

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
August 25, 2003
6:30 P.M.
MINUTES

The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Don Pobuda, Barbara Figurski, James Mortensen, Ken Burchfield, Curt Brown, and Bill Litogot. Also present was Kelly Kolakowski, Township Planner; Rob Nesbitt from Langworthy, Strader, LeBlanc & Associates, Inc. and Debra Huntley from Tetra Tech, MPS. By the end of the work session, there were a few persons in the audience.

Items scheduled for action during the regular session of the commission were discussed.

GENOA TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
7:00 P.M.
MINUTES

The regular session of the Planning Commission was called to order by Chairman Don Pobuda at 7:02 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed .

Moved by Figurski, seconded by Litogot, to approve the Agenda as written.
The motion carried unanimously.

The call to the public was made to discuss items not on the agenda. There was no response and the call to the public was closed at 7:03 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

Open Public Hearing #1... Review of special use application, site plan, and environmental impact assessment for proposed 3,000 sq. ft. addition to existing structure and a new 11,958 sq. ft. building with four lease spaces located at 7208 W. Grand River, involving outdoor commercial display, sales, and storage, petitioned by Conely Engines (John Conely). (PC 03-20).

• **Planning Commission disposition of petition**

- A. Recommendation regarding special use application.
- B. Recommendation regarding impact assessment.

C. Recommendation regarding site plan.

Mr. Christopher Grzenkowicz and Dennis Kirkwood from Desine Engineering were present to represent the petitioner.

Mr. Grzenkowicz advised the site is an existing automotive rental and repair facility on the south side of Grand River. They are proposing a 3,000 square foot addition to the building for needed storage as well as a 11,958 square foot building that will house four lease spaces. They have received Livingston County Road Commission approval for the expansion of the entrance.

They are proposing 109 parking spaces, 45 for automotive sales display, 10 for rental car parking, and three will be on a raised automotive display pod. The sign will be on the raised pod and there will be landscaping and low level lighting.

They will install a 50-foot greenbelt on the Grand River frontage and a 20-foot greenbelt on the west property line. They will be preserving all existing vegetation on the south side of the site.

Mr. Kirkwood showed colored elevations and showed sample building materials. The addition and new building will match the current building materials.

Commissioner Litogot asked if the pod lighting will be for the sign or the cars. Mr. Grzenkowicz advised it will be for both. There will be low wattage and will be on from 7:00 a.m. to 10:00 p.m.

The call to the public was made at 7:12 p.m.

Mr. Bill Ross of 2603 Hewlett Road owns the property to the south. He is concerned about the buffer on the south side. He feels that four canopy trees aren't going to be sufficient to block his residence. He is currently zoned agricultural and farms the land; however, he will eventually want to put homes back there as the Township is trying to rezone him to large country estates. He had the following concerns:

- Is the existing storm drain from Grand River being eliminated. He feels it needs to be improved.
- Are the rear doors of the building going to be closed or open. He questioned the noise as well as lighting.
- Are the setbacks for building next to a body of water being met?
- Is the back going to be curbed so that any snow removal chemicals won't be put into the pond. He is concerned about saving the pond.
- Will fencing be installed at the back of the property to deter trespassing?

Ms. Jean R_____ of 7086 Lindsey lives on the west side of the property, along with seven other residents. This is a beautiful neighborhood. This is going to decrease their property values. She wants all of the trees to remain. The site

currently looks like a used car lot. She noted this has been before the Township before and Mr. Conely did not make the improvements to the site that he was required to do.

Ms. Nancy Brown of 7121 Lindsey stated her home sits next to the “mess” that is currently there. She can see it from her windows. There are non-running cars, trucks, garbage, and motor homes. She agrees with her neighbor that Mr. Conely has not done what he was required to do. She feels the Township needs to think about the people in the area. This site is too small for what he wants to do.

Mr. Mike Young of 7118 Lindsey lives across the street from Ms. Brown and he has the same concerns. He wants to make sure there is no access to that property from Lindsey Drive. He would like to see a fence and evergreens to block the view. He is concerned about the lighting and late-night activity.

