

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
October 8, 2001  
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, John Cahill, and Bill Litogot. Also present was Michael Archinal, Township Manager; and Jeff Purdy from Langworthy, Strader, LeBlanc & Associates, Inc. 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 7:03 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.

**Moved** by Figurski, seconded by Mortensen, 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 7:04 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 site plan application, environmental impact assessment, and site plan for proposed 8,493 sq. ft. garden center canopy addition at the existing Wal-Mart Store located at 3850 East Grand River, Sec. 5, petitioned by Wal-Mart Stores, Inc. (PC 01-28)

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

Mr. Chris Farnet and Mr. Perry Butcher were present to represent the petitioner. They are requesting adding a canopy to the current garden center at Wal-Mart. The canopy will go inside the existing space and will provide year-round dry storage. This is an attempt for Wal-Mart to resolve their storage issues. He requests approval this evening contingent upon Wal-Mart coming into compliance with the ordinances for outside storage.

Chairman Pobuda asked Mr. Farnet if his company was the original designer of the building. They were not. He added that Wal-Mart has storage issues at all of its locations. It is the nature of their business to buy large quantities and if they do not sell those items, they have to store them.

Chairman Pobuda stated that if Wal-Mart knows that they have problems with storage at all of their buildings, they should design the stores differently in order to solve these problems. He asked the commissioners if they would like to table this request because of the fact Wal-Mart is not in compliance currently with the Township with regard to outdoor storage, or would they prefer to discuss the issues with the petitioner. The majority of commissioners agreed to discuss the issues with the petitioner this evening.

Commissioner Litogot voiced his concerns. He wants the metal containers that are currently in the garden center taken out of there. The petitioner stated the manager at that store is looking into renting off-site storage space.

Commissioner Litogot added that the loudspeaker and lighting is currently against the ordinance and he is not in favor of approving anything for Wal-Mart at this time.

Commissioner Burchfield asked about the materials for the proposed roof system. Mr. Farnet stated they are proposing a poly carbon material for the edge, a corrugated metal material for the roof and an open mesh materials for the side wall that will be open during the spring and summer months.

Commissioner Burchfield is concerned with the appearance of this. He feels there will be too much light escaping from the interior at night. There are 51 fluorescent lights proposed and there is already a complaint about the current lighting.

Commissioner Figurski stated she feels there are too many lights and the whole site is too bright. She is not pleased by the way the store is currently being kept up.

Commissioner Mortensen stated that the proposed mesh material is not present this evening and it should be. He is not in favor of this project. He doesn't want to put a temporary structure on this PUD. He is also opposed to the garden center being on the front of the building, which faces Grand River Avenue.

Commissioner Brown had no comments at this time.

Commissioner Cahill agrees with Commissioner Mortensen's comments, especially the garden center being in the front of the building so close to Grand River. He asked how much higher than the current building would this new canopy be. Mr. Farnet stated it will be approximately eight feet higher. Commissioner Cahill feels this is too high.

Mr. Purdy does not have much to add. He agrees with all of the comments from the Commissioners. He feels that the Planning Commission needs to consider that compliance with the current ordinances should be addressed prior to or conditioned upon any approval.

The call to the public was made at 7:22 with no response.

Mr. Farnet stated there are options that can be discussed with regard to materials as well as positioning of the garden center.

Mr. Archinal stated staff can work with the applicant on these issues and develop some alternatives.

**Moved** by Figurski, seconded by Mortensen, to table, at the petitioner's request, Open Public Hearing #1...Review of site plan application, environmental impact assessment, and site plan for proposed 8,493 sq. ft. garden center canopy addition at the existing Wal-Mart Store located at 3850 East Grand River, Sec. 5, petitioned by Wal-Mart Stores, Inc. (PC 01-28). **The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2...** Review of site plan application, environmental impact assessment, and site plan for proposed 10,960 sq. ft. one story child care facility, for Tutor Time, located on 1.35 acres on the north side of Grand River at Grand Oaks Drive, Sec. 9, petitioned by Lorenzo Cavalier-Boulder Const. (PC 01-27)

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

Chairman Pobuda advised the petitioner that the Planner has two very large issues with regard to this project.

Mr. Jeff Smith from Equinox, and Mr. John Greenwood from Griffin were present to represent the petitioner. Mr. Greenwood is present on behalf of Tutor Time. Harvey Weiss was also present this evening.

Mr. Smith gave a brief overview of the project and showed building material samples.

Mr. Greenwood handles the outdoor play area for Tutor Time. He stated that the State of Michigan requires 1,200 square feet of outdoor play space and Tutor Time provides 5,000 square feet. They find that 5,000 square feet of outdoor play space is sufficient as they stagger groups of children to play outside at different times. They feel the 28,200 square feet required by the Township is excessive because of the amount of children that go out at one given time. He requested that the Planning Commission recommend approval because of these reasons.

Chairman Pobuda asked Mr. Weiss if this is the petitioner's entire presentation. He feels more information needs to be given to the Planning Commission. Mr. Weiss is the developer of this project.

Commissioner Figurski asked Mr. Weiss if this is the correct location for this type of project. Mr. Weiss feels that it is a very appropriate location. It is on the easterly most outlot of the Genoa Square Development. He showed a view of the entire PUD and where Tutor Time would be located. He also reviewed the elevations of the building as well as proposed building materials. He added that they have added additional landscaping along Grand River Avenue and they are providing the detention pond for the entire PUD, instead of having each outlot provide their own detention system.

Commissioner Figurski still questions the location. It is right off of the expressway in a very busy area of Grand River. Mr. Weiss feels it is a strategic location because of the expressway as parents drop off and pick up their children on their way to and from work.

Commissioner Figurski's other concerns include shielding of rooftop equipment, the height of the building is not shown, and there seems to be quite a bit of signs.

She asked if the proposed driveway is the only driveway. Mr. Weiss stated that it is the only driveway. Mr. Smith stated the outdoor play area is well away from Grand River and is shielded from the other outlot.

Commissioner Mortensen asked if this is a franchise business. Mr. Greenwood stated it is a franchise but this will be a corporate store.

He asked if the 10,960 square foot building is in compliance with the State of Michigan. Yes it does meet the State of Michigan requirements.

Commissioner Mortensen asked if Tutor Time would comply if the Township made a condition of site plan approval be that only 1/5 of the children could be

out at one time. Mr. Greenwood stated Tutor Time would comply with this request if it was in writing.

Chairman Pobuda asked what the age groups will be. Mr. Greenwood stated the children are from six weeks to five years old.

Mr. Greenwood added that Tutor Time is the fastest growing child care facility in the country, it is the 3<sup>rd</sup> largest, they have been in business 30 years, not one of their facilities has ever closed, and they are the experts in child care.

Commissioner Brown agrees with the suggestion by Commissioner Mortensen of 1/5 of the children being allowed outside at a time being a condition of site plan approval.

He asked if the children are in a classroom-like setting or if they just play all day. Mr. Greenwood stated that Tutor Time focuses on education and social interaction and they do a great job.

Commissioner Brown noted that if 1/5 of the children are outside, 4/5 of them will be inside and then Tutor Time is still not meeting Genoa Township's requirements for inside area. Mr. Greenwood stated that this has not been a concern with other communities. Commissioner Mortensen asked if 10,000 square feet is a typically-sized building. Mr. Greenwood stated 10,950 is a prototypical building for them. Mr. Smith stated they are only proposing to have 160 children at this facility.

Mr. Weiss stated that he visited a Tutor Time facility in recent months and it is very well organized and very well run. They are professionals in the day care industry. He feels it would be a very nice addition to any community.

Commissioner Cahill asked how many employees will be at this facility. Mr. Greenwood stated they comply with the State of Michigan requirements. Chairman Pobuda stated the state's requirements are a minimum and the Township has a right to change the minimum required. Commissioner Cahill stated there is only parking for 25 employees. He also is concerned how deliveries will be handled. Chairman Pobuda agrees with these concerns. He feels the delivery hours and times of drop off and pick up of children should be stated in the impact assessment.

Commissioner Cahill has concerns about all of the traffic that will be generated at this site and there is no light at that intersection. He feels the parking is inadequate and that this is a very dangerous situation. Mr. Greenwood stated the drop off is very staggered and Tutor Time has never had a problem with safety or traffic flow in the past.

Commissioner Cahill feels not enough information has been presented this evening to satisfy the Planning Commission's concerns regarding operations and facilities. Mr. Weiss agrees with this. He suggested a representative from Tutor Time come before the Planning Commission to properly answer the questions and concerns that were noted this evening. Chairman Pobuda thanked Mr. Weiss for his comments.

Commissioner Cahill would like to visit a facility to see how it operates. Mr. Greenwood will submit a list of facilities in the area. Mr. Greenwood feels that everyone would be best served to have a representative from Tutor Time present to provide accurate information.

Commissioner Litogot noted some of his concerns. He advised the petitioner that no left hand turn is going to be allowed out of this site onto Grand River. He feels the food service area has to be provided on the plans. He feels the Planning Commission needs more information.

Chairman Pobuda reiterated the concerns of the Planning Commission so the representative from Tutor Time will be prepared.

1. What is the ratio of grass/sand area versus blacktop on the outside play area.
2. Playground material samples need to be provided.
3. How will parking be handled with regard to special events at the school.
4. How is the laundry handled.
5. How many employees
6. What types of delivery vehicles will visit this location and how are deliveries handled.
7. How is the dumpster pickup handled.

Mr. Purdy feels that most of his concerns have been addressed by the Planning Commission, although the monument sign can only be six-feet high and he needs clarification as to where the wall signs are going to be placed. Also, he would like to stay within the 100-foot maximum requirement for the wall signs. All commissioners agreed with this.

The call to the public was made at 8:24 p.m. with no response.

Commissioner Cahill does not like to deviate from the Township ordinances and he will need to see a compelling presentation in order to do so.

Commissioner Mortensen has concerns about the traffic at this site. He feels this is a very dangerous location. Mr. Weiss stated he has spoken to the road commission and they still feel this intersection does not warrant a traffic light.

Commissioner Figurski feels the Impact Assessment has to be completely redone.

Commissioner Burchfield asked the planner how can this project be approved at this site when there are such large variances in the ordinances as to what is being proposed. Mr. Purdy stated that there is a section in the ordinance that states that the Planning Commission can reduce these ordinances based on the amount of infant care that is being proposed. Commissioner Burchfield stated that if the petitioner does not provide us with this information, then the Planning Commission does not have any leeway. Mr. Purdy stated that this is in a PUD so there are still some areas where the Planning Commission can use their discretion.

Chairman Pobuda stated there is definitely a need for this facility, but feels maybe there is another location in the Township that would be better for this.

**Moved** by Figurski, seconded by Cahill to table, at the petitioner's request, Open Public Hearing #1...Review of site plan application, environmental impact assessment, and site plan for proposed 10,960 sq. ft. one story child care facility, for Tutor Time, located on 1.35 acres on the north side of Grand River at Grand Oaks Drive, Sec. 9, petitioned by Lorenzo Cavalier-Boulder Const. (PC 01-27). **The motion carried (Cahill – Y; Brown – Y; Mortensen – Y; Figurski – Y; Pobuda – Y; Burchfield – N; Litogot – Y).**

**Moved** by Litogot, seconded by Mortensen, to approve the minutes of September 24, 2001 with the following change:

1. Page 3, Paragraph #2, "Commissioner Mortensen wants the record to show that he did not vote against....." should be changed to ".....wants the record to show that he believes he did not vote against..... **The motion carried unanimously.**

### **Member Discussion**

Mike Archinal stated there is a fifth Monday this month so there will be a joint meeting on Monday, October 29<sup>th</sup> at 7:00 p.m. Sidewalks will be discussed. They will be discussing spending general fund money to connect the sidewalks that have been installed along Grand River by all of the petitioners.

There will only be one Planning Commission meeting in November. It will be the second Monday, November 12, 2001.

Commissioner Mortensen asked if all of the sidewalks that have been required are installed. Mr. Archinal stated the Township is going to do an aerial photograph and determine if there are sidewalks still indebted to the Township. Commissioner Cahill asked if there are standards for the construction of

sidewalks. Mr. Archinal stated there is an 8% slope standard in order for drainage.

Chairman Pobuda thanked the Commissioners for their comments this evening.

The meeting adjourned at 8:38 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary