

GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
WORK SESSION
MARCH 12, 2007
6:30 P.M.
AGENDA

CALL TO ORDER: At 6:30 p.m., the work session of the Genoa Township Planning Commission was called to order. Present constituting a quorum were Chairman Don Pobuda, Curt Brown, Barbara Figurski, Steve Morgan and Teri Olson. Also present were Mike Archinal, Township Manager, Tesha Humphriss of Tetra Tech and Jeff Purdy of LSL Planning.

APPROVAL OF AGENDA: Upon motion by Barbara Figurski and support by Teri Olson, the agenda was approved as submitted. **Motion carried unanimously.**

DISCUSSION: of Agenda items of the regular meeting of the Planning Commission

DISCUSSION: of general items

ADJOURNMENT: The work session of the Genoa Township Planning Commission was adjourned at 6:55 p.m.

GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
MARCH 12, 2007
7:00 P.M.
AGENDA

CALL TO ORDER: The meeting was called to order at 7:02 p.m. Present, constituting a quorum for conducting business were: Chairman Don Pobuda, Curt Brown, Barbara Figurski, Teri Olson and Steve Morgan. Also present were Mike Archinal, Township Manager, Jeff Purdy of LSL Planning and Tesha Humphriss of Tetra Tech.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited, followed by a moment of silence.

APPROVAL OF AGENDA: Upon motion by Barbara Figurski and support by Teri Olson, the agenda was approved as submitted. **Motion carried unanimously.**

CALL TO THE PUBLIC: (**Note: The Board will not begin any new business after 10:00 p.m.**)

Jeff and Dustin are present from Howell High School to receive extra credit in their government class by observing the meeting. The gentlemen indicate that their grades are excellent.

OPEN PUBLIC HEARING # 1...Review of a site plan application, impact assessment and site plan for a 7,000 sq. ft. retail auto parts store located at 2797 E. Grand River, Sec. 6, petitioned by WXY Retail Group. (07-07)

Petitioner is present by Keith Talto, of Casco Township, Michigan and Andy Andre' from Wilcox, of Farmington Hills, Michigan.

Mr. Andre' provides a proposed map to the Planning Commission and indicates Dr. MacDonald is present, as well.

It is proposed that there be cross-access along the frontage. The driveway has been modified slightly, as well as the parking area to accommodate the turning of a utility truck. Everything else remains essentially the same. Petitioner believes this plan acquiesces with the desires of the Planning Commission.

Chairman Pobuda asks if the drive is three-lane and it appears it is. Tesha Humphriss concludes that the three-lane is acceptable. The stub to the west is in Dr. MacDonald's vacant lot. The curb cut has been shifted, although it's the same size. M.D.O.T. concurs with the plan for three lanes.

Mike Archinal indicates this plan is exactly what the Planning Commission was looking for.

Jeff Purdy refers to his February 28th letter. He reviews the summary of issues with the Planning Commission. The sample of C-brick is provided. Rooftop screening is addressed. Petitioner will look into that. The minimum requirement for drive aisles is 24', but this plan calls for 26'. Petitioner indicates this is to accommodate vehicle sizes of potential customers. The revised drawing addresses the issues with driveway alignment.

The landscape plan needs one additional tree and fifty additional shrubs. Petitioner will take care of that.

Jeff Purdy requests a detail showing the wall of the garbage enclosure.

Jeff Purdy also reminds petitioner that an additional sign permit is required upon approval.

Tesha Humphriss recommends the detention pond be placed on the front hill. She recommends the Planning Commission allow that to be placed in front of the building. The revised site plan will still accommodate that. A new grading plan and storm sewer plan will be required. The catch basin locations and grading

plan will change. Utilities won't change. It will need to be reviewed, but it's anticipated it will be fine.

The wider driveway mouth will allow for future growth. Overall, the location of the driveway is okay with Tesha Humphriss.

Steve Morgan asks for cross-access agreements. The applicant should provide those to the Planning Commission for review by the Township Attorney before the Board meeting on April 2nd.

The property owner to the east has not returned contact to the applicant. Therefore, a cross-access agreement has not been obtained yet, but the petitioner will remain open to that. Therefore, the retaining wall is still in the plans.

Dr. Timothy MacDonald, 2765 East Grand River, Howell indicates he was contacted this week by the petitioner. He was led to believe that his vacant lot would not be developable unless there was shared access. He is not comfortable with this plan.

Chairman Pobuda voices his concerns about Dr. MacDonald's statements.

Two separate easements are needed from Dr. MacDonald: a grading/slope easement and a driveway easement. The first is a temporary construction easement. The driveway easement would be a permanent encumbrance on the property.

Dr. MacDonald would like to meet with township personnel before signing anything.

Planning Commission disposition of petition

- A. Recommendation regarding impact assessment.
- B. Recommendation regarding site plan.

Motion by Barbara Figurski to table this matter at the petitioner's request. Support by Curt Brown. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2...Review of a rezoning application, impact assessment, conceptual PUD plan and PUD agreement to rezone .60 acres located on the south side of Grand River Avenue, between Lucy Road and Chilson Road, (11-06-100-004) from GCD (General Commercial District) to RDPUD (Redevelopment Planned Unit Development) to construct a 5,200 sq. ft. retail/office building located at 2160 E. Grand River, petitioned by William Colley Architect. (07-08)

Petition presented by William Colley, architect. Also present were John Sherston of 2373 Fishbeck, Howell and attorney David Bittner of Howell, Michigan.

Petitioner recites a few minor changes to the PUD submitted by Attorney Bittner.

As it relates to the contamination issue, benzene has been found on the property. The parking lot is the location of the contamination. The soil can stay if it will merely be paved over. If that soil is moved, it will have to be cleaned. The environmental company would make random soil borings as construction proceeded to make sure no contamination pockets were hit.

Jeff Purdy references his letter of February 28th. The Township Board has the authority to waive the minimum PUD size requirement. He supports that.

This is a redevelopment of a contaminated industrial site. This type of development was contemplated when the redevelopment PUD option was adopted into the ordinance. This is an appropriate application and will benefit the public.

Jeff Purdy explains how this PUD agreement works with the rezoning and overlay.

Tesha Humphriss refers to their letter of March 7th. There are constraints with Grand River access. They are proposing a driveway to the east of their site. They have submitted a proposed easement. This should be reviewed by the Township Attorney. She would like to see language added to the easement agreement regarding insufficient cover over the existing utilities causing a relocation of the driveway.

The Howell Fire Department letter of March 12th was discussed.

Planning Commission disposition of petition

- A. Recommendation regarding rezoning application.
- B. Recommendation regarding PUD agreement.
- C. Recommendation regarding conceptual PUD plan.
- D. Recommendation regarding impact assessment.

Motion by Steve Morgan that a recommendation be made to the Township Board to adopt the rezoning overlay RDPUD rezoning with the conditions as laid out in the LSL Planning, Inc. letter of 2/28/07. Support by Barbara Figurski.

Motion carried unanimously.

Motion by Steve Morgan that a recommendation be made to the Township Board the PUD agreement received by Genoa Township on February 21, 2007, be approved, subject to:

- A. Any reference to non-residential PUD should be called RDPUD;
- B. Section 6.3 and 6.4 should have the last sentences deleted out of each of them;
- C. Section 2.5 should reference one side yard and not two.

Support by Curt Brown. **Motion carried unanimously.**

Motion by Steve Morgan that a recommendation be made to the Township Board that a conditional RDPUD site plan revised February 21st, 2007 be approved, subject to the following:

- 1. An easement agreement must be submitted, executed by the applicant and the Genoa-Oceola Water authority, granting petitioner access to 2160 East Grand River, Howell for ingress/egress purposes;
- 2. The comments in the Tetra Tech letter dated March 7, 2007 and LSL letter dated February 28th, 2007;
- 3. Petitioner will submit a due care plan and affidavit of additional soil borings necessary prior to construction to the staff engineer for the Township and receive DEQ approval.