Mr. Douglas Sams of 7089 Lindsey lives next to Ms. Brown. He would like to protect the privacy of the cul-de-sac. They are all good neighbors and do not feel that Mr. Conely is a good neighbor. There are vehicles parked on the grass, which is against Genoa Township ordinance. If Mr. Conely has been unable to comply with the terms of his site plan and how can they be sure that he will do what is requested this time.

Ms. Marge Patterson of 7054 Lindsey is concerned about noise. They do not want that building there nor access to this site from Lindsey Drive.

Mr. Sams asked if the Grand River access will be shared by any other businesses.

The call to the public was closed at 7:29. Chairman Pobuda advised that the Commission can table this item and review the conditions that Mr. Conely has violated or continue. Commissioner Litogot feels the public is entitled to answers to their questions.

Commissioner Mortensen advised the public that this property is zoned industrial and it is always a problem when industrial zoning is next to residential zoning. The owner of an industrial property can put a lot of things on there that are not very desirable but are within the ordinance.

Mr. Grzenkowicz advised they will line the south side of the site with evergreens and all of the existing vegetation along the waterfront will remain. They can change the canopy trees to evergreens if the Planning Commission desires. They will add a row of 17 evergreen trees on the west side of the detention pond. They are also adding a four-foot high landscape berm along the west property line with approximately 80 trees and shrubs, which is greater than the requirement.

Mr. Nesbitt advised that since this is a Special Land Use, the Planning Commission can require additional landscaping as well as require the existing vegetation be designated as a conservation easement. He agreed that the landscaping to the west is meeting the ordinance, however, minimum height of the plantings can be stipulated.

Ms. Huntley advised the existing pipe from Grand River will continue to serve the area. There is adequate room to serve the storm drainage in the area and it meets the Livingston County Drain Commission requirements.

Mr. Kirkwood advised the question regarding the rear doors cannot be answered at this time as the occupants have not yet been determined. Chairman Pobuda noted that this is another reason to have adequate screening on the rear of the lot.

Mr. Grzenkowicz advised the lighting will be building mounted, shielded, downward directed and will only be on from 7:00 a.m. to 10:00 p.m. and after that time, the lighting will only be for security purposes. Mr. Nesbitt is satisfied with the proposed lighting.

Mr. Grzenkowicz advised that the water setbacks are 25 – 50 feet and they are well beyond that, they are 250 – 300 feet away. The curbing in the rear will be 6” high. Mr. Nesbitt advised this is standard for Genoa Township. He does not feel the snow plowing will be an issue for the pond. When snow is plowed it will be pushed toward the catch basins. He noted that the pond is 250 – 300 feet away from the parking lot.

With regard to the rear lot fencing, Mr. Nesbitt would like to see something attractive as opposed to a silver chain link fence. Mr. Grzenkowicz does not feel the fencing would accomplish what Mr. Ross is concerned with. They do not feel it is Mr. Conely’s responsibility to stop trespassers.

Mr. Grzenkowicz stated the driveway off of Grand River will be extended to provide access to the new building. They have no intention of accessing the property from Lindsey Drive.

Chairman Pobuda asked the petitioner about Mr. Conely’s not complying with the requirements of the original site plan. Mr. Grzenkowicz advised he cannot speak for Mr. Conely. His firm was hired to put together a plan to help them clean up the yard and make it a more visually appealing site. If he wants to have tenants on the site, then he is going to have to clean up the site and keep it clean.

With regard to the noise, Mr. Grzenkowicz advised this is an existing use and the noise will not change. What they are interested in putting in the additional building will not produce more noise.

Chairman Pobuda is concerned about Mr. Conely not being a good neighbor. He noted that the Township has addressed these issues before and Mr. Conely has not complied.

Mr. Nesbitt reviewed his letter of August 7, 2003.

He reviewed the requirements of Special Land Use approval.

He suggested specific conditions of no storage of inoperable vehicles and all vehicles are parked on paved surfaces.

Commissioner Mortensen questioned Item D in Rob's letter. How will the future tenants address the issue of hazardous material usage and storage. Ms. Grzenkowicz stated they have done a PIPP and will require each tenant to submit one if needed. They believe that other automotive related businesses will rent this space (i.e. car stereo company, etc.). Commissioner Mortensen would like to have that be a condition of the motion if it was to move forward this evening. Mr. Nesbitt agrees.

