



**GENOA CHARTER TOWNSHIP APPLICATION**  
**Planned Unit Development (PUD)**  
**STAFF AND CONSULTANTS HAVE NOT**  
**COMPLETED THE REVIEW OF THIS INFORMATION**

APPLICANT NAME: Latson Beck, LLC

APPLICANT EMAIL: todd@versacos.com

APPLICANT ADDRESS & PHONE: 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034, ( 248) 770-8484

OWNER'S NAME: Latson Beck, LLC

OWNER ADDRESS & PHONE: 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034, ( 248) 770-8484

TAX CODE(S): 11-09-300-046

**QUALIFYING CONDITIONS (To be filled out by applicant)**

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

EXPLAIN The property is under single control.

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

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

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

Size of property is approximately 7 acres.

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

The +/-7 acre property is less than 20 acres but will be served by both public water and sewer which allows for the minimum area to be reduced to 5 acres as explained above.

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

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

A detailed response to this question is explained in the attached letter by Alan Greene from Dykema Gossett PLLC. Please refer to response #1 Consistency with Master Plan

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

A detailed response to this question is explained in the attached letter by Alan Greene from Dykema Gossett PLLC. Please refer to response #4 Compatibility with Surrounding Use.

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

A detailed response to this question is explained in the attached letter by Alan Greene from Dykema Gossett PLLC. Please refer to response #5 Infrastructure Capacity to Accommodate the Uses.

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

A detailed response to this question is explained in the attached letter by Alan Greene from Dykema Gossett PLLC. Please refer to response #6 Demonstrated Demand for the Uses.

**AFFIDAVIT**

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

BY: \_\_\_\_\_

ADDRESS: 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034

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

Todd Wyett of Versa Real Estate at todd@versacos.com  
*Name Business Affiliation E-mail*

And Eric Lord of Atwell at elord@atwell-group.com

**FEE EXCEEDANCE AGREEMENT**

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

PROJECT NAME: Latson Road / I-96 Interchange Commercial

PROJECT LOCATON & DESCRIPTION: South of Beck and east of Latson Road

SIGNATURE:  DATE: \_\_\_\_\_

PRINT NAME: Todd Wyett PHONE: 248-770-8484

COMPANY NAME & ADDRESS: Versa Real Estate, 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034



**GENOA CHARTER TOWNSHIP**  
**Application for Re-Zoning**

APPLICANT NAME: Latson Beck, LLC ADDRESS: 29201 Telegraph Rd, ste 410, Southfield, MI 48034  
OWNER NAME: Latson Beck, LLC ADDRESS: Same as above  
PARCEL #(s): 11-09-300-046 PRIMARY PHONE: ( 248 ) 770-8484  
EMAIL 1: todd@versacos.com EMAIL 2: elord@atwell-group.com

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

**A. REQUIRED SUBMITTAL INFORMATION**

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

CE to ICPUD

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

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

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC.

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC

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

See detailed response in attached letter from Alan Greene with

Dykema Gossett PLLC

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

None

**C. AFFIDAVIT**

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

BY: Todd Wyett

ADDRESS: 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034

SIGNATURE

The following contact should also receive review letters and correspondence:

Name: Eric Lord Email: elord@atwell-group.com


Business Affiliation: Engineer

**FEE EXCEEDANCE AGREEMENT**

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PROJECT NAME: Interchange Commercial PUD

PROJECT LOCATON & DESCRIPTION: Latson Road south of I-96

SIGNATURE:  DATE: 2/22/2024

PRINT NAME: Todd Wyett PHONE: (248) 770-8484

COMPANY NAME & ADDRESS: Versa Real Estate



**GENOA CHARTER TOWNSHIP**  
**Application for Site Plan Review**

**TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:**

Todd Wyett 29201 Telegraph Rd., Ste. 410, Southfield,  
APPLICANT NAME & ADDRESS: MI 48034

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

Todd Wyett 29201 Telegraph Rd., Ste. 410, Southfield,  
OWNER'S NAME & ADDRESS: MI 48034

SITE ADDRESS: \_\_\_\_\_ PARCEL #(s): 11-09-300-046

APPLICANT PHONE: ( 248 ) 770-8484 OWNER PHONE: ( 248 ) 770-8484

OWNER EMAIL: todd@versacos.com

LOCATION AND BRIEF DESCRIPTION OF SITE: \_\_\_\_\_

The site is located south of the Latson Road Interchange with I-96, east of Latson between Beck Rd and the Railroad.

BRIEF STATEMENT OF PROPOSED USE: \_\_\_\_\_

The area is intended for supportive commercial use as indicated in the Township Master Plan.

THE FOLLOWING BUILDINGS ARE PROPOSED: To be determined.

**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: Todd Wyett


ADDRESS: 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034

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

1.) <b>Todd Wyett</b>	of <b>Versa Real Estate</b>	at <b>todd@versacos.com</b>
<small>Name</small>	<small>Business Affiliation</small>	<small>E-mail Address</small>
<b>Eric Lord</b>	<b>Atwell Group</b>	<b>elord@atwell-group.com</b>

**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: 2/22/2024  
PRINT NAME: Todd Wyett PHONE: 248-770-8484  
ADDRESS: 29201 Telegraph Rd., Ste. 410, Southfield, MI 48034

DRAFT PUBLIC HEARING





**Dykema Gossett PLLC**  
39577 Woodward Avenue  
Suite 300  
Bloomfield Hills, MI 48304  
WWW.DYKEMA.COM

Tel: (248) 203-0700  
Fax: (248) 203-0763

**Alan M. Greene**  
Direct Dial: (248) 203-0757  
Direct Fax: (855) 236-1206  
Email: AGreene@dykema.com

September 27, 2024

**Via Hand Delivery**

Kelly VanMarter  
Planning Director  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

Re: Commercial PUD (ICPUD)--South Latson Road

Dear Kelly:

As you know, I represent Latson Beck, LLC (the "Applicant") in connection with its application for ICPUD zoning for property located east of Latson Road, along Beck Road (Parcel No. 11-09-300-046, the "Property"). In addition to seeking ICPUD zoning for the Property, Applicant sought to add an adjacent approximate 5 acres of land already zoned ICPUD to the proposed future development. That land is already part of the existing, approved Innovation Park PUD and would have required an amendment to the Innovation Park PUD agreement. Based upon the negative public reaction to amending the Innovation Park PUD apparent at the public hearings held on September 17, 2024, we are no longer seeking to amend the Innovation Park PUD and will just proceed with the request to approve ICPUD zoning on the Property.

Further, we have addressed all of the review comments from Township Staff and planning and engineering consultants dated September 10, 2024, which were made available to Applicant a couple of days before the September 17 public hearings. We made each change requested in those reviews and revised the documents to remove any reference to the 5 acres that are already zoned ICPUD and included in the Innovation Park PUD. In that regard, I am enclosing a redlined PUD agreement that reflects all of the requested review changes. I am also enclosing a letter from our engineer, Atwell, that summarizes all of the other revisions made to the various exhibits to the PUD, including the approved and prohibited uses, design guidelines and Impact Assessments, and includes redlined or highlighted revised documents. In that these were second reviews, there were not many material changes and the matter could have been addressed by the Planning Commission at its last meeting, although it chose to delay the matter so that the comments could be addressed.

This letter is also intended to supplement and address staff comments to the Application for Re-Zoning Form as follows:

**1. Consistency with Master Plan.** Even though the rezoning request is identical to the future land use classification identified in the Township's Master Plan, which is the epitome of consistency with the Master Plan, the review comment asks for more information on consistency with the Master Plan. However, the Township's own planning consultant reviewed this issue and concluded that, "*The proposed rezoning designation of ICPUD is consistent with the I-96/Latson Road Subarea Plan and goals of the Master Plan.*" (Letter from Safebuilt dated September 10, 2024, emphasis added.) The current zoning of the Property, Country Estates, is inconsistent with all of the surrounding zoning and land uses. This 7-acre island of agricultural, low-density residential zoning abuts land already zoned ICPUD to the east, and east of that is land master-planned for future ICPUD land uses. It abuts active railroad tracks to the south, fronts Beck Road to the north, which is in close proximity to the I-96/Latson Road interchange, with the extensive noise generated by that interchange. It fronts Latson Road to the west and the land on the west side of Latson is zoned for industrial and high-tech uses. The Master Plan calls for the accommodation of a variety of land uses in a logical pattern. For all of the reasons incorporated in the ICPUD future land use designation for the Property, this is the appropriate location for such highway commercial uses. Moreover, the Master Plan indicates that the entirety of all commercial, retail, office and medical office uses in the Township only incorporates about 4% of the Township land area.

**2. Suitability of the Site for Uses Permitted in the Zoning District.** Again, the suitability of the Property for the ICPUD land uses was evaluated by the Township in connection with the adoption of the Master Plan and designation of the Property for these uses. The Property is generally flat, with minimal natural features, with the exception of two small wetland pockets that, according to the wetland consultant, are not regulated or of rare quality. The Township has allocated public sewer and water capacity to serve the Property and public water has already been constructed to the Property in connection with the neighboring Innovation Park PUD. Sewer has also been brought across I-96 to the Innovation Park PUD property on the west side of Latson and is planned to be brought to the Property in accordance with the Utility Agreement entered into by the Township with the Developer of the Innovation Park PUD. The preliminary site plan included with the Application depicts a gas station, which is ready to move forward with detailed site planning if the rezoning is approved. (See also, Safebuilt letter, at p.3)

**3. No reasonable Return on Investment if the Property is not Rezoned.** One objective of the Master Plan is to "*Provide landowners with reasonable use of the Property in a manner compatible with adjacent land uses and overall land use patterns for the Township.*" (Master Plan, at p. 2.15, emphasis added.) The current CE zoning is entirely inappropriate and inconsistent with the surrounding zoning, highway interchange (and the noise, fumes and traffic generated thereby) and railroad tracks. Of all the available land in the Township for low-density residential/agricultural development, this is one of the least appropriate locations for such development, which explains why the Township has designated this land for highway commercial development for over 10 years now. Maintaining the CE zoning of the Property deprives the Applicant of any economically viable use of the Property and would constitute a taking if not changed. In fact, the location and other factors impacting the Property make it entirely inappropriate for the stated purpose of the CE district (one of the low-density single-family and agriculture districts) as set forth in Section 3.01 of the Zoning Ordinance. (See also, Safebuilt letter, at p.3.)

**4. Whether the Proposed Uses Are Compatible with Surrounding Use.** As described in detail in paragraph 2 above, the uses allowed in the ICPUD district are compatible with the surrounding zoning and land influences. Land to the east is zoned ICPUD. Land to the south and west are zoned CAPUD. The Property is sandwiched between railroad tracks and public streets in close proximity to a busy highway interchange. The Township itself considered all of these factors when it master-planned the Property for ICPUD uses.

**5. Infrastructure Capacity to Accommodate the Uses.** As previously stated, the Township has specifically planned to serve this Property with public utilities and has allocated capacity for such purpose. MHOG has improved its sewer plant at substantial cost to serve this Property and the other Township lands along S. Latson Road that have been planned for business development. Water has recently been extended to the Property and sewer has been extended to the Innovation Park property on the west side of Latson. The Utility Agreement entered by the Township with the Innovation Park developer provides that sewer service would be extended to each of the properties within the planned development parcels, including the Property, in connection with final site plans for each such property.

**6. Demonstrated Demand for the Uses.** The Township's Master Plan evaluated the amount of land reasonably required for the interchange commercial uses and designated a very limited amount of land for this purpose. The location is unique and being dictated by the proximity to the interchange. Indeed, the Township has been soliciting users and developers for this and surrounding Properties on its website. Although it is not required to have a user in place to justify the rezoning (in fact, most users do not enter agreements for property that is not yet zoned for such use), Applicant has entered into a letter of intent dated August 29, 2024 (copy attached with economics redacted), for the gas station and affiliated commercial use shown on the preliminary plan submitted with the Application. If the rezoning is granted, that project will move forward with final site planning and engineering design.

**7. Whether Another Zoning District is More Appropriate.** No. The Township created the ICPUD zoning district within the last several years specifically for this Property and a few other limited parcels in the vicinity of the Property. Indeed, the adjacent 5 acres to the east has already been zoned ICPUD. (See *also*, Safebuilt letter, at p.4.)

Thank you for considering these additional comments. We would appreciate it if this matter can be placed on an agenda for a special meeting at the end of October.

Sincerely,

**Dykema Gossett PLLC**



Alan M. Greene



Kelly VanMarter  
September 27, 2024  
Page 4

cc: Todd Wyatt  
Brad Strader  
Eric Lord  
Jared Kime  
Julie Kroll

DRAFT PACKET  
PUBLIC HEARING #1

August 19, 2024

Todd Wyett  
Versa Real Estate  
206 Bridge Street  
Charlevoix, Michigan 49720

**Re: Letter of Intent for the Latson Road & I-96, Howell, Michigan**

Dear Todd:

██████████ on behalf of an entity to be formed and/or assigns ("Purchaser") is submitting this letter of intent ("LOI") to acquire the Property (as hereinafter defined). This LOI is not a binding commitment or agreement by either Purchaser or Seller for the purchase and sale of the Property.

Property: Latson Road & I-96  
Howell, MI  
(legal description is on the attached survey as Exhibit A)  
**Approximately 4 acres**

Purchase Price: ██████████ Dollars plus or minus  
customary prorations with cash at Closing.

Deposit: Within five (5) business days of execution of a Purchase and Sale Agreement ("Agreement"), Purchaser shall deposit ██████████ Dollars ("Deposit") with First American Title Insurance Company, 300 E. Long Lake Road, Suite 300, Bloomfield Hills, MI 48304 Attn: Pat Flinchum ("Title Company").

Purchase and Sale Agreement: Upon written acknowledgement of the terms of this LOI by Purchaser and Seller, Purchaser will prepare the Agreement for Seller's review within ten (10) days after the full execution of this LOI.

Inspection Period: Purchaser shall have until 5:00 PM EST on a date that is two hundred seventy (270) days from execution of the Agreement ("Inspection Period") to conduct certain tests and studies, examine title, and otherwise to determine in its sole discretion if it intends to purchase the Property. Purchaser and its representatives shall have reasonable rights to inspect the Property and its improvements in accordance with terms of the Agreement. All Inspection Period expenses shall be paid for by Purchaser.

**Closing:** The closing ("Closing") shall take place thirty (30) days after the expiration of the Inspection Period as extended.

**Confidentiality:** Except as may be required by law, neither Purchaser nor its respective shareholders, trustees, beneficiaries, affiliates, officers, employees, agents and representatives, shall: (a) make any press release or any public statement concerning the transaction contemplated herein without the prior written consent of the Seller; or (b) disclose either the terms, or existence of this letter of intent and any subsequent Agreement to any person or entity, other than to its attorneys, and to those parties with whom it must communicate in order to consummate the proposed transaction; or (c) disclose the test results from Purchaser's inspections of the Property to any third party other than as permitted hereunder.

**Title:** Upon execution of the Agreement, Seller will provide Purchaser a commitment for an ALTA Owner's Title Insurance Policy insuring title to Real Estate without exceptions issued by Title Company (including copies of all recorded exceptions), commitment and the policy to be issued thereto, including any and all endorsements desired by Purchaser. If Seller can locate its owner's title insurance policy, Seller agrees to deliver a copy to Purchaser.

**Prorations & Closing Costs:** Taxes and utilities will be prorated as of the closing date. Seller to pay for (i) Owners Title Policy without encumbrances and standard exceptions; (ii) property transfer taxes; (iii) broker fees; and (iv) ½ of closing fees. All other closing costs to be borne by Purchaser as is usual practice (survey, mortgage title insurance if needed, and any third-party reports) and ½ of closing fees. Real estate tax proration will be handled according to local custom ("due-date" assuming that taxes are paid in advance from issue date).

At Closing, Seller shall assign and convey to Purchaser all of its right's, title and interest in and to the Property, conveying good and marketable title to the Property. The real property shall be conveyed by a warranty deed free of any encumbrances not accepted by Purchaser.

Purchaser understands this is an "as-is" transaction with no representations and warranties of Seller.

**Assignment:** Purchaser may assign its rights, duties, and obligations under this Agreement at any time prior to Closing without Seller approval.

**Limitations:** Notwithstanding anything to the contrary contained herein or elsewhere, this LOI constitutes only an expression of interest and shall not constitute a binding agreement between the signatories to consummate the transaction discussed herein. This LOI is non-binding and is merely a reflection the parties' understanding of some of the general terms of the proposed transaction and upon which h understanding the parties are willing to proceed with further discussions and negotiations. It is agreed that no party to the proposed transaction will be under any legal obligation with respect to the proposed transaction or any similar

transactions, and no offer, commitment, estoppel, undertaking or obligation of any nature whatsoever shall exist or be implied in fact, law or equity, unless and until a formal written agreement providing for the transaction containing in detailed legal form the terms and conditions of the transaction has been executed and delivered by all parties intended to be bound. Both parties acknowledge and agree that during the course of negotiations the parties may reach agreement on certain points related to the proposed transaction but agree that neither party shall be entitled to rely upon any such agreements, or any statements or representations that may be made during the course of discussions and negotiations, nor shall there be any legal obligations related thereto, until the parties have executed an Agreement. However, by Purchaser's execution of this LOI, Purchaser is representing to Seller that it has a good faith interest in the Property.

Shared Costs: The cost of curb cuts and acceleration/deceleration lanes on Beck Road (if necessary) will be shared equally between Seller and Purchaser. **Have to come up with a reimbursement when I build my buildings**

Seller's Costs: The cost of providing the sanitary sewer, storm sewer, and water to the property shall be the responsibility of the Seller. **Buyer pays for any lift station, etc.**

Sincerely,

PURCHASER: [REDACTED] on behalf of an  
entity to be formed

SELLER: LATSON BECK, LLC

By: [Signature]  
Name: [REDACTED]  
Date: 8/29/24

By: [Signature]  
Name: [Signature]  
Date: 8/30/24

EXHIBIT A

**PLANNED UNIT DEVELOPMENT AGREEMENT  
(LATSON ROAD/I-96 INTERCHANGE COMMERCIAL)**

This **Planned Unit Development Agreement** (the “Agreement”) is made as of \_\_\_\_\_, 2024 (the “Effective Date”), by and between Latson Beck, LLC, a Michigan limited liability company (“Latson Beck” or “Developer”), whose address is 29201 Telegraph Road, Suite 410, Southfield, Michigan 48034, and the Charter Township of Genoa, a Michigan municipal corporation (the “Township”), whose address is 2911 Dorr Road, Brighton, Michigan 48116

**RECITATIONS**

A. Latson Beck is the owner of approximately 7.44 acres of land located on the east side of Latson Road, south of the I-96 expressway (Parcel No. 11-09-300-046), as depicted on the Parcel Map attached hereto as **Exhibit 1** (the “Latson Beck Property”).

B. The Latson Road/I-96 interchange was completed in approximately 2013. This new interchange provided the Township with the opportunity to create a new development district for coordinated, well-planned, mixed-use business, light industrial, high tech, office, commercial uses and related development, as described in, among other things, the Township’s 2013 Master Plan Update and incorporated by reference in the 2023 Master Plan. The Master Plan designates the Property for use and development as an Interchange Commercial Planned



Unit Development (or “ICPUD”) which has been incorporated into Article 10 of the Zoning Ordinance.

C. In 2020, affiliated entities of Latson Beck submitted a request to rezone approximately 177 acres of land located on the west side of Latson Road and another 10 acres on the east side of Latson Road to Campus Planned Unit Development (“CAPUD”); and approximately 5.74 acres of land located immediately adjacent and to the east side of the Latson Beck Property (the “Covenant of Faith Property”) to ICPUD (collectively referred to as the “Innovation Park PUD”).

D. Affiliated entities of Latson Beck and the Township entered into a Planned Unit Development Agreement (the “Innovation Park PUD Agreement”) as of September 30, 2020, which was recorded on October 6, 2020, with the Livingston County Register of Deeds, which among other things, rezoned the Covenant of Faith Property to ICPUD.

E. The Latson Beck Property is currently zoned CE (“country estates”), which is not consistent with the Township’s Future Land Use Plan for which the area is designated as Interchange Commercial.

F. Latson Beck has submitted an application for Planned Unit Development and to rezone the Latson Beck Property to ICPUD, consistent with the Township’s Master Plan and the adjacent Covenant of Faith Property, which is already zoned ICPUD under the Innovation Park PUD Agreement.

G. The Township Planning Commission reviewed the rezoning request, the Conceptual PUD Site Plan and Community Impact Statement and conducted a public hearing as required under the Zoning Ordinance. At its meeting held on \_\_\_\_\_, 2024, the Planning Commission recommended approval of the Commercial PUD to the Township Board and

Livingston County Planning Commission as satisfying the requirements of the review standards set forth in the Zoning Ordinance.

H. At its meeting held on \_\_\_\_\_, 2024, the Livingston County Planning Commission recommended approval of the Commercial PUD to the Township Board.

I. At its regular meeting held on \_\_\_\_\_, 2024, the Township Board conducted another public hearing on the Project and after finding that the rezoning and Conceptual PUD Site Plan satisfied the standards and objectives of the Zoning Ordinance and Master Plan, approved the Commercial PUD rezoning, the Conceptual PUD Site Plan and execution of this PUD Agreement for the Property, as reflected in the minutes of said meeting attached hereto as **Exhibit 2**, subject to the conditions of this Agreement and other conditions reflected in the meeting minutes.

**NOW, THEREFORE**, in consideration of the foregoing premises, which shall be incorporated into the parties' obligations set forth herein, the parties intending to be legally bound by this Agreement, agree as follows:

1. **Conceptual Commercial PUD Plan**. The Plan attached hereto as **Exhibit 3** is hereby approved by the Township as the PUD plan for the Project (the "Commercial PUD Plan"). The Commercial PUD Plan is conceptual and illustrative in nature and depicts the general nature and interrelationship of potential uses on the Property. The specific size and nature of any particular building or use and the relationship of such uses and buildings to each other within the Property will be subject to revisions based on the specific uses and businesses that may be attracted to the Property over time.

2. **Permitted Uses**. Notwithstanding anything contained in the Zoning Ordinance to the contrary, but subject to all of the terms and conditions of this Agreement and Exhibits hereto,

the Property may be developed for any of the uses or combination of uses set forth in **Exhibit 4** hereto; provided, however, that: (a) a gas station shall not be in the nature of a truck stop; and (b) while a hotel is a permitted use, it is limited in height to 4 stories (or 57 feet maximum). The uses listed as “Prohibited Uses” on **Exhibit 4** shall not be permitted under any circumstances.

3. **Special Land Uses.** Any of the uses: designated as “S” (or Special Land Use) contained in **Exhibits 4**, or any uses similar to or compatible with other special uses not specifically listed in the ICPUD district, as applicable to the Property, or commercial uses permitted by right or special approval in the RCD Zoning District but not listed in **Exhibit 4**, may be permitted upon determination of the Township Board following a recommendation by the Planning Commission as required by Township ordinance 10.03.06(c) in effect as of 2024, and shall be subject to all of the terms and conditions of this Agreement. (Relevant excerpts from the Zoning Ordinance are attached hereto as **Exhibit 5**.)

4. **Development Standards.** The Project is intended to be a focal point of interchange oriented commercial and other business activity in the community and to attract various commercial businesses that would take advantage of synergy of location and the expressway access and desire to be a part of a high quality, integrated business development plan. The location, design and uses allowed for the Project are intended to supplement and not compete with the Township’s major commercial districts along Grand River Avenue. Individual buildings and site amenities and landscaping are intended to be of high quality and design and include diverse building materials. All development within the Property shall adhere to the Commercial PUD Design Guidelines set forth in **Exhibit 6** hereto.

5. **Road Frontage.** The facades of the sides of all buildings fronting along Latson and Beck Roads shall incorporate materials of enhanced durability, including combinations of

brick, stone, glass, with permissible metal panel accents and such other equally durable and attractive materials as illustrated by the example facades in the PUD Design Guidelines.

6. **Future Road Improvements.** All road access to the Property shall be off of Beck Road and not Latson Road. No limited access driveways will be permitted. A traffic study was undertaken by Flies & Vandenbrink, dated July 26, 2024 (updated as of August 26, 2024), which recommends that a fully actuated and coordinated traffic signal with permissive/protected southbound left turn phasing be installed at the Latson and Beck Road intersection. While the final decision as to whether and when a traffic signal can be installed at the Beck/Latson intersection is within the jurisdiction of the Livingston County Road Commission (the “Road Commission”), Developer agrees that at such time as the traffic signal is approved and authorized, Developer will install the signal and related improvements at its expense.

7. **Greenbelts.** Landscaped greenbelts shall be installed along the perimeter boundaries of the Property as depicted on the Commercial PUD Plan and as described in the Design Guidelines.

8.

**Project Amenities.** Project amenities, including pathways along road frontage and connecting the various commercial uses, along with seating areas, bike racks, etc. will be included with each site plan submitted for specific development projects with the Project. In connection with the installation of the traffic signal described in paragraph 6 above, Developer shall fund and install one pedestrian crossing at Beck and Latson Roads.

9. **Off-Site Public Utilities.** As provided in an Agreement Regarding Construction of Sanitary Sewer and Water Project, made as of March 2021, between affiliates of Developer and the Township (the “Utility Agreement”), Developer’s affiliates paid for and completed the

construction of sewer and water service extensions from north of I-96 from Grand Oaks Drive and Kohl's to points south of the railroad tracks abutting the Property (the "Utility Project"). The Utility Project, which will ultimately be owned and operated by the Genoa-Oceola Sewer and Water Authority (G-O) and the Marion, Howell, Ocala, and Genoa Sewer and Water Authority (MHOG), was constructed in conformance with the Authority's Engineering Design Standards and Connection Manual, including inspection and testing of the utilities. The Utility Project was intended to serve and has the capacity "to serve the Township's 'Interchange Planned Unit Development' districts described in the Township's Zoning Ordinance," including the Property. (Utility Agreement, at pp. 1-2.) The utility plans for connecting sewer and water service to the Property are attached as **Exhibit 7**. As a result of the Utility Project, water service is available at the Property and sewer service is available on Property owned by Developer's affiliates. The further extension of utilities necessary to serve any part of the Interchange Planned Unit Development districts, including the Property, will be designed and installed as part of the final site planning and construction of any part of the districts. (Utility Agreement, at pp. 2-3.) On or before the execution of this Agreement, the Township and Developer agree to execute a First Amendment to the Utility Agreement in a form attached hereto as Exhibit 8 in order to add the Property to the Utility Agreement and the Developer as a party thereto. If a final site plan for development of a building or use on the Property is pursued before the much larger Utility Project is constructed for development within overall Innovation Park PUD, the Parties will work cooperatively and in good faith for an interim connection to the public utilities to serve the development in this Commercial PUD.

10. **Reservation of Utilities and Tap Fees**. The Township has allocated 10 sewer and water taps (residential equivalency units) capacity to serve the Property. If additional utility

capacity is needed in the future to service permitted and/or approved special land uses, the Township shall allocate additional capacity to the extent such capacity is available in the utility systems.

11. **Perimeter and Internal Building Setbacks; Height Limitations.** All setback and height standards are set forth in the PUD Design Guidelines and, regardless of any deviation of the PUD Design Guidelines from any existing or future Zoning Ordinance standard or requirement, the PUD Design Guidelines shall govern and apply to the development of the Project. Modifications from such PUD Design Guidelines in connection with the final site planning and engineering for any building or group of buildings may be requested by the Developer and may be granted in the exercise of reasonable discretion by the Township Board upon recommendation of the Planning Commission and upon a showing that such modifications will result in a development consistent with the terms of this Agreement, the Exhibits hereto and the ICPUD Zoning District.

12. **Final Site Plan/Project Phasing.** The Project, including without limitation, Project roadways, amenities and on-site utilities associated with each phase, may proceed in multiple phases, with any phase being a single building or multiple buildings (a “Phase”), and multiple phases may proceed at the same time. The Project may be established as one or more business/commercial condominiums in accordance with the condominium standards of the Zoning Ordinance. In that event, condominium units or sites may be leased by Developer or sold to other parties, including end-user businesses. Any site or unit leased, sold or developed shall be subject to the terms and conditions of this Agreement, which shall run with the land as described below, and will be subject to condominium documents and/or an agreement regarding covenants, easements and restrictions, in forms approved by the Township for consistency with

this Agreement and applicable Township ordinances. The Township shall review such condominium or covenant agreements, and shall approve them to the extent they are consistent with the terms and conditions of this Agreement and other applicable Township ordinances. Any final site plan for a building or phase within the Property shall contain the information required in Article 10.08.02 of the Zoning Ordinance and such final site plan shall be approved if it is consistent with the terms of this Agreement and satisfies other Ordinance requirements. In the event of any conflict between the terms of this Agreement and Exhibits hereto and any current or future Ordinance provision of the Township, this Agreement and Exhibits hereto shall control.

13. **Maintenance Obligations.** The internal roads, signage, pedestrian amenities, lighting, entry features, storm drainage, sidewalks, landscaping and other common elements installed within the interior of development areas shall be initially maintained by the Developer until a condominium or other property owners' association is created and until such condominium or association takes over such maintenance responsibilities in accordance with the condominium or association agreements. Upon assumption of the association's responsibility of such maintenance, the Developer shall have no further obligation hereunder with respect to maintenance of the common improvements.

14. **Timing of Development.** The Commercial PUD Plan shall operate in effect as a master future land use plan for the Project and the following time periods shall apply to the Project:

- a. **Expiration of PUD Agreement** – This Agreement shall expire in two (2) years if Developer has not submitted a final site plan for approval of a building or use within the Commercial PUD Property. This time period may be extended by the Township Board in the exercise of reasonable discretion for up to an additional two (2)

years if requested by the Developer in writing prior to the expiration of initial two-year period. An extension shall be granted if the Developer demonstrates good cause. Once a final site plan is approved for a building or project within the Commercial PUD Property and Developer commences construction, this Agreement shall not terminate except by mutual agreement of the Parties in writing.

b. **Expiration of Site Plans** – Individual site plans as required by Township Ordinance for structures and/or private roads and related infrastructure for each phase of the Project are valid for a period of three (3) years after final approval. The approved site plan must be constructed to substantial completion and issuance of a temporary certificate of occupancy within the three (3) years following final approval; otherwise the approval for that site plan is null and void unless an extension is granted by the Township Board following a recommendation by the Planning Commission. Developer shall be entitled to an extension if, as determined by the Planning Commission in the exercise of reasonable discretion, substantial progress has been made to complete the construction pursuant to a final site plan. Substantial progress is defined to include carrying out the terms of the final site plan in good faith, such as obtaining the necessary engineering approvals and permits for construction and, when permits have been issued, pursuing actual physical construction or development of the required improvements identified in the site plan. Nothing in this paragraph is intended to preclude Developer from pursuing multiple site plans at the same time.

15. **Termination or Expiration of Commercial PUD Plan.** In the event this Agreement expires or terminates for any reason, the rezoning classification shall remain, and any change in the zoning must be by application to the Township and fully compliant with the laws



of the State of Michigan. The expiration or termination of this Agreement for any reason does not result in the zoning reverting to its previous classification of Country Estates. Developer may at any time after expiration of the Commercial PUD Plan submit and pursue a new Commercial PUD Plan in accordance with the procedural requirements of the Zoning Ordinance in effect at the time of submission.

16. **Entire Agreement.** This Agreement, the exhibits attached hereto, if any, and the instruments which are to be executed in accordance with the requirements hereof set forth all the covenants, agreements, stipulations, promises, conditions, and understandings between the Township and the Developer concerning the Project as of the date hereof, and there are no covenants, agreements, stipulations, promises, conditions or understandings, either oral or written, between them other than as set forth herein.

17. **Relationship Of The Parties.** The relationship of the Township and the Developer shall be defined solely by the expressed terms of this Agreement, including the implementing documents described or contemplated herein, and neither the cooperation of the parties hereunder nor anything expressly or implicitly contained herein shall be deemed or construed to create a partnership, limited or general, or joint venture between the Township and the Developer, nor shall any party or their agent be deemed to be the agent or employee of any other party to this Agreement.

18. **Modification.** Except as provided below, this Agreement can be modified or amended only by a written instrument expressly referring hereto and executed by the Township and the Developer, its successors and assigns. The PUD Design Guidelines are in effect a living document and may be updated or revised as provided in Zoning Ordinance Section 10.11 to reflect specific site conditions, special projects or users, changes in market conditions and future

trends and best practices in planning and design. Any change requires the mutual consent of the Township and Developer. To the extent the Property is subdivided in the future either through a site condominium or land division, modifications with respect to any individual parcel or site within the condominium may be made by the owner of the parcel or site and the Township, provided that any such modification does not adversely impact any other property within the Project area, and complies with the Zoning Ordinance.

19. **Michigan Law To Control.** This Agreement and the rights and obligations of the parties hereunder shall be construed in accordance with Michigan law.

20. **Due Authorization.** The Township and the Developer each warrant and represent to the other that this Agreement and the terms and conditions thereof have been duly authorized and approved by, in the case of the Township, its Board of Trustees, and as to the Developer, by the appropriate officers or members of the companies constituting the Developer, and that the persons who have executed this Agreement below have been duly authorized to do so.

21. **Agreement To Run With The Land; Recording.** This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees, and shall run with the Property. This Agreement shall be recorded by Developer at its expense with the office of the Livingston County Register of Deeds and a copy provided to the Township.

22. **Counterparts.** It is understood and agreed that this Agreement may be executed in several counterparts, each of which, for all purposes, shall be deemed to constitute an original and all of which counterparts, when taken together, shall be deemed to constitute one and the same agreement, even though all of the parties hereto may not have executed the same

counterpart. Delivery via facsimile or PDF transmission of a counterpart of this Agreement as executed by the parties making such delivery shall constitute good and valid execution and delivery of this Agreement for all purposes.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement on the date first set forth above.

*[Signatures on following pages]*

DRAFT PACKET PUBLIC HEARING #1

The parties hereto have executed this Agreement as of the year and date set forth above.

“DEVELOPER”

Latson Beck, LLC  
a Michigan limited liability company

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by Todd Wyett, \_\_\_\_\_ of Latson Beck, LLC, a Michigan limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Michigan  
Acting in Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

“TOWNSHIP”

**GENOA TOWNSHIP,**  
a Michigan municipal corporation

By: \_\_\_\_\_

Its: Supervisor

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF LIVINGSTON )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by \_\_\_\_\_, Supervisor of Genoa Township, a Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public  
Livingston County, Michigan  
Acting in Livingston County, Michigan  
My Commission Expires: \_\_\_\_\_

and

By: \_\_\_\_\_  
Its: Clerk

STATE OF MICHIGAN        )  
  ) ss.  
COUNTY OF LIVINGSTON )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by \_\_\_\_\_, Clerk of Genoa Township, a Michigan municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public  
Livingston County, Michigan  
Acting in Livingston County, Michigan  
My Commission Expires: \_\_\_\_\_

DRAFT PACKET HEARING #1  
PUBLIC HEARING

Drafted by and when recorded return to:  
Alan M. Greene, Esq.  
Dykema Gossett PLLC  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304

DRAFT PACKET  
PUBLIC HEARING #1

**EXHIBIT 1**

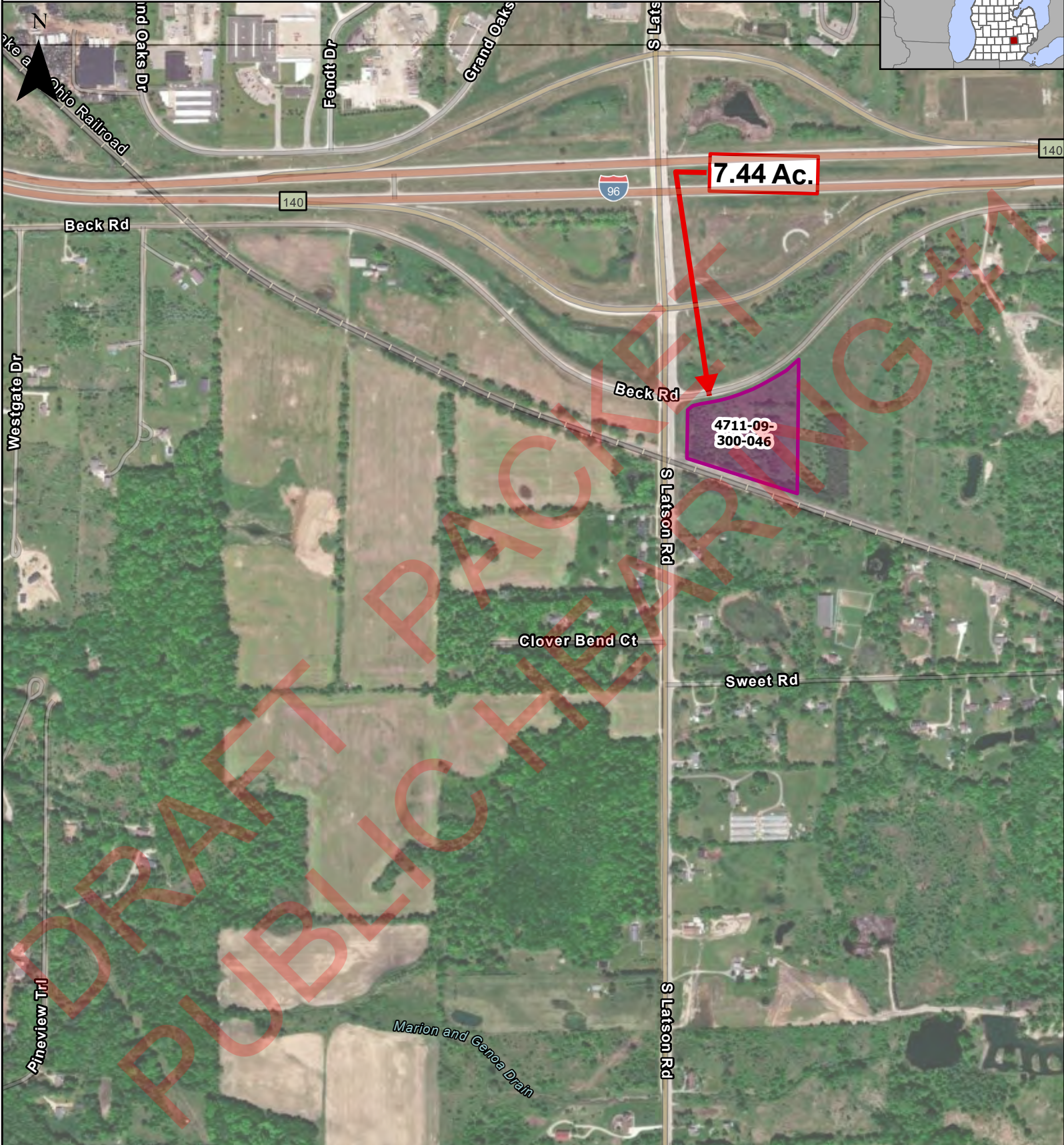
(Parcel Map)


DRAFT PACKET  
PUBLIC HEARING #1

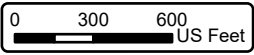
# Interchange Commercial PUD

## Parcel Exhibit Map

Genoa Township, Livingston County, Michigan



 Interchange Commercial PUD





**EXHIBIT 2**

(Minutes of Township Board Meeting dated \_\_\_\_\_, 2024)

DRAFT PACKET  
PUBLIC HEARING #1

*[Exhibit to Planned Unit Development Agreement (Latson Road Commercial)]*

**EXHIBIT 3**

(Commercial PUD Concept Plan)

DRAFT PACKET  
PUBLIC HEARING #1



**MKSK**

Landscape Architecture  
Urban Design  
Planning

462 SOUTH LUDLOW ALLEY  
COLUMBUS, OH 43215  
614.621.2796 MKSKSTUDIOS.COM

Drawing Title: <b>SITE PLAN</b>	Project #	d23103
	Date:	11.13.2024
Project: <b>COMMERCIAL PUD</b>	Scale:	1 to 200

**EXHIBIT 4**

(Table of Permitted and Prohibited Uses for Commercial Area)

DRAFT PACKET  
PUBLIC HEARING #1

## Commercial PUD Use Table

P= Permitted; S= Special Land Use

Note: Uses shall comply with Section 7.02.02, Use Conditions, in the Genoa Township Zoning Ordinance.  
Uses over 60,000 square feet of gross floor area require Special Land Use approval in accordance with the general and specific standards of Article 19 Special Land Uses.

Types of Uses ( <u>terms as defined in the Zoning Ordinance</u> )	Column1
<b>COMMERCIAL AND SERVICE</b>	
Medical offices -excluding clinics, and urgent care centers	P
Professional Offices	P
Motion picture theaters	P
Recreation (indoor) such as bowling alleys, skating rinks, arcades, indoor golf or softball, indoor shooting/archery ranges, excluding dome structures	P
Auto/gasoline service station, limited to one establishment within the PUD	S
Banks, credit unions, savings and loan establishments and similar financial institutions with up to 3 drive-through teller windows	P
Banks, credit unions, savings and loan establishments and similar financial institutions with more than 3 drive-through teller windows	S
Hotels including accessory convention/meeting facilities and restaurants	P
Health clubs, fitness centers, gyms and aerobic clubs	P
Micro-brewery, small distillery and small winery	P
Pet supplies or grooming	P
Pet day care center	S
Personal and business service establishments, performing services on the premises, but not including dry cleaning.	P
Pharmacies which may include drive through service	P
Standard restaurants and coffee shops	P
Restaurants and bars serving alcoholic beverages	P
Restaurants with open front windows	P
Restaurants with outdoor seating	P
Drive-through restaurants	P
Drive-in restaurants	P
Carry-out restaurants	P
Coffee Shop with drive-through	P
Brewpub	P
Retail establishments and shopping centers	P
Conference Centers	P

### LIST OF PROHIBITED USES

Types of Uses
Automobile, motorcycle, boat and recreational vehicle sales, new and used, including the leasing of such vehicles
Dry Cleaning Establishments
Outdoor commercial display, sales or storage
Kennel, commercial
Mini-storage
Auto/Truck Repair (Minor or Major)
Truck Stop

**EXHIBIT 5**

(Excerpts from Zoning Ordinance)

DRAFT PACKET  
PUBLIC HEARING #1

**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 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 that 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.

**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 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.

**EXHIBIT 6**

(Commercial PUD Design Guidelines)

DRAFT PACKET  
PUBLIC HEARING #1



Versa | real estate

# LATSON ROAD COMMERCIAL PUD DESIGN GUIDELINES

GENOA TOWNSHIP, MICHIGAN

UPDATED NOVEMBER 7, 2024

DRAFT  
PUBLIC COMMENTING

## COMMERCIAL DEVELOPMENT INTENT

These guidelines are intended to illustrate the design quality anticipated with the commercial PUD. The "Owner" of the PUD or subsequent purchaser of land will be responsible for providing these guidelines to design professionals who will be involved in the preparation of site plans. Specific compliance will be described in more detail with a site plan that will be submitted to the Township for approval.

In general these guidelines include the following components:

1. A description of architecture supplemented with photographs from similar developments to illustrate the general outcomes expected consistent with the standards to support a deviation from the Township's standards that would otherwise apply.
2. Efforts to share access to reduce the number of driveways and provide good traffic operations along Latson Road and Beck Road.
3. Additional lighting standards to reduce lighting impacts on adjacent homes to the east.
4. Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets.
5. 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. These areas will also provide protection of the pedestrian from vehicular circulation for improved traffic operations and views.



GENOA TOWNSHIP, MI

## DESIGN GUIDELINES TABLE OF CONTENTS

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LAND DEVELOPER:

Latson Beck, LLC and Latson South, LLC

326 E. Fourth Street, Suite 200, Royal Oak, Michigan 48067

**COMMERCIAL DESIGN GUIDELINES**

**A. Setbacks**

- Design for development needs to ensure that building placement is generally oriented towards the street to encourage walkability and a pedestrian-friendly environment.

**B. Parking and Access**

- Development within such areas should occur within a planned, integrated commercial setting. Site design for parking areas and access points will promote safe and efficient circulation throughout the site and with adjacent parcels.
- Shared driveways and interconnected access is encouraged.
- Access roads shall be a minimum of 26 feet wide FOC and 30 ft inside turning radius (50 ft outside) for emergency vehicle access.
- The amount of parking required for individual uses may be reduced to be efficient so that the peak parking demand is accommodated.
- Parking lots should be connected to promote shared parking and reduce the number of curb cuts and overall amount of impervious surface area.

**C. Pedestrian Amenities**

- Uses shall be connected with an interior sidewalk system so that pedestrians can walk between the uses and have a crossing to the sidewalk on the west side of Latson Road.
- Sidewalks shall be included along road frontage.

**D. Landscaping**

- Plant consistent and plentiful native vegetation to provide an attractive entry into the southern part of Genoa Township and provide generous interior landscape that serves as a buffer between the buildings and parking lots as well as adjacent land uses.
- Street trees planted shall consist of no more than 10% of a single species, no more than 20% of any genus, and no more than 30% of any tree family.

**E. Architecture**

- Commercial architecture design guidelines are described in detail on the following page.

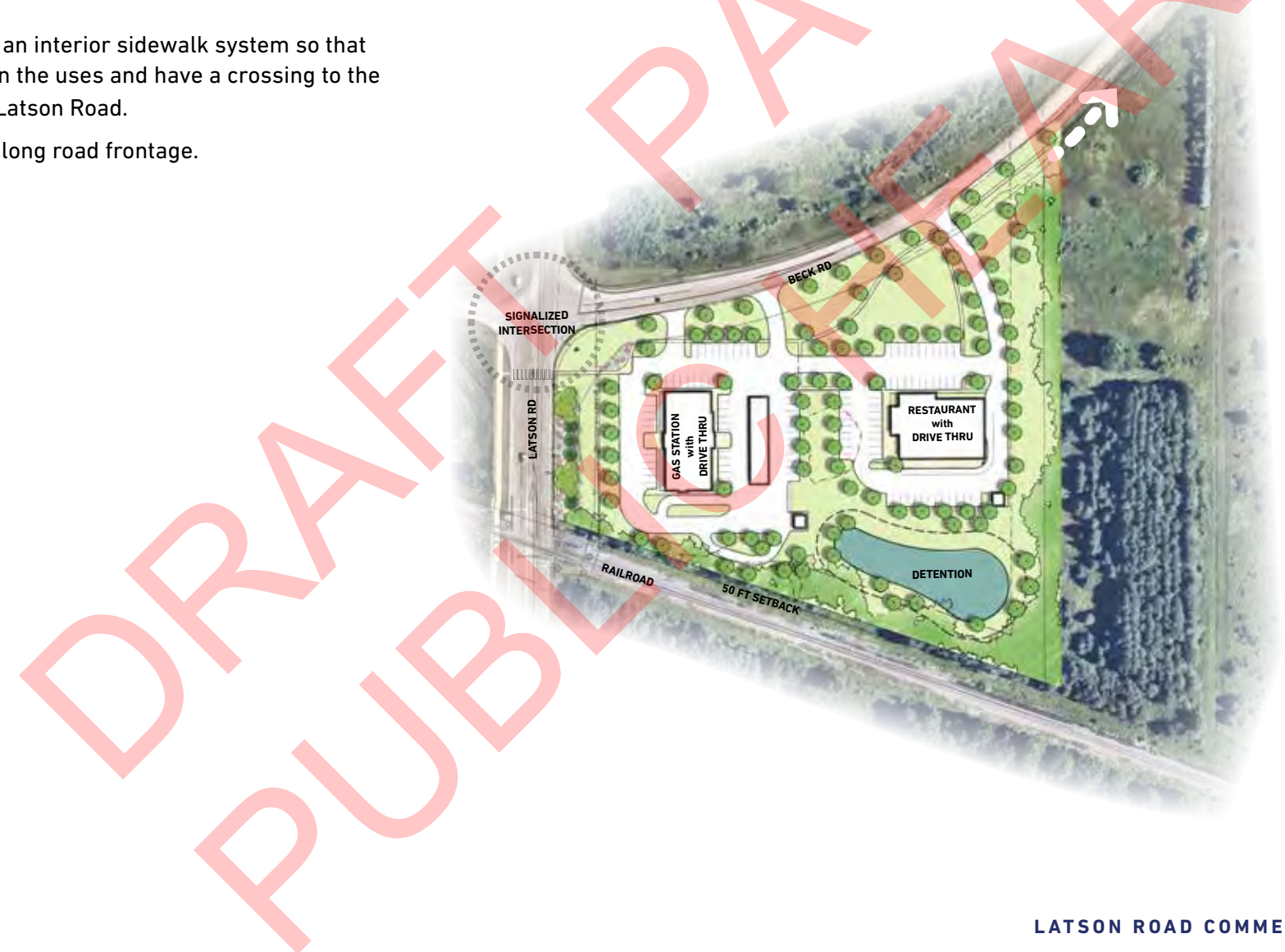
**F. Uses Permitted**

- Uses allowed in the interchange commercial area may include retail stores, restaurants, drive-through restaurants, gas station, hotels, and similar commercial uses.

**COMMERCIAL DESIGN GUIDELINES**

COMMERCIAL DIMENSIONAL STANDARDS	
<i>Minimum setbacks:</i>	
Front Yard	70 feet (or 35 feet if no parking is located in the front yard)
Side Yard	20 feet for each side plus an additional 0.5 feet per foot of height over 45 feet tall <sup>1</sup>
Rear Yard	50 feet
Parking Lot	20 feet front, 10 feet side and rear
Maximum Height	45 feet or 3 stories
Maximum Height of Hotel	57 feet or 4 stories

<sup>1</sup> Proposed new standard to provide greater side setbacks for taller buildings.





## COMMERCIAL ARCHITECTURAL DESIGN GUIDELINES

The following guidelines apply to all commercial types within the Commercial PUD and are required to comply with 10.03.05(f) of the Genoa Township Zoning Ordinance. These guidelines promote and enforce high-quality architectural design for building sides, including gas stations (see precedent photo), visible from a road or parking lot. Retail uses are anticipated to be predominantly 1 to 2 story flat roofed buildings. 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.

### A. General Design Theme.

- These architectural requirements are generally intended to provide consistent architectural quality among buildings and other improvements within the Latson Road corridor.
- These guidelines are intended to generate architectural cohesion, however some architectural variation is allowed that is consistent with the overall design theme.
- All structures shall be thoughtfully designed in a manner that visually and functionally complements the existing context.

### B. Building Elevations.

- If more than one story, a different architectural treatment may be employed on the ground floor facade than on the upper floors to enhance the experience of visitors/patrons.
- All building facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or three-dimensional cornice.
- 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.
- 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 landscape plaza in front of the building or between buildings. Parking shall be behind this building where practical.
- Excluding windows, doorways, and associated decorative trim, 75% of the total area (square feet) of the front facade of commercial buildings shall be brick. This also includes facades visible from Latson Road and Beck Road as well as the site parking lots.
- Excluding windows, doorways, and associated decorative trim, 50% of the total area (square feet) of the side facades of commercial buildings shall be brick. This also includes facades visible from Latson Road and the site parking lots.

### C. Roofs.

#### 1. Pitched Roofs:

- Shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 4:12 to 14:12.
- If standing seam panels are used then they shall be: 1) gray, black, or dark brown; and 2) made of a non-reflective material.
- Modulation of the roofs and/or roof lines shall be required in order to eliminate the appearance of box-shaped buildings.

### D. Lighting and Signs

#### 1. Site Lighting

- Site lighting, within the commercial area, shall be LED based, consistent in style, color, design in accordance with the Township Zoning Ordinance standards, and be dark sky certified.
- All site lighting fixtures shall have a maximum height of twenty (20) feet. The maximum light levels on these properties shall not exceed 10 footcandles on average (common with new LED lighting systems), except the fueling area for a gas station is allowed an average of 12.4 foot candles. Lighting will otherwise be in accordance with the Township Zoning Ordinance lighting standards.
- With the exception of low intensity architectural lighting, exterior wall mounted lights and pole mounted lights shall incorporate overhead cutoffs or fixtures that direct the light downward.

#### 2. Retail signs and other signs shall conform with the Township Ordinances.

#### 3. Wall signs should be channel cut letters.

### E. Pedestrian Amenities

- Uses shall be connected with an interior sidewalk system so that pedestrians can walk between the uses.
- Site shall be connected to existing pathways by pedestrian crossing at Latson and Beck Road to the west side of Latson Road.
- Sidewalks shall be included along road frontage.
- If there is a connection across the railroad tracks that is approved by the railroad operator, sidewalks will be installed on the east side of Latson Road.

- The following items are prohibited: Texture 1-11, aluminum siding or asbestos or asphalt shingles shall not be used on the exterior walls.
- Building facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet.
- Offsets may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.

## COMMERCIAL DESIGN GUIDELINES BUILDING DESIGN PRECEDENTS



Example of a gas station adhering to greater design standards.



Newer hotels that demonstrate higher quality building design.



Examples of channel cut wall signage

## COMMERCIAL OUTDOOR LIGHTING STANDARDS

The purpose and intent of the Outdoor Lighting standards is to:

- Minimize light trespass onto adjacent properties
- Help eliminate artificial lighting that contributes to “sky glow” and disrupts the natural quality of the nighttime sky
- Provide a safe nighttime environment

Any future site plan within the PUD shall be required to submit an outdoor lighting plan to abide by the standards set forth in this section. The site plan shall contain a photometric layout for the exterior lighting which may be subsequently waived if there is no parking area present on the site. Standards generally apply throughout the PUD, but flexibility may be allowed.

The following outdoor lighting types shall be exempt from the provisions of this section:

- Emergency lighting
- Seasonal and holiday lighting provided that the lighting does not create direct glare onto other properties or upon the public rights-of-way.

The following outdoor lighting types shall be prohibited:

- Floodlights or swivel luminaires designed to light a scene or object to a level greater than its surroundings. No fixtures may be positioned at an angle to permit light to be emitted horizontally or above the horizontal plane.
- Unshielded lights that are more intense than 2,250 lumens or a 150 watt incandescent bulb.
- Search lights and any other device designed solely to light the night sky except those used by law enforcement authorities and civil authorities.
- Laser source light or any similar high intensity light when projected above the horizontal plane.
- Mercury vapor lights.
- Metal halide lights, unless used for outdoor sport facilities.
- Quartz lights.
- Neon/LED Strip Lights.

Outdoor Lighting Design Standards – Internal to the Site:

- Direct or reflected outdoor lighting shall be designed and located to be confined to the site for which it is accessory. The maximum lighting levels at the property lines of any other property shall not exceed 0.1 footcandles at residential lot line, 1 at non-residential lot line.
- Lighting of building facades shall be from the top and directed downward with full cut-off shielding.
- The average lighting values for areas intended to be lit shall not exceed 10 footcandles on average. The uniformity ratio (maximum to minimum) for all parking lots shall not exceed the current IESNA RP-20 uniformity ratio guideline. (Note: Current guideline is 15:1)
- Lighting fixtures shall meet the township maximum height of 30 feet and 10 footcandles with the following exceptions:
  1. The Township may permit maximum light levels of 12 footcandles on average (common with new LED lighting systems), designed to have no spillover onto adjacent properties and a maximum pole height of 35 feet to reduce the number of poles upon a finding that the result will provide more efficient lighting and aesthetics throughout the day.
  2. Provided that when lighting is adjacent to, and visible from, abutting residential properties, the maximum height of lighting poles shall be 20 feet unless the Township approves taller poles with a demonstration that it is an overall better lighting design in terms of aesthetics and impacts.
  3. Site lighting for non-residential uses shall not exceed 1.0 footcandles on average when a use is not open for business.

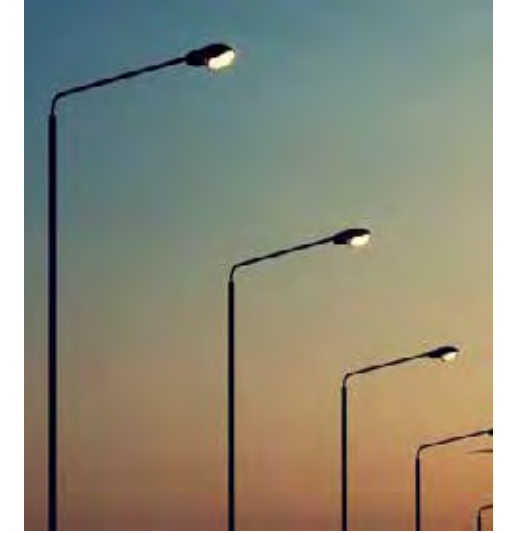
Outdoor Lighting Design Standards – Public Street Lighting:

- Streetlights in the public rights-of-way shall be the minimum necessary to provide adequate illumination for public safety and be designed to direct lighting downward onto the public rights-of-way.
- Public street illumination shall use the most current American National Standard Practice for Roadway Lighting ANSI/IESNA RP-08 for all public street lighting.

## COMMERCIAL OUTDOOR LIGHTING STANDARDS



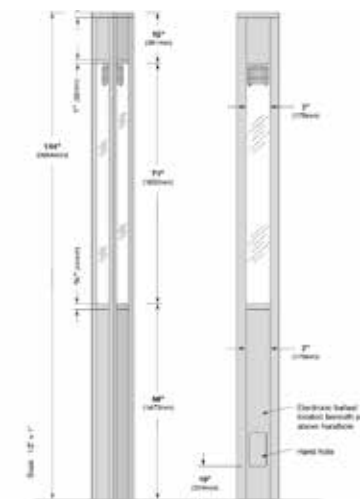
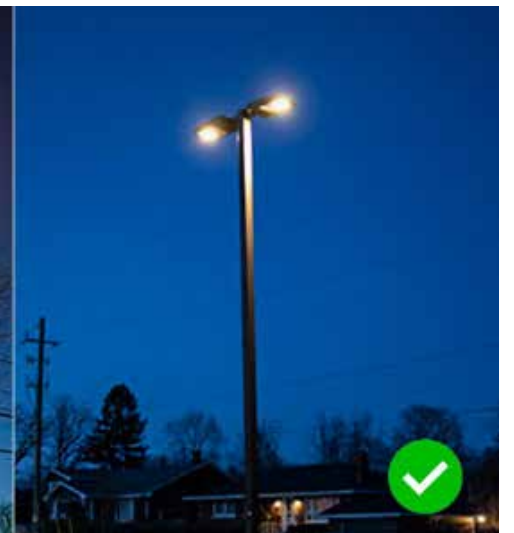
Example of dark sky building-fixed luminaire.



Roadway lighting to follow Township and other roadway regulation minimums



Unshielded lights versus downward shielded



Recommended ornamental pedestrian-scale lighting for northern entry on Latson Rd.

## PARKING LOT LANDSCAPING

- **Required Parking Area Landscaping** shall be in accordance with Section 12.02.04 Required Parking Area Landscaping of the Genoa Township Zoning Ordinance.
- Off-street parking areas containing ten (10) or more parking spaces shall be provided with landscaping in accordance with the following table. A minimum of one-third (1/3) of the trees shall be placed on the interior parking area and the remaining may be placed surrounding the parking lot within 18 feet.

MINIMUM TREES IN THE PARKING AREA	
10 - 100 spaces:	1 Canopy tree and 100 sq. ft. of landscaped area per 10 spaces.
101 - 200 spaces:	1 Canopy tree and 100 sq. ft. of landscaped area per 12 spaces.
201 spaces or more:	1 Canopy tree and 100 sq. ft. of landscaped area per 15 spaces.

## BUFFER ZONE LANDSCAPING

- Buffers and landscaping may be reduced or waived if woodlands are preserved to achieve the intent.

### Commercial Buffer Yard Requirements:

- For commercial uses adjacent to other commercial uses:
  - Minimum width: 10 feet
  - 1 canopy or evergreen tree or 4 shrubs per each twenty (20) linear feet along the property line, rounded upward

### Buffering Between Residential and Commercial Uses.

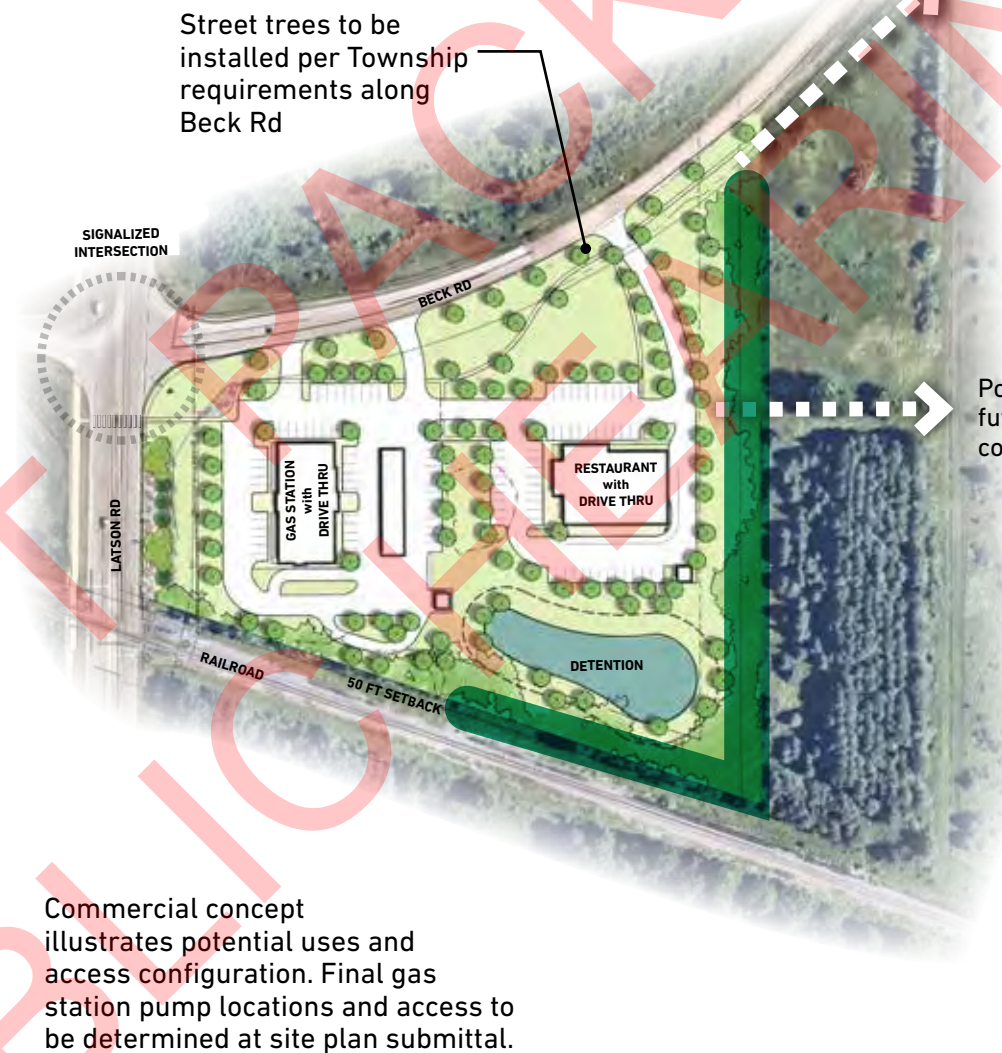
- For commercial uses adjacent to residential uses:
  - Minimum width: 50 feet
  - 6 foot high continuous wall or 4 foot high berm, landscaped detention pond or preservation of natural woodlot.
  - 1 canopy tree, 2 evergreen trees and 4 shrubs per each twenty (20) linear feet along the property line, rounded upward

### Notes:

- Existing quality trees (hickory, oak, maple) with a caliper of at least eight (8) inches shall count as two (2) trees toward the buffer requirements.
- Canopy trees shall have a minimum caliper of 2.5 inches at the time of planting.
- Evergreens shall have a minimum height of six (6) feet at the time of planting.
- At least 50% of the shrubs shall be 24 inches tall at planting, with the remainder over 18 inches.

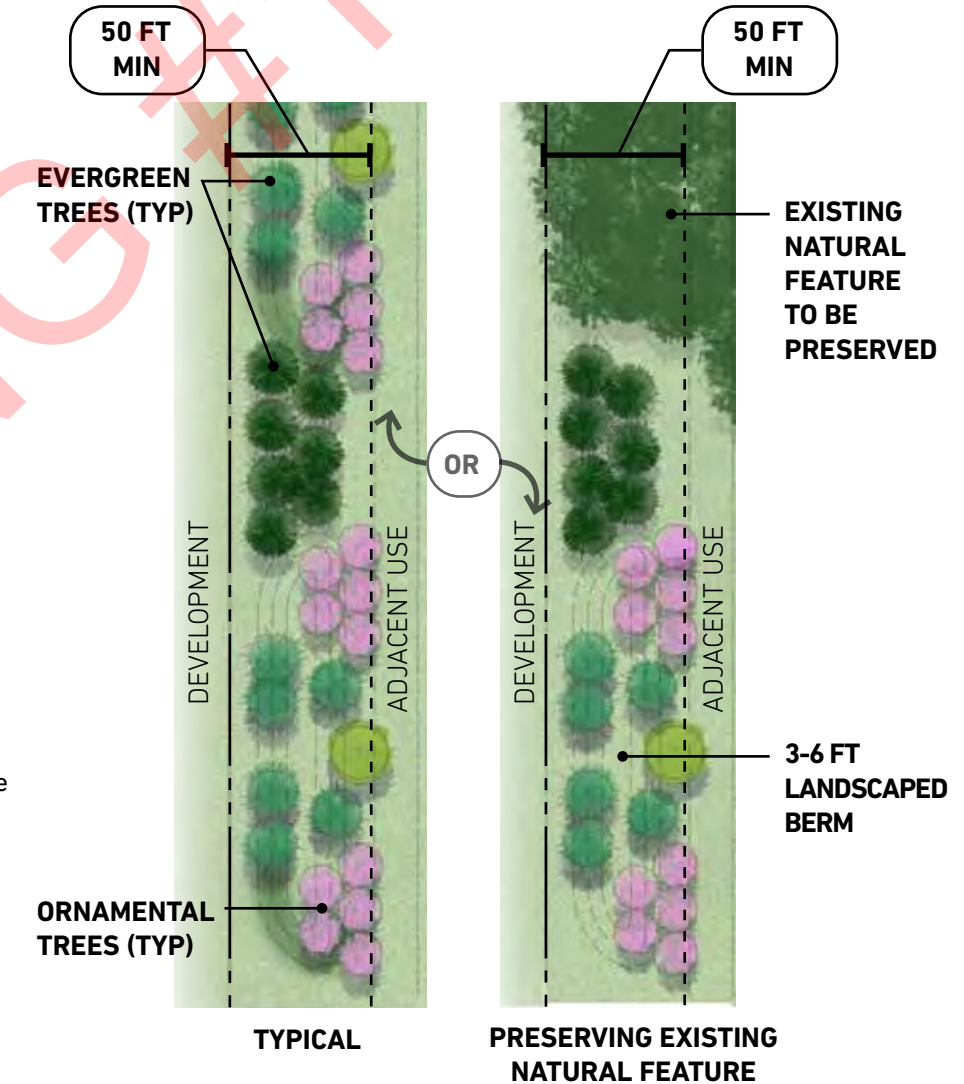
## LATSON ROAD AND BECK ROAD LANDSCAPING

- Street trees shall meet the Township minimum planting requirements along Latson and Beck Roads.
- Beck Road frontage landscaping shall comply with Township Ordinance for greenbelt along street frontage or greater.
- Landscaping shall include an enhanced greenbelt along the road frontage with low undulating architectural feature such as decorative stone or brick wall, wrought iron fencing, or a combination.

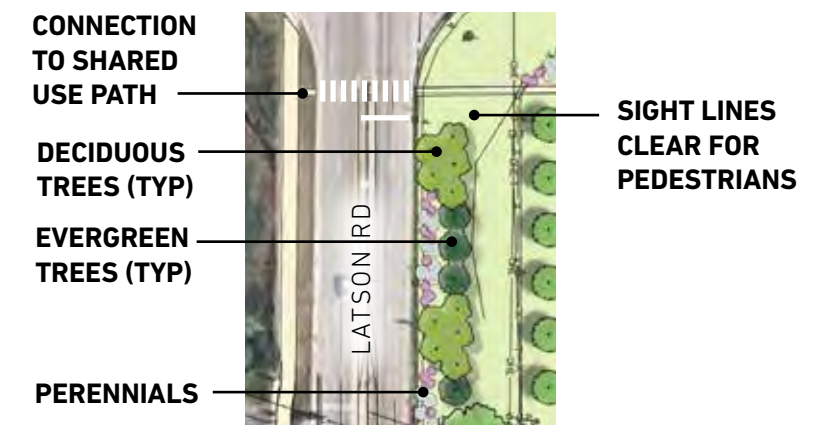


## LANDSCAPE DESIGN GUIDELINES

### 50 FT LANDSCAPE BUFFER TO ADJACENT USES



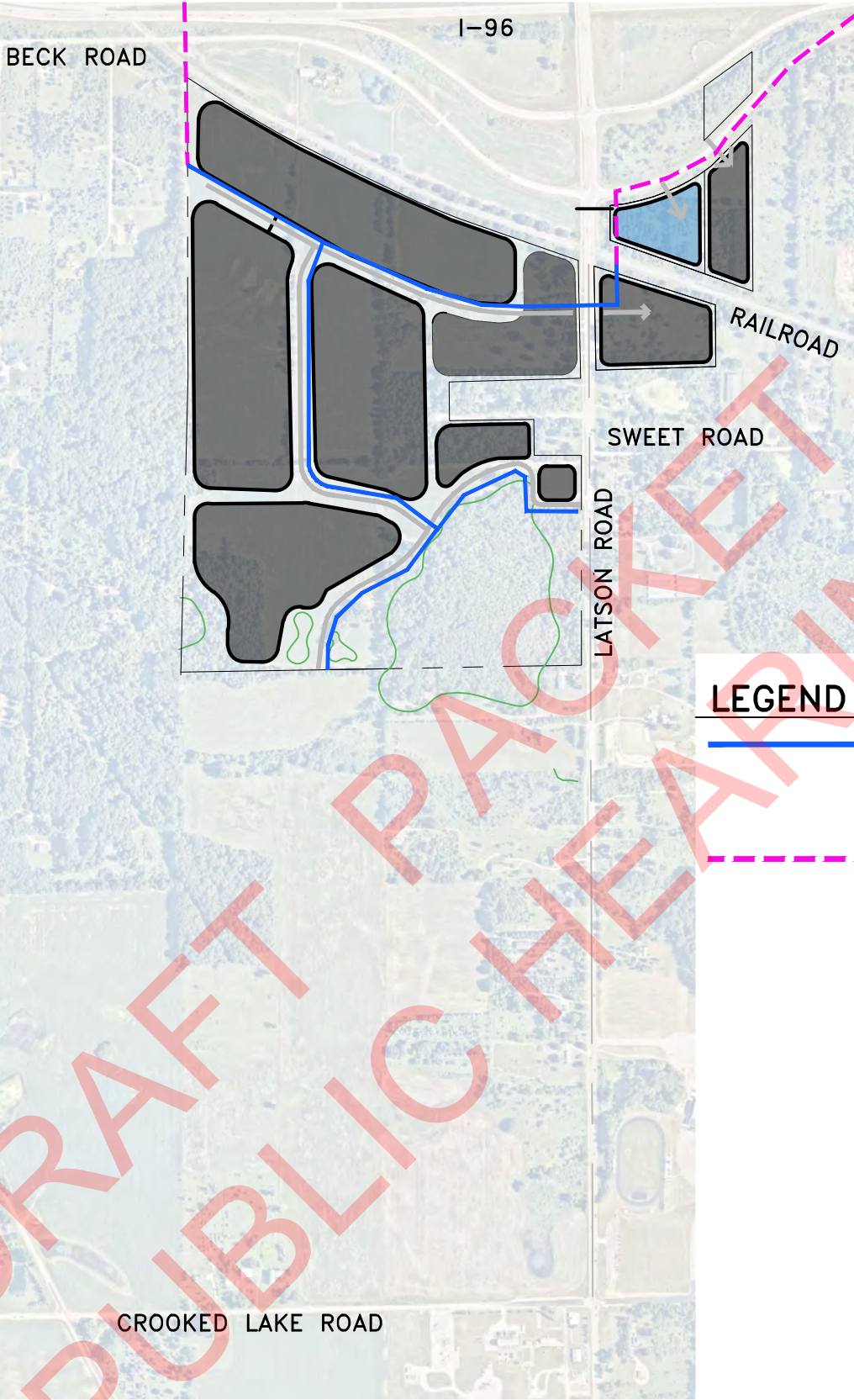
### LATSON ROAD STREETSCAPE



**EXHIBIT 7**

(Utility Plans)

DRAFT PACKET  
PUBLIC HEARING #1



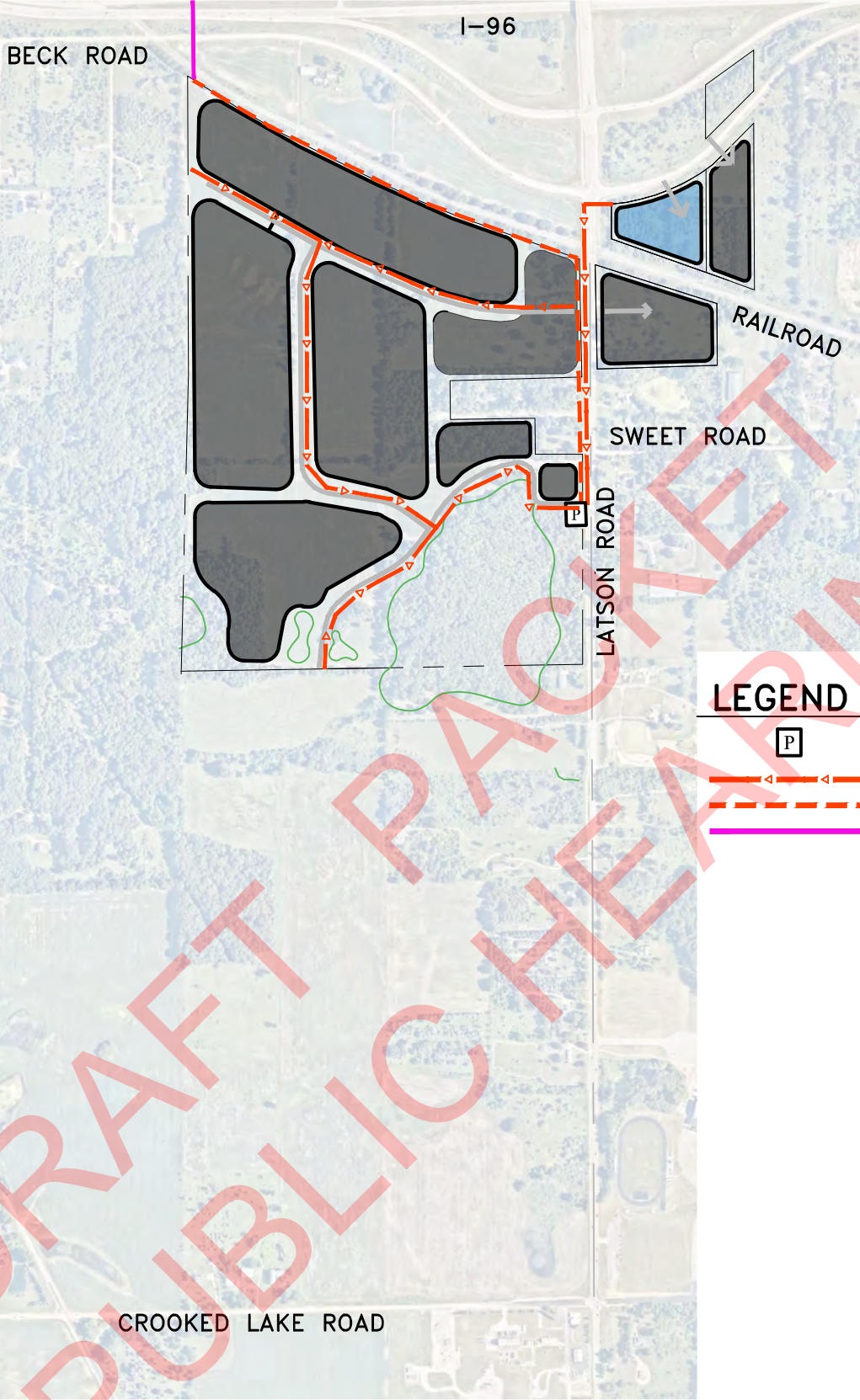
**LEGEND**

- PR WATERMAIN  
(TO BE INSTALLED  
AS PART OF THE  
INNOVATION  
INTERCHANGE PUD)
- - - EX WATERMAIN





**WATERMAIN CONCEPT**

NOTE:  
WATER MAIN TO BE A COMBINATION OF 8" AND  
12" IN DIAMETER

PROJECT NO.: 16001784  
DATE: 2024-09-25



**LEGEND**

-  PUMP STATION
-  PR GRAVITY SEWER
-  PR FORCE MAIN
-  EX 8" FORCE MAIN

**SANITARY SEWER CONCEPT**

PROJECT NO.: 16001784  
 DATE: 2024-06-25

NOTE:  
 SANITARY SEWER TO BE A COMBINATION OF 8"  
 AND 10" GRAVITY SEWER AND 8" FORCE MAIN



**ATWELL**  
 866.850.4200 www.atwell-group.com

**EXHIBIT 8**

(First Amendment to the Utility Agreement)

102984.000185 4883-5210-1323.1

DRAFT PACKET  
PUBLIC HEARING #1

*[Exhibit to Planned Unit Development Agreement (Latson Road Commercial)]*

**FIRST AMENDMENT TO AGREEMENT REGARDING CONSTRUCTION  
OF SANITARY SEWER AND WATER PROJECT**

This **First Amendment to Agreement Regarding Construction of Sanitary Sewer And Water Project** (the “Amendment”) is made as of \_\_\_\_\_, 2024 (the “Effective Date”), by and between Latson Partners, LLC, Latson Farms, LLC and Covenant of Faith, LLC (collectively, the “Original Developer”), and Latson Beck, LLC, a Michigan limited liability company (the “Additional Developer”), whose address is 29201 Telegraph Road, Suite 410, Southfield, Michigan 48034, on the one hand, and the Charter Township of Genoa (the “Township”), whose address is 2911 Dorr Road, Brighton, Michigan 48116, on the other hand.

**RECITATIONS**

A. Original Developer and its affiliated entities are the owners of approximately 200 acres of land located on the west and east sides of Latson Road, south of the I-96 expressway in Genoa Township, as more particularly described on attached **Exhibit 1** and depicted on the Project Area Plan and Survey attached hereto as **Exhibit 2** (the “Innovation Park Property”).

B. At its regular meeting held on August 3, 2020, the Township Board approved the PUD rezoning, the Conceptual PUD Site Plan and execution of a PUD Agreement for the Innovation Park Property.

C. The Township, through its consulting engineers, TetraTech, developed a South Latson Road Water and Sanitary Sewer Improvement Plan (the “Utility Plan”) in order to extend public sewer and water to serve the Township’s “Interchange Planned Unit Development” districts described in the Township’s Zoning Ordinance, which districts included the Innovation Park Property. As set forth in the Innovation Park PUD Agreement, the Original Developer and the Township entered into an Agreement Regarding the Construction of Sanitary Sewer and



Water Project dated \_\_\_\_ (the “Utility Agreement”), under which the Original Developer agreed to carry out and pay for the sewer and water infrastructure improvements called for in the Utility Plan and as further described in the Utility Agreement. Original Developer undertook and completed the utility work called for in the Utility Agreement. The Utility Agreement provided that future utility improvements necessary to serve the Innovation Park Property would be designed and installed as part of final site planning and construction of each phase of the development of the Innovation Park Property.

D. Additional Developer is the owner of approximately 7.44 acres of land located on the east side of Latson Road, south of the I-96 expressway (Parcel No. 11-09-300-046), as depicted on the Parcel Map attached hereto as **Exhibit 3** (the “Latson Beck Property”). The Latson Beck Property abuts a portion of the Innovation Park Property and is included in the Township’s “Interchange Planned Unit Development” districts described in the Township’s Zoning Ordinance and referenced in the Utility Agreement. At its regular meeting held on \_\_\_\_\_, the Township Board approved Additional Developer’s request for ICPUD rezoning and execution of a PUD Agreement for the Latson Beck Property.

E. In that the Utility Plan was designed and intended to also serve the Latson Beck Property, the parties desire to amend the Utility Agreement to include the Latson Beck Property.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the sufficiency of which the parties hereby acknowledge, Original Developer, Additional Developer and the Township agree as follows:

1. **Addition of Latson Beck Property.** The description of the properties covered by the Utility Agreement is hereby amended to include the Latson Beck Property as described and depicted on **Exhibit 3**. Any future extensions of the utility improvements made in accordance

with the Utility Agreement necessary to serve the Latson Beck Property will be designed and installed as part of final site planning and construction of each phase of the development of the Latson Beck Property.

2. **Scope of Amendment.** Except as specifically amended by the foregoing paragraph 1, all other terms and conditions of the Utility Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date written above.

Charter Township of Genoa

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

STATE OF MICHIGAN )  
 ) ss.  
COUNTY OF LIVINGSTON )

On this \_\_\_ day of \_\_\_\_\_, 2024 before me personally appeared \_\_\_\_\_ who, being by me duly sworn did say the he/she is the \_\_\_\_\_ of Charter Township of Genoa and has executed the foregoing Agreement on behalf of the Township.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County, Michigan  
My Commission Expires:  
Acting in the County of \_\_\_\_\_  
\_\_\_\_\_

Latson Partners, LLC, a Michigan limited liability Company

Signature page to Agreement Regarding Construction of Sanitary Sewer and Water Project

By: \_\_\_\_\_  
Todd Wyett

Its: Manager \_\_\_\_\_

Dated: \_\_\_\_\_

STATE OF MICHIGAN    )  
                                  ) ss.  
COUNTY OF OAKLAND    )

On this \_\_\_\_ day of \_\_\_\_\_, 2024 before me personally appeared Todd Wyett who, being by me duly sworn did say he is Manager of Latson Partners, LLC, a Michigan limited liability Company, and that he executed the foregoing Agreement on behalf of the Company.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
My Commission Expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

Latson Farms, LLC, a Michigan limited liability Company

By: \_\_\_\_\_  
Todd Wyett

Its: Manager \_\_\_\_\_

Dated: \_\_\_\_\_

STATE OF MICHIGAN    )  
                                  ) ss.  
COUNTY OF OAKLAND    )



Latson Beck, LLC, a Michigan limited liability Company

By: \_\_\_\_\_  
Todd Wyett

Its: Manager

Dated: \_\_\_\_\_

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF OAKLAND    )

On this \_\_\_\_ day of \_\_\_\_\_, 2024 before me personally appeared \_\_\_\_\_ who, being by me duly sworn did say he/she is the \_\_\_\_\_ of Covenant of Faith, LLC, a Michigan limited liability Company, and has executed the foregoing Agreement on behalf of the Company.

\_\_\_\_\_, Notary Public,  
\_\_\_\_\_ County, Michigan  
My Commission Expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

*Signature page to Agreement Regarding Construction of Sanitary Sewer and Water Project*

DRAFT PUBLIC HEARING

**EXHIBIT 1**  
**Legal Description**

DRAFT PACKET  
PUBLIC HEARING #1

**EXHIBIT 2**  
**Project Area Plan**

DRAFT PACKET  
PUBLIC HEARING #1

**EXHIBIT 3**

**Parcel Map for Latson Beck, LLC Property**

DRAFT PACKET  
PUBLIC HEARING #1



**EXHIBIT 4**

**Utility Engineering and Design Plans**

DRAFT PACKET  
PUBLIC HEARING #1

**EXHIBIT 5**  
**CSX Railroad Crossing Plans**

DRAFT PACKET  
PUBLIC HEARING #1

**EXHIBIT 6**

**Project Permit Responsibilities**

DRAFT PACKET  
PUBLIC HEARING #1

# COMMUNITY IMPACT ASSESSMENT

## INTERCHANGE COMMERCIAL PUD

September 27, 2024



Versa | real estate

Prepared By:



ATWELL



In accordance with Section 18.07 of the Genoa Township Zoning Ordinance, this impact assessment describes the property, the intended land uses, the potential impacts, and design features to minimize the negative impacts. Given the size of the property and the range of potential land uses, some portions of this report are general in nature. More specific assessments will be provided when more detailed site plans are submitted for a specific project.

The Interchange Commercial PUD is designated for commercial uses. The scale of the commercial development is intended to meet the needs of employees and visitors to the adjacent Innovation Interchange PUD (a planned development for office, research, light industrial, and warehouse uses) and quick on-and-off trips by motorists along I-96.

**18.07.01 Preparer.**

This statement was prepared by Bradley Strader, AICP, Principal Planner, C2G and Eric Lord, P.E., Vice President, Atwell. A traffic impact study will be submitted separately, prepared by Julie Kroll of Fleis & Vandenbrink.

**Cincar Consulting Group  
(C2G)**

17199 N. Laurel Park Drive  
Suite #204  
Livonia, MI 48152  
(313) 652-1101  
Bradley Strader, Principal  
[Brad.Strader@itsc2g.com](mailto:Brad.Strader@itsc2g.com)

**ATWELL, LLC**

Two Towne Square, Suite 700  
Southfield, MI 48076  
(248) 447-2000  
Eric Lord, Vice President  
[elord@atwell-group.com](mailto:elord@atwell-group.com)

**FLEIS & VANDENBRINK**

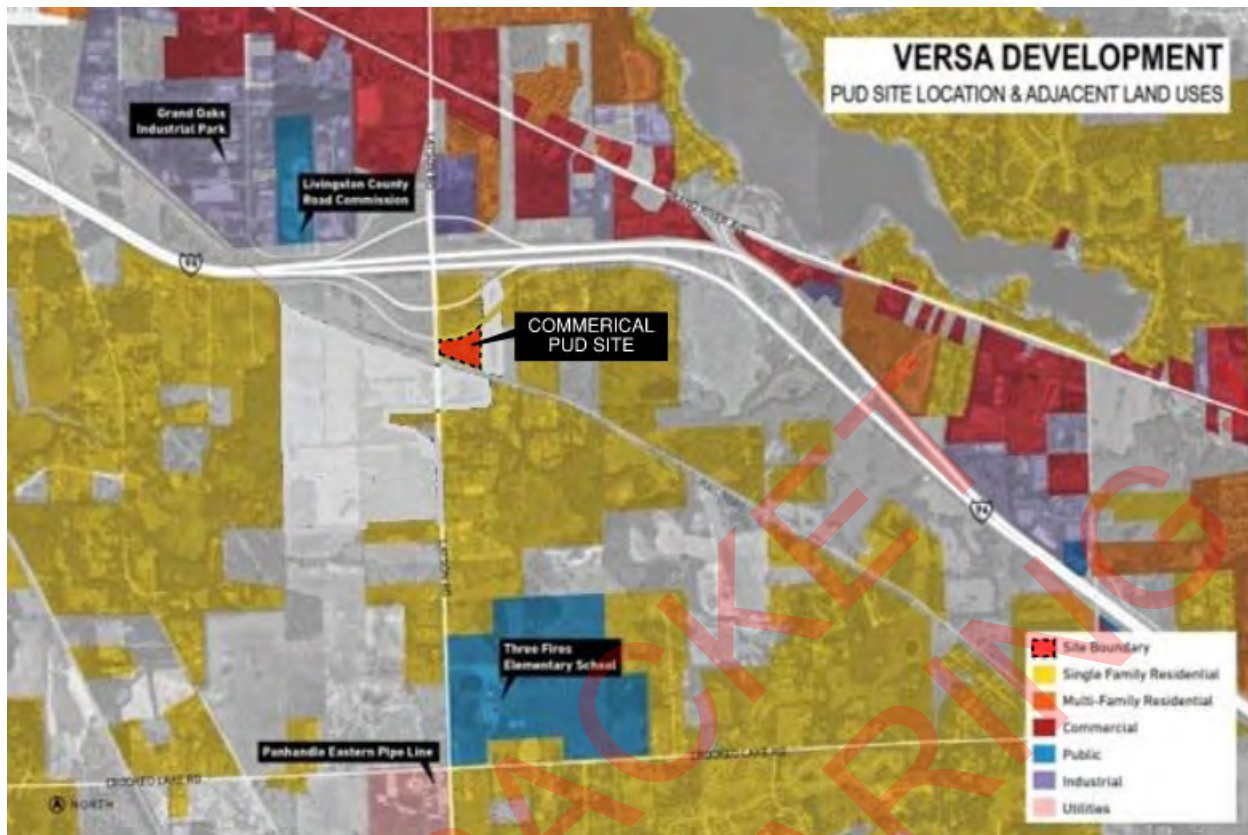
27725 Stansbury St #195  
Farmington Hills, MI 48334  
(248) 536-0080  
Julie Kroll, Traffic Services  
Group Manager  
[jkroll@fveng.com](mailto:jkroll@fveng.com)

**18.07.02 Location.**

The project site includes ±7.44 acres and is located south of the I-96 Interchange and north of the railroad tracks, along the eastern side of Latson Road. Properties adjacent to the PUD site are the Innovation Interchange PUD to the south and east, I-96 to the north, and vacant agricultural land to the west across Latson Road.

The following parcels are included in the PUD:

- 11-09-300-046



### 18.07.03 Impact on Natural Features.

The subject property is comprised of approximately 7.44 acres of land located on the east side of Latson Road, north of the railroad. The property is primarily open, with some evidence of prior farming activity and a few small stands of trees. Two small, isolated pockets of wetlands are present on the site totaling less than 1/3 acre which were delineated by Barr Engineering on September 23, 2024. Based on Barr's Wetland Delineation Report dated September 25, 2024 neither wetland is State or Township regulated. The Barr report is included in the Appendix of this document.

Topography generally slopes from north to southeast across the property. We anticipate this property to be developed for commercial use, and as such, will likely see impacts to the trees and wetland located in the interior of the site, though opportunities will be explored to preserve trees around perimeter property lines where possible.

### 18.07.04 Impact on Stormwater Management.

The topography east of Latson Road generally drains from north to south and continues south to and through a series of low-lying areas and potential wetlands on adjacent property. This area is part of the drainage district for the Marion Genoa Drain.

According to the USDA Natural Resources Conservation Service Soils information, the subject area east of Latson Road is primarily comprised of Miami Loam soil, which is classified as a soils group C. Soils of this type experience low to moderate infiltration with stormwater typically saturating the soil before running off toward lower areas. High groundwater is not anticipated. These soil types do not generally limit development of land.

There is a fair amount of grade change to the property, falling approximately 16 feet from northwest to southeast. Development of the property will be designed to maintain similar drainage patterns to what occurs now. The site's post-development drainage may have already been accounted for within the MDOT interchange basin design, which will be further evaluated during the development process. If determined to be necessary, a stormwater management system will be designed for the development in accordance with the requirements of the Livingston County Drain Commissioner's office, which will include:

- Water quality measures
- Stormwater detention sized for the 100-year storm event
- Soil erosion control

We anticipate the detention basin will be strategically located at or near the existing low points of the property where stormwater is currently leaving the site. The basin will retain the water for a period with a restricted release to maintain the current drainage patterns from the property. As mentioned earlier, the subject area is tributary to the Marion Genoa Drainage District which is the ultimate receiving water course.

A soil erosion control permit will be obtained prior to construction from Livingston County which will require the site to be managed to control erosion created by construction activity. Examples of erosion control measures that are typically deployed during site development include:

- Silt fencing and vegetative buffer strips to keep soil contained within the construction area.
- Mud Mats at construction entrances to avoid tracking onto public roads.
- Inlet protection – silt sacks in catch basins to avoid sediment buildup in storm pipes and ponds.
- Stone Rip Rap – at culvert outlets to reduce scour and erosion.
- Seed and mulch – of graded areas to promote vegetation growth, which is key to controlling erosion. established.

#### **18.07.05 Impact on Surrounding Land Use.**

The Genoa Township Master Plan (2023) designates the Latson Road corridor south of the new I-96 Interchange and north of the railroad as an area to concentrate new commercial development, with a goal of a planned development rather than piecemeal of development parcels. Uses contemplated in the Master Plan include fast food, sit-down restaurants, gas stations, retail, entertainment, and other services that are complementary to the overall development. The site is within the Growth Boundary and designated as a “Primary Growth Area” in the Master Plan.

The proposed Commercial PUD accommodates those types of complimentary uses to service employees and visitors to the Interchange Campus area. The developer notes that this location in Genoa Township is very appealing given the proximity to the well-designed I-96 interchange, which is seen as a premier entrance and exit for travelers along I-96. The proposed Commercial PUD is bordered by the adjacent Innovation Interchange Campus PUD to the south and east, with Latson Road and I-96 to the north and west, so the development has no abutting lands that would be negatively impacted by development of this parcel consistent with the Master Plan.

As shown on the concept plan, described in the Design Guidelines, and as prescribed in the PUD Agreement, a number of provisions are included to help ensure the development is compatible with the surrounding area. These include:

- Limited access points located off of Beck Rd and a traffic signal located at Beck and Latson to improve traffic safety.
- An extensive streetscape along Latson Road to provide an attractive gateway to the PUD and Southern Genoa Township proposed as part of the adjacent interchange campus PUD.
- Standards for high quality architectural design for facades visible to the public, including from I-96.
- Lighting standards to help preserve the existing “dark sky” environment.

All of the development is intended to comply with the operational requirements and performance measures in the Genoa Township Zoning Ordinance. More details regarding types of proposed uses, hours of operation, noise for particular uses, activity during construction periods, etc. will be provided once individual site plans are submitted for development.

#### **18.07.06 Impact on Public Facilities and Services.**

This section covers the anticipated broad impacts of the Development. Individual uses and site plans submitted in the future may need to provide more information on their particular impacts, depending upon the use. For example, water and sewer needs may vary for a particular use.

Generally, the main impacts will be traffic and public water and sewer, as noted in the sections below. In terms of employees, this will vary depending upon the types of sizes of the individual site plans. It is expected that the impacts on police, fire, emergency response and other Township or County services will be minimal, having similar or smaller demand as the commercial developments north of I-96 due to the limited size of the parcel. The tax benefits of the development is expected to far exceed the impacts to public services, which will benefit the Township.

#### **18.07.07 Impact on Public Utilities.**

Utility service to the South Latson Road Service Area is provided by the Marion, Howell, Ocoola & Genoa Sewer and Water Authority (MHOG) and the Genoa Ocoola Sewer and Water Authority (GO).

Water service is already available to the commercial site via a developer funded extension of 12-inch water main, serviced by MHOG, which has been extended from Kohl's across I-96 to Beck Road then west to Latson and south to the northeast corner of the Latson Farms parcel south of the railroad tracks. Once the developments in the South Latson Road area are constructed, the internal watermain will complete the loop to the west where another developer funded water main extension was brought under I-96, stubbing south of the railroad at the west property line of the Innovation Interchange PUD. This is shown in the attached exhibits, though the loop is not required to service the proposed Commercial PUD.

Sanitary sewer within the proposed South Latson Road development area will consist of gravity sewers that flow to a proposed pump station located internal to the Innovation Interchange PUD development on the west side of Latson Road, south of Cloverbend, the natural low point in the area. A force main will extend north from the pump station through the Innovation Interchange property and connect to an existing developer funded force main that crosses under I-96 before merging into the existing sanitary system at Grand Oaks Drive. The area is ultimately serviced by the GO WWTP, which has recently received system capacity upgrades and is able to service the anticipated load from the entire South Latson Road development area, including the proposed Commercial PUD. The Utility Agreement entered by the Township with the Innovation Park developer provides that sewer service would be extended to each of the properties within the planned development parcels, including the Property, in connection with final site plans for each such property. The overall sanitary system for the South Latson Road Service Area is shown in the attached exhibits.

Each development proposed within the South Latson Road area will be serviced by public water and sewer, designed to local, County and State requirements. Approximately 1,497 Residential Equivalent Units (REU) is anticipated for the South Latson Road development area.

Franchise utilities serving the South Latson Road area will include gas, electric, telephone and data. Coordination with those utility providers to bring service to the area will continue as development plans progress.

Please see the Water Distribution Infrastructure and Sanitary Sewer Collection Infrastructure Maps in Appendix.

#### **18.07.08 Storage and Handling of any Hazardous Materials.**

The specific uses of the proposed Commercial PUD are yet to be determined. Due to the intended uses defined in the Master Plan, it is expected that most potential uses will not involve storage or handling of hazardous materials. If a gas station is proposed, it will contain underground fuel storage tanks which will comply with all local, County, State and Federal requirements. Each development proposed within the subject area will be responsible for meeting all storage and handling requirements, as applicable.



#### **18.07.09 Traffic Impact Study.**

A separate traffic impact study has been prepared by Fleis and Vandenbrink. The study area and contents of this study has been coordinated with the Livingston County Road Commission with a focus on the intersection of Latson and Beck, the preferred location for access points to the PUD, along with impacted intersections in the surrounding area. Please refer to this report for a detailed analysis of traffic impacts and recommended improvements.

#### **18.07.10 Historic and Cultural Resources.**

There are no Historic or Cultural Resources located on the vacant Commercial PUD property.

#### **18.07.11 Special Provisions.**

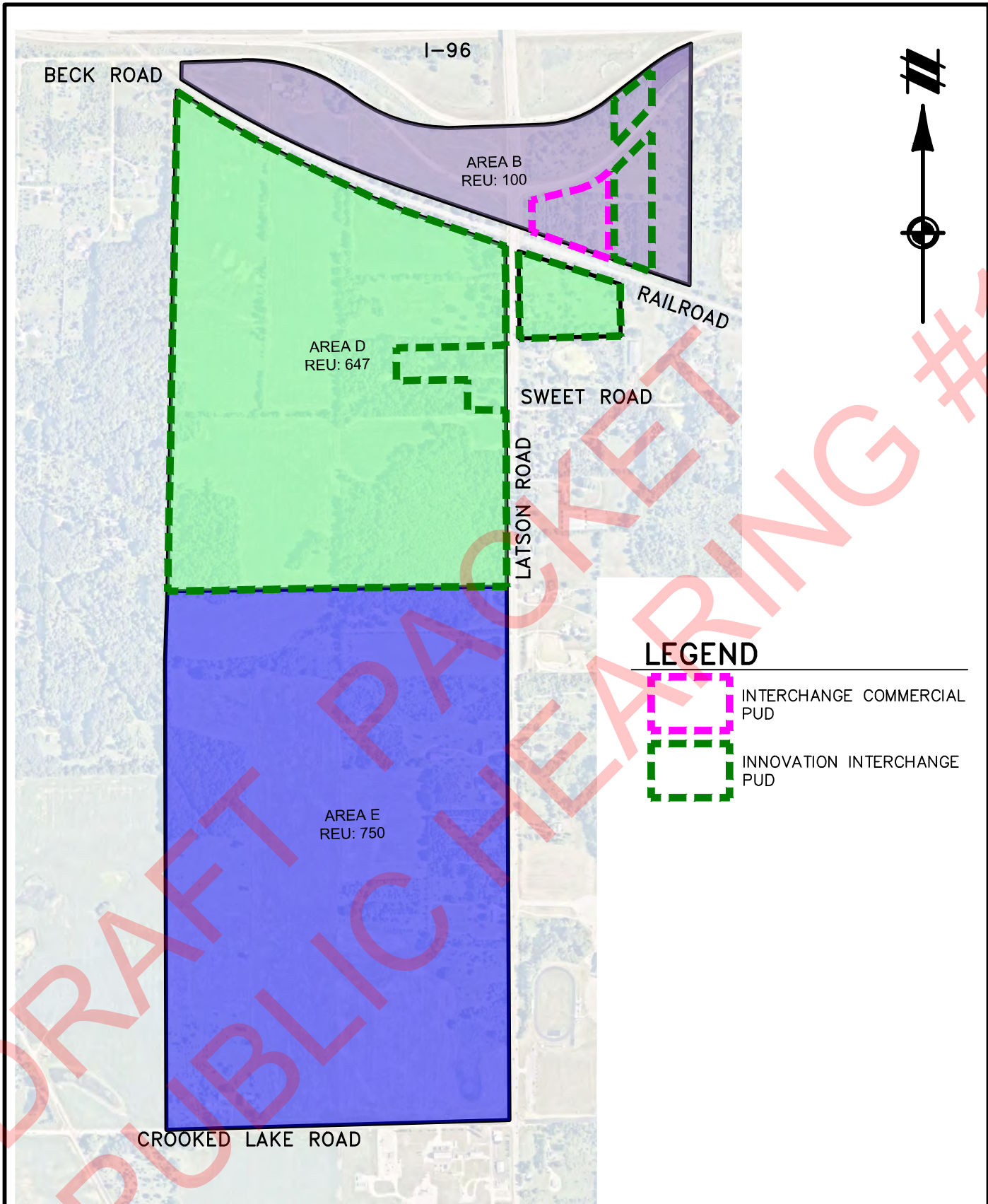
The PUD Agreement contains several provisions regarding the uses, operations, design and other standards that will apply to the Development and future site plans and owners.

#### **Sources:**

- Genoa Township Master Plan
- I-96 Interchange Environmental Impact Statement
- Conversations with the Township and Livingston County Road Commission staff

#### **Appendix:**

- South Latson Road Service Area Map
- Figure 1: Water Distribution Infrastructure Map
- Water Main Concept Map
- Figure 2: Sanitary Sewer Collection Infrastructure Map
- Sanitary Sewer Concept Map
- Soils and Wetlands Site Map
- Topography and Natural Features Site Map
- Barr Wetland Delineation Report

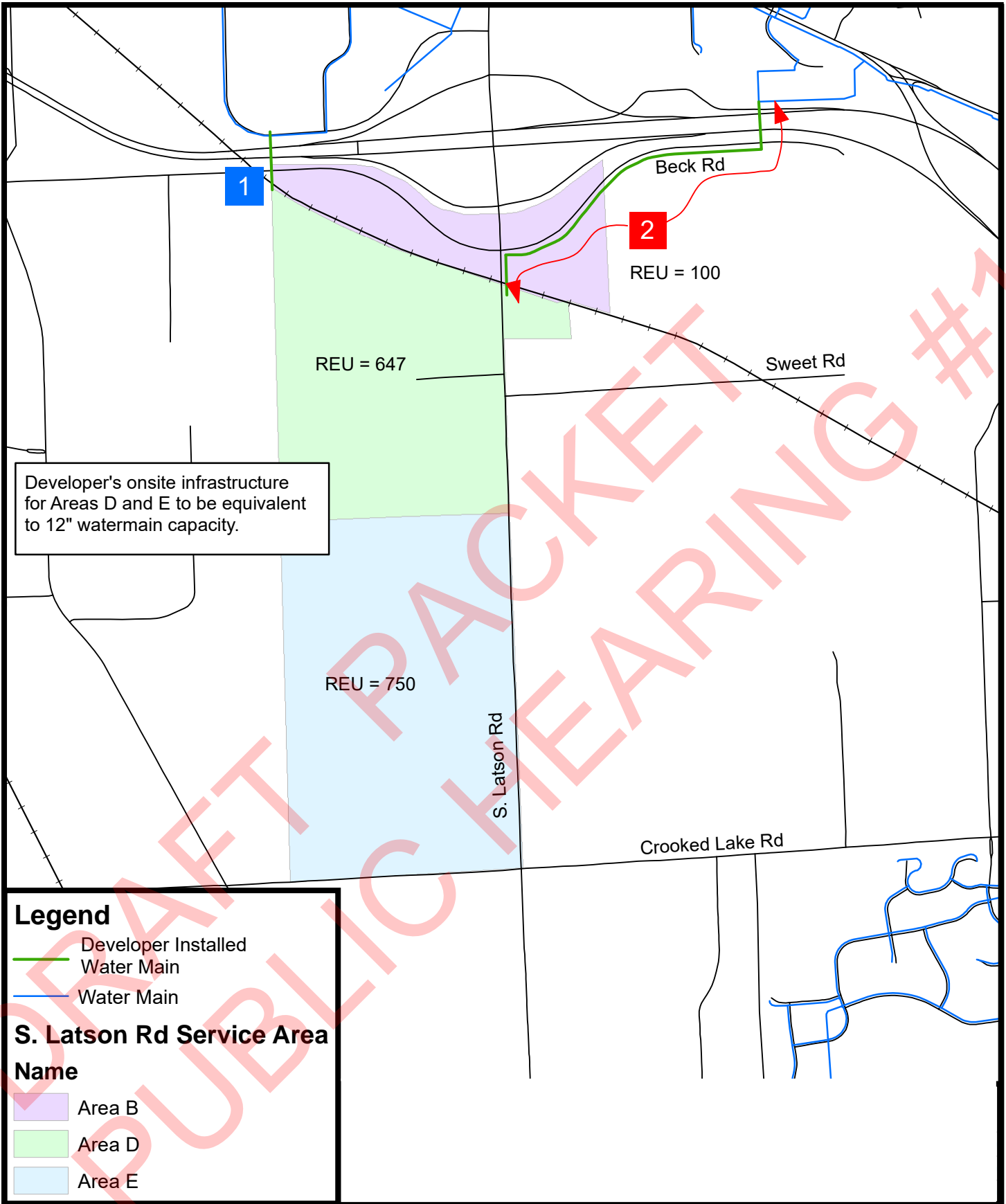


**SOUTH LATSON ROAD SERVICE AREA**

PROJECT NO.: 16001784  
 DATE: 2024-09-27



**ATWELL**  
 866.850.4200 [www.atwell-group.com](http://www.atwell-group.com)



Developer's onsite infrastructure for Areas D and E to be equivalent to 12" watermain capacity.

**Legend**

- Developer Installed Water Main
- Water Main

**S. Latson Rd Service Area**

**Name**

- Area B
- Area D
- Area E

1 inch = 1,500 feet

**Figure 1**  
**Water Distribution Infrastructure**

Date: 3/2/2018

Note: This is a graphical representation of the required improvements. Final routing and location will be required during the design phase.



BECK ROAD

I-96

RAILROAD



SWEET ROAD

LATSON ROAD

CROOKED LAKE ROAD



**LEGEND**

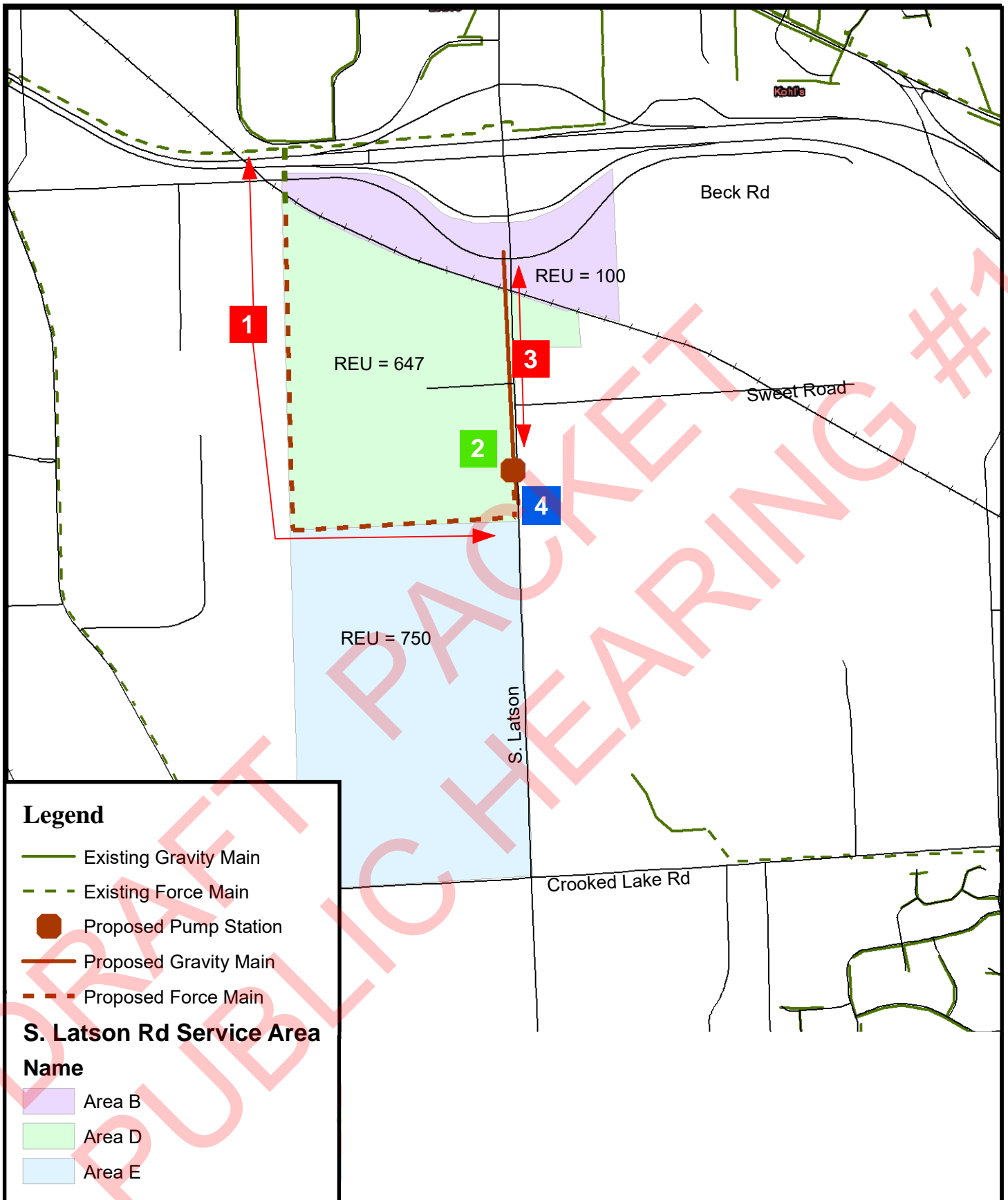
-  PR WATERMAIN  
(TO BE INSTALLED  
AS PART OF THE  
INNOVATION  
INTERCHANGE PUD)
-  EX WATERMAIN

**WATERMAIN CONCEPT**

NOTE:  
WATER MAIN TO BE A COMBINATION OF 8" AND  
12" IN DIAMETER

PROJECT NO.: 16001784  
DATE: 2024-09-25





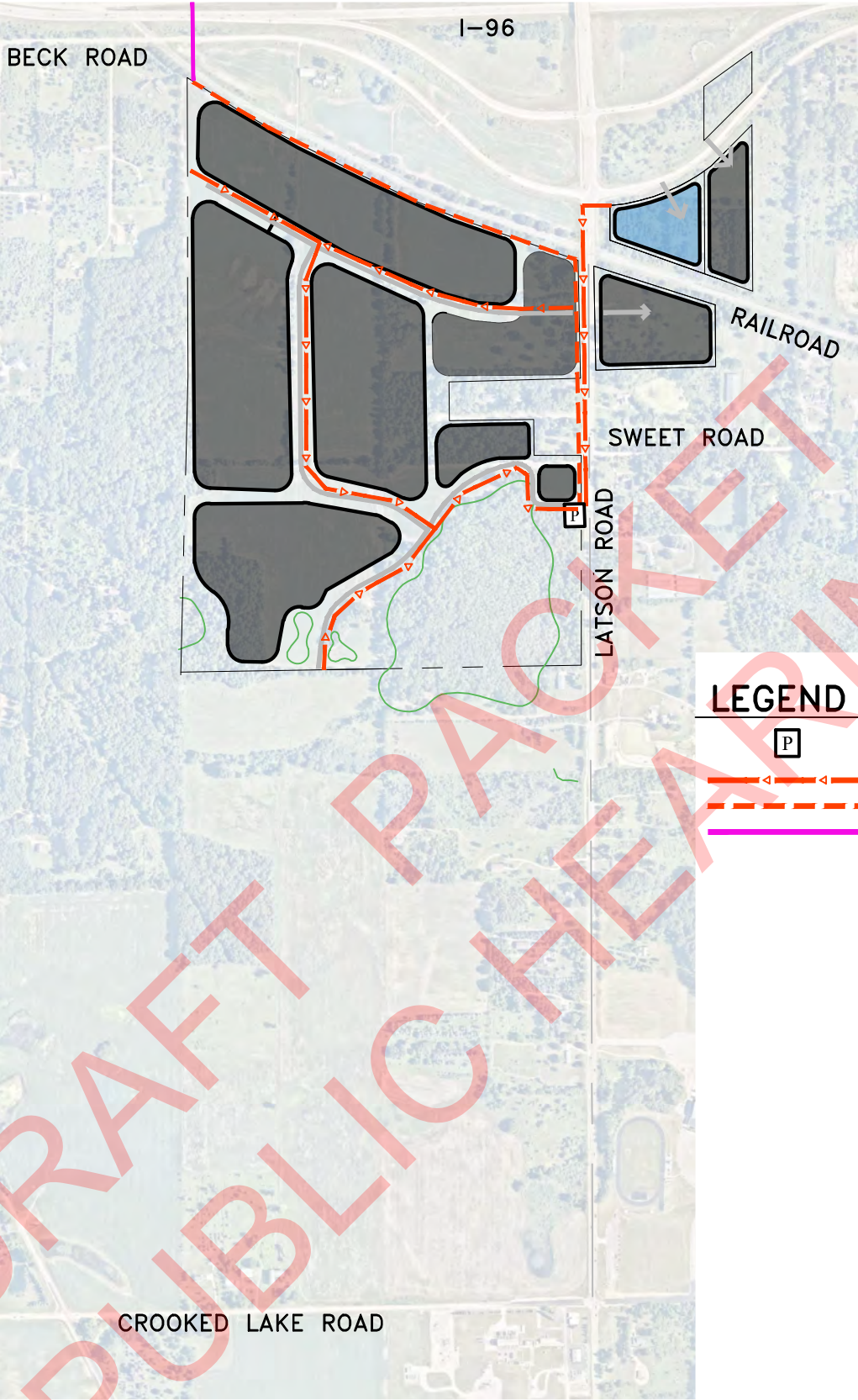
**Figure 2**

Date: 3/2/2018





**Sanitary Sewer Collection Infrastructure**

Note: This is a graphical representation of the required improvements. Final routing and location will be required during the design phase





**LEGEND**

-  PUMP STATION
-  PR GRAVITY SEWER
-  PR FORCE MAIN
-  EX 8" FORCE MAIN

**SANITARY SEWER CONCEPT**

PROJECT NO.: 16001784  
 DATE: 2024-06-25

NOTE:  
 SANITARY SEWER TO BE A COMBINATION OF 8"  
 AND 10" GRAVITY SEWER AND 8" FORCE MAIN

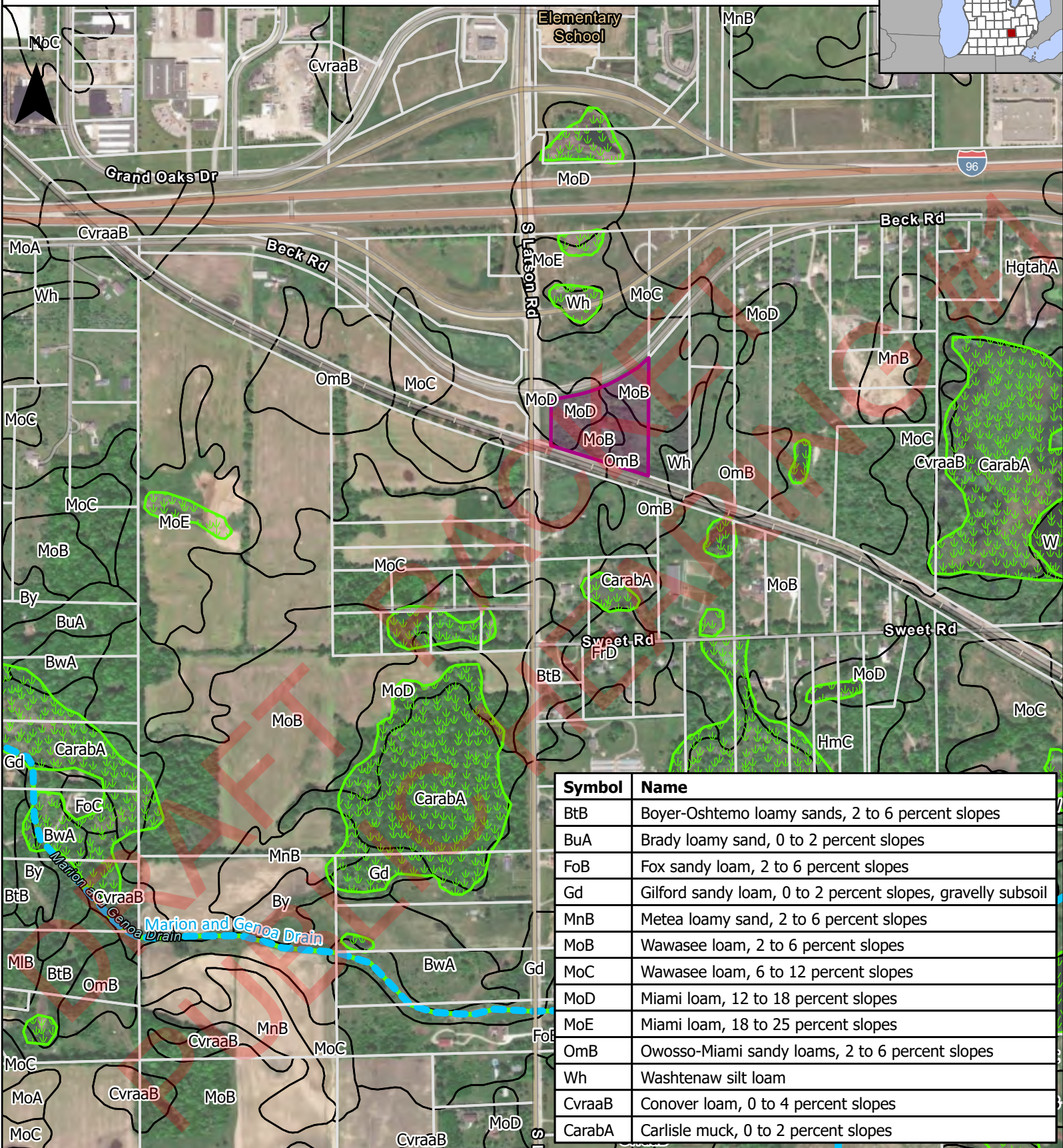


**ATWELL**  
 866.850.4200 www.atwell-group.com

# Interchange Commercial PUD

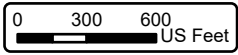
Site Map - Soils and Wetlands

Genoa Township, Livingston County, Michigan



Symbol	Name
BtB	Boyer-Oshtemo loamy sands, 2 to 6 percent slopes
BuA	Brady loamy sand, 0 to 2 percent slopes
FoB	Fox sandy loam, 2 to 6 percent slopes
Gd	Gilford sandy loam, 0 to 2 percent slopes, gravelly subsoil
MnB	Metae loamy sand, 2 to 6 percent slopes
MoB	Wawasee loam, 2 to 6 percent slopes
MoC	Wawasee loam, 6 to 12 percent slopes
MoD	Miami loam, 12 to 18 percent slopes
MoE	Miami loam, 18 to 25 percent slopes
OmB	Owosso-Miami sandy loams, 2 to 6 percent slopes
Wh	Washtenaw silt loam
CvraaB	Conover loam, 0 to 4 percent slopes
CarabA	Carlisle muck, 0 to 2 percent slopes

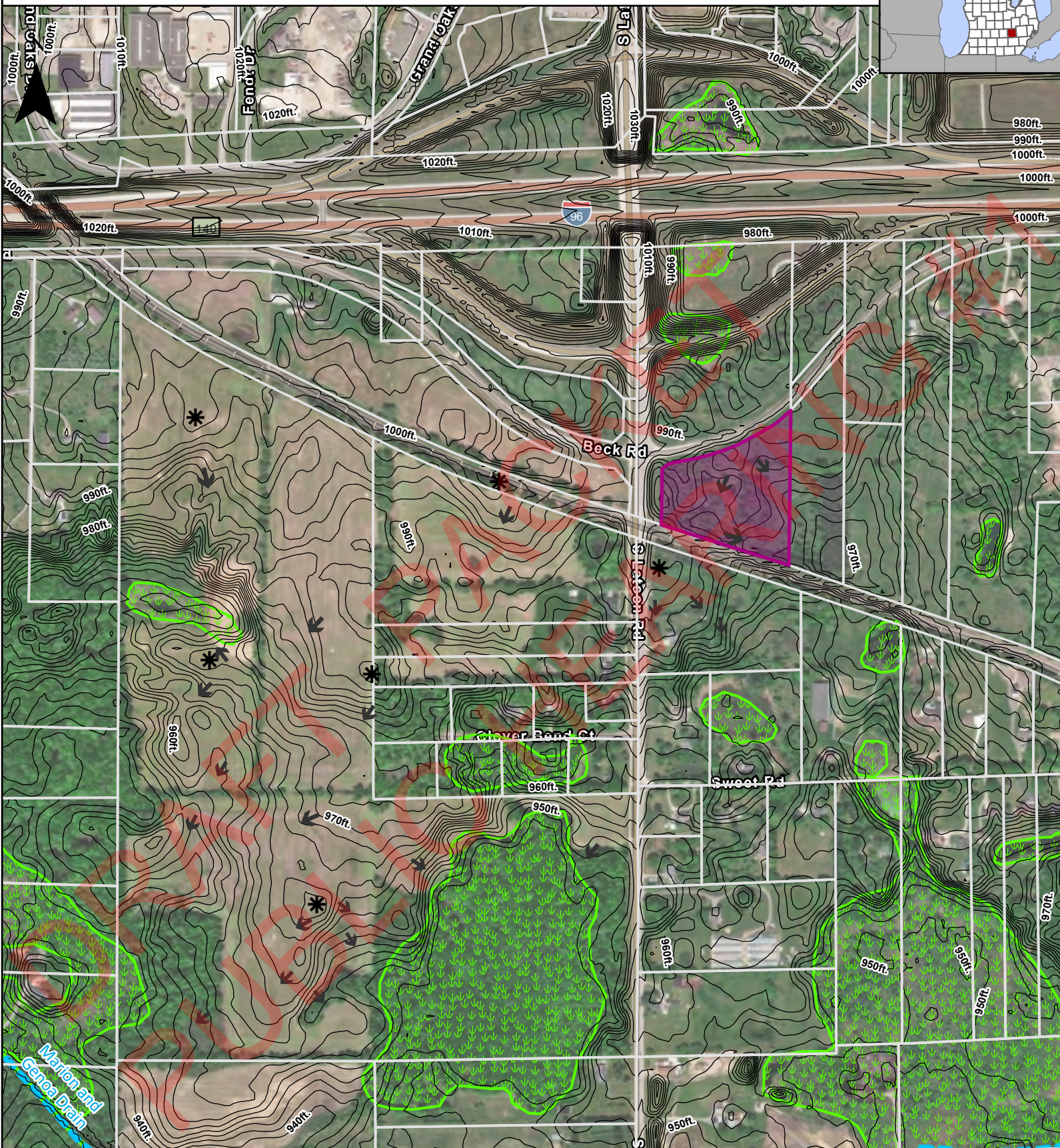
Interchange Commercial PUD  
 Parcel Boundary  
 NWI Wetlands  
 Soil Types



# Interchange Commercial PUD

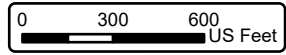
Topography & Natural Features

Genoa Township, Livingston County, Michigan



- Interchange Commercial PUD
- Parcel Boundary
- Local High Point

- NWI Wetlands
- 2 Ft Contour
- Estimated Flow Direction
- Watercourse NHD





September 25, 2024

Todd Wyett  
VERSA Development  
336 E 4<sup>th</sup> Street  
Royal Oak, MI 48067

**Re: Wetland Delineation Report – Southeast Corner Beck Road & Latson Road  
Genoa Township, Livingston County**

Dear Mr. Wyett,

Pursuant to your request, Barr Engineering Co. (“Barr”) conducted a wetland delineation at the above-referenced approximately 7.2-acre site on September 23, 2024. The purpose of this report is to summarize the results of that work.

## 1.0 Area of Investigation Description

The Area of Investigation (“AOI”) includes the southernmost portion of parcel number 11-09-300-008. Surrounding land uses include residential, agricultural, and vacant land.



Figure 1. Approximate Area of Investigation

## 1.1 Desktop Review

Barr conducted a desktop review of the site to evaluate aerial imagery, topography, soil types, and mapped wetlands within the site prior to the wetland delineation. As part of the desktop review, Barr staff reviewed resources such as aerial photography (Figure 1), the Natural Resources Conservation Service ("NRCS") Web Soil Survey ("WSS") Soil Units (Figure 2), and the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") Wetlands Map Viewer (Figure 3).

The soil units present on site include Wawasee loam, 2 to 6 percent slopes (MoB 40.3%); Miami loam 12 to 18 percent slopes (MoD 32.2%); and Owosso-Miami sandy loams, 2 to 6 percent slopes (OmB 27.3%). These are all well-drained soil map units.



Figure 2. Web Soil Survey Soil Map Units

The EGLE Wetlands Map Viewer does not show soil areas which include wetland soils or wetlands as identified by the National Wetlands Inventory (“NWI”) or Michigan Resource Inventory System (“MIRIS”) on the site.

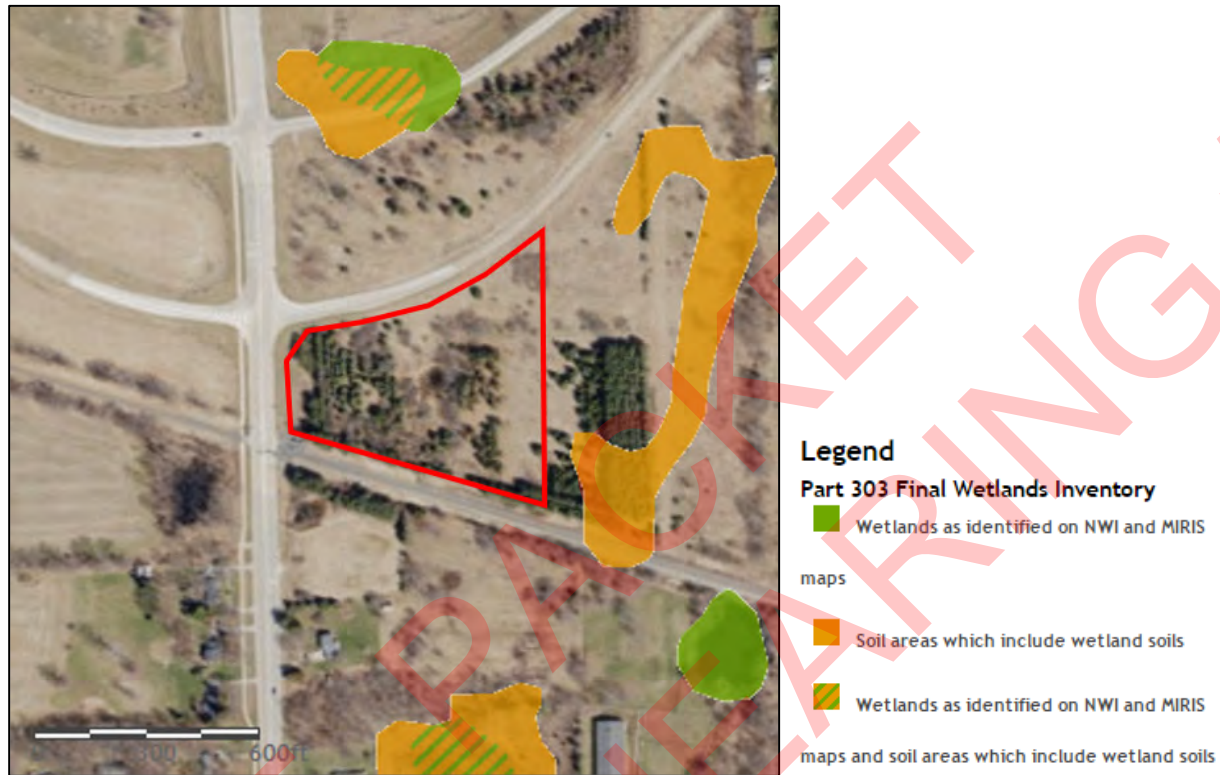


Figure 3. EGLE Wetlands Map Viewer

## 1.2 Methodology

The wetland delineation was conducted in a manner consistent with the *U.S. Army Corps of Engineers Wetlands Delineation Manual* (USACE 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0, USACE 2012)*. Wetland delineation procedures outlined in these manuals require the evaluation of on-site vegetation, soils, and hydrologic characteristics. Site observations are described in the sections below. The wetland boundaries were flagged in the field with alphanumerically labeled pink pin flags and/or pink flagging tape. Flagging was located using a GPS unit capable of sub-meter accuracy.

## 1.3 Results

This site includes palustrine emergent (PEM) wetland habitats. Figure 4 depicts the GPS survey of the wetland areas encountered on site. The attached USACE wetland data forms provide additional wetland detail.



Figure 4. Wetland Boundary and Flag Locations

## Vegetation, Soil, and Hydrology

### Wetland A

Wetland A is an emergent wetland located centrally on the site, bounded by flags A1 – A13. Vegetation observed in this wetland included reed canary grass (*Phalaris arundinacea*), purple loosestrife (*Lythrum salicaria*), marsh primrose (*Ludwigia palustris*), and duckweed (*Lemna minor*). This wetland had soil saturation and a high-water table indicators of wetland hydrology, along with indicators of a hydric soil.

### Wetland B

Wetland B is an emergent wetland depression located in the southwestern portion of the site, bounded by flags B1 – B20. Vegetation observed in this wetland included calico aster (*Symphyotrichum lateriflorum*), reed canary grass, fowl-manna grass (*Glyceria striata*) and purple loosestrife. Hydric soil indicators were observed.

### Adjacent Uplands

The adjacent upland area on site is primarily sloping ground with planted conifers, predominantly Scotch pine (*Pinus sylvestris*) and white spruce (*Picea glauca*), but white pine (*Pinus strobus*) and red pine (*Pinus resinosa*) are also present. The remaining upland onsite is vegetated with species such as crab apple (*Malus spp.*), autumn olive (*Elaeagnus umbellata*), rambler rose (*Rosa multiflora*), smooth brome

grass (*Bromus inermis*), whiplash dewberry (*Rubus flagellaris*), and tall goldenrod (*Solidago altissima*). These upland areas showed no indicators of wetland hydrology or hydric soil.

## 1.4. Conclusions

Based on observations of topography, vegetation, soil, and indicators of hydrology, Barr has determined that wetland habitat is present within the AOI. According to Part 303, Wetlands Protection, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended), wetlands regulated by the State of Michigan include wetlands that are:

1. Located within 500 feet of, or having a direct surface water connection to, an inland lake, pond, river, or stream; or
2. Greater than 5 acres in size; or
3. Located within 1,000 feet of, or having a direct surface water connection to, the Great Lakes or Lake St. Clair; or
4. A water of the United States as that term is used in section 502(7) of the Federal Water Pollution Control Act, 33 USC 1362; or
5. Known to have a documented presence of an endangered or threatened species under Part 365 of State of Michigan 1994 PA 451, as amended or the Federal Endangered Species Act of 1973, Public Law 93-205; or
6. Rare or imperiled.

It is our opinion that the two wetlands identified on site (A and B) would not be regulated by the State of Michigan under Part 303 as they do not appear to meet any of the above criteria. Therefore, if the onsite wetlands are not regulated by Part 303, a permit would not be required from EGLE to place fill or structures, excavate soil, drain surface water, or make use of these wetlands.

Please be advised that EGLE, and in some coastal cases the USACE, have regulatory authority regarding the wetland boundary location(s) and jurisdictional status of wetlands in the State of Michigan. Barr's wetland determination was performed in general accordance with accepted procedures for conducting wetland determinations. Barr provides no warranty, guarantee, or other agreement in respect to the period of time for which this wetland determination will remain valid. Barr's conclusions reflect our professional opinion based on the site conditions within the AOI observed during the site visits. Discrepancies may arise between current and future wetland determinations and delineations due to changes in vegetation and/or hydrology as the result of land use practices or other environmental factors, whether on-site or on adjacent or nearby properties. In addition, wetland delineations performed outside the growing season, typically from late-October until late-April, may differ from those performed at the same site during the growing season due to the presence of snow cover or frozen ground conditions. We recommend our wetland boundary determination and jurisdictional opinion be reviewed by EGLE prior to undertaking any earthmoving activity on the site.

Thank you for the opportunity to provide this wetland delineation. If you have any questions, please contact me at your convenience at 810-247-1229 or fthompson@barr.com.

Sincerely,

BARR ENGINEERING CO



Fran Thompson  
Ecologist

**Attachments:**

Figure 1 – Wetland Delineation  
USACE Wetland Determination Data Forms

**References:**

U.S. Army Corps of Engineers (USACE). 1987. *Corps of Engineers Wetlands Delineation Manual*. Washington, DC.





USACE. 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)*. Washington, DC.

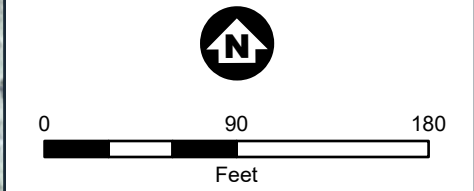
DRAFT PACKET HEARING #1  
PUBLIC HEARING

Barr Footer ArcGIS Pro 3.3.1, 2024-09-24 09:11 File: I:\Projects\22471\042\Map\Report\Wetland Delineation NE Parcel.aprx Layout: Fig01 Wetland Delineation User: ERM3



LIVINGSTON COUNTY

-  Area of Investigation
-  Apx. Parcel Boundary
-  Delineated Wetland
-  Wetland Flag Location



Imagery: Nearmap 6/8/2024

**Wetland Delineation**  
Northeast Parcel  
Versa FTAG Site  
Livingston County, Michigan

FIGURE 1



**U.S. Army Corps of Engineers**  
**WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region**  
 See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024  
 Requirement Control Symbol EXEMPT:  
 (Authority: AR 335-15, paragraph 5-2a)

Project/Site: SE Corner Latson and Beck Roads City/County: Genoa Twp/Livingston Co Sampling Date: 9-23-2024  
 Applicant/Owner: Todd Wyett; VERSA Development State: MI Sampling Point: A1  
 Investigator(s): Bill Brodovich and Christian Tibaudo Section, Township, Range: T02N, R05E, Sec 09  
 Landform (hillside, terrace, etc.): depression Local relief (concave, convex, none): concave Slope %: 1  
 Subregion (LRR or MLRA): LRR L Lat: 42 34' 29" N Long: 83 52' 20" W Datum: NAD 83  
 Soil Map Unit Name: Wawasee loam; 2 to 6 percent slopes NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation     , Soil     , or Hydrology      significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation     , Soil     , or Hydrology      naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <u>X</u> No <u>    </u> Hydric Soil Present? Yes <u>X</u> No <u>    </u> Wetland Hydrology Present? Yes <u>X</u> No <u>    </u>	<b>Is the Sampled Area within a Wetland?</b> Yes <u>X</u> No <u>    </u> If yes, optional Wetland Site ID: <u>    </u>
Remarks: (Explain alternative procedures here or in a separate report.)	

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1) <input checked="" type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> Microtopographic Relief (D4) <input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> Marl Deposits (B15) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Other (Explain in Remarks)	

<b>Field Observations:</b> Surface Water Present? Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u> Water Table Present? Yes <u>X</u> No <u>    </u> Depth (inches): <u>11</u> Saturation Present? Yes <u>X</u> No <u>    </u> Depth (inches): <u>5</u> (includes capillary fringe)	<b>Wetland Hydrology Present?</b> Yes <u>X</u> No <u>    </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:







**U.S. Army Corps of Engineers**  
**WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region**  
 See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

*OMB Control #: 0710-0024, Exp: 11/30/2024*  
*Requirement Control Symbol EXEMPT:*  
*(Authority: AR 335-15, paragraph 5-2a)*

Project/Site: SE Corner Latson and Beck Roads City/County: Genoa Twp/Livingston Co Sampling Date: 9-23-2024  
 Applicant/Owner: Todd Wyett; VERSA Development State: MI Sampling Point: B10  
 Investigator(s): Bill Brodovich and Christian Tibaudo Section, Township, Range: T02N, R05E, Sec 09  
 Landform (hillside, terrace, etc.): depression Local relief (concave, convex, none): concave Slope %: 1  
 Subregion (LRR or MLRA): LRR L Lat: 42 34' 27" N Long: 83 52' 21" W Datum: NAD 83  
 Soil Map Unit Name: Wawasee (90%) NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation     , Soil     , or Hydrology      significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation     , Soil     , or Hydrology      naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?      Yes <u>X</u> No <u>    </u> Hydric Soil Present?                      Yes <u>X</u> No <u>    </u> Wetland Hydrology Present?            Yes <u>X</u> No <u>    </u>	<b>Is the Sampled Area within a Wetland?</b> Yes <u>X</u> No <u>    </u> If yes, optional Wetland Site ID: <u>    </u>
Remarks: (Explain alternative procedures here or in a separate report.)	

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> <u>Primary Indicators (minimum of one is required; check all that apply)</u> ___ Surface Water (A1)                      ___ Water-Stained Leaves (B9) ___ High Water Table (A2)                   ___ Aquatic Fauna (B13) ___ Saturation (A3)                            ___ Marl Deposits (B15) ___ Water Marks (B1)                         ___ Hydrogen Sulfide Odor (C1) ___ Sediment Deposits (B2)                ___ Oxidized Rhizospheres on Living Roots (C3) ___ Drift Deposits (B3)                       ___ Presence of Reduced Iron (C4) ___ Algal Mat or Crust (B4)                  ___ Recent Iron Reduction in Tilled Soils (C6) ___ Iron Deposits (B5)                        ___ Thin Muck Surface (C7) ___ Inundation Visible on Aerial Imagery (B7) ___ Other (Explain in Remarks) ___ Sparsely Vegetated Concave Surface (B8)	<u>Secondary Indicators (minimum of two required)</u> ___ Surface Soil Cracks (B6) ___ Drainage Patterns (B10) ___ Moss Trim Lines (B16) ___ Dry-Season Water Table (C2) ___ Crayfish Burrows (C8) ___ Saturation Visible on Aerial Imagery (C9) ___ Stunted or Stressed Plants (D1) ___ <u>X</u> Geomorphic Position (D2) ___ Shallow Aquitard (D3) ___ Microtopographic Relief (D4) ___ <u>X</u> FAC-Neutral Test (D5)
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<b>Field Observations:</b> Surface Water Present?    Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u> Water Table Present?      Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u> Saturation Present?        Yes <u>    </u> No <u>X</u> Depth (inches): <u>    </u> (includes capillary fringe)	<b>Wetland Hydrology Present?</b> Yes <u>X</u> No <u>    </u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**VEGETATION** – Use scientific names of plants.

Sampling Point: B10

<u>Tree Stratum</u> (Plot size: <u>30'</u> )	Absolute % Cover	Dominant Species?	Indicator Status																																									
1. _____	_____	_____	_____	<b>Dominance Test worksheet:</b> Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A)  Total Number of Dominant Species Across All Strata: <u>2</u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																																								
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_____ =Total Cover				<b>Prevalence Index worksheet:</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;">Total % Cover of:</th> <th style="width:10%;"></th> <th style="width:10%;">Multiply by:</th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> </thead> <tbody> <tr> <td>OBL species</td> <td><u>10</u></td> <td>x 1 =</td> <td><u>10</u></td> <td></td> </tr> <tr> <td>FACW species</td> <td><u>20</u></td> <td>x 2 =</td> <td><u>40</u></td> <td></td> </tr> <tr> <td>FAC species</td> <td><u>70</u></td> <td>x 3 =</td> <td><u>210</u></td> <td></td> </tr> <tr> <td>FACU species</td> <td><u>0</u></td> <td>x 4 =</td> <td><u>0</u></td> <td></td> </tr> <tr> <td>UPL species</td> <td><u>0</u></td> <td>x 5 =</td> <td><u>0</u></td> <td></td> </tr> <tr> <td>Column Totals:</td> <td><u>100</u></td> <td>(A)</td> <td><u>260</u></td> <td>(B)</td> </tr> <tr> <td colspan="4" style="text-align: right;">Prevalence Index = B/A =</td> <td><u>2.60</u></td> </tr> </tbody> </table>	Total % Cover of:		Multiply by:			OBL species	<u>10</u>	x 1 =	<u>10</u>		FACW species	<u>20</u>	x 2 =	<u>40</u>		FAC species	<u>70</u>	x 3 =	<u>210</u>		FACU species	<u>0</u>	x 4 =	<u>0</u>		UPL species	<u>0</u>	x 5 =	<u>0</u>		Column Totals:	<u>100</u>	(A)	<u>260</u>	(B)	Prevalence Index = B/A =				<u>2.60</u>
Total % Cover of:		Multiply by:																																										
OBL species	<u>10</u>	x 1 =	<u>10</u>																																									
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Prevalence Index = B/A =				<u>2.60</u>																																								
_____ =Total Cover				<b>Hydrophytic Vegetation Indicators:</b> <u>1</u> - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> <u>2</u> - Dominance Test is >50% <input checked="" type="checkbox"/> <u>3</u> - Prevalence Index is ≤3.0 <sup>1</sup> <u>4</u> - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)																																								
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_____ =Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.  <b>Definitions of Vegetation Strata:</b>  <b>Tree</b> – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.  <b>Sapling/shrub</b> – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.  <b>Herb</b> – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.  <b>Woody vines</b> – All woody vines greater than 3.28 ft in height.																																								
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**VEGETATION** – Use scientific names of plants.

Sampling Point:     A1 UPL    

<u>Tree Stratum</u> (Plot size: <u>    30'    </u> )	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Prunus serotina</u>	5	Yes	FACU	<b>Dominance Test worksheet:</b> Number of Dominant Species That Are OBL, FACW, or FAC: <u>    0    </u> (A)  Total Number of Dominant Species Across All Strata: <u>    5    </u> (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: <u>    0.0%    </u> (A/B)																
2. _____	_____	_____	_____																	
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6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
	<u>    5    </u> =Total Cover			<b>Prevalence Index worksheet:</b> <table style="width:100%; border:none;"> <tr> <td style="width:50%; text-align:center;">Total % Cover of:</td> <td style="width:50%; text-align:center;">Multiply by:</td> </tr> <tr> <td>OBL species <u>    0    </u></td> <td>x 1 = <u>    0    </u></td> </tr> <tr> <td>FACW species <u>    0    </u></td> <td>x 2 = <u>    0    </u></td> </tr> <tr> <td>FAC species <u>    5    </u></td> <td>x 3 = <u>    15    </u></td> </tr> <tr> <td>FACU species <u>    45    </u></td> <td>x 4 = <u>    180    </u></td> </tr> <tr> <td>UPL species <u>    75    </u></td> <td>x 5 = <u>    375    </u></td> </tr> <tr> <td>Column Totals: <u>    125    </u> (A)</td> <td><u>    570    </u> (B)</td> </tr> <tr> <td colspan="2" style="text-align:center;">Prevalence Index = B/A = <u>    4.56    </u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>    0    </u>	x 1 = <u>    0    </u>	FACW species <u>    0    </u>	x 2 = <u>    0    </u>	FAC species <u>    5    </u>	x 3 = <u>    15    </u>	FACU species <u>    45    </u>	x 4 = <u>    180    </u>	UPL species <u>    75    </u>	x 5 = <u>    375    </u>	Column Totals: <u>    125    </u> (A)	<u>    570    </u> (B)	Prevalence Index = B/A = <u>    4.56    </u>	
Total % Cover of:	Multiply by:																			
OBL species <u>    0    </u>	x 1 = <u>    0    </u>																			
FACW species <u>    0    </u>	x 2 = <u>    0    </u>																			
FAC species <u>    5    </u>	x 3 = <u>    15    </u>																			
FACU species <u>    45    </u>	x 4 = <u>    180    </u>																			
UPL species <u>    75    </u>	x 5 = <u>    375    </u>																			
Column Totals: <u>    125    </u> (A)	<u>    570    </u> (B)																			
Prevalence Index = B/A = <u>    4.56    </u>																				
<u>Sapling/Shrub Stratum</u> (Plot size: <u>    15'    </u> )																				
1. <u>Elaeagnus umbellata</u>	15	Yes	UPL																	
2. <u>Rosa multiflora</u>	5	Yes	FACU																	
3. _____	_____	_____	_____																	
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	<u>    20    </u> =Total Cover																			
<u>Herb Stratum</u> (Plot size: <u>    5'    </u> )				<b>Hydrophytic Vegetation Indicators:</b> <u>    1    </u> - Rapid Test for Hydrophytic Vegetation <u>    2    </u> - Dominance Test is >50% <u>    3    </u> - Prevalence Index is ≤3.0 <sup>1</sup> <u>    4    </u> - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)  _____ Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1. <u>Bromus inermis</u>	60	Yes	UPL																	
2. <u>Rubus flagellaris</u>	20	Yes	FACU																	
3. <u>Solidago altissima</u>	10	No	FACU																	
4. <u>Euthamia graminifolia</u>	5	No	FAC																	
5. <u>Symphotrichum pilosum</u>	3	No	FACU																	
6. <u>Dactylis glomerata</u>	2	No	FACU																	
7. _____	_____	_____	_____																	
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	<u>    100    </u> =Total Cover																			
<u>Woody Vine Stratum</u> (Plot size: <u>    15'    </u> )				<b>Definitions of Vegetation Strata:</b>  <b>Tree</b> – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.  <b>Sapling/shrub</b> – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.  <b>Herb</b> – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.  <b>Woody vines</b> – All woody vines greater than 3.28 ft in height.																
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
	_____ =Total Cover																			
<b>Hydrophytic Vegetation Present?      Yes <u>    </u>      No <u>    X    </u></b>																				

Remarks: (Include photo numbers here or on a separate sheet.)





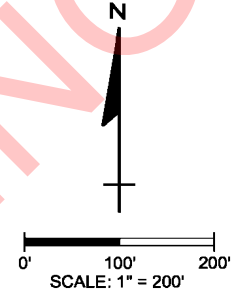
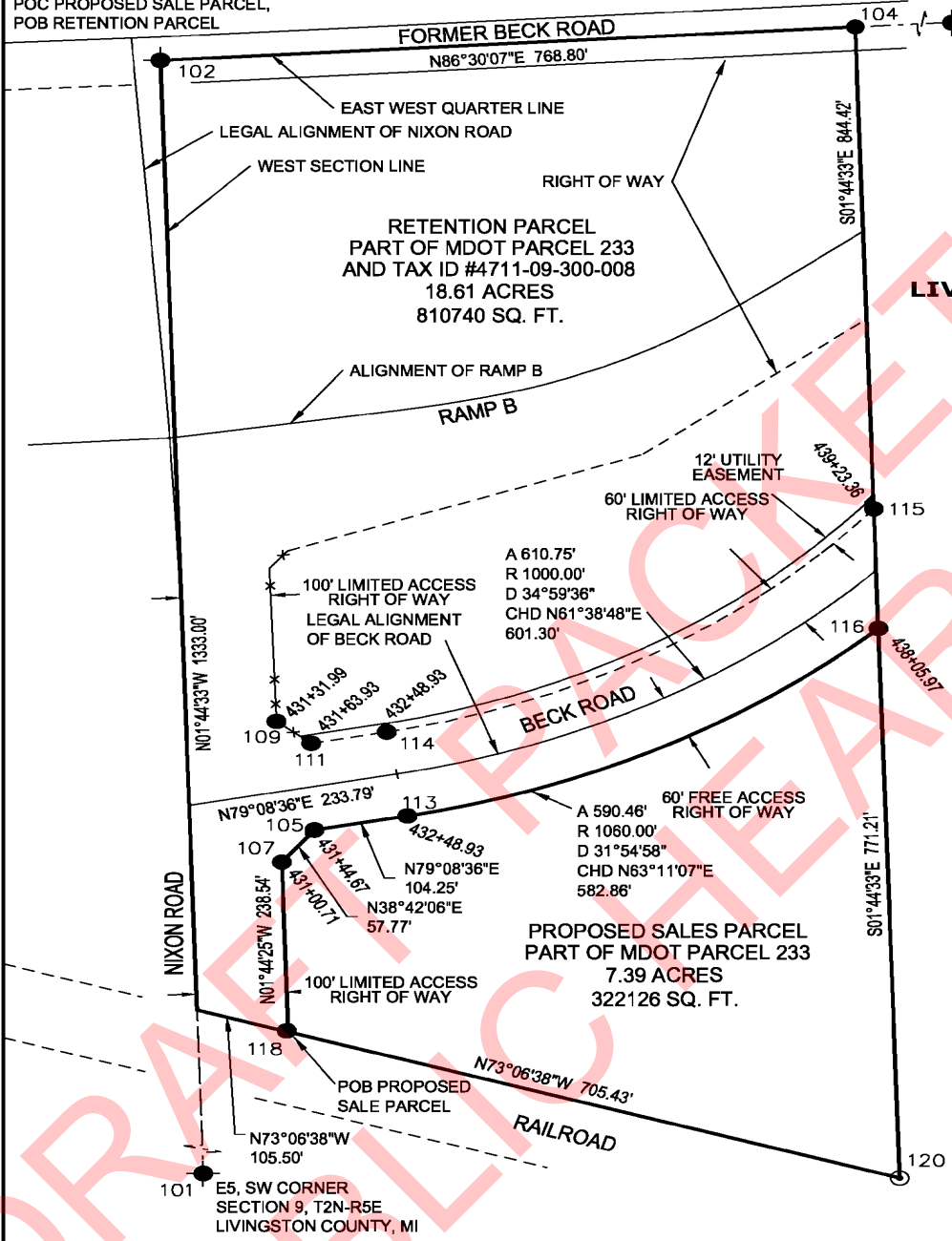
# CERTIFICATE OF SURVEY

THIS SURVEY WAS PERFORMED FOR A PROPERTY TRANSFER FOR M.D.O.T.  
R.O.W. ACQUISITION. NO DIVISIONS OR SUBDIVISIONS WERE MADE, AND THE  
RESULTING M.D.O.T. PARCEL SHALL NOT BE CONSIDERED A BUILDING SITE  
AS DEFINED BY PUBLIC ACT 288 OF 1967, AS AMENDED.

E4, W 1/4 CORNER  
SECTION 9, T2N-R5E,  
LIVINGSTON COUNTY, MI  
POC PROPOSED SALE PARCEL,  
POB RETENTION PARCEL

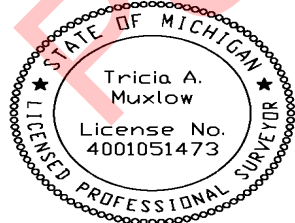
F4, INTERIOR CORNER  
SECTION 9, T2N-R5E  
LIVINGSTON COUNTY, MI

**2023S-0043**  
**RECORDED ON**  
**05/26/2023 08:34:25 AM**  
**BRANDON DENBY**  
**REGISTER OF DEEDS**  
**LIVINGSTON COUNTY, MI 48843**  
**RECORDING: 26.00**  
**REMON: 4.00**  
**PAGES: 2**



- LEGEND:**
- SET 1/2" IRON WITH CAP #51473
  - FOUND CAPPED IRON #46686
  - ⊙ FOUND 1/2" HEX IRON PIN
  - ⊙ FOUND PLSS CORNER
  - R. RECORD
  - M. MEASURED
  - C. CALCULATED
  - POC POINT OF COMMENCING
  - POB POINT OF BEGINNING
  - GRD. GRID
  - GND. GROUND

REVISED 03/08/2022



I, Tricia A. Muxlow, being a Surveyor Licensed in the State of Michigan, hereby certify that I have surveyed and mapped the above parcel of land, and that I have complied with the regulations of P.A. 132 of 1970 as amended.

*Tricia A. Muxlow*

TRICIA A. MUXLOW, P.S. 11.02.2021  
LICENSED PROFESSIONAL SURVEYOR  
MICHIGAN LICENSE NO. 51473

<b>FOR:</b> Michigan Department of Transportation	
<b>CS: 47065</b>	<b>JN: 213871ROW</b>
<b>ROUTE: I-96</b>	<b>DATE: 11.02.2021</b>
<b>DRAWN BY: TY</b>	<b>SHEET</b>
<b>CHECKED BY: TM</b>	<b>1 OF 2</b>
<b>PREPARED BY:</b> MUXLOW SURVEYING	
3503 VANDYKE MARLETTE, MI 48453 810.346.2200 MUXLOWSURVEYING.COM	

# CERTIFICATE OF SURVEY

THIS SURVEY WAS PERFORMED FOR A PROPERTY TRANSFER FOR M.D.O.T.  
R.O.W. ACQUISITION. NO DIVISIONS OR SUBDIVISIONS WERE MADE, AND THE  
RESULTING M.D.O.T. PARCEL SHALL NOT BE CONSIDERED A BUILDING SITE  
AS DEFINED BY PUBLIC ACT 288 OF 1967, AS AMENDED.

**LEGAL DESCRIPTION OF RETENTION PARCEL:** PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; DESCRIBED AS BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION BEING AN IRON CAPPED 47055 IN A MONUMENT BOX; THENCE N86°30'07"E 768.80 FEET ALONG THE EAST WEST QUARTER LINE TO A SET IRON CAPPED 51473; THENCE THROUGH A FOUND IRON CAPPED 46686 S01°44'33"E 844.42 FEET PARALLEL TO THE WEST SECTION LINE TO THE SOUTH FREE ACCESS RIGHT OF WAY OF BECK ROAD; THENCE ALONG SAID SOUTH FREE ACCESS RIGHT OF WAY OF BECK ROAD AND ALONG A CURVE TO THE RIGHT WITH A LENGTH OF 590.46 FEET, A RADIUS OF 1060.00 FEET, A DELTA OF 31°54'58" AND A CHORD BEARING AND DISTANCE OF S63°11'07"W 582.86 FEET; THENCE S79°08'36"W 104.25 FEET ALONG SAID SOUTH FREE ACCESS RIGHT OF WAY OF BECK ROAD TO THE EAST LIMITED ACCESS RIGHT OF WAY OF NIXON ROAD; THENCE S38°42'06"W 57.77 FEET ALONG SAID EAST LIMITED ACCESS RIGHT OF WAY OF NIXON ROAD; THENCE S01°44'25"E 238.54 FEET ALONG SAID EAST LIMITED ACCESS RIGHT OF WAY OF NIXON ROAD TO THE NORTH LINE OF THE RAILROAD; THENCE N73°06'38"W 105.50 FEET ALONG SAID NORTH LINE OF THE RAILROAD; THENCE N01°44'33"W 1333.00 FEET ALONG THE WEST SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 18.61 ACRES. SUBJECT TO BECK ROAD PUBLIC RIGHT OF WAY.  
DATUM: STATE PLANE COORDINATES, MICHIGAN SOUTH ZONE (2113), NAD83, INTERNATIONAL FEET. POINT OF COMMENCEMENT: N 393244.3011, E 13256061.4225 (WEST 1/4 CORNER SECTION 9). AVERAGE COMBINED SCALE FACTOR: 0.9999081731522043 (GROUND TO GRID).

**LEGAL DESCRIPTION OF PROPOSED SALES PARCEL:** PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWN 2 NORTH, RANGE 5 EAST, GENOA TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; DESCRIBED AS COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION BEING AN IRON CAPPED 47055 IN A MONUMENT BOX; THENCE S01°44'33"E 1333.00 FEET ALONG THE WEST SECTION LINE TO THE NORTH LINE OF THE RAILROAD; THENCE S73°06'38"E 105.50 FEET ALONG SAID NORTH LINE OF THE RAILROAD TO THE EAST NIXON ROAD LIMITED ACCESS RIGHT OF WAY AND TO THE POINT OF BEGINNING; THENCE N01°44'25"W 238.54 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE; THENCE N38°42'06"E 57.77 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE TO THE SOUTH FREE ACCESS RIGHT OF WAY LINE OF BECK ROAD; THENCE N79°08'36"E 104.25 FEET ALONG SAID BECK ROAD RIGHT OF WAY; THENCE ALONG A CURVE TO THE LEFT WITH A LENGTH OF 590.46 FEET, A RADIUS OF 1060.00 FEET, A DELTA OF 31°54'58" AND A CHORD BEARING AND DISTANCE OF N63°11'07"E 582.86 FEET ALONG SAID BECK ROAD RIGHT OF WAY; THENCE THROUGH A FOUND IRON CAPPED 46686 S01°44'33"E 771.21 FEET PARALLEL TO SAID WEST SECTION LINE AND TO A FOUND 1/2" HEX IRON PIN AND TO SAID NORTH LINE OF THE RAILROAD; THENCE THROUGH A FOUND IRON CAPPED 46686 N73°06'38"W 705.43 FEET ALONG SAID NORTH LINE OF A RAILROAD TO THE POINT OF BEGINNING. CONTAINING 7.39 ACRES (322126 SQUARE FEET).  
DATUM: STATE PLANE COORDINATES, MICHIGAN SOUTH ZONE (2113), NAD83, INTERNATIONAL FEET. POINT OF COMMENCEMENT: N 393244.3011, E 13256061.4225 (WEST 1/4 CORNER SECTION 9). AVERAGE COMBINED SCALE FACTOR: 0.9999081731522043 (GROUND TO GRID).

**NOTES:**

1. THIS SURVEY IS BASED UPON A WARRANTY DEED TO MDOT RECORDED IN 2011R-013466.
2. FEE SIMPLE INTEREST LIES IN MDOT AT THE TIME OF THIS SURVEY.
3. CURRENT PARCEL TAX IDENTIFICATION NUMBER: 4711-09-300-008
4. PROPERTY ADDRESS: 1641 NIXON
5. LOCATION AND CONFIGURATION OF ROAD ALIGNMENTS AND RIGHTS OF WAY WERE ACCEPTED FROM MDOT FILE 101619\_ALIGN\_06-29-2012.DGN AND 101619\_CONST\_06-29-2012.DGN. ALL ALIGNMENTS ARE LEGAL ALIGNMENTS.
6. PARENT PARCEL LEGAL DESCRIPTION IS AS RECORDED IN 2011R-013466.
7. THE OBJECTIVE OF THIS SURVEY IS TO ACCURATELY DEFINE LAND INTENDED FOR EXCESS SALE. IT DOES NOT GUARANTEE THAT THE REMAINING LAND IS FREE FROM ENCROACHMENTS, TITLE CONFLICTS OR ENCUMBRANCES.
8. METES AND BOUNDS COURSES WERE CALCULATED BASED UPON AVAILABLE SECTION CORNER EVIDENCE AND THE RECORDED DEED DESCRIPTION. FOUND IRONS GENERALLY MATCH THE CALCULATED DESCRIPTION, BUT ARE NOT CALLED OUT IN THE RECORDED DESCRIPTIONS.
9. BEARINGS ARE BASED ON GRID NORTH FOR STATE PLANE COORDINATES, MICHIGAN SOUTH ZONE (2113).
10. COORDINATE SYSTEM IS STATE PLANE COORDINATES, MICHIGAN SOUTH ZONE (2113). ALL DISTANCES SHOWN ON THIS SURVEY ARE GRID.
11. AVERAGE COMBINED SCALE FACTOR FOR THE PROJECT IS 0.9999081731522043.
12. GROUND DISTANCE = GRID DISTANCE / AVERAGE COMBINED SCALE FACTOR.
13. COORDINATE SYSTEM WAS ESTABLISHED BY RTK GNSS AND IS REFERENCED TO THE BRIGHTON MDOT CORS TOWER.
14. PARCELS ARE SUBJECT TO RIGHTS OF WAY, EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.
15. STATION/OFFSETS ARE FROM ALIGNMENT FILE 101619\_ALIGN\_06-29-2012.DGN AND 101619\_CONST\_06-29-2012.DGN.
16. NO GAPS OR GORES WERE DISCOVERED.
17. STATIONS OF MONUMENTS RELATE TO BECK ROAD LEGAL ALIGNMENT.
18. CLOSURE OF BOTH PARCELS: 0.00000

**COORDINATES (MCS83)**

PT NO	NORTHING	STD. DEV. N	EASTING	STD. DEV. E
100	392186.95557	0.0141	13256198.21437	0.0118
101	390565.76117	0.0162	13256142.90682	0.0136
102	393244.30111	0.0162	13256061.42254	0.0135
103	393404.57560	0.0260	13258683.28841	0.0264
105	392164.59582	0.0172	13256231.18744	0.0151
107	392119.70778	0.0176	13256195.27421	0.0169
109	392316.91304	0.0179	13256189.62768	0.0156
111	392286.16099	0.0175	13256227.98935	0.0148
113	392184.04777	0.0184	13256334.21114	0.0153
114	392302.00997	0.0178	13256311.38801	0.0146
115	392614.88007	0.0179	13256849.33981	0.0144
116	392447.38647	0.0179	13256854.37429	0.0142
117	393291.22149	0.0182	13256828.81929	0.0137
118	391881.16324	0.0197	13256202.67190	0.0144
120	391675.98487	0.0262	13256878.09999	0.0153

**GOVERNMENT CORNER WITNESSES:**

W 1/4 COR SEC 9, T2N-R5E  
FOUND CAPPED IRON 47055 IN MON BOX  
N30°E 32.71' SE CORNER BRIDGE ABUTMENT  
S30°E 49.07' FOUND IRON 47055  
EAST 11.05' BACK OF CURB  
NORTH 21.41' SOUTH EDGE BRIDGE DECK

CENTER SEC 9, T2N-R5E  
FOUND 3/4" IRON BAR  
S45°W 20.09' FOUND SPIKE/TAG IN 18" CHERRY  
S70°E 46.60' FOUND SPIKE/TAG IN TWIN 16" OAK  
N10°E 27.43' FOUND SPIKE/TAG IN 36" OAK  
N80°W 67.85' FOUND SPIKE/TAG IN TWIN 24" OAK

SW COR SEC 9, T2N-R5E  
FOUND IRON IN MON BOX WITH DESTROYED CAP  
S45°E 80.22' SPIKE IN 10" ELM  
S85°W 57.22' FOUND PK/TAG IN GUY POLE  
N45°E 48.88' WEST CORNER CATCH BASIN  
S85°E 104.04' SPIKE IN 16" ASH

REVISED 03/08/2022



I, Tricia A. Muxlow, being a Surveyor Licensed in the State of Michigan, hereby certify that I have surveyed and mapped the above parcel of land, and that I have complied with the regulations of P.A. 132 of 1970 as amended.

TRICIA A. MUXLOW, P.S. 11.02.2021  
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MICHIGAN LICENSE NO. 51473

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<b>PREPARED BY:</b> MUXLOW SURVEYING	
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