

GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
July 23, 2001  
6:30 P.M.  
**MINUTES**

The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:32 p.m. The following commission members were present constituting a quorum for transaction of business: Curt Brown, James Mortensen, Barb Figurski, Don Pobuda, Ken Burchfield 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 approximately 11 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 7:04 p.m.

The Pledge of Allegiance was recited.

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

1. Addition of Public Hearing #3 – Discussion of conceptual site plan for proposed Pier One Imports located on the north side of Grand River Avenue, west of Grand Oaks Drive.

**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 7:08 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

**Open Public Hearing #1 . . .** Consideration of amendment to existing PUD. Review of PUD Agreement, environmental impact assessment, and site plan for property located on the south side of Grand River, west of Gray Road, section 34, petitioned by Chemung Highlands L.L.C. (PC 00-37)

- **Planning Commission disposition of petition**

- A. Recommendation regarding impact assessment.
- B. Recommendation regarding amendment to PUD agreement.
- C. Recommendation regarding conceptual PUD plan.

Mike Boss of Boss Engineering and Tony Kissell and Marshall Smith, the property owners, were present to represent the petitioner.

Mr. Boss explained that the site is an existing PUD. The petitioners are asking for an amendment to the PUD. In the original PUD Agreement, it was stated that the expressway interchange may impact the uses within the PUD.

Chairman Pobuda requested that Mr. Boss quote the portion of the PUD Agreement that he is referring to.

Mr. Boss reads from page 2 of the PUD Agreement: "Whereas, Owner and Township recognize that the Michigan Department of Transportation is considering the construction of a new Interstate-96 interchange which may become located on or near the Property. Owner and Township recognize that each may benefit from the future construction of such interchange and that the interchange may require the parties to agree upon major changes to the PUD Site Plan".

Mr. Boss also reads from page 3 of the PUD Agreement: "Nothing whatsoever provided in this Agreement shall by construed so as to prevent Owner from seeking minor and/or major changes to the PUD Plan in accordance with the applicable provisions of the Zoning Ordinance".

Mr. Boss stated that this is not an overlay zoning. It is not a RPUD, it is a mixed use PUD with its own zoning. The PUD originally called for office. The petitioner is requesting a multiple family development. The petitioner previously submitted a plan for 38 single-family homes. Mr. Boss stated that the previous submittal should not be compared to this request.

Mr. Boss gave a brief explanation of the development area. He explained the surrounding uses for the Planning Commissioners who were not able to attend that last meeting at which this petition was discussed. He explained that this was largely a commercial and industrial area. He stated that single-family homes do not fit at this site because it is bordered on three sides by major highways. He explained that the PUD allows for commercial, residential and open space land uses.

Mr. Boss stated that they had reduced the density from 240 to 216 units. They have removed one building and reconfigured the locations of 2 buildings. The 2

buildings have been shifted so that only their ends face the residential district to the east. The tree row has been left intact, they have left a buffer for the expressway and they have left the large open space area in the southwest. The buildings have been setback from the slopes to alleviate the concerns of the DEQ.

Mr. Boss explained that the Master Plan shows a density of 2 to 4 units per acre. The Master Plan does not indicate the PUD. He states that the Master Plan should have considered the PUD because it was created after the PUD.

Chairman Pobuda stated that the petitioners are asking to change from office to multiple family uses. He asked why if the property is not suited for single family do they feel it is appropriate for multi-family? Mr. Boss answered that single family is not right for this location because of the highways and the surrounding commercial and industrial uses.

Chairman Pobuda asked if the petitioner felt as though there was a need for office uses in this location as a result of the expressway. He asked is office not logical here because of the easy on / easy off access of the expressway.

Mr. Boss replied that a study concluded that multi-family residential is the most viable use for the property.

Commissioner Burchfield stated that he couldn't approve this project because of the density. He stated that he could appreciate that the project was scaled down, but he feels as though it is still too dense.

Commissioner Mortensen stated that language in the PUD agreement is boilerplate. If it had said that 216 apartments are to be built if an interchange goes in, he is sure it would have not been approved. He also stated that no one told the petitioners to come back with 216 units. The highest density that the Planning Commission has granted was 4.6 units per acre in the Adler Development and they have more than one ingress and egress.

Mr. Purdy stated the Commission needs to make a recommendation to the Board. He explained that density is one issue. They must also consider buffering, access and natural features preservation. He stated it is important to articulate all reasons and concerns.

Vice Chairman Litogot asked for clarification regarding what they are recommending to the Board. He asked whether they were approving the apartments or approving the rezoning from office to multi-family residential.

Mr. Purdy replied that they are doing both.

Commissioner Burchfield stated that they are doing this for the Township Board. The issue is density or multi-family. He stated that he could consider multi-family for this site, but he does not like the density.

Mr. Boss stated that they are not asking for MDR zoning. He explained that this is not an overlay district, so the MDR zoning has no bearing. He stated that the 4.6 units per acre are in a RPUD. This is just a PUD. He stated that the ordinance does not allow overlaying a mixed use PUD over zoning. He explained that they must look at the entire PUD project including Champion Chevrolet and the expressway interchange. He stated you must consider everything when considering density.

Mr. Purdy stated that the property is zoned PUD and that there are different land use categories within the PUD. Within the PUD, they designate different land use areas and for guidance, they refer back to the zoning ordinance. We do not double count land within a PUD for density figures. Residential areas stand on their own; you cannot include the commercial areas such as Champion Chevrolet or the expressway property.

Mr. Purdy reviews his letter of July 19<sup>th</sup>, 2001.

Mr. Coleman reviews his letter of July 18<sup>th</sup>, 2001. He states that his biggest concern is that the proposed density is more than was anticipated when designing the sanitary sewer.

Mr. Tony Kissell distributed elevations of the proposed buildings and stated that the buildings are in a better position than the single family residential. He reminded the Commissioners that they approved the single family residential.

Vice Chairman Litogot asked the petitioners what the proposed height of the buildings is. Mr. Kissell responded 2½ stories. Mr. Boss stated that ½ a story would be underground.

The call to the public was made at 7:40 p.m. with no response.

**Moved** by Burchfield, seconded by Mortensen, to recommend to the Township Board denial of the changes in the land use depicted in the conceptual PUD for the property located on the south side of Grand River, west of Gray Road, section 34, petitioned by Chemung Highlands L.L.C., because of, but not limited to the following reasons:

- 1.) The density of the number of units is in excess of what the Planning Commission feels is appropriate.
- 2.) Concern regarding the potential increase in traffic volumes considering there is only 1 ingress/egress and emergency access.
- 3.) The sensitivity of the undevelopable wetland area.
- 4.) The capacity of the sanitary sewer.

- 5.) The PUD amendment was not available for review.
- 6.) The proposed site plan does not provide the benefits the Township reasonably expects within a PUD.
- 7.) Concerns regarding the consistency of the proposed plan with the surrounding land uses.

**The motion carried unanimously.**

**Moved** by Mortensen, seconded by Figurski, to recommend to the Township Board denial of the Impact Assessment dated July 11, 2001, for the property located on the south side of Grand River, west of Gray Road, section 34, petitioned by Chemung Highlands L.L.C., for the reasons stated in the motion for recommendation of denial of the changes in the land use depicted in the conceptual PUD made this evening.

**The motion carried unanimously.**

**OPEN PUBLIC HEARING # 2...** Review of special use application, environmental impact assessment, and site plan for a 27,200 sq. ft. warehouse addition to an existing 33,080 sq. ft. office, warehousing, and distribution facility located on Fendt Drive, section 8, units 2,3, and 4 of the Gentech Industrial Park, petitioned by Al Halliday/A & J Cartage Co. (PC 01-20)

- **Planning Commission disposition of petition**

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

Al Halliday and Ron Halliday, the property owners, were present to represent the petitioner.

Chairman Pobuda requested that the petitioners give the Commission a brief history of their business.

Mr. Al Halliday stated that the business is family owned. They have 27 employees, of which, 19 are family members. They rented a building on Grand Oaks Drive for 5 years. A little over a year ago, they built a new building on Fendt Drive. Their main customer is Home Depot and they service customers in Michigan, Ohio, Indiana and Kentucky.

Mr. Al Halliday stated that they are requesting an addition to their existing building. The addition is for warehousing. It does not have bathrooms, offices or require additional employees. He also stated that he would like to add a new truck well on the side of the building. He stated that the additional warehousing would decrease the amount of truck traffic.

Mr. Purdy reviews his July 5<sup>th</sup>, 2001 review letter. He stated that the addition requires an amendment to the existing Special Land Use permit because they are proposing an expansion over 80%.

Mr. Purdy stated the Planning Commission needs to address the following 2 issues:

- 1.) Truck Traffic
- 2.) Aesthetics of the larger building.

Mr. Purdy recommended additional plantings along the southeast corner to improve aesthetics. He suggested a mix of evergreen and deciduous trees.

Chairman Pobuda asked if there would be additional truck traffic.

Mr. Al Halliday stated that there would be no additional traffic. He explained that when they cannot store the material, they are forced to move it and that causes an increase in truck traffic. The additional warehouse space will better equip them to handle the truck traffic.

Chairman Pobuda asked what their normal business hours are.

Mr. Al Halliday stated that they are open for business 7 a.m. to 7 p.m. Monday through Friday. He also stated that he is usually there from 7 a.m. to 12 p.m. on Saturday's for general maintenance.

Chairman Pobuda asked about the potholes on Fendt Drive.

Mr. Al Halliday stated he doesn't believe his trucks caused the potholes. He stated that he would be willing to incur additional costs to fix the potholes on Fendt Drive.

There is a discussion of the landscaping and screening of the site. Chairman Pobuda would like to see additional trees on the southern portion of the site. Mr. Al Halliday stated that they will move 6 evergreens to the front of the parcel to help screening. He also stated that he would be happy to accommodate the Planning Commission's recommendations.

Mr. Purdy recommended a mix of deciduous and evergreens. He stated he would like to see 2 additional evergreens and 2 additional deciduous trees located between the southern edge of the pavement by the building and the southern property line.

Mr. Purdy stated that he would like to see the existing landscaping depicted on the site plan. He also recommended additional masonry on the southern end of the building due to its visibility.

Chairman Pobuda recommended split-face block. Mr. Al Halliday asked if 10' to 12' would be beneficial. Mr. Purdy answered yes. Chairman Pobuda stated he would like to see 12' of split face block that matches the existing building.

Chairman Pobuda requested that the petitioners eliminate the southern light fixture. Mr. Al Halliday stated that they would be agreeable to that.

Chairman Pobuda asked about the additional well on the site plan. Mr. Al Halliday stated that it is a truck well. They would like to expand the driveway by 10' and put a truck well on the back. The expanded driveway would be shared with their neighbor. Mr. Purdy stated that they would need to see a site plan showing the driveway to consider it.

Mr. Al Halliday asked if they could come back with a revised site plan. They are looking for the Planning Commission's recommendations on this issue. Mr. Archinal stated that they should treat this matter as an amendment. He stated that the petitioners need to look into getting an easement for the shared driveway.

Mr. Purdy stated that he would want 30' back to back with curbs for the shared driveway.

Mr. Coleman reviewed his July 3<sup>rd</sup>, 2001 letter. He stated that additional REU's will be required. He also stated that the ponds are capable of handling the proposed increase in impervious areas.

Commissioner Mortensen stated that they have several tax codes. He asked if they would consider combining the parcels. Mr. Al Halliday stated that they have applied to combine the parcels with no response. Mr. Archinal stated that it is very easy to have the parcels combined.

Commissioner Mortensen asked if the petitioners really wanted a shared driveway. Mr. Al Halliday stated that he is requesting an additional 10' or 12' that would only be necessary for turning radius.

The call to the public was made at 8:13 p.m. with no response.

**Moved** by Burchfield, seconded by Mortensen to recommend approval of the Special Land Use amendment to the existing Special Land Use for a 27,200 sq. ft. warehouse addition to an existing 33,080 sq. ft. office, warehousing, and distribution facility located on Fendt Drive, section 8, units 2,3, and 4 of the Gentech Industrial Park, petitioned by Al Halliday/A & J Cartage Co., with the following conditions:

- 1.) Any damages to Fendt Drive will be repaired at the petitioners expense after construction of the addition.

- 2.) 2 additional deciduous and 2 additional evergreens will be added at the southern edge of the pavement and the south property line.

**The motion carried unanimously.**

**Moved** by Mortensen, supported by Litogot to recommend approval of the Impact Assessment dated July 23<sup>rd</sup>, 2001, for a 27,200 sq. ft. warehouse addition to an existing 33,080 sq. ft. office, warehousing, and distribution facility located on Fendt Drive, section 8, units 2,3, and 4 of the Gentech Industrial Park, petitioned by Al Halliday/A & J Cartage Co., with the following conditions:

- 1.) Paragraph H on the last page shall state "A & J Cartage Company **does not and will not** use, haul, ship or cross-dock any hazardous materials".
- 2.) "Dust control measures will be used and added to the site plan" and shall be added to Item D.

**The motion carried unanimously.**

**Moved** by Burchfield, seconded by Litogot, to recommend to the Township Board approval of the site plan provided by Advantage Engineering dated July 6<sup>th</sup>, 2001, for a 27,200 sq. ft. warehouse addition to an existing 33,080 sq. ft. office, warehousing, and distribution facility located on Fendt Drive, section 8, units 2,3, and 4 of the Gentech Industrial Park, petitioned by Al Halliday/A & J Cartage Co., with the following conditions:

- 1.) The height of the split face block on the south elevation shall meet the height of the block on the east elevation.
- 2.) All colors and building materials shall match those on the existing building.
- 3.) The petitioners shall provide building color and material samples.
- 4.) The southern light fixture shall be eliminated.
- 5.) All plans and specifications are subject to the approval of the Township Engineers.
- 6.) Administrative approval of the REU's.
- 7.) Township Board approval of the Special Use Permit and Impact Assessment.
- 8.) Dust control measures shall be added to the Impact Assessment and Site Plan.
- 9.) Fire Marshall approval of any changes to the site plan.
- 10.) The date of site plan revision (July 13<sup>th</sup>, 2001), shall be noted on the site plan.

**The motion carried unanimously.**

**Open Public Hearing #3...** Discussion of conceptual site plan for proposed Pier One Imports located on the north side of Grand River Avenue, west of Grand Oaks Drive.

- Planning Commission discussion of petition.

Mr. Mike Boggio was present to represent the petitioner.



Mr. Boggio explained that they previously petitioned for a 13,000 sq. ft. building on the site. The petitioners were denied by the Zoning Board of Appeals for a 5' side yard and 0' rear yard setback. They are now considering a 9509 sq. ft. building (a reduction of 3500 sq. ft.).

They have eliminated 3 or 4 parking spaces and they now comply with the front and side yard setbacks. Their revised plan also provides a 20' rear yard setback with a berm. The zoning ordinance requires a 50' rear yard setback, but states that a 25' rear yard setback is acceptable if the petitioner provides a wall or berm. Mr. Boggio stated that they will acquire 5 additional feet from the neighboring property owners to meet the 25' setback requirement. He stated that the easements are agreed to and will be signed and recorded when the property is sold.

Mr. Boggio stated that they would be removing the existing building and sign and replacing them with a new building and monument sign. Mr. Boggio also stated that they have increased the front sidewalk to 9' and the side sidewalk to 5'.

Mr. Purdy stated that he would consider the south property line as the front line.

Mr. Boggio stated that there would be 65' between buildings and that they are proposing to move the access drive to line up with Grand Oaks Drive.

Mr. Purdy stated that this site plan is improved and he looks forward to seeing the site plan.

Mr. Archinal stated that there are no longer any variances required. He informed the petitioners that they may come back on August 13<sup>th</sup>, 2001.

Mr. Coleman asked about storm water detention. Mr. Boggio stated that it is planned for, but not yet decided.

Chairman Pobuda stated that the conceptual site plan appears to be o-kay.

The call to the public was made at 8:30 p.m. with no response.

### **Planners Report**

Mr. Purdy reminded the Commission that there is a Joint Meeting scheduled for July 30, 2001.

**Moved** by Figurski, seconded by Litogot to approve the minutes of July 9<sup>th</sup>, 2001, with the following changes:

- 1.) Page 2, paragraph 4, line 1, should read: "Commissioner Mortensen stated Page 2, Item 1 of the PIP plan should state..."

- 2.) Page 2, paragraph 6, line 3, should read: "additional ...".
- 3.) Page 2, paragraph 7, line 2 should read: "They will all be tied...".
- 4.) Page 3, paragraph 1, item 4, line 1 should read: "Page 2, Item 1 of the PIP plan should state...".
- 5.) Page 3, paragraph 2, item 2, line 2 should read: "recommendation of approval of the special land use made...".
- 6.) Page 4, paragraph 8, line 3 should read: "would appreciate it if the construction traffic were to travel on Wordon Lake Road...".
- 7.) Page 5, paragraph 9, item 1, line 1 should read: "Page 4, Item #E...".
- 8.) Page 6, paragraph 4, item 2, line 2 should read: "an area that...".

**The motion carried unanimously.**

The meeting adjourned at 8:36 p.m.

Submitted by: Kelly Kolakowski, Recording Secretary

Approved by: Barbara Figurski, Secretary