

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
February 11, 2002
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: Barbara Figurski, Ken Burchfield, Curt Brown, John Cahill, and Bill Litogot. Also present was Michael Archinal, Township Manager; Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. and Mark Coleman 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 Vice-chairman John Cahill at 7:05 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed for all of the victims of the September 11, 2001 attacks as well as the men and women fighting in the war in Afghanistan.

Moved by Burchfield, seconded by Figurski, to approve the Agenda with the following change:

1. Agenda Item #2 will have "Item C Amendment to the PUD Agreement" added.

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. Vice-chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING # 1...Review of site plan application, site plan, and environmental impact assessment, for proposed 3,200 sq. ft. convenience store and office suite located on the northwest corner of Grand River and Boulevard Park, Section 9, petitioned by Joe Orlandini Jr. (PC 01-24)

- **Planning Commission disposition of petition**
 - A. Disposition regarding impact assessment.
 - B. Disposition regarding site plan.

Mr. Brent LaVanway from Boss Engineering and Joe Orlandini, the property owner, were present to represent the petitioner.

They are going to replace the existing building with a 3,200 square foot building that will house the Midway Party Store and a new office suite. They are requesting three variances and are on the agenda for the ZBA tomorrow evening.

Vice-chairman Cahill advised the petitioner that the Planning Commission discussed this issue during the work session this evening and they have decided to discuss the plans for this site this evening and give the petitioner any direction they can, but it will have to go to the ZBA tomorrow and then return to the Planning Commission.

Mr. LaVanway stated they have already been before the ZBA and they told them to go to the Planning Commission and have them base their recommendation on approval of the variances.

Commissioner Burchfield stated the ZBA's decision is unfortunate for the petitioner, but he will be moving for a motion to table this motion and not approve it contingent upon the ZBA's approval of the variances. He would like to see the plans again after the ZBA has approved the variances. He is willing to review, comment, and make any recommendations to the petitioner that are possible. All Commissioners agreed with Commissioner Burchfield.

Mr. LaVanway presented the proposed building materials as well as a colored rendition of the proposed building.

They have provided a sidewalk along Grand River, but there is not enough room for a hedgerow and MDOT will not allow them to plant in their right-of-way. Mr. Purdy advised that a 20-foot greenbelt is required and he feels it is important to have at least a hedgerow to separate the sidewalk from the parking lot. He suggested making the building three feet smaller (shallower) to accomplish this. Mr. LaVanway stated they do not want to reduce the size of the building. They would prefer to present this variance to the ZBA tomorrow evening.

Mr. LaVanway noted they have begun the process of the shared access easement with the property to the west for the service drive and shared waste receptacle. Mike Archinal has spoken with the neighbor and he is willing to work with the petitioner to accomplish this.

The petition will comply with Mr. Purdy's request to have the waste receptacle gate constructed of pressure treated wood and they have obtained documentation of access rights to Boulevard Park Drive.

The building signs will be backlit and there will be two decorative light posts on either side of the parking lot, which will contain 150-watt bulbs.

Commissioner Litogot asked about the building lighting. Mr. Orlandini stated they will be upward and downward facing lights. Commissioner Litogot noted that the Planning Commission needs to see the detail of this. The petitioner will provide this prior to returning to the Planning Commission.

Mr. Purdy stated the building is well designed and it will definitely be an improvement to what is there now. His main issue with this project is the hedgerow. He feels there should be some type of plantings along the front of the site.

Commissioner Brown feels the proposed building is a great improvement to the site. It is a very nice building. He added that he is not sure if this size building is appropriate for this size lot and he would like to see the landscape buffer along Grand River.

Commissioner Figurski likes the building, but she feels it needs the hedgerow on the front. She feels the building should be made smaller to accomplish this. She also wants to make sure the lighting is not too bright.

Commissioner Burchfield is very much in favor of the improvement.