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

Motion by Barbara Figurski to recommend that the impact assessment of January 3rd, 2007 be adopted by the Township Board, subject to the Howell Fire Department recommendations contained in their letter of March 12, 2007.

Support by Teri Olson. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 3... Review of a site plan application, impact assessment and site plan for 17,000 sq. ft. office building located at Unit 4, Genoa Business Park Drive, Sec. 13, petitioned by RBS Companies, Inc. (07-09)

Ralph Stoy present for petitioner. He provides color renderings and a sample board to the Planning Commission. The tenant will have a 25% ownership interest in the building.

Jeff Purdy references his letter of February 28th. The architecture and building materials must be approved by the Planning Commission.

Petitioner agrees to adhere to the ordinance as it relates to landscaping and other concerns in the LSL letter.

Tesha Humphriss suggests the site is well designed, but she does have concerns with the detention pond and would suggest that no construction take place until that is approved.

The Howell Area Fire Department letter of March 12, 2007 is discussed. Petitioner indicates this is a fire suppressed building and he has no problem with the suggestions contained therein.

Barbara Figurski asks if the lights are on timers and if there is a sprinkler system. Petitioner indicates the sprinkler system is in the plans and the lights are photosensitive.

Steve Morgan asks if the property is zoned industrial. Petitioner indicates it is. Jeff Purdy indicates offices are permitted in industrial zones.

Planning Commission disposition of petition

- A. Recommendation regarding impact assessment.
- B. Recommendation regarding site plan.

Motion by Barbara Figurski to recommend that the Township Board approve the impact assessment as submitted and dated January 25, 2007. Support by Curt Brown. **Motion carried unanimously.**

Motion by Curt Brown that a recommendation be made to the Township Board to approve the site plan of February 13, 2007, subject to:

1. The Planning Commission approved the materials submitted tonight and the samples become property of the Township;
2. Petitioner will work with the consultant to correct the problem in the plan as it relates to landscaping;
3. The waste receptacle be permitted in the location shown;
4. Fire Department letter of March 12, 2007;
5. The Tetra Tech letter of February 28, 2007 and LSL letter of February 28th, 2007;
6. Dust control measures be taken.

Support by Steve Morgan. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 4...Review of a site plan application, impact assessment and site plan for two retail buildings consisting of 50,125 sq. ft. and 6,750 sq. ft. located on the South side of Grand River Ave., west of the 1-96 exit 141, sec. 9, petitioned by Weiss Properties. (07-10)

Petition presented by Michael Boggio, architect, of 30100 Telegraph Road, Bingham Farms. Also present was developer, Harvey Weiss of West Bloomfield, Michigan.

The square footage previously submitted was incorrect. The planners report is correct. There are no tenants specific to this site at this time, but it is anticipated that 10,000 square feet will be restaurant space. The parking lot numbers will be adjusted to accommodate any change in that. A realistic projection is 80% retail and 20% restaurant. There are no new curb cuts proposed and the existing ones will be used.

The existing storm detention system would be utilized.

Petitioner feels this plan anchors this commercial development with two buildings of similar design and mass. They will design the back of the building to look like a storefront.

A plaza and clock tower are proposed as “an identity” for the entire site. The small 6,700 foot building proposed on the corner will be nearly identical to the building on the west end of the site. The rendering is shown to the Planning Commission of that building.

The main building of 48,000+ square feet has similar details and materials. The rendering is shown to the Planning Commission. This elevation was revised by the planner because of the height of the center tower. The clock tower will now be 35’ high. It will be an open structure that would be an identity for the entire development.

The rear of the building (I-96) elevation has some masonry changes, etc., to make it more interesting from that view.

A color board is shown to the Planning Commission. The materials match what exists and are maintenance free.

No drive-thru window is proposed for the smaller building. It is anticipated the restaurant will be at the west end of the larger building.

Chairman Pobuda recites the history of this developer with this lot. The property was originally purchased in the last 90’s. It was zoned office at the time of purchase. It was changed subsequent to that. The oil exchange and car wash was put in. The PUD was developed based upon an auto park concept and then the Kohl’s center was approved. It was suggested that a day care center would be placed there, but it did not happen. The JC Penny suggestion subsequently fell through, as well. Thereafter, Borders or Barnes & Noble was hoped for, but this has not happened either.

Mike Archinal indicates when the PUD was approved; there was a fear of large box projects. Times have changed and multiple smaller users are a fear to balance that with. This is in conformance with the PUD adopted in 2000. This falls under the Phase II plan.

Mike Archinal recites the ordinances covering building sizes to the Board. No one store shall have in excess of 40,000 square footage. This plan is consistent with the language in the PUD.

Curt Brown never envisioned a strip mall in this site. He had envisioned a stand alone facility.

Jeff Purdy references his letter of February 28th. He has not had a chance to see the revisions yet, since they are presented to him at this meeting. The rooftop equipment will be screened by all walls, including along the expressway, so no rooftop equipment will be visible. Petitioner has specified 4 or 5 foot parapet walls.

The colors chosen are acceptable to the Board.

The drive aisles should be widened to accommodate island and waste receptacle. Petitioner says it wasn't moved because with the current location, there would be a greater opportunity to landscape around it, including landscaping that would hide the gates to the enclosure. If the Planning Commission would like it moved, they would do so. Jeff Purdy fears the current location may cause problems with the garbage trucks coming to empty the receptacles. Jeff Purdy feels it is preferable to be on the back side of the building. Steve Morgan agrees with Jeff Purdy that if the exterior of the receptacle building matches the back of the building, it could be camouflaged or screened with a better exterior. All Commission members agree. It stays in its current location.

The receptacles on the back side of the building are to be constructed of brick and be tall enough to screen from the expressway. Petitioner indicates the screening walls were raised 2' from the last plan submitted.

Petitioner indicates the parking lot fixture height is 28' pole and 2' base. This matches Kohl's. Barbara Figurski asks why there are so many lights. She wonders if the lights would reflect to the lake residents. Petitioner thinks the photometric plan would show this wouldn't happen. There are 9 fixtures in the main bulk of parking lot and some on the perimeter. The wattage of the fixtures has been reduced. The fixtures are within the parameters of the ordinance, but there is concern that it may be too bright. The Champion Chevrolet site is a problem, but it pre-dates the lighting ordinance. The lights will be less bright than Kohl's.

Steve Morgan inquires as to the sidewalk. He thinks it should end 200-300 feet to the west because crossing there is not a possibility. Chairman Pobuda reminds Steve Morgan that it was hoped that a terminus would be placed there. Jeff Purdy suggests that the path turn south and go down the east side of the

parking lot and then have a crosswalk that goes to the northeast corner of the building. Petitioner agrees to do that.

Tesha Humphriss refers to her letter of March 7th regarding drainage and grading. There are three issues involving slopes and catch basin covers that need to be addressed. As it relates to utilities, the easements are only 20' wide and the ordinance requires 25'. Petitioner indicates these items were addressed on Thursday, March 8th. Tesha Humphriss advises that petitioner submitted revised plans.

As it relates to traffic flow, Tesha Humphriss reviewed the traffic study from 2000. A traffic study update may be required by the Planning Commission.

Petitioner is proposing to improve the driveway by adding a "pork chop." Mike Archinal indicates this is in conformance with the PUD traffic study. He feels the study that exists is sufficient. M.D.O.T. may require a traffic study. The Planning Commission may refer it to M.D.O.T. The "pork chop" will require M.D.O.T. approval.

Jeff Purdy is now satisfied with the building height, due to the new plans. The screening is also sufficient now. The clock will only be on one side of the tower. It will be seen coming from the east. When coming from the other directions, a stone medallion would be seen. The clock would be recessed into the masonry. There will be openings, without windows, in the tower. It's an identity sculpture, per the petitioner. Jeff Purdy and Mike Archinal indicate the ordinance is silent as it relates to clocks.

Steve Morgan asks if the banked parking on the south side of the building, towards I-96, would require the petitioner to come back and request to use it. That is correct per Jeff Purdy. Jeff Purdy voices his concerns on that effect on the greenbelt. It would be his preference to leave that green space for landscaping along the expressway and not have parking back there. Petitioner will revise their plans to calculate parking by net leasable square footage.

This site will have direct access to Kohl's parking lot.

Petitioner asks if he can reserve land bank parking. Mike Archinal indicates the PUD specifically addresses this and any land bank parking used in the future would result in significant landscaping issues. Jeff Purdy sees nothing wrong with land banking parking. Petitioner would have to come back for site plan approval.

Curt Brown asks what the normal setbacks are. Jeff Purdy addresses this question. It's 20'. If parking goes into the buffer, the Commission would require 50% increase in landscaping.

The renderings are pointed out to Curt Brown as to the directional elevations. The north and south sides of the elevation should look the same. Petitioner agrees.

The clock tower will be illuminated by uplighting from the ground.

Petitioner asks if the Commission would approve the plans, subject to a later approval of the clock tower after he provides photographs of like towers.

The decorative wall along the east side of the parking lot is addressed by Steve Morgan. That will be of modular pre-colored masonry. It will be textured, but pre-colored. Jeff Purdy is comfortable with the retaining wall and detention pond, as is Tesha Humphriss. It meets the ordinance for landscaping.

Jeff Purdy revisits the sidewalk issue. A crosswalk across the driveway will be done per petitioner. This is the sidewalk at outlot number four, running along the side of Grand River. This is already in place. This would create a complete loop through the development. Petitioner agrees to that.

Planning Commission disposition of petition

- A. Recommendation regarding impact assessment.
- B. Recommendation regarding site plan.

Motion by Barbara Figurski to recommend to the Township Board that the impact assessment dated January 31st, 2007 be approved. Support by Curt Brown.

Motion by Curt Brown to recommend to the Township Board that the site plan dated February 21, 2007 be approved, subject to the following:

1. Items listed on LSL letter of February 28th, except number one will reflect that the height of the building will comply with the ordinance and the remaining items, excepting that number seven will reflect that the pole heights will comply with the ordinance;
2. The sidewalk will be continued from the northeasterly end point and will proceed south along the east side of the parking lot until it reaches retail building number two. In addition, a cross-walk will go across the eastern most access road and connect to the sidewalk on outlot number four;
3. The banked parking on the southeast portion of the site, half of the banked sites will be eliminated, those sites being the westernmost side. The light poles shall also be removed from that area. Those banked parking spots will require future site plan approval;
4. The south elevation drawings on the site plan will be updated to show the back side of the north facing tower features;

5. Additional points of the Engineer's letter, petitioner will comply with the items on Tetra Tech's letter of March 7, 2007, with the exception of item 6. If a traffic study is necessary, it will be referred to M.D.O.T.;
6. Dust control measures are taken;
7. Relocation of the waste receptacle for building four, per the recommendation of the planner;
8. That the retaining wall on the east side of the parking lot will be the same color as the building;
9. The recommendations contained in the Fire Department letter of March 12, 2007.

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

Administrative Business:

- *Planners report presented by LSL Planners*
- *Approval of February 12, 2007 Planning Commission meeting minutes. Upon motion by Barbara Figurski and support by Teri Olson, the minutes of February 12, 2007 were adopted as submitted.*
- *Member Discussion*

Adjourned at 9:47 p.m.

Respectfully submitted,

Kristi Cox
Recording Secretary