Mr. Nesbitt continued. Any rooftop equipment must be screened from view on all sides, the Township should be provided with copies of the easements for the property to the west as well as providing access to the proposed addition, and the parking spaces are sufficient. Chairman Pobuda questioned there being any parking in the front of the site. Mr. Grzenkowicz advised they will not have any cars parked on the grass and will move them to the parking space as well as on the elevated pod. Commissioner Litogot stated Mr. Conely was not to sell cars on this site as part of the original approval. There was a brief discussion regarding parking being allowed in the front of the site and what will be parked there. Mr. Grzenkowicz advised there will be cars for sale as well as cars to rent. Commissioner Mortensen asked about car hoods being up with signage. Mr. Kolakowski advised that temporary signs are prohibited by ordinance. Commissioners Mortensen, Figurski and Litogot will allow the car hoods to be open. Commissioner Burchfield feels this is a micro issue. These conditions were put on before and were not met. How can the Township be sure they will be met now. Commissioner Brown agrees.

Ms. Huntley advised they addressed most of the issues in her July 29, 2003 letter. Genoa Township requires lawn grades to be 1 on 4 and there are two areas where it is not met. Mr. Grzenkowicz advised the southeast part of the site just south of parking lot and wrapping around the parking lot was 1 on 3, however, they have revised their plan to accommodate the 1 on 4 slope. They did not change the slope on the east side of the site to preserve as much vegetation as possible. If they were to meet the 1 on 4 slope requirement, they would have to cut 20 feet into the current vegetation. They will put sod in this

area to ensure no erosion. Ms. Huntley advised that as long as soil stabilization is provided, they would not be a problem with this. All commissioners agree.

Moved by Burchfield, seconded Litogot, to recommend rejection of the special land use application due to the following reasons:

1. Historical non-compliance with Township regulations and ordinances regarding current and continued uses of the property.
2. Inability of the Township to regulate use potential of the 12,000 square foot building proposed on the south portion of the property.
3. This does not meet special land use application consideration. It is the opinion of the motion maker that this is a commercial strip mall proposal for an industrial site without appropriate _____ to meet zoning requirements.
4. This motion maker believes that the lack of knowledge as to the tenant but the candid admissions by the petitioner that the four will be for automotive related and other similar indicated that this petitioner is premature and should be petitioned to General Commercial as opposed to Special Land Use.

Commissioner Mortensen feels that this item should be tabled to allow the petitioner and Planning Commission to gather more information instead of recommending rejection. He will vote against the denial.

Mr. Grzenkowicz requested to be tabled to meet with staff and discuss the outstanding issues.

Commissioner Burchfield **removed** his motion from the table and Commissioner Litogot seconded.

Moved by Mortensen, seconded by Litogot, to table Agenda Item #1 at the petitioner's request. **The motion carried unanimously.**

Open Public Hearing #2... Review of site plan application and site plan for proposed amendment to the Jay's Marketplace site plan for a Murray's Discount Auto Store located at the southeast corner of Grand River Avenue, 4030 W. Grand River, Section 4, petitioned by Anthony Patric Inc. / Hicks Family Limited Partnership. (PC 03-22).

- **Planning Commission disposition of petition**

A. Disposition regarding amendment to site plan.

Mr. Patric Manor, CEO of Anthony-Patric, Inc., Mr. David McDade, architect, John Hicks, property owner, and Miles Gatlin, a Murray's representative, were present to represent the petitioner.

Mr. Manor advised they have redesigned the front elevation from what was approved previously. He showed colored elevations. The easements are in

process right now with Consumers Energy as well as Country Corners. They originally requested three overhead doors on the rear elevation, however, only one door is required now. They are proposing to upgrade the door to give it a more aesthetic appearance, such as a wood stained door. They will also replace the pole sign with a monument sign.

Commissioner Mortensen asked if the door could be screened. Mr. Manor advised the door is currently screened with heavy landscaping.

Mr. McDade advised all of the planner's issues have been addressed on the new site plan. With regard to the drainage, the impervious area has been decreased from what was originally approved and do not feel this is an issue. Ms. Huntley agreed this was true; however, the storm sewer calculations need to be provided, not the detention pond calculations, to prevent flooding into the parking lot.

The call to the public was made at 8:35 p.m. with no response.

Chairman Pobuda asked if there has been a marketing study to show this is the correct site for this store. Mr. Gatlin advised they have a fairly standard approach to approving a site, such as traffic counts, demographics, number of homes, vehicles, vehicles per family, etc. This site was approved on this basis.

Mr. Nesbitt advised the petitioner has met all of their requirements.

Ms. Huntley advised the petitioner has met all of their concerns, however, reiterated that the storm sewer calculations need to be redone.

Chairman Pobuda would like to have the stipulation that no car maintenance be conducted in the parking lot. Mr. Gatlin advised they put signs up and their managers "police" the parking lot.

It was also noted that there will be no outdoor displays or window signs or banners. Mr. Manor stated these items are addressed in the lease. He has worked with Murray's in the past and was always impressed with the outcome.

Commissioner Litogot asked if the awnings are lit up from underneath. Mr. Manor advised they are canvas awnings and will not be illuminated.

Moved by Burchfield, seconded by Mortensen, to approve the site plan amendment dated July 17, 2003 for Jay's Marketplace to a Murray's Discount Auto Store located at the southeast corner of Grand River Avenue, 4030 W. Grand River, Section 4, petitioned by Anthony Patric Inc. / Hicks Family Limited Partnership with the following conditions:

1. Colored rendering as provided by the petitioner, specifically of the west elevation, of the Murray's Discount Auto store are approved.

2. All roof mounted mechanical equipment shall be screened by the parapet roof.
3. The material used in the construction shall be as previously approved.
4. Before issuance of any land use permit, the petitioner shall provide a copy of the recorded access easement to the property to the east and subject to Township Attorney approval.
5. Prior to placement and construction, administrative approval of the monument sign, which is approved as a substitute for the previously proposed pole sign.
6. Requirement of dumpster dimensions as noted in the Township Engineer's letter of August 20, 2003.
7. The petitioner shall provide storm sewer calculations.
8. The Township Engineer shall determine the applicable water and sewer fees.
9. There shall be no outside display of merchandise nor shall additional signs be permitted without prior Township approval.
10. Outside audio speakers are prohibited.

The motion carried unanimously.

Open Public Hearing #3... Review of special use application, site plan, and environmental impact assessment for proposed Cedar Closet Storage facility with one self storage and offices building with managers residence and three additional self storage buildings with exterior access, located on the south side of Grand River Avenue, between Dorr and Gray Roads, Section 10, petitioned by Joseph A. Guido, Guido Associates, Inc. (PC 03-21).

• **Planning Commission disposition of petition**

- A. Recommendation regarding special use application.
- B. Recommendation regarding impact assessment.
- C. Recommendation regarding site plan.

Mr. Christopher Grzenkowicz, of Desine Engineering, and Mr. Joe Guido were present to represent the petitioner.

Mr. Grzenkowicz advised they are proposing a self-storage facility on Grand River east of Gray Road and west of Lake Pointe Manor. They will be constructing four buildings. Three 10,000 square foot storage buildings and one building with an office, climate control storage units, and a residence for the manager. The access will be from Grand River.

A six-foot high wall is being proposed to screen from the residential property to the west. They are also proposing a six-foot high fence on the south side of the property for security reasons. They are requesting a Special Land Use because of the size of the buildings.

Mr. Guido advised all buildings will be one story. He showed colored elevations and sample building materials. The building will be masonry block with standing seam metal roof and doors. The doors will not face the residences. They are proposing a decorative fence for the north side and part of the east and west side of the site. This is a low-impact business, with approximately 20 to 30 trips per day. The lighting is wall mounted, will be placed 60 feet apart, and will be contained between the buildings. There will be lighting on the ends of the buildings, but that will be for security reasons only.

The call to the public was made at 9:10 p.m.

Shannon and Tom _____ of 1791 Gray Road live directly beside the buildings. They do not feel that the six-foot wall is adequate. They would like a higher berm, approximately 25 feet, and would like it to extend the length of the buildings with evergreen trees every 12 feet. If fencing is proposed, they would like it to be on the east side of the berm. They would like the access drive from Grand River be on the other side (east) of the property. They would like to see all of the existing vegetation left on the site as there are very old trees there. She asked where the dumpsters will be placed.

Mr. Tom Beebe of 1875 Gray Road asked how the detention pond is going to be built, how far is it going to be from the property line, and is it regulated. He would also like the driveway moved to the east side of the property. He asked about the hours of operation.

Ms. Tamra Howe of 1847 Gray Road is concerned about the retention pond. Will there be fencing? Is it regulated? She asked what types of items will be stored in the units. Will there be vehicles that leak fluid? Is there any outside storage?

Mr. William Friend of 1829 Gray Road owns the lowest lot on Gray Road is concerned if the water is going to drain onto his property.

Mr. William Howe of 1387 Gray Road stated he is not against this, but wants to make sure it is done properly. He is concerned about the draining. When the water in this area does not flow, it ends up in his basement. He asked if the retention pond is regulated.

Mr. Kenneth Patterson of 20114 Woodhill in Northville owns the first three lots on Gray Road. He questioned the proposed retention pond on Grand River.

The call to the public was closed at 9:20 p.m.

Mr. Guido advised the business hours are from 9:00 a.m. to 6:00 p.m. on weekdays and until 4:00 p.m. on weekends. Certain users need to have access at off-hours and would be able to access the site.

Chairman Pobuda asked about outside speakers. There is an audible signal to alert the manager of trespassers.

Mr. Grzenkowicz advised they will need to clear 30 feet of the vegetation on the east side to build and maintain the retention pond. It is a dry pond and is designed per the Livingston County Drain Commissioner's requirements. The pond is 30 feet from the south and east and 60 feet from the west residential lot lines. Ms. Huntley advised this pond will be taking some of the draining off site, which will help the residents with their current drainage problems. She added that the Livingston County Drain Commissioner will answer any questions regarding West Nile virus, but noted that because these are dry ponds, they will not propagate West Nile virus. The pond on the north side of the site will also help the residents' drainage. She added that they are not required to be fenced due to the slope based on the Livingston County Drain Commission. Chairman Pobuda advised the pond area will need to be manicured and not left natural. The petitioner will comply.

Mr. Grzenkowicz advised that any runoff that would normally run to Lot #38 will be drained into the storm sewer under the developed part of the site thus helping the residence on Lot #38.

Chairman Pobuda asked the petitioner about moving the access road to the east. Mr. Grzenkowicz advised that if the driveway is moved to the east, then the building, dumpster, utilities, etc. could be moved closer to the residential area and would still require only the 20-foot buffer. Mr. Nesbitt noted that if the driveway is kept on the west, it will be the driveway for both the storage area and the future commercial development. Mr. Guido reiterated Mr. Grzenkowicz's points regarding having the building, loading dock, utilities, and dumpster on the future site being built more toward the Lake Pointe site and not the residential area. Commissioner Mortensen noted that this project needs variances and he does not like an industrial site next to a residential area to have variances for setbacks. He would like the drive on the east side. All commissioners agree.

Chairman Pobuda questioned what items would be stored and how would hazardous materials be handled. Mr. Guido advised people typically store household goods. Hazardous materials are not allowed and if any spilled, he would be in violation and it would be cleaned up as best as it could. He advised there is a list from the fire department of hazardous materials that cannot be stored and any vehicle that is stored can only have ¼ of a tank of gas or less. He can provide the Township with a sample contract that he has with his other rental units.

Mr. Nesbitt reviewed his letter of August 19, 2003.

Open Public Hearing #4... The Township is proposing to amend the Master Plan Future Land Use map. The area being considered for amendment is

located in Sections 33 and 34 in the southern portion of the Township along the east side of Chilson Road, south of Brighton Road. The amendment is intended to extend the water and sewer service area into these sections and provide for residential densities at 2 to 4 dwellings per acre.

- **Planning Commission disposition of petition**

A. Recommendation regarding Master Plan Amendment.

Chairman Pobuda advised the Planning Commission would not address this issue as to the late hour this evening.

Moved by Figurski, seconded by Litogot, to approve the minutes of August 11, 2003. **The motion carried unanimously.**

Member Discussion

Ms. Huntley advised she will not be at the next two Planning Commission meetings. She will return for the October 14, 2003 meeting.

The meeting adjourned at 10:13 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary