovation in Land Use.** The PUD standards are provided as a design option to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership and variety in design, layout, and type of structures constructed; to preserve significant natural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide adequate housing and employment; to encourage development of convenient recreational facilities; and to encourage the use and improvement of existing sites when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site or its surrounding areas. The PUD standards are not intended to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes herein set forth.
- 10.01.03 **Flexibility in Design.** For properties approved for PUD designation, these PUD standards provide the developer with flexibility in design and permit variation of the specific bulk, area, and in some specified situations the density requirements of this Ordinance on the basis of the total PUD plan, subject to the approval of the PUD plan by the Planning Commission and Township Board in accordance with the requirements as herein set forth.
- 10.01.04 **Types of PUD's.** This article provides for seven (7) types of PUD: a residential overlay, a planned industrial/corporate district, a mixed use PUD district, a redevelopment PUD, a non-residential PUD District, and two separate PUD Districts for the S. Latson Road interchange area. The residential PUD, planned industrial PUD and redevelopment PUD are overlay districts that include supplementary standards, which apply simultaneously, or replace, standards of the underlying residential zoning district. The mixed use PUD, non-residential PUD, and two interchange PUDs are separate zoning districts.

(as amended 12/31/06 and 09/04/18)

Sec. 10.02 QUALIFYING CONDITIONS

The following provisions shall apply to all planned unit developments:

- 10.02.01 **Single Ownership.** The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.
- 10.02.02 **Initiated by Petition.** A PUD zoning classification may be initiated only by a petition.
- 10.02.03 **Minimum Site Area.** The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows:
- (a) The minimum area requirement may be reduced to five (5) acres for sites served by both public water and sanitary sewer.
 - (b) The minimum lot area may be waived for sites zoned for commercial use (NSD, GCD or RCD) where the site is occupied by a nonconforming commercial, office or industrial building, all buildings on the site are proposed to be removed or rehabilitated and a use permitted within the underlying zoning district is proposed. The Township Board shall only permit the PUD on the smaller site where it finds that the flexibility in dimensional standards is necessary to allow for innovative design in redeveloping the site and an existing blighted situation will be eliminated. (as amended 12/31/06)
 - (c) Interchange Commercial and Campus PUDs: the Township Board may waive the minimum lot area where the design elements of a proposed development are integrated into and consistent with the broader Master Plan Latson Road Subarea Plans with compatible land uses (as amended 09/04/18)
- 10.02.04 **Benefits.** The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:
- (a) preservation of significant natural or historic features;
 - (b) a complementary mixture of uses or a variety of housing types;
 - (c) common open space for passive or active recreational use;
 - (d) mitigation to offset impacts; or,
 - (e) redevelopment of a nonconforming site where creative design can address unique site constraints. (as amended 12/31/06)
- 10.02.05 **Sewer and Water.** The site shall be served by public sewer and public water. The Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area unless approved by the Township in accordance with the requirements provided in Section 10.03.01(d) and the requirements of the County Health Department shall be met.

Sec. 10.03 TYPES OF PUD ZONING DESIGNATION

A property meeting the qualifying conditions may be rezoned to an appropriate PUD District, based on the standards shown in the following table and appropriate standards contained elsewhere in this Zoning Ordinance. The rezoning shall be concurrent with the approval of a PUD Conceptual Plan. The PUD designation shall be noted in the application, and on the Official Zoning Map upon approval.

District Name	Type of District	Permitted Uses	Special Land Uses	Additional Provisions
Residential Planned Unit Development (RPUD)	Overlay of a residential district	Open space or cluster housing projects with one or more types of residential uses	Same as underlying residential district	Sec. 10.03.01
Planned Industrial Parks (PID)	Overlay district of an Industrial District	Uses permitted in the Industrial and Office-Service Districts	Special land uses of the Industrial and Office-Service District	Sec. 10.03.02
Mixed Use Planned Unit Development (MU-PUD)	Separate zoning district	A mixture of public, residential, commercial, recreational or open space uses.	Special land uses of the zoning districts applicable to each PUD component.	Sec. 10.03.03
Redevelopment Planned Unit Development (RDPUD)	Overlay of a commercial district	Same as underlying district	Same as underlying district	Sec. 10.03.04
Non-residential Planned Unit Development (NR-PUD)	Separate zoning district	A mixture of public, office, commercial, light industrial, recreational and open space uses. See Sec. 10.03.05(c).	Special land uses of the zoning districts applicable to each PUD component.	Sec. 10.03.05
Interchange Commercial PUD (ICPUD)	Separate zoning district	See Sec. 10.03.06 c	Special land uses of the General Commercial or Regional Commercial District, as may be approved by the Township, except those specifically listed in Sec. 10.03.06 c	Sec. 10.03.06
Interchange Campus PUD (CAPUD)	Separate zoning district	See Sec. 10.03.06 c	See Sec. 10.03.06 c	Sec. 10.03.06

(as amended 12/31/06 and 09/04/18)

10.03.01 Residential PUD

- (a) **Density:** Residential density shall be determined by a parallel plan that illustrates how the site could be developed as a conventional subdivision or site plan, meeting all applicable township and county zoning and subdivision requirements. The Township shall review the design and determine the number of buildable lots that could be feasibly constructed, taking into consideration any wetlands or other non-buildable land. This number shall be the maximum number of dwelling units allowable for the RPUD. Where the underlying zoning is multiple family, density shall be determined based upon the underlying zoning district and the definition of density. Where the Township Master Plan recommends a different zoning district than the current zoning, a rezoning of the underlying zoning district consistent with the Master Plan may be considered concurrently with the Residential PUD overlay.
- (b) **Dimensional Standards:** The dimensional standards of the underlying zoning district shall be complied with, provided the lot area, lot width and setback requirements may be reduced with the resultant area preserved as open space. A table shall be provided

on the site plan indicating the cumulative reduction in lot areas and the corresponding amount of open space being preserved. Wetland setbacks may not be reduced.

~~The Planning Commission may approve an RPUD without public water and sewer provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department are met.~~

(c) Open Space: All land within an RPUD that is not devoted to a residential unit, roadway or other improvement shall be set aside as common open space for recreation or conservation. The amount of open space shall be at least equal to the total area that proposed lots are reduced below the underlying zoning's minimum lot area; provided a minimum of twenty five percent (25%) of the site shall be open space. Common open space shall be planned in locations that are visible and accessible. The open space shall contain some form of active recreational facility such as a play-area. The common open space shall be located to preserve significant natural features, central to the residents of the development, along the county road frontage, adjacent to adjoining residential or to connect open spaces throughout the development. The open space along the exterior public roads shall generally have a depth of at least one hundred (100) feet, either landscaped or preserved in a natural wooded condition. The PUD agreement shall set forth open space protection measures as provided for in section 10.05.04.

~~(d) Cluster Option: The Planning Commission may approve an RPUD cluster housing project without public water or sewer to allow not more than a twenty-five percent (25%) reduction in the one (1) acre lot size requirement where it meets each of the following:~~

~~(1) The overall density is not less than one (1) dwelling unit per acre of land in the RPUD and that any reduction in lot size below one (1) acre shall be off-set with an equal corresponding amount of preserved upland open space.~~

~~(2) There are existing suitable soil conditions without restrictions for a conventional onsite system for both an active and reserve field that meet the requirements of the County Health Department.~~

~~(3) An open space cluster development shall result in a recognizable and substantial benefit, both to the residents of the property and to the overall quality of life in the Township. The benefits can be provided through site design elements in excess of the requirements of this Ordinance, such as extensive landscaping, unique site design features, preservation of woodlands and open space, particularly along major thoroughfares or lakes, buffering development from wetlands and shorelines, and provision of buffers from adjacent residential.~~

~~(2) The site shall preserve significant natural features such as woodlands, significant views, natural drainage ways, regulated or non-regulated wetlands, or natural corridors that connect quality wildlife habitats which would be in the best interest of the Township to preserve and which might be negatively impacted by conventional residential development.~~

~~(3) The proposed development shall be designed to create a cohesive neighborhood through a network of spaces such as parks and common open~~

space areas for recreation and resident interaction. All open space areas shall be equally available to all residents of the development.

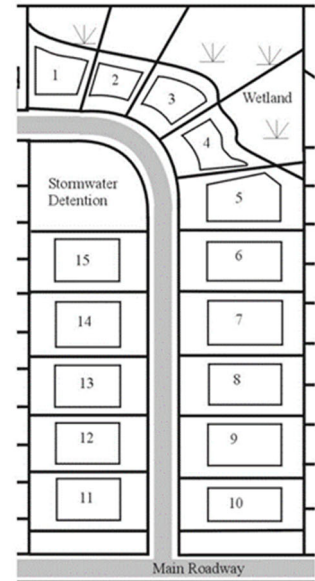
(4) The site shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.

(5) A minimum of 50% of the total site area shall be preserved as common open space for recreation or conservation and shall be exclusive of residential lots, road rights-of-way or other improvements. Such open space shall be arranged on the site to meet all of the following requirements, provided the Planning Commission may modify these standards where it is demonstrated that additional natural features will be preserved elsewhere on the site:

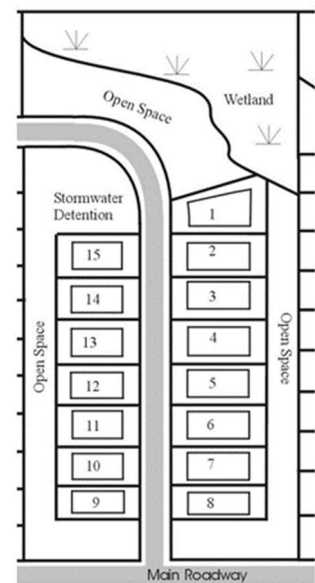
- a. A one hundred (100) foot deep open space area shall be preserved along road frontages bordering the open space cluster development and adjacent to existing residential lots.
- b. All wetlands and areas within fifty (50) feet of a wetland or shoreline shall be preserved as open space. Lakes and ponds shall not be included in open space area calculations.
- c. Open space shall be located to minimize removal of woodlands.
- d. Open space may include recreational trails, picnic areas, parks and greenways. The Planning Commission may permit recreational structures within the open space.

(7) The dedicated open space shall be set aside by the developer through an irrevocable conveyance that is found acceptable to the Township, such as: recorded deed restrictions, covenants that run in perpetuity with the land, or conservation easements. Such conveyance shall assure that the open space will be protected from all forms of development and shall never be changed to another use. Where deed restrictions are utilized for the protection of open space, the Township shall be made a party to the deed restrictions and such restrictions applicable to the open space shall not be amended. Building permits for home construction shall not be granted until such deed restrictions are recorded with the County

Parallel Plan
Showing Conventional Subdivision



Clustered Open Space Plan



Register of Deeds and copies are filed with the Township. The developer may dedicate the open space to a conservation organization or the Township, provided such dedication shall be subject to approval by the Township Board.

(8) A preservation and maintenance plan for the open space shall be submitted with the final preliminary plat or final site condominium plan and shall include mechanisms for the long term funding of open space preservation. The Township may require bonds or other funding mechanisms to ensure long term maintenance of open space.

(9) Reasonable conditions may be required with approval of an open space cluster development for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources, ensuring compatibility with adjacent uses of land, promoting the use of land in a socially and economically desirable manner, and further the implementation of the Township Master Plan.

10.03.02 **Planned Industrial District (PID)**

- (a) Dimensional Standards: All buildings, structures, accessory structures and parking areas shall meet the minimum setback standards of the Industrial District, as specified in the Table of Dimensional Standards, along the exterior boundaries of the PID site. Internal setbacks shall be determined by the Planning Commission during review of the PID concept plan. Maximum building height shall be consistent with the standards for the Industrial District.
- (b) Lot Areas: Minimum lot area shall be two (2) acres except up to twenty five percent (25%) of the total number of lots may be between one and one-half (1-1/2) and two (2) acres in area.
- (c) Design Standards: Buildings shall utilize high quality architecture and landscaping that create a research and office-park environment with primary use of masonry material, such as brick, stone or split face block, and glass on buildings and landscaping along internal roadways and around the perimeter of the PID. Metal paneling and plain concrete masonry units shall constitute no more than twenty-five percent (25%) of the facades of buildings visible from the internal roadway or any adjoining public roadway. (as amended 12/31/06)

10.03.03 **Mixed Use PUD**

- (a) Uses: A mixed use PUD shall include a mixture of uses that are considered by the Planning Commission to be consistent with the Master Plan. A concept plan shall be prepared for the PUD that divides the PUD into components for various uses. Each component of the PUD shall be designated as a specific zoning district (e.g. Medium Density Residential or Office-Service). Areas devoted to each type of use shall be designated on the PUD Concept Plan. The concept plan may provide for vertical mixture of uses, such as office or residential above commercial. The mixed use PUD can be a mixture of housing types such as single family and multiple family or a mixture of uses such as residential and non-residential. The Planning Commission

shall determine the appropriate mixture of uses and how much of the PUD land area shall be occupied by residential uses, nonresidential uses, recreational area, or open space. The Planning Commission shall make this determination based upon the concept plan's ability to provide an integrated mixture of uses, maintain compatibility with surrounding uses, and meet the standards of section 10.07. The list of permitted uses shall be established by the Planning Commission in the PUD agreement. Not more than fifty percent (50%) of the PUD acreage shall be devoted to commercial, office or industrial and not less than fifty percent (50%) of the PUD acreage shall be devoted to open space, preserved natural features or residential use.

- (b) **Open Space:** A minimum twenty five percent (25%) of the site shall be open space. Such open space shall be dispersed throughout the site and linked through greenway or pedestrian corridors or located along road frontages. A minimum of 50% of the required open space shall be usable upland area.
- (c) **Dimensional Requirements:** All area and bulk dimensional standards shall comply with the dimensional standards for the associated zoning district designated on the PUD concept plan. To encourage flexibility and creativity consistent with the intent of the PUD, the Township may permit specific departures from the requirements of the Zoning Ordinance as a part of the approval process. Any regulatory modification shall be approved through a finding by the Township that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards. Residential portions of a PUD shall comply with section 10.03.01.
- (d) **Parking.** To encourage a true integration of mixed uses and improved efficiency in land use, the Planning Commission may permit the overlap in parking requirements between uses that have alternating peak-parking demands or where the mixture of uses on a site would result in multi-purpose trips. Approval for the parking reduction shall be based upon documentation submitted by the applicant indicating the types of uses, intensity and characteristics of the parking demands for such uses.

10.03.04 Redevelopment PUD

- (a) A redevelopment PUD overlay shall only be applied to sites that have been previously developed for the purpose of a commercial, office, or industrial use, where redevelopment of the site will be an enhancement to the site and surrounding area, where all buildings on the site are proposed to be removed or renovated and a use permitted within the underlying zoning district is proposed. The redevelopment PUD shall only be applied to a site where the Township determines that flexibility in dimensional standards is necessary to allow for innovative design in redeveloping a site with constraints and where a clear public benefit is being derived.
- (b) To encourage flexibility and creativity consistent with the intent of the PUD, the Township may permit specific departures from the requirements of the Zoning Ordinance as a part of the approval process. Any regulatory modification shall be approved through a finding by the Township that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards. A parallel plan shall be provided showing how the site could be redeveloped without the use of the PUD to allow the Planning Commission to evaluate whether the modifications to dimensional standards are the minimum necessary to allow redevelopment of the site, while still meeting the spirit and intent of the ordinance.

- (c) A table shall be provided on the site plan that specifically details all deviations from the zoning regulations. This specification should include ordinance provisions from which deviations are sought, the reasons the deviations are necessary and mechanisms to be utilized to mitigate any impacts. Only those deviations consistent with the intent of this ordinance shall be considered. As a condition of approving such deviations, the Township may attach such additional conditions deemed necessary for the protection of the public health, safety, and welfare in lieu of the regulations. (as amended 12/31/06)

10.03.05 Non-residential Planned Unit Developments

- (a) Size of Uses:
 - (1) A maximum sixty percent (60%) of the site, exclusive of public rights of way shall contain retail commercial uses such as shopping centers or freestanding retail/department stores including areas required for storm water, setbacks, parking and landscaping associated with such uses. The remainder of the site shall include open space, manufacturing, research and development, office, lodging, restaurants and/or entertainment related uses.
 - (2) No more than two retail uses shall have an individual floor area of 100,000 square feet or more, and no other individual commercial use shall have a floor area over 60,000 square feet.
- (b) A minimum twenty five percent (25%) of the site shall be open space. Such open space shall be dispersed throughout the site and linked through greenway or pedestrian corridors. Open space is defined as undisturbed areas of key natural features, landscaped open space or pedestrian plaza areas, which commonly include outdoor seating and gathering areas. Detention areas shall comprise no more than 50% of the required open space and if visible from the roadway, parking lot, residential dwellings, primary entrances to buildings or other predominant views shall only be counted toward this requirement if designed to provide a natural appearance as described below.
- (c) Permitted Uses: All uses permitted by right or by special land use approval in the Commercial, Office and Public and Recreational Facilities Districts (NSD, OS, GCD, RCD and PRF) are permitted by right or special use under the PUD. Permitted uses shall also include Manufacturing Research or Research and Development Uses, defined as low intensity industrial uses that include a large office or laboratory component and that manufacture, package, assemble or treat finished or semi finished products from previously prepared material but do not process raw materials. The following are exceptions to the list of permitted uses:
 - (1) Auto sales, new and used
 - (2) Auto/gasoline service stations of any type, principal or accessory
 - (3) Auto maintenance or repair establishment of any type
 - (4) Automobile wash, automatic or self serve

- (5) Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or similar places of assembly except where accessory to a permitted office or lodging use
 - (6) Carnivals, fairs, commercial cider mills and amusement parks
 - (7) Churches
 - (8) Convenience stores with gasoline sales
 - (9) Permanent or temporary dome structures
 - (10) Fruit stands (outdoor sales of fruit and nursery goods) except when accessory to a permitted use
 - (11) Kennels, of any kind
 - (12) Laundromats
 - (13) Leasing or sales or display of trucks, trailers, boats, recreational vehicles, construction equipment and similar vehicles
 - (14) Mini storage warehouses
 - (15) Outdoor commercial display, sales, storage or temporary staging of items as a principal or accessory use, unless screened from public view
 - (16) Outdoor private recreation facilities such as, but not limited to, miniature golf, driving ranges, batting cages, go cart tracks, and in line skating rinks
 - (17) Restaurants with drive through facilities, except Township Board may approve up to one upon determination that the project shall be integrated into the design concept for the overall PUD
 - (18) Educational establishments including public schools, parochial schools, vocational trade schools, colleges, universities and commercial schools such as dance academies or martial arts studios
 - (19) Industrial uses, except for a research and development uses, and micro breweries associated with a restaurant
 - (20) Any other use not specifically authorized under the appropriate zoning district
- (d) Traffic Circulation, Operations and Access
- (1) A traffic impact study shall be provided as described in Article 18. Such study shall evaluate the impact of the project at each access point and existing major intersections where volumes from the PUD are projected increase daily or hourly volumes by 5% or more. The traffic study shall include methods to mitigate impacts, and describe timing and responsibility for funding such improvements.

- (2) Access shall be limited to one major entrance along any arterial, excluding an entrance designed solely for truck traffic. Additional access points shall only be considered if spaced at least 500 feet apart and a traffic impact study demonstrates overall traffic operations and safety will be improved.
 - (3) Access points shall be at least 600 feet from the intersection of arterial roadways or interchange ramps provided the spacing may be modified by the Township, with input from road agency staff, to minimize conflicts with traffic operations at intersections or existing access points, or to meet signal spacing standards if it is determined the access may require signalization.
 - (4) Main access points shall be spaced from existing signalized intersections to ensure proper spacing and progression if the main access point is signalized in the future. The site design shall direct traffic flow to use the main access points.
 - (5) Interior drives shall provide circulation between uses.
 - (6) Stacking or queuing depth at site access points shall be sufficient to accommodate expected peak hour volumes without conflict to inbound or internal circulation.
 - (7) Additional right of way shall be provided to accommodate improvements to the existing arterial roadway system that are planned or required to mitigate traffic associated with the PUD.
 - (8) A pedestrian circulation system shall be provided throughout the site and along existing arterials.
- (e) Site Design. The following site elements shall be provided:
- (1) An extensively landscaped greenbelt shall be provided along existing public streets. Said greenbelt shall include closely spaced street trees and hedge rows to screen the parking lot. Low, undulating (horizontal and vertical) berms or an architectural feature (decorative stone or brick wall, wrought iron fencing, or combination) may be permitted.
 - (2) Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets
 - (3) A Township entranceway landmark shall be provided near the intersection of any arterial streets or expressway ramps. The type and design of said landmark shall be determined as part of the conceptual plan approval.
 - (4) Pedestrian gathering and seating plazas, greenways and tree lined drives shall be within parking lots and throughout the site to provide an inviting pedestrian environment, protection of the pedestrian from vehicular circulation for improve traffic operations and views.
 - (5) One parking lot tree shall be provided for each 2000 square feet of paved parking, including aisles, service areas, driveways and drives. At least 1/2 of the parking lot trees shall be within the parking lot inside islands or medians.

A majority of the islands shall be a minimum 18 feet wide. Landscape areas shall be irrigated.

- (6) Ornamental lighting shall be provided along arterials and throughout major circulation drive within the site.
 - (7) Other site amenities to create a pedestrian scale environment shall be provided such as bike racks, benches, information kiosks, art, planters or streetscape elements to separate mainline buildings from the parking lots.
 - (8) Any detention areas visible from the roadway, parking lot, residential dwellings, primary entrances to buildings or other predominant views shall have a maximum 6:1 slope and be designed to have a natural appearance, such as variable shape, natural arrangement of landscape materials, aerated fountains, and use of boulder accent walls or other similar design features.
 - (9) Unless otherwise provided in the PUD agreement, Signs shall comply with the standards of Article 16, provided sign types and materials shall be consistent with the overall architectural design of the PUD, and all freestanding signs shall be monument type with a base to match the building materials and landscaping around the sign integrated into the overall landscape plan. Wall and monument signs shall be channel cut letters on non illuminated background panels. Temporary window signs shall be prohibited.
- (f) Architecture. Information on architecture and building design (elevations or perspectives, materials and description of design standards) shall be submitted with the concept plan and comply with the following:
- (1) Architecture throughout the development shall be compatible based on a design theme established with the Concept Plan and described in the PUD Agreement.
 - (2) Buildings shall utilize high quality architecture with variable building lines, peaked roofs, architectural accents, and brick facades. Peaked roof lines shall not be designed to create false, parapet style facades.
 - (3) The depth of the front building line shall be varied to break up the building massing.
 - (4) The predominant material utilized on facades that are visible from a public right of way or parking lots shall be brick. Other materials may be used for architectural accents, provided such materials shall have the appearance of wood or cut or cast stone.
 - (5) A building or buildings shall face (front facade or side elevation with appearance of a front facade) the intersection of existing arterial streets. The building(s) shall have distinct architecture that creates a prominent landmark at the intersection, with no loading or utility areas that face the intersection. There shall be a landscaped plaza in front of the building or between buildings. Parking shall be behind this building where practical.

- (g) Utilities. The Concept Plan shall include a Utility Master Plan, based on guidelines provided by the Township Engineer. The Utility Master Plan shall show connection points to existing utilities, and concepts for the layout, size and phasing of utilities.

10.03.06 Interchange Planned Unit Developments (Commercial and Campus)

- (a) Intent. The intent of the Interchange PUDs is to promote comprehensive and long-term planning of appropriate land uses, innovative architectural design, high quality building materials, and a walkable environment for pedestrians.

- (b) Master Plan and Subarea Plans. All Interchange PUD proposals shall demonstrate conformance to the land use, site design, and access management strategies and recommendations contained within the Genoa Township Master Plan and Subarea Plans.

- (c) Land Use.

- (1) ICPUD: permitted land uses include restaurants (fast food, sit-down, and take out), auto/gasoline service stations, retail/service, hotels, entertainment (movie theaters, indoor commercial recreation, etc.), conference centers, financial institutions, and offices. The Township may permit additional compatible uses as part of the approval process. The list of permitted uses proposed for a development shall be included in the PUD Agreement for review and approval by the Township. All proposed uses shall comply with the conditions of Section 7.02.02.

- (2) CAPUD: The intent of the CAPUD district is to provide locations in the Township to accommodate offices, laboratories, and related "high tech" uses, involved in such activities as engineering, design, research and development, robotics research, prototype development, demonstration and display laboratories, testing laboratories, and other research and high technology activities of similar character and intensity. On a limited basis, complementary uses are permitted, such as restaurants that primarily serve employees in the immediate area.

It is intended that such uses be located in attractive buildings on amply landscaped, carefully planned sites, and preserving significant natural features. The activities of such uses do not generate offensive external impacts and operations that generate high levels of noise, heat or glare, air pollution, odors, wastewater, or truck traffic, are not considered appropriate in this district. The list of permitted uses proposed for a development shall be included in the PUD Agreement for review and approval by the Township.

- a. Principal permitted uses include :

- i. Research and development facilities.
 - ii. Research and support laboratories.
 - iii. Offices for the following occupations: executive, medical, dental, administrative, and professional, including architecture, planning, engineering and engineering sales.
 - iv. Hospitals, clinics and medical research facilities.

- v. Colleges, universities, and other institutions of higher learning.
 - vi. Corporate and technical education and training facilities.
 - vii. Multimedia production facilities.
 - viii. Microbrewer or small distiller.
 - ix. Data processing and computer centers, including computer programming and software development, training, and service of electronic data processing equipment.
 - x. Essential public services and structures, not including buildings and storage yards.
 - xi. Accessory uses, buildings, and structures customarily incidental to any of the above. Examples include security work, administration offices, and storage and distribution incidental to the primary use of the site.
- b. Special land uses include:
- i. Any permitted use over 40,000 square feet.
 - ii. Prototype manufacturing facilities for engineering, laboratory, scientific, electronic, and research instruments and equipment.
 - iii. Light industrial uses where activities involve high technology research and development type uses.
 - iv. Indoor commercial recreation or fitness centers (excluding dome structures).
 - v. Arenas, stadiums, and skating rinks.
 - vi. Accessory restaurants, personal and business service uses that are intended to primarily serve the occupants and patrons of the principal use; provided that, any such uses shall be an incidental use. Permitted accessory restaurant and service uses shall be limited to the following:
 - 1. Personal and business service establishments as identified in Table 7.02 that are intended to serve workers and visitors in the district, such as dry cleaning establishments, travel agencies, tailor shops, and similar establishments.
 - 2. Restaurants, cafeterias, and other places serving food and beverages which are permitted by right in the NSD.
- c. Compatible Uses: A land use which is not cited by name as a permitted or special land use may be permitted upon determination by the Township

Board, following a recommendation by the Planning Commission that such use is clearly similar in nature and has the same character and intensity as those uses listed in this district as either principal permitted uses or special land uses. In making such a determination, all of the following shall be considered:

- i. Specific characteristics of the use in question shall be compared with the characteristics of the uses which are permitted. Such characteristics shall include, but are not limited to, truck and vehicular traffic generation, types of services offered, types of goods produced, methods of operation, impacts from noise, air contaminants, odor, heat, fire hazards, and water contaminants, and building and site characteristics.
- ii. The proposed use shall be compatible and in accordance with the goals, objectives and policies of the Genoa Township Master Plan and promote the intent of the development agreement and Section 10.03.06.
- iii. The land use shall not impair the use and development of other nearby properties.
- iv. If a proposed use is determined to be similar to and compatible with uses in the district the Planning Commission shall decide whether the proposed use shall be permitted by right, as a special land use, or as a permitted accessory use. The Planning Commission shall have the authority to establish additional standards and conditions under which a use may be permitted in the district.

d. Required conditions. Except as otherwise noted, buildings and uses in the CAPUD shall comply with the following requirements:

- i. All uses and business activities shall comply with the use conditions of 7.02.02, 8.02.02, and the performance standards in article 13.05.
- ii. All business activity shall be conducted within a completely enclosed building, unless otherwise specified. Outdoor storage shall be prohibited.
- iii. Any indoor storage must be clearly accessory to the principal permitted use.
- iv. Notwithstanding the limitations on outside storage, commercially used or licensed vehicles used in the normal operation of a permitted use may be parked on the site in the rear only.

(d) Dimensional Standards: All buildings, structures, accessory structures and parking areas shall meet the minimum setback standards of the Industrial District, Section 8.03.01 for the CAPUD and the Regional Commercial District, Section 7.03.01 for the ICPUD as specified in the Table of Dimensional Standards, along the exterior boundaries of the site. Internal setbacks and maximum building height shall be determined by the Planning Commission during review of the PUD concept plan. To encourage flexibility and creativity consistent with the intent of the PUD, the Township may permit specific departures from the dimensional requirements of the Zoning Ordinance as a part of the approval process. Any

regulatory modification shall be approved through a finding by the Township that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards.

- (e) Site Design. All Interchange PUD proposals shall comply with the standards of Section 10.03.05 e above.
- (f) Architecture. All Interchange PUD proposals shall comply with the standards of Section 10.03.05 f above. The Planning Commission may allow for alternative innovative high quality exterior façade materials such as fiber cement and metal panels for buildings in the CAPUD district to create a research and office-park environment provided that the materials proposed to be used are found by the Planning Commission to be in keeping with the intent and purpose of this Section, in consideration of the character of surrounding uses and the design recommendations of the master plan.
- (g) Access Management and Connectivity.

(1) ICPUD:

- a. No access points other than Beck Road are permitted along South Latson Road between the interchange and the rail line.
- b. Development shall incorporate shared access points to limit the number of driveways along Beck Road and shall comply with Section 15.06 Access Management.
- c. Acceptable road levels of service (LOS) shall be maintained by careful access management strategies and road improvements.
- d. Sites shall be designed to incorporate cross-access easements and connectivity for vehicular, bicycle, and foot traffic.

(2) CAPUD:

- a. The primary access to the area west of South Latson Road, south of the railroad, shall be aligned with Sweet Road.
- b. Secondary access points shall be limited and/or restricted. Restricted driveways shall be designed to be intuitive with minimal signage. All access points shall be aligned with access points across the road and shall be separated from other intersections and access points on the same side of the road by at least 500 feet.
- c. Sites shall be designed to incorporate frontage roads, service roads, and cross-access easements to allow connectivity for vehicular, bicycle, and foot traffic. The use of landscaped boulevards is encouraged.

- (h) Utilities. The Concept Plan shall include a Utility Master Plan, based on guidelines provided by the Township Engineer. The Utility Master Plan shall show connection points to existing utilities, and adjacent properties where appropriate and concepts for the layout, size, and phasing of utilities, which shall include water, sanitary sewer and stormwater controls.

- (i) Future Transition Area. Appropriately timed incremental southward expansion of the CAPUD is anticipated. Evaluation factors for expansion include the following considerations:
- (1) The amount and capacity of undeveloped land remaining within the growth framework areas shall be analyzed and a determination shall be made that additional land area is needed to justify expanding boundaries.
 - (2) Projected population growth within the Township and demand for additional land areas for development.
 - (3) Present and planned sanitary sewer capacity.
 - (4) The capacity and condition of the road system.
 - (5) The ability of the Township, County and other public agencies to provide necessary services to the new growth areas and the additional resulting population.
 - (6) Impact on public health, safety and welfare.
 - (7) Changes to conditions considered at the time of the subarea plan.
 - (8) Inclusion of integrated open space for active and passive recreation.
 - (9) Environmental constraints and sensitivity.
 - (10) Adverse impact to adjacent or nearby property.
 - (11) Sensitive transitions to residential and agricultural land can be achieved.
 - (12) Other relevant criteria deemed appropriate by the Township.

(as amended 09/04/18)

Sec. 10.04 APPLICATION AND REVIEW PROCEDURE

10.04.01 Process for rezoning to appropriate PUD designation, Conceptual PUD Plan, Environmental Impact Statement and PUD Agreement.

- (a) An optional pre-application workshop with the Planning Commission may be requested by the applicant to discuss the appropriateness of a PUD concept, solicit feedback and receive requests for additional materials supporting the proposal. An applicant desiring such a workshop shall request placement on the Planning Commission agenda.
- (b) The applicant shall prepare and submit to the Zoning Administrator a request for rezoning to the appropriate PUD designation. The application shall include all Conceptual Submittal items listed in Section 10.05 and shall be submitted in accordance with the procedures and requirements set by resolution of the Township Board.

- (c) The Planning Commission shall review the rezoning request, the Conceptual PUD Site Plan, the Impact Statement and PUD Agreement, conduct a public hearing, and make a recommendation to the Township Board and Livingston County Planning Commission based on the review standards of Section 10.07. Notice of public hearing shall be provided for in accordance with section 21.05.
- (d) Within thirty (30) days following receipt of a recommendation from the Planning Commission, the Livingston County Planning Commission shall conduct a public hearing on the requested PUD rezoning and make a recommendation for approval or denial to the Township Board.
- (e) The applicant shall make any revisions to incorporate conditions noted by the Planning Commission and submit the required copies to the Zoning Administrator to provide sufficient time for review prior to the Township Board meeting.
- (f) Within ninety (90) days following receipt of a recommendation from the Planning Commission and Livingston County, the Township Board shall conduct a public hearing on the requested PUD rezoning, Conceptual PUD Site Plan and PUD Agreement and either approve, deny or approve with a list of conditions made part of the approval. Notice of public hearing shall be provided for in accordance with section 21.05. The Township Board may require a resubmittal of the application reflecting the conditions for approval by the Zoning Administrator, and Township consultants if appropriate. (as amended 12/31/06)

10.04.02 **Expiration:** Approval of the Conceptual PUD Site Plan by the Township Board shall confer upon the owner the right to proceed through the subsequent planning phase for a period not to exceed two (2) years from date of approval. If application for Final PUD Site Plan approval is not requested within this time period, resubmittal of a new PUD concept plan and application shall be required. The Township Board may extend the period up to an additional two (2) years, if requested in writing by the applicant prior to the expiration date.

10.04.03 **Process for Final PUD Site Plan(s)**

- (a) The applicant shall submit the required copies of all necessary information meeting the requirements of Section 10.06 of this ordinance to the Zoning Administrator at least thirty (30) days prior to the Planning Commission meeting at which the Planning Commission shall first review the request. If the PUD involves a platted subdivision, the Final Site Plan may be processed concurrently as a Preliminary Plat.
- (b) Upon submission of all required materials and fees, the Planning Commission shall review the Final PUD Plan, the Impact Statement, and PUD Agreement and make a recommendation to the Township Board based on the review standards of Section 10.08.
- (c) The applicant shall make any revisions to incorporate conditions noted by the Planning Commission and submit the required copies to the Zoning Administrator to provide sufficient time for review prior to the Township Board meeting.
- (d) Within ninety (90) days following receipt of a recommendation from the Planning Commission, the Township Board shall conduct a public hearing on the requested Final PUD Plan, the Environmental Impact Statement, and PUD Agreement and either approve, deny or approve with a list of conditions made part of the approval. The

Township Board may require a resubmittal of the application reflecting the conditions for approval by the Zoning Administrator, and Township consultants if appropriate. (as amended 3/5/10)

- (e) If the Final PUD Site Plan was approved with conditions, the applicant shall submit a revised site plan to the Zoning Administrator for approval prior to the issuance of any building permits.

Sec 10.05 CONCEPTUAL SUBMITTAL REQUIREMENTS

The purpose of the conceptual review is to provide a mechanism whereby the applicant can obtain a substantial review of the proposed project in order to prepare final site engineering and architecture plans, and to execute necessary agreements between the applicant and the Township. The required number of copies of each of the following items shall be submitted by the applicant or as required by the Township:

- 10.05.01 Current proof of ownership of the land to be utilized or evidence of a contractual ability to acquire such land, such as an option or purchase agreement.
- 10.05.02 A completed application form, supplied by the Zoning Administrator, and an application fee. A separate escrow deposit may be required for administrative charges to review the PUD submittal.
- 10.05.03 An Impact Assessment meeting the requirements of Article 18. A traffic impact study may be required at the discretion of the Township or as otherwise stated in this ordinance which meets the requirements of Article 18.
- 10.05.04 A complete PUD Agreement for review which shall:
 - (a) Set forth the conditions upon which the approval is based, with reference to the approved Site Plan or Plat Plan and Impact Statement and a description of all deviations from Township regulations that have been requested and approved.
 - (b) When open space or common areas are indicated in the PUD plan for use by the residents, the open space or common areas shall be conveyed in fee, placed under a conservation easement or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated in perpetuity and retained as open space for park, recreation, conservation or other common uses.
 - (c) Set forth a program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.
 - (d) Assure that trees and woodlands will be preserved as shown on the site plan, or replaced on a caliper for caliper basis.
 - (e) Assure the construction, improvement and maintenance of all streets and necessary utilities (including public water, wastewater collection and treatment) to mitigate the impacts of the PUD project through construction by the developer, bonds or other satisfactory means, for any and all phases of the PUD. In the case of phased PUD's this requirement shall be reviewed at the time of any final site plan approval.
 - (f) Address any other concerns of the Township regarding construction and maintenance.

- 10.05.05 Sheet size of submitted drawings shall be at least 24-inches by 36 inches, with graphics at an engineer's scale.
- 10.05.06 Cover Sheet providing:
- (a) the applicant's name;
 - (b) the name of the development;
 - (c) the preparer's name and professional seal of architect, engineer, surveyor or landscape architect indicating license in the State of Michigan;
 - (d) date of preparation and any revisions;
 - (e) north arrow;
 - (f) property lines and dimensions;
 - (g) complete and current legal description and size of property in acres;
 - (h) small location sketch of the subject site and area within one-half mile; and scale;
 - (i) zoning and current land use of applicant's property and all abutting properties and of properties across any public or private street from the PUD site;
 - (j) lot lines and all structures on the property and within one-hundred (100) feet of the PUD property lines;
 - (k) location of any access points on both sides of the street within one-hundred (100) feet of the PUD site along streets where access to the PUD is proposed.
- 10.05.07 A Plan Sheet(s) labeled Existing Site Conditions, including the location of existing buildings and structures, rights-of-way and easements, significant natural and historical features, existing drainage patterns (by arrow), surface water bodies, floodplain areas, wetlands over two acres in size, the limits of major stands of trees and a tree survey indicating the location, species and caliper of all trees with a caliper over eight (8) inches, measured four feet above grade. This sheet shall also illustrate existing topography of the entire site at two (2) foot contour intervals and a general description of grades within one-hundred (100) feet of the site. A reduced copy of this sheet may be included in the Impact Statement.
- 10.05.08 For projects with a residential component, a concept plan that illustrates how the site could be practically developed under current zoning standards. This drawing may be used to determine the base density of the project.
- 10.05.09 A Conceptual PUD Site Plan Sheet including:
- (a) Conceptual layout of proposed land use, acreage allotted to each use, residential density overall and by underlying zoning district (calculations shall be provided for both overall and useable acreage), building footprints, structures, roadways, parking areas, drives, driveways, pedestrian paths, gathering areas and identification signs.

Calculations of the size of uses to confirm compliance with Section 10.03.04 for the Non-residential PUD option.

Note: Useable area is total area less public road rights-of-way, year-round surface water bodies, and MDNR regulated wetlands.

- (b) Building setbacks and spacing.
- (c) General location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees over eight inches in caliper to be retained, and any woodlands that will be designated as “areas not to be disturbed” in development of the PUD.
- (d) A preliminary layout of contemplated storm water drainage, detention pond location, water supply and wastewater disposal systems, any public or private easements, and a note of any utility lines to be removed.
- (e) Calculations to demonstrate compliance with minimum open space requirements shall be provided.
- (f) Preliminary architectural design information shall be provided to the satisfaction of the Township.
- (g) If a multi-phase Planned Unit Development is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density proposed by phase.
- (h) A Utility Master Plan shall be required based on guidelines provided by the Township Engineer. The Utility Master Plan shall show connection points to existing utilities, and concepts for layout, size and phasing of utilities.

Sec. 10.06 FINAL PUD SITE PLAN SUBMITTAL REQUIREMENTS

The final submittal shall include the required number of copies of each of the following items:

- (a) All materials required by Article 18, Site Plan Review, including an Impact Statement and Traffic Impact Statement as required.
- (b) A hydrologic impact assessment describing the existing ground and surface water resources including, but not limited to, a description of the water table, direction of groundwater flow, recharge and discharge areas, lake levels, surface drainage, floodplains, and water quality as well as the projected impact of the proposed development on such resources, in particular impacts associated with water supply development, wastewater disposal, and storm water management.
- (c) A final copy of the approved PUD Agreement that meets the requirements outlined in Section 10.05.04.
- (d) Non-Residential Projects: Additional information required for a complete review under the standards of Section 10.03.04.
- (e) Any other additional information deemed appropriate by the Township.

Sec. 10.07 STANDARDS FOR APPROVAL OF CONCEPTUAL PUD SITE PLAN

10.07.01 **Standards for Approval.** Based upon the following standards, the Planning Commission may recommend denial, approval, or approval with conditions, and the Township Board may deny, approve, or approve with conditions the proposed planned unit development.

- (a) The planned unit development meets the qualification requirements.
- (b) The uses proposed shall have a beneficial effect, in terms of public health, safety, welfare, or convenience, on present and future potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation system, surrounding properties, or the environment. The public benefit shall be one which could not be achieved under the regulations of the underlying district alone, or that of any other zoning district.
- (c) The planned unit development is generally consistent with the goals, objectives and land use map of the Master Plan.
- (d) Judicious effort has been used to preserve significant natural and historical features, surface and underground water bodies and the integrity of the land.
- (e) Public water and sewer facilities are available or shall be provided for by the developer as part of the site development. The Planning Commission may approve an RPUD without public water and sewer, provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department are met.
- (f) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site is provided. Roads and driveways shall comply with the Township Subdivision Control Ordinance, Livingston County Road Commission standards and the private road regulations of Article 15, as applicable. Drives, streets and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points. The site shall provide for inter-connection of roads and the future integration of circulation between adjacent sites.
- (g) Common open space shall be provided including natural areas, community greens, plazas and recreation areas. The open space and all other elements shall be in an appropriate location, suitably related to each other, the site and surrounding lands. The common open space may either be centrally located along the road frontage of the development, located to preserve significant natural features, or located to connect open spaces throughout the development. Connections with adjacent open space, public land or existing or planned pedestrian/bike paths may be required by the Township. Grading in the open space shall be minimal, with the intent to preserve existing significant topographic features, where such resources exist.
- (h) Any deviations from the applicable zoning regulations are reasonable and meet the intent of this Article.

10.07.02 **Conditions.** The Township Board may impose additional reasonable conditions to: 1) insure that public services and facilities affected by a Planned Unit Development will be capable of accommodating increased service and facility loads caused by the Planned Unit Development, 2) protect the natural environment and conserve natural resources and energy, 3) insure

compatibility with adjacent uses of land, and 4) promote the use of land in a socially and economically desirable manner.

Sec. 10.08 FINAL PUD SITE PLAN APPROVAL STANDARDS

Based upon the following standards, the Planning Commission may recommend denial, recommend approval, or approval with conditions, and the Township Board may deny, approve with conditions the proposed planned unit development.

- 10.08.01 **Consistency with Preliminary PUD.** The Final PUD Plan and associated documents shall be reviewed for consistency with the approved Conceptual PUD Plan, PUD Agreement and associated documents and any conditions required by the Township.
- 10.08.02 **Final Site Plan Review.** The Final PUD Plan and associated documents shall be reviewed in accordance with Article 18 Site Plan Review, Township Subdivision Regulations, Township Condominium Ordinance and any other applicable regulatory document.
- 10.08.03 **Non-residential.** Non-residential PUD projects shall be reviewed for compliance with the standards set forth in Section 10.03.04.
- 10.08.04 **Conditions.** The Township may impose additional reasonable conditions to: 1) insure that public services and facilities affected by a Planned Unit Development will be capable of accommodating increased service and facility loads caused by the Planned Unit Development, 2) protect the natural environment and conserve natural resources and energy, 3) insure compatibility with adjacent uses of land, and 4) to promote the use of land in a socially and economically desirable manner.
- 10.08.05 **Phases.** For a PUD that is being developed in phases, final site plan approval for each phase shall be conditioned upon continued compliance of all phases with the Conceptual PUD Plan and PUD Agreement, as may be amended by the Township. The Township Board may postpone the approval of any final site plan for subsequent phases until previously approved phases of the PUD are brought into compliance with the requirements of the Conceptual PUD Plan and PUD Agreement.

Sec. 10.09 SCHEDULE OF CONSTRUCTION

- 10.09.02 **Construction.** Final site plan approval of a PUD, PUD phase or a building within a PUD shall be effective for a period of three (3) years. Further submittals under the PUD procedures shall be accepted for review upon a showing of substantial progress in development of previously approved phases, or upon a showing of good cause for not having made such progress.
- 10.09.04 **Residential Phasing.** In the development of a PUD, the percentage of one-family dwelling units under construction, or lots sold, shall be at least in the same proportion to the percentage of multiple family dwelling units under construction at any one time, provided that this Section shall be applied only if one-family dwelling units comprise twenty-five (25%) percent or more of the total housing stock proposed for the PUD. Non-residential structures designed to serve the PUD residents shall not be built until the PUD has enough dwelling units built to support such non-residential use. The Planning Commission may modify this requirement in their conceptual or final submittal review process.

Sec. 10.10 APPEALS AND VIOLATIONS

10.10.01 **Zoning Board of Appeals:** The Zoning Board of Appeals shall have the authority to hear and decide appeal requests by individual lot owners for variances from the Genoa Township Zoning Ordinance following final approval of the PUD. However, the Zoning Board of Appeals shall not have the authority to reverse the decision of the Township Board on a PUD concept, or final site plan, change any conditions placed by the Planning Commission, or Township Board or grant variances to the PUD site plan, written PUD agreement or the requirements of this article.

10.10.02 **Violations:** A violation of the PUD plan or agreement shall be considered a violation of this Ordinance.

Sec. 10.11 AMENDMENTS AND DEVIATIONS FROM APPROVED FINAL PUD SITE PLAN

10.11.01 **Deviations following approval:** Deviations following approval of the Final PUD Site Plan may occur only when an applicant or property owner who was granted Final PUD Site Plan approval notifies the Zoning Administrator of the proposed amendment to such approved site plan in writing, accompanied by a site plan illustrating the proposed change. The request shall be received prior to initiation of any construction in conflict with the approved Final PUD Site Plan.

10.11.02 **Procedure:** Within fourteen (14) days of receipt of a request to amend the Final PUD Site Plan, the Zoning Administrator shall determine whether the change is major, warranting review by the Planning Commission, or minor, allowing administrative approval, as noted below.

10.11.03 **Minor changes:** The Zoning Administrator may approve the proposed revision upon finding the change would not alter the basic design nor any conditions imposed upon the original plan approval by the Planning Commission. The Zoning Administrator shall inform the Planning Commission of such approval in writing. The Zoning Administrator shall consider the following when determining a change to be minor.

- (a) For residential buildings, the size of structures may be reduced; or increased by five percent (5%), provided the overall density of units does not increase and the minimum square footage requirements are met.
- (b) Gross floor area of non-residential buildings may be decreased; or increased by up to five percent (5%) or 10,000 square feet, whichever is smaller.
- (c) Floor plans may be changed if consistent with the character of the use.
- (d) Horizontal and/or vertical elevations may be altered by up to five percent (5%).
- (e) Relocation of a building by up to five (5) feet, if consistent with required setbacks and other standards.
- (f) Designated "Areas not to be disturbed" may be increased.
- (g) Plantings approved in the Final PUD Landscape Plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved which are lost during construction may be replaced by at least two (2) trees of the same or similar species.

- (h) Improvements or slight relocation of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
- (i) Changes of building materials to another of higher quality, as determined by the Zoning Administrator.
- (j) Slight modification of sign placement or reduction of size.
- (k) Internal rearrangement of parking lot which does not affect the number of parking spaces or alter access locations or design.
- (l) Changes required or requested by the Township, County or state for safety reasons.

10.11.04 **Major Changes:** Where the Zoning Administrator determines the requested amendment to the approved Final PUD Site Plan is major, resubmittal to the Planning Commission shall be required. Should the Planning Commission determine that the modifications to the Final PUD Site Plan significantly alter the intent of the Conceptual PUD Site Plan, a revised conceptual PUD Site Plan shall be submitted according to the procedures outlined in Section 10.04 illustrating the modification shall be required.

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
June 10, 2024**

MINUTES

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Marianne McCreary, Eric Rauch, Jeff Dhaenens, and Tim Chouinard. Absent were Greg Rassel and Glynis McBain. Also present were Planning Director Amy Ruthig and Brian Borden of Safebuilt.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

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

DECLARATION OF CONFLICT OF INTEREST:

Mr. Chouinard stated he will need to leave the room during Open Public Hearing #1.

Moved by Commissioner Rauch, supported by Commissioner McCreary, to excuse Commissioner Chouinard from Open Public Hearing #1.

CALL TO THE PUBLIC:

The call to the public was made at 6:32 pm.

Mr. Dan Hassett of 2955 Turning Leaf stated that the developer started the cleaning of the property in front of his home. They cut down five more deciduous trees than they were allowed to. They removed trees that had ribbons marking them to remain. He provided photographs.

Ms. Melanie Johnson of 3990 Chilson Road is questioning how the Latson PUD will change the township. The zoning goes from the most intense zoning to five acre zoning. There is no transitional zoning. Are there going to be buffers? She is concerned about the water features.

Ms. Barbara Tonkovich of 472 Newton stated they are putting up a 200,000 square foot trucking business in the Latson Road area. Livingston County is rural and that is why people like to live here. She is not pleased with the changes over the last decade. The township approved this plan and she thinks that this type of development should be put on the ballot.

The call to the public was closed at 6:35 pm.

OLD BUSINESS:

Commissioner Chouinard left the room at 6:44 pm.

OPEN PUBLIC HEARING #1...Consideration of a special land use application, environmental impact assessment and site plan for a contractor's yard with outdoor storage at an existing industrial site for Adams Well Drilling located at 5893 Sterling Drive. The site is located on a 5.39-acre parcel on the north side of Sterling Drive, west of Dorr Road. The request is petitioned by Adams Well Drilling.

A. Recommendation of Special Use Application

B. Recommendation of Environmental Impact Assessment (5-21-24)

C. Recommendation of Site Plan (5-21-24)

Mr. Brody Adams, the applicant, and Mr. Patrick Cleary of Boss Engineering were present.

Mr. Cleary stated they have addressed the Brighton Area Fire Authority's comments. There are outstanding items from the planner that they would like to discuss this evening.

Mr. Borden reviewed his letter dated June 4, 2024.

1. Section 19.03 General Special Land Use Standards:

a. The standards of Section 19.03 are generally met, provided:

i. The use conditions of Section 8.02.02(b) are met to the Commission's satisfaction regarding compatibility and impacts; and

ii. The applicant addresses comments from the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.

2. Section 8.02.02(b) Use Conditions:

a. The applicant must complete the lot reconfiguration process, if they have not already.

b. The Commission may allow gravel surfacing of the outdoor storage yard, pending a recommendation from the Township Engineer.

c. The buffer/screening requirements are not fully met. A Buffer Zone B is required.

3. Site Plan Review:

a. He requests the applicant confirm that the proposed roof extension complies with the 25-foot side yard setback requirement. Commissioner Rauch wants to ensure this complies with the requirement and if not, then the applicant will need to obtain a variance.

b. The main driveway is deficient by one inch in width for two-way travel. He stated the Planning Commission can allow the deficiency. Mr. Adams stated semi-trucks currently use this driveway and there has never been an incident or accident.

c. The buffers around the outdoor storage area do not fully comply with Buffer Zone B requirements. The Planning Commission has the ability to waive this requirement, considering the existing landscaping and the uses on the adjacent properties. There is existing vegetation around the site and outdoor storage on many of the neighboring properties.

d. He is requesting the applicant provide detail sheets for existing light fixtures to ensure compliance with current standards.

e. The waste receptacle/enclosure should be brought into compliance with current standards.

Ms. Sydney Streveler and Mr. John Barber's letter dated May 24, 2024 states that all of their previous comments have been addressed.

The Fire Marshal's letter dated June 4, 2024 states that his comment has been addressed.

Commissioner McCreary questioned if some of the pine trees are being removed. Mr. Cleary stated yes, and it is necessary for stormwater management. They are replacing them as required by the ordinance. She visited the site and agrees that buffering would not be necessary; however, she saw a very large RV stored there and wants to ensure that nothing will be placed there that is higher than the fence or put behind the building.

Commissioner Rauch questioned if the gravel driveway off of Door Road that is used occasionally has the proper easements and wants to make sure that it is only used for emergency purposes. Mr. Adams stated there is an easement for the driveway for the cell tower. Commissioner Rauch wants to ensure there is an easement for it to be accessed by the applicant for emergencies.

Commissioner Dhaenens wants to ensure that the applicant can comply with the setback requirement. He asked if the Dumpster pad will be made compliant. Mr. Cleary stated it is behind a fence and it is not seen from the roadway, so they are requesting this requirement to be waived and have it be included as part of the storage yard. Commissioner Rauch stated that the intent is to ensure that the property looks nice from the roadway. Mr. Borden stated this requirement was waived recently for another business whose Dumpster was enclosed inside a fenced yard. Commissioner Dhaenens agrees to waive this requirement and the one-inch deficiency of the road width, but he wants to ensure that the side setback is met or a variance is obtained.

The call to the public was made at 7:16 pm with no response.

Moved by Commissioner Rauch, supported by Commissioner Dhaenens, to recommend to the Township Board approval of the Special Use Application for a contractor's yard with outdoor storage at an existing industrial site for Adams Well Drilling located at 5893 Sterling Drive for Adams Well Drilling, with the following comments:

- The Planning Commission finds both Section 19.03 and Section 8.02.02 (b) have been met by the petitioner in a satisfactory manner.
- The use of gravel where depicted on the site plan is satisfactory in this instance.
- The landscape buffering due to the existing trees both on and adjacent to the site is found to be sufficient
- The issuance of a land use permit is subject to the reconfiguration of the property lines as shown on the site plan
- The petitioner shall make adjustments to the proposed rear overhang so that it meets the required setbacks of Genoa Township.

The motion carried unanimously.

Moved by Commissioner Rauch, supported by Commissioner McCreary, to recommend to the Township Board approval of the Environmental Impact Assessment dated May 21, 2024 for a contractor's yard with outdoor storage at an existing industrial site for Adams Well Drilling located at 5893 Sterling Drive for Adams Well Drilling. **The motion carried unanimously.**

Moved by Commissioner Rauch, supported by Commissioner Dhaenens, to recommend to the Township Board approval of the Site Plan dated May 21, 2024 for a contractor's yard with outdoor storage at an existing industrial site for Adams Well Drilling located at 5893 Sterling Drive for Adams Well Drilling, with the following conditions:

- The standards required for a special land use have been met.
- The driveway width of 23.9 feet is found to be acceptable to the Planning Commission.
- The parking lot striping shall be updated to meet township standards, which is 24 foot wide, as part of the project.
- The need for a dedicated dumpster enclosure is not found to be necessary on this parcel because of the enclosure of the entire rear lot.
- The petitioner shall review the need for a cross access easement with the adjacent parcel to determine if any updates are needed to accommodate their emergency traffic. The results shall be presented, reviewed and approved by township staff.

The motion carried unanimously.

Commissioner Chouinard returned to the room at 7:21 pm.

OPEN PUBLIC HEARING #2...Consideration of a special land use application, environmental impact assessment and site plan for the sale of new and used trailers. The property is located at an existing commercial site for AAA Trailer Sales located at 4675 Grand River Avenue, north side of Grand River Avenue, west of Boulevard Drive. The request is petitioned by AAA Trailer Sales.

- A. Recommendation of Special Land Use Application
- B. Recommendation of Environmental Impact Assessment (5-20-24)
- C. Recommendation of Site Plan (5-20-24)

Mr. Chris _____ of Desine Engineering and Mr. Ryan Copp of AAA Trailers were present. Mr. _____ provided a review of the proposed project. The applicant is requesting to allow outside trailer sales. There are no modifications to the building. He provided details of the proposed changes to the site, such as parking lot, landscaping, etc.

Mr. Borden reviewed his letter dated June 4, 2024.

- 1. Special Land Uses (Section 19.03):
 - a. Provided the use conditions are met to the Commission's satisfaction, he is of the opinion that the revised submittal complies with the standards of Section 19.03; however, 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. Gravel may be allowed pending a recommendation from the Township engineering consultant.
- b. An automobile display pod is allowed, but they are proposing a trailer display pod. The Planning Commission should specify that a trailer display pod is allowed.
- c. The plan does not fully provide the required buffer zones, but does provide some plantings, privacy fencing, and steep slopes. The Planning Commission has the authority to waive or modify these requirements based on existing vegetation, grading, and adjacent land uses.

3. Site Plan Review:

- a. The applicant must address any comments provided by the Township Engineer and/or the Brighton Area Fire Authority, particularly with respect to the security gate.
- b. The revised landscape plan does not fully meet buffer zone requirements; however, the Commission may modify these requirements based on Section 12.02.13.
- c. He encourages the applicant to replace the nonconforming pole sign with a compliant sign.

Ms. Sydney Streveler and Mr. John Barber's letter dated May 24, 2024 states that all of their previous comments have been addressed.

The Fire Marshal's letter dated June 4, 2024 states that his comments have been addressed.

Commissioner McCreary questioned the condition of the used trailers that will be displayed. Mr. Copp stated they receive them by trade-ins. Aesthetically, they will look like the new ones.

Commissioner Rauch thanked the applicant for updating the fence. He requested to have it extended to the northwest corner of the property to screen the parking lot from drivers traveling eastbound. Mr. _____ stated their site is at a lower elevation than the driveway to Tractor Supply and there are plantings along the driveway. He suggested adding landscaping as screening. Mr. Rauch was agreeable.

The call to the public was made at 7:34 pm with no response.

Commissioner Rauch always looks for opportunities to remove pole signs and replace them with ground signs, but this project is providing a lot of improvements to the site. He added that lowering the sign could provide a sight barrier to drivers exiting the Tractor Supply Driveway. Commissioner Dhaenens agrees it should be allowed to remain.

Moved by Commissioner McCreary, supported by Commissioner Rauch, to recommend to the Township Board approval of the Special Use Application for the sale of new and used trailers AAA Trailer Sales located at 4675 Grand River Avenue, with the following comments:

- The proposal complies with Section 7.02.02(c) of the zoning ordinance for the sale of recreational vehicle sales.
- The use is consistent with the Master Plan in the mixed use on West Grand River.

- The Planning Commission finds the gravel to be an allowable surface
- The buffer zones are found to be sufficient.

The motion carried unanimously.

Moved by Commissioner McCreary, supported by Commissioner Rauch, to recommend to the Township Board approval of the Environmental Impact Assessment dated May 20, 2024 for the sale of new and used trailers AAA Trailer Sales located at 4675 Grand River Avenue.

The motion carried unanimously.

Moved by Commissioner McCreary, supported by Commissioner Dhaenens, to recommend to the Township Board approval of the Site Plan dated May 20, 2024 for the sale of new and used trailers AAA Trailer Sales located at 4675 Grand River Avenue, with the following conditions:

- The applicant shall meet the engineer and fire authority's requirements.
- The agreement to landscape the additional area noted on the northwest side for buffer purposes is approved.
- A trailer display pod in lieu of an automobile display pod for one trailer only is permitted.
- The existing pole sign is allowed to continue to stay as is.

The motion carried unanimously.

NEW BUSINESS:

OPEN PUBLIC HEARING #3...Consideration of a Zoning Ordinance Text amendment to Article 7 of the Zoning Ordinance, entitled "Commercial and Service Districts".

A. Recommendation of Zoning Ordinance Amendment to Article 7 entitled "Commercial and Service Districts".

Ms. Ruthig stated that the township has received a rezoning request to rezone a property that would result in a spot zoning, so staff is recommending that the use be added as a special use in that zoning district.

Commissioner McCreary agrees that this type of use should be allowed in this specific area; however, she is not sure if it should be allowed in all Office Service zoned areas of the township.

Mr. Borden stated this is a text amendment. Nothing is being approved this evening. This amendment would allow an applicant to apply for a special use and then all of the criteria would be evaluated each time an applicant comes before the Planning Commission for a special land use.

Commissioner Rauch understands it is a special use in the district, but a laundromat is not appropriate in an office service district. Mr. Borden stated that the Office Service District Zoning states "offices and services".

Genoa Township Planning Commission

June 10, 2024

Unapproved Minutes

Commissioner Dhaenens stated there is a lot of empty office space in the township and if it can be occupied, it would be worth the conversation.

The call to the public was made at 7:51 pm.

Ms. Barbara Tonkovich of 472 Newton has lived here since 1979. She has seen a lot of changes. There used to be a medical office building in Brighton and that building is really nice with a nice parking lot so that it can be used as an office. Commissioner Rauch advised that the way that building was built only allows it to be used as a medical building and cannot be renovated to offices.

Ms. Melanie Johnson of 3990 Chilson Road asked if the site that is being discussed this evening would be a mixed use in the future based on what the Master Plan shows.

The call to the public was closed at 7:56 pm.

Moved by Commissioner Dhaenens, seconded by Commissioner Rauch, to approve a Zoning Ordinance Text amendment to Article 7 of the Zoning Ordinance, entitled "Commercial and Service Districts". **The motion carried unanimously.**

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated there will be four items on the July meeting, including a sign ordinance amendment.

Approval of the May 13, 2024 Planning Commission meeting minutes

One change was noted.

Moved by Commissioner McCreary, seconded by Commissioner Chouinard, to approve the minutes of the May 13, 2024 Planning Commission Meeting as amended. **The motion carried unanimously.**

Member Discussion

Commissioner Chouinard asked about the signage at the party store next to Sunrise Park. Ms. Ruthig stated they have sent them two notices and the next step will be to issue tickets.

Commissioner Dhaenens stated that he, Commissioner McCreary and Supervisor Rogers went to the Livingston County Master Plan open house. It was interesting speaking to people from other townships and the issues that they face.

He also attended a lunch and learn last week where he learned about the life cycle of a building.

Genoa Township Planning Commission
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Unapproved Minutes

Adjournment

Moved by Commissioner Dhaenens, seconded by Commissioner McCreary, to adjourn the meeting at 8:05 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary

DRAFT