Commissioner Litogot would like to see a floor plan, details for the loading zone, and rear exit doors. The building is very nice, but he feels the lot is being overbuilt. He believes the petitioner is requesting variances in order to get the building they want on the size lot they have. He would vote no to this proposal this evening.

The call to the public was made at 7:40 p.m.

Ms. Elaine Grote of 612 Sunrise Park Drive stated she would prefer not to have the hedgerow along Grand River because it will most likely not survive in that area, it will be a "litter catcher", and it would limit their sight distance at the corner.

Mr. Charles Jones of 959 Sunrise Park Drive objects to the hedgerow due to the fact that they wanted to get a more "open view" for the traffic to see onto Grand River.

Mr. Purdy stated they will design the hedgerow to the specifications of a Clear Vision Triangle. Whatever plantings are inside this "triangle" will not be more than three feet high.

Rhonda Rose of 948 Sunrise Park Drive agrees with Mr. Jones about the landscaping and the sight distance problems it would cause.

The call to the public was closed at 7:47 p.m.

Moved by Burchfield, seconded by Litogot, to table the petitioner's request for Site Plan and Impact Assessment approval for a proposed 3,200 sq. ft. convenience store and office suite located on the northwest corner of Grand River and Boulevard Park, with the matter to be reconsidered at the petitioner's request following the petitioner's appearance before the ZBA on Tuesday, February 12, 2002. **The motion carried unanimously.**

Mr. Orlandini asked how the ZBA will be apprised of what transpired this evening with regard to their proposal. Mr. Archinal stated that Commissioner Figurski is the liaison between the Planning Commission and the ZBA.

OPEN PUBLIC HEARING # 2... Review of site plan application, site plan, and environmental impact assessment, for proposed oil change business located south of Grand River Ave. and east of Latson Road within the Genoa Square PUD, Section 9, petitioned by Robert Mechigian. (PC 02-01)

- **Planning Commission disposition of petition**
 - A. Recommendation regarding impact assessment.
 - B. Recommendation regarding site plan.
 - C. Amendment to the PUD Agreement

Mr. Mike Boggio of Michael A. Boggio Associates Architects, and Mr. Robert Mechigian, the property owner, were present to represent the petitioner.

Mr. Boggio stated they are proposing to build an oil change facility on the parcel of land that was already approved for a coin car wash. They would like to amend the PUD to allow the oil change facility instead. They have met all ordinances regarding the setbacks, landscaping, and parking. The building materials will be identical to the proposed car wash. He showed colored renderings and building materials.

Mr. Mechigian stated he would like to change their request from a coin car wash to an oil change because they currently have a location where they have a car wash and an oil change facility and they seem to compliment each other. Also, this use would generate less traffic, it will open and close at certain times, and there will be employees on site, as opposed to the coin car wash, which is open all night and has no employees to monitor any loitering, etc. that may occur. Mr.

Mechigian added that they service all of the community with respect to automobile fluid disposal free of charge.

Mr. Purdy reviewed his letter of February 5, 2002.

1. The applicant is requesting to build a minor automotive repair facility that is not an accessory to an automobile dealership. This is currently not an allowed use and therefore the PUD would need to be amended to add this as a listed use.
2. The building and impervious surface coverage must be indicated on the site plan. Mr. Boggio stated it is 68% and this will be indicated on the site plan.
3. The eight-foot-wide bike path along Grand River should be extended to the western edge of the property. The petitioner will comply with this request.
4. A complete lighting and photometric grid should be provided. The 60-foot-candle average that is being proposed is excessive. Jeff would like to see it not exceed 20 footcandles. The petitioner will comply with Mr. Purdy's 20-foot candle maximum request.

There was a discussion as to whether a photometric grid is required. Mr. Boggio does not feel it is necessary for this site. They are proposing very minimal lighting and this building is shielded from neighboring sites. All Commissioners feel the photometric grid should be required.

Commissioner Litogot noted that Exhibit "C", Section S stated "tire and brake service and audio and alarm installation.....". The petitioner stated they will not be performing any of these types of automobile maintenances. They will only be doing automobile fluid replacements and flushes. This will be deleted from the PUD Agreement.

Commissioner Litogot asked what the seven 275 gallon tanks are being used for. They will hold the different oil weights as well as waste oil.

A PIPP plan will need to be presented to the Township Board.

Mr. Harvey Weiss, who is the developer for this project, drafted the amended PUD and he tried to make it generic as it applies to the entire 24-acre PUD and not just this lot. He stated Exhibit C would need to be changed and the oil change use would be noted on the site plan. Mr. Purdy suggested leaving it in so as not to allow for more than one oil change facility. Mr. Weiss noted they will not have any other stand-alone oil change facilities, but they do want to allow for this type of facility within a dealership on this PUD. Mr. Purdy suggested stating in the Agreement specifically "other than automobile dealerships, there be one additional minor auto repair facility limited to oil and transmission changes, flushes, etc." All Commissioners agreed with Mr. Purdy's suggestion.

Mr. Coleman reviewed his letter of February 5, 2002.

1. Sanitary sewer service has not been provided for all of the outlots of this PUD. They suggest the petitioner installing sanitary sewer to service the remaining lots as part of this site plan. Mr. Weiss stated they have completed this and they will submit a copy to Tetra Tech.
2. The hydraulic calculations used for the storm sewer sizing needs to be submitted. The petitioner will comply.
3. Clarification is needed as to what types of castings are proposed for the storm structures. The petitioner will provide this information.
4. The pavement detail references a 15-inch cut for the 22A MDOT aggregate base. Mr. Boggio stated it is a minimum of 7 inches.

Commissioner Figurski noted that dust control measures need to be noted on the plans.

The call to the public was made at 8:23 p.m.

Mr. Harvey Weiss advised the Planning Commission that there was a photometric grid required for the proposed dealership on this site, but there has not been a photometric grid required for any of the other smaller lots. Commissioner Litogot stated he would like to see the photometric grid due to the fact that there are going to be many other out lots added. Commissioner Figurski agrees.

The call to the public was closed at 8:25 p.m.

Moved by Burchfield, seconded by Figurski, to recommend to the Township Board approval of the third amendment to the PUD Agreement between Genoa 24 Grand LLC and Genoa Township permitting the following:

Except for an automobile dealership offering new and/or used car sales, there shall be allowed one additional minor automobile maintenance establishment for vehicle fluid replacements, including oil, transmission fluid, radiator fluid, windshield washer fluid and excluding gasoline and/or diesel fuel sales.

The motion carried unanimously.

Moved by Figurski, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment dated January 28, 2002 for an oil change business located south of Grand River Ave. and east of Latson Road within the Genoa Square PUD, Section 9, petitioned by Robert Mechigian as submitted.

The motion carried unanimously.

Moved by Burchfield, seconded by Figurski, to recommend to the Township Board approval of the Site Plan dated January 25, 2002 as revised for an oil change business located south of Grand River Ave. and east of Latson Road

within the Genoa Square PUD, Section 9, petitioned by Robert Mechigian with the following conditions:

1. Building materials and colors be as presented this evening.
2. The building and impervious surface coverage percentage be added to the site plan.
3. Glass overhead garage doors for the oil change facility be specified in final construction plans.
4. The eight-foot-wide bike path will be extended to the western edge of the property line.
5. The petitioner shall provide to staff for approval prior to the Township Board meeting a photometric grid not exceeding 20 foot candles.
6. A separate sign permit is required and must be approved.
7. Prior to the Township Board meeting, the petitioner shall submit to staff for approval a PIPP plan.
8. All Township Engineering requirements will be met, specifically including supplying the Township Engineer with drawings and/or plans to verify compliance with the Engineer's requirements #3, 4, and 5 on their letter dated February 5, 2002.
9. Dust control measures shall be added to the grading plan.
10. Township Board approval of the January 28, 2002 Impact Assessment and PUD Amendment as recommended by motion this evening.

The motion carried unanimously.

OPEN PUBLIC HEARING # 3... Review of request to clear and grade a portion of property owned by the Itsell family approximately across and west from the L.O.C. Credit Union, on Grand River Ave., requested by Kevin Irish, Irish Construction Co. Inc.

- **Planning Commission disposition of petition**
 - A. Disposition regarding request

Kevin Irish was present to represent the petitioner. He is seeking permission to grade and fill this site as well as clear some box elder and cotton wood trees that have grown very large.

Mark Coleman stated there does not appear to be any method for producing a controlled rate of outflow from the detention basin prior to discharge into the 24-inch storm sewer along Grand River. They suggest installing a stand pipe. Mr. Coleman provided a detail drawing of the type of pipe they suggest. Mr. Irish agrees and will comply with this request.

Commissioner Burchfield asked Mr. Irish if he would be willing to provide grading and drainage for a future sidewalk in front of this site as part of this project. Mr. Irish does not see a problem with this. He is meeting with MDOT regarding a sluiceway across Grand River and he will discuss it with them at that point.

Mr. Archinal stated that a bond needs to be established to ensure completed construction of this site. The petitioner has agreed to this and it will be handled administratively.

The call to the public was made at 8:43 with no response.

Moved by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the request of Irish Construction Company to grade the land to the conditions set forth in Kevin Irish's letter dated February 2, 2002 to the Genoa Township Planning Commission and the Arborland Consultants, Inc. plan and drawing dated February 6, 2002 with the following additions:

1. In addition to the drainage being in compliance with the Livingston County Drain Commissioner, the petitioner shall add a stand pipe to the detention basin to regulate the rate of outflow from the detention basin prior to the water discharging into the 24-inch storm sewer along Grand River Avenue.
2. The proposal shall incorporate the grading and compaction for an eight-foot-wide bike path/sidewalk with appropriate draining to be located one foot inside the 120-foot Grand River right-of-way prior to the September 30, 2002 completion date for this project.
3. In addition to the soil erosion plan, dust control measures will be added to the construction plan.

The motion carried unanimously.

Member Discussion

Commissioner Burchfield responded to the January 26, 2002 letter from Richard A. Heikkinen regarding the Planning Commission's refusal to hear the application by Comerica Bank due to the fact that Wal-mart is in violation of its own site plan.

He stated it was the intention of the Commission to not be punitive to Comerica Bank but to single out only the violator, which would not only include Wal Mart, but would have upset the development within the PUD.

He would like to see the Township Board consider including this particular developer in their legal action that is now being prepared so an attempt can be made to request the court to enjoin the developer for having applicants submitted until compliance with Township ordinances. He feels that if the developers are not complying, we should cut them off from any future requests.

Commissioner Burchfield also suggested adding language to future PUD Agreements to where the developer is responsible until the entire PUD is complete.

Vice-chairman Cahill agrees with Commissioner Burchfield's statement. There should be enforcement provisions in the PUD Agreement and the developer

should enforce them. He would also like to know why the Planning Commission cannot deny hearing petitioners due to the developer not complying with the site plan as part of a PUD.

Vice-chairman Cahill thanked Mike Archinal for all of his hard work that he does for the Township. It is greatly appreciated. All Commissioners agreed.

Commissioner Figurski noted that she is disappointed that the Township Board went against their recommendation with regard to TCF Bank.

Mike Archinal noted that the Township Supervisor supported the Planning Commissions recommendation; however, Mr. Archinal wanted to point out that the Township has granted five drive thru lanes to Standard Federal Bank and that TCF Bank's drive thrus are in the rear of the building and shielded from Grand River and this may have had an affect on the Board's decision.

Moved by Litogot, seconded by Burchfield, to approve the minutes of January 14, 2002 and January 28, 2002 with Barbara Figurski's corrections. **The motion carried unanimously.**

Moved by Litogot, seconded by Figurski, to adjourn the meeting at 8:57 p.m. **The motion carried unanimously.**

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary