

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
April 28, 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, James Mortensen, Curt Brown, and John Cahill. Also present was Kelly Kolakowski, Township Planner, Jeff Purdy 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 7:05 p.m.

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

Moved by Mortensen, seconded by Cahill, 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 7:07 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING # 1...Rezoning application, environmental impact assessment, conceptual PUD plan, and PUD agreement to rezone 73.1 acres located west of Chilson road, north of Coon Lake Road in Section 20 and Section 29. The request is to rezone property from CE (country estates) to RR (RPUD) (rural residential PUD) petitioned by Chestnut Development. (PC 03-09)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding PUD rezoning application.
 - B. Recommendation regarding conceptual PUD plan

- C. Recommendation regarding PUD agreement.
- D. Recommendation regarding impact assessment.

Dan Schrauben from Professional Engineering Associates and Mr. and Mrs. Steve Gironow from Chestnut Development were present to represent the petitioner.

Mr. Schrauben advised that the applicant wants to maintain the same “feel” and characteristics of the country estates zoning, but it does not allow him to build the quality of home that he wants to build. The site is surrounded by two-acre parcels as well as the Ann Arbor Railroad. It is somewhat isolated.

He showed the conceptual plan that they are proposing. It will contain 17 homes on approximately 70 acres. They will have only one entrance off of Chilson Road. They will provide more than 100 feet of buffer to Chilson Road as well as enhance the buffer on Coon Lake Road from the adjoining neighbors. 60% of the open space that will be designated as a conservation easement is wetland and 40% is upland and the developer has restricted the use of Parcels D & E so they can be maintained as open space. They will also be restricting the areas of each lot where building cannot be done.

Commissioner Mortensen noted that even if Lots D & E cannot be built on, they will not be common area for residents to use.

The call to the public was made at 7:27 p.m.

Mr. Joe Staggs of 3689 East Coon Lake Road advised that the drainage ditch comes onto his property. He also asked if the developer is going to landscape up against his property.

Mr. David Flood of 3912 Chilson Road asked how many acres are homes being built on and how long will the conservation easement be valid? Chairman Pobuda advised they are building 16 homes on 73 acres and the conservation easement will be forever.

The call to the public was closed at 7:32 p.m.

With regard to the drainage, Mr. Schrauben stated there are no proposed changes to the area; it will be maintained and preserved as it is currently. He added Mr. Staggs question regarding landscaping. The trees that are currently there will remain and the developer will supplement with additional landscaping to screen.

Mr. Purdy reviewed his letter of April 9, 2003. He advised that the density is higher than the master plan recommends, but with PUD developments, the Township likes to cluster the homes and provide open space. Mr. Gronow stated

they wanted to maintain the rural feel of the area by making the lots larger instead of having more open common space for the entire association. He noted that the space in the middle of the proposed boulevard can be used as “meet and greet” space.

He noted that the site contains significant woodland and wetland area sources and these areas need to be placed in common open space and protected through deed restrictions and conservation easements. The 100-foot deep greenbelt required to be preserved along Chilson Road should also be a general common element and maintained by the association.

Active recreational facilities need to be included in the open space and a walking trail system is encouraged. Mr. Gironow

The gated entry needs to be approved by the Township and the Fire Department. He noted the proposed width of the road is 24 feet and 26 feet is required. Mr. Gironow advised that they have been working with the fire chief and fire marshal and they will allow the 24-foot wide road. All commissioners would like to see the 26-foot wide road for emergency vehicle access. Mr. Gironow does not feel the 26-foot wide road is necessary for the 10 homes that will be on this road. The narrower road helps control speed as well. He would like the Planning Commission to consider the 24-foot width. All commissioners agree that the ordinance states 26 feet and they will not approve the 24 feet.

The first concept plan as a cul-de-sac of 1,400 feet, which exceeds the 1,000-foot limit and the second plan’s cul-de-sac has a length of 2,200 feet. He likes the design and creativity of this development, but the length of the cul-de-sac is detrimental. He suggested clustering the homes closer to Chilson Road and leaving more open space in the back, which would shorten the length of the cul-de-sac. Mr. Gronow stated they have added the boulevard and they can show that this can be used as a turn around. Ms. Huntley feels this is not safe when a driver is turning around and cannot see traffic coming the other way. The petitioner stated they will revisit this design and address the Township’s concerns.

Commissioner Cahill does not like the design of this project and therefore does not agree with the length of the road. He feels that Parcels D & E are being used to make the entire development seem larger to get more density, but these parcels are not being used. If they would use this area, then they could loop the road. He does not feel there is any benefit to the Township with this development.

Commissioner Brown understands the problem with the access to the lot and he suggested making the boulevard longer to alleviate this problem.

Commissioner Mortensen stated there are only 16 homes on this street and he feels the boulevard and turnarounds substantiate the length.

Mr. Gironow showed how the property could be developed without any change to the zoning and he feels it would not be as appealing as what he is proposing. He is not trying to get extra lots or make more money. He wants to make a high-quality development. He noted that it was the Township that suggested pulling in the two other lots to increase the size of the site and deed and restrict Lots D & E.

Commissioner Mortensen pointed out to Commissioner Cahill that just because something is suggested at a pre-application meeting, the Planning Commission can deny; however, with regard to this development, it will be a high-class development and all the applicant is gaining is three extra homes.

After a brief discussion, it was decided that the 2,200-foot cul-de-sac would be allowed because of the nature of the proposed development.

Mr. Purdy noted that there is a lot behind the existing Parcel 2B that does not have road frontage. Mr. Gironow stated this is part of a parcel split that was done before they bought the property from the previous owner. He will work with his attorney to revise the PUD agreement so that Parcel #11 can use the existing easement for access. All commissioners agree with allowing this.

There was a discussion regarding the open space, tot lot, etc. Mr. Gironow advised that these are not the types of residents that will want a common area or need a tot lot. He wanted to provide each resident with his or her own private area. Mr. Purdy advised that if the intent of this development is to give each residence its own open space, then maybe the country estates zoning (5 acre minimum), is the best option, which is how it is currently zoned.

Commissioner Brown feels that Jeff makes an excellent point. Is the developer trying to get as many lots as possible on this site? Is the Township setting a precedent? Do developments with large homes and no kids not require tot lots or common area? Mr. Purdy stated that each PUD is reviewed on its own merit and on an individual basis, however, this could set a precedent.

Commissioner Cahill does not feel this plan is to the best benefit to the Township. There is no common space.

Chairman Pobuda does not want to set a precedent with not requiring the recreational area. This is part of the Township's requirements and advised the petitioner to be very cognizant of this.

Moved by Mortensen, seconded by Brown, to recommend to the Township Board approval of the PUD rezoning application for 73.1 acres located west of

Chilson road, north of Coon Lake Road in Section 20 and Section 29 to RR (RPUD) (rural residential PUD) petitioned by Chestnut Development because in the opinion of the Planning Commission, there is sufficient benefit to the Township in terms of conservation easements and other amenities to justify this action. This recommendation is subject to the following conditions:

1. Township Board approval of the conceptual PUD plan.
2. Township Board approval of the conceptual PUD agreement.
3. Township Board approval of the Impact Assessment.

Commissioner Cahill asked for a discussion. HE is opposed to this plan and feels this would be a significant departure from PUD's in the Township that were approved in the past. He feels that if the three commissioners that were absent this evening would agree with him. The details as to the open space are not show and he **moved** to table this item this evening. He does not feel this item is in a position to be sent to the Township Board. There was no support to the motion and the motion died.

Chairman Pobuda asked for a vote on Commissioner Mortensen's motion to recommend approval. **The motion carried (Pobuda – Yes; Mortensen – Yes; Brown – Yes; Cahill – No).**

Moved by Mortensen to recommend to the Township Board approval of the conceptual PUD plan for 73.1 acres located west of Chilson road, north of Coon Lake Road in Section 20 and Section 29 to construction 17 homes of no less than 3,000 square feet of living space per unit with the following conditions:

1. The conceptual site plan presented to the Board will show colored delineations of wetlands verses restricted areas in the common elements, which are estimated at 60% non-wetland and 40% wetland.
2. At the time of final site plan approval, Parcel E will have a permanent conservation easement permitting only egress and ingress for services of road and utilities.
3. Parcel D will have a permanent conservation easement restricting development on all areas beyond 50 feet of the building envelope.

Commissioner Cahill **moved** to table the remaining action items on Public Hearing #1. Commissioner Brown seconded the motion.

Chairman Pobuda feels this plan needs to be reviewed administratively again and the delineations to be shown. **The motion carried (Pobuda – Yes; Mortensen – No; Brown – Yes; Cahill – Yes).**

There was a break from 9:05 until 9:10 pm

OPEN PUBLIC HEARING # 2...Review of final site plan, PUD agreement, and environmental impact assessment for proposed 48-unit apartment complex

(Waters Edge), located on the north side of Bendix Road, west corner of Grand River Ave. Sec. 13, petitioned by Waters Edge Development Group. (PC 03-07)

- **Planning Commission disposition of petition**

- A. Recommendation regarding PUD agreement.
- B. Recommendation regarding impact assessment.
- C. Recommendation regarding final PUD site plan.

Mark Hiller from Boss Engineering and Tom and Mary Mitchell, the property owners, were present.

Mr. Hiller reviewed their proposal. They are proposing to build three buildings with a total of 48 units on this 8-acre parcel. At the last Planning Commission meeting, there was a discussion regarding the length of the entrance road. From the entrance to the wastewater treatment plant, the width will be 30 feet and the remainder of the road will be 27 feet wide. They have looped the water main down to Bendix Road, they have provided the 66-foot wide easement for future development to the west, and all of the sidewalks have been increased to five-foot wide and will be concrete. The Bendix Road sidewalk, however, will be asphalt.

Mr. Purdy advised the petitioner has addressed most of their concerns, however a copy of the 66-foot wide easement to the west as well as the easement to the wastewater treatment plant need to be recorded with the Township. The petitioner will comply.

The Bendix Road sidewalk should be made of concrete. The petitioner will comply.

The call to the public was made at 9:20 with no response.

Moved by Mortensen, seconded by Cahill, to recommend to the Township Board approval of the PUD Agreement received by the Township on April 23, 2003 for a 48-unit apartment complex (Waters Edge), located on the north side of Bendix Road, west corner of Grand River Ave. Sec. 13, petitioned by Waters Edge Development Group with the following conditions:

1. Approval by the Township Board of the Impact Assessment.
2. Approval by the Township Board of the final Site Plan.

The motion carried unanimously.

Moved by Mortensen, seconded by Brown, to recommend to the Township Board approval of the Impact Assessment dated March 11, 2003 for a 48-unit apartment complex (Waters Edge), located on the north side of Bendix Road, west corner of Grand River Ave. Sec. 13, petitioned by Waters Edge Development Group. **The motion carried unanimously.**

Moved by Mortensen, seconded by Cahill, to recommend to the Township Board approval of the final PUD Site Plan for a 48-unit apartment complex (Waters Edge), located on the north side of Bendix Road, west corner of Grand River Ave. Sec. 13, petitioned by Waters Edge Development Group dated April 22, 2003 with architectural renderings dated February 12, 2003, with the following conditions:

1. A copy of the recorded 66-foot wide access easement for future road connection to the parcel to the west shall be provided to the Township for their files.
2. A copy of the recorded access easement for the Township to gain access to the wastewater treatment plan shall be provided to the Township for their files.
3. The five-foot wide sidewalk along Bendix Road is to be concrete and shall be extended southeast from its current terminus to intersect Bendix Road with a curb cut ramp provided.
4. Township Board approval of the PUD Agreement.
5. Township Board approval of the Impact Assessment.
6. Remaining engineering issues are to be complied with at the time of construction plan submittal.

The motion carried unanimously.

OPEN PUBLIC HEARING # 3...Review of Site Plan extension, requested by Dan Phillion, ADR Construction.

- **Planning Commission disposition of petition**

- A. Disposition of Site Plan extension request.

Kelly Kolakowski noted that the petitioner was present earlier this evening; however, it was believed he left due to the length of time that was spent on Agenda Item #1. The Commissioners felt this item could be acted upon this evening.

Moved by Cahill, seconded by Mortensen, to approve the site plan extension for Chemung Centre II. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 4...Recommendation regarding amendments to the Zoning Ordinance Text, petitioned by Genoa Township. (PC 03-12)

- **Planning Commission disposition of petition**

- A. Recommendation regarding Zoning Ordinance Text amendments.

Commissioner Mortensen noted there are a lot of changes shown. He feels this needs to be discussed in detail at a special meeting, such as a joint meeting. Ms. Kolakowski noted there are not as many changes as it appears on the sheet. These are mainly for clarification for residents reading the ordinance. Commissioners Brown and Cahill agree that there is a lot to absorb this evening.

4-28-03 PC approved minutes

There was a brief discussion regarding how extensive the changes were. Jeff advised he will do a bulleted summary of the proposed changes, however, he reviewed the changes and they were discussed by the commissioners. Commissioner Mortensen questioned the sections regarding the 2,000-foot building standards as well as the keyhole issues.

After a brief discussion, Commissioner Mortensen advised he would like to recommend approval of all of these except the 2,000-foot building standard and the keyhole issues. Commissioners Cahill and Brown would like to see more detail.

The call to the public was made at 10:06 p.m. with no response.

It was decided that Jeff would prepare a summary of the changes for the commissioners to review for the next meeting.

The minutes of the April 14, 2003 Planning Commissioner meeting have not been submitted by the recording secretary so they will be reviewed and approved at the next meeting.

The meeting adjourned at 10:10 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary