

**GENOA TOWNSHIP  
PLANNING COMMISSION  
WORK SESSION  
November 8, 1999  
6:30 P.M.  
(Corrected)  
MINUTES**

The work session of the Planning Commission was called to order by Vice 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, Jim Mortensen, Gary McCririe, Jerry Joseph, and Bill Litogot. Also present were Michael Archinal, Township Manager; Jeff Purdy from The Strader Group; and Melissa Talley from McNamee, Porter & Seeley. By the end of the work session, there were numerous persons in the audience.

Items scheduled for action during the regular session of the commission were discussed. No formal action was taken. It was noted that public hearings #2 (River Bend Office Center) and #3 (Wilson Marine) would be tabled as the petitions are incomplete.

**GENOA TOWNSHIP  
PLANNING COMMISSION  
Public Hearing  
7:00 P.M.  
(Corrected)  
MINUTES**

The regular session of the Planning Commission was called to order by Vice Chairman Don Pobuda at 7:00 p.m. **Moved** by McCririe, supported by Litogot to approve the Agenda with the following changes:

- Public Hearing #4 (Akin-Akin) will become Public Hearing #1.
- Public Hearing #1 (Adler Enterprises) will become Public Hearing #2.
- Public Hearing #2 (River Bend Office Center) is tabled.
- Public Hearing #3 (Wilson Marine) is tabled.
- Public Hearing #5 (Ravines @ Rolling Ridge) will become Public Hearing #3,

and Item B shall be changed to:

B. Disposition of **preliminary condominium** site plan.

**Motion unanimously carried.**

Vice Chairman Pobuda made a call to the public to discuss items not on the agenda with no response. He noted that the Board will not begin any new business after 10:00 p.m.

**OPEN PUBLIC HEARING #1...REVIEW OF AN EXTENSION REQUEST FOR AKIN-AKIN INSURANCE, APPROVED BY TOWNSHIP BOARD 8/3/98.**

**A. RECOMMENDATION REGARDING EXTENSION REQUEST.**

Ms. Julie Haggerty of 1st Realty stated she was the marketing agent for the property. Mr. Akin was out of town. He originally obtained approval for a mini-warehouse in August of 1998. He is requesting a one-year extension from the December 3rd expiration of his approval. He has listed the property for sale. He may still build if the property does not sell.

Mr. Archinal noted that there have been no changes in the ordinance since this project was originally approved. The project still meets township requirements.

Mr. Purdy concurred. He didn't have a problem with the requested extension.

Vice Chairman Pobuda made a call to the public at 7:05 p.m. with no response.

The Commissioners agreed that an extension was not problematic.

**Moved** by Litogot, supported by Figurski to recommend to the Township Board approval of the Akin-Akin Insurance extension to December 31, 2000. **Motion unanimously carried.**

**OPEN PUBLIC HEARING #2...REVIEW OF A REZONING APPLICATION TO REZONE 60 ACRES FROM RR (RURAL RESIDENTIAL) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) AT THE END OF LAWSON DRIVE, NORTH OF GRAND RIVER AVENUE, SECTION 4, PETITIONED BY ADLER ENTERPRISES COMPANY/BOSS ENGINEERING. (Tabled from 10/11/99 meeting.)**

**A. RECOMMENDATION REGARDING IMPACT ASSESSMENT**

**B. RECOMMENDATION REGARDING REZONING REQUEST.**

**C. RECOMMENDATION REGARDING PUD AGREEMENT.**

**D. RECOMMENDATION REGARDING CONCEPTUAL PUD SITE PLAN.**

Mr. Mike Boss from Boss Engineering introduced Brent LaVanway from Boss, as well as a representative from Adler Enterprises. Mr. Boss stated that since the last meeting, they have reviewed the surrounding uses, as well as comments made, and have modified the plan. They have reduced the development from 220 to 198, with 124 apartments and 74 condominiums. The reduced units came out of the apartment portion of the development. He presented a drawing which broke down the land uses surrounding the site. To the northwest is multiple

condos at 3.5 units/acre gross and 4.5 units/acre net. West and adjacent to the parcel is apartments at 7.5 units/acre net and gross. The southwest and direct south portion of the parcel abuts industrial. To the east is Sunrise Park with 4.0 units/acre gross and 4.6 units/acre net. It is platted and zoned at 8.0 units/acre. To the north is recreational. Mr. Boss noted that the proposed development is less dense, at 3.6 units/acre, than Sunrise Park.

Mr. Boss stated they have made a connection to the west. There is a 100' buffer along Sunrise Park. The apartments have the same footprint, but they have reduced the number of units in the buildings. They have a walk path, gazebo, club house, tennis courts and pool. They have also enhanced the landscaping. The walk path is networked from the northern tip, near the wetlands, through the multi-family development. The condos will start at a rate of at least \$150,000.

Vice Chairman Pobuda made a call to the public at 7:15 p.m.

Ms. Elaine Grote, 612 Sunrise Park, stated she is the president of their association. She thanked Mr. Boss and Adler Enterprises for their efforts in reducing the number of units, as well as, increasing the buffer area to 100'. However, she stated she still objected to the walk path in the wetlands. This area should be undisturbed. It is important to the lake. Overall, she felt this plan was a much better plan than what was originally submitted.

Mr. Jim Linton, 792 Sunrise Park, stated he was still concerned with the greenbelt at Sunrise Park. There is not enough natural vegetation there "without the help of humans". He noted that the people near the Detroit Edison building have 24-hour daylight because of the lights. There is no "greenbelt" in that area. More trees are needed in that area. He does not want to see anymore lights, either. He noted that 30+ years ago he was able to see the northern lights. Now, he has a hard time seeing the stars.

Mr. Norm Wright, 700 Sunrise Park, questioned the surveying of the property. He stated it looked to him like the stakes are not necessarily in the right places.

Ms. Patty Warner, 1030 Sunrise Park, asked if there will be garages for the apartments? She voiced her concerns with cars parking on the road(s). She voiced her concerns with not having the type of neighborhood they want when the apartments are developed. She asked what the monthly rental would be for the apartments.

Mr. Boss answered they are looking at enclosed car ports or attached garages for the units, and rental figures have not been decided.

Ms. Warner stated the development is looking at a 700% increase in density over what the existing density level is. She would like to see some type of impact study, something that will show her that this won't negatively affect her neighborhood.

Vice Chairman Pobuda noted that an Impact Study has been submitted, a copy of which may be reviewed at the township offices.

Mr. Linton stated he has been in the township for a "generation plus" and they could have used water in this area years ago. Will they be getting city water?

Mr. Archinal answered the site will be getting township water.

Mr. Linton wondered why they were the "low man on the totem pole"? Also, with 200 units comes at least 400 cars. What about the traffic? He also asked the Commissioners to consider the fact that the residents were just asked to pass a bond issue for the school system.

Vice Chairman Pobuda stated the bonds will be levied against this development, too. As the SEV goes up, the millage should come down.

Mr. John Warner, 1030 Sunrise Park, stated that while all the representatives were present at the meeting (architect, builder, planners, township officials, etc.), he would like to request that they just leave that parcel of land alone. There is no vacant, wooded, land like this between the township and Brighton. Currently, there is lots of wildlife there. He would like to see it stay that way.

Ms. Warner stated she originally came from Taylor and she knows what can happen when apartment complexes come into a neighborhood like theirs. She hated the idea of having apartments without garages next to them. It will lower the standard of living.

With no other comments, the call to the public was closed at 7:28 p.m.

Vice Chairman Pobuda noted for the record receipt of a petition with 47 signatures "to keep the Adler development building down to the lowest amount of dwellings as possible". He asked Mr. Boss to respond to some of the residents' concerns.

Regarding the walk path in the wetlands, Mr. Boss stated he may have been misunderstood. The path will be going around the wetlands, not into the wetlands. They are staying in the upland areas. When asked, the Adler representative stated they will consider a crushed limestone path.

Regarding the buffer and the Detroit Edison property, Mr. Boss stated they are going to selectively make additional plantings in some of the areas to fill in the existing vegetation. He noted that they, too, do not want "light pollution" for their site. Their choice is to keep the light as low impact as possible, but they must stay within the township's requirements.

Regarding the staking of the property, they have only done some preliminary staking. Some are traverse points. It is premature at this point. And regarding the "700%" increase in density, Mr. Boss stated he couldn't quite respond to that. It was creative math to him.

Vice Chairman Pobuda noted that the apartments are not directly adjacent to Sunrise Park. There is a major buffer of land and condominiums between them.

Mr. Purdy reviewed The Strader Group letter of 11/3/99. He described the process to be followed for the petition as outlined in his letter. He stated he thought they had done a good job in trying to address some of the concerns of both the residents and the Commission. The future road connection to the DelGuidice property and eventually to Latson Road has been provided; the density has been reduced; the buffer has been increased from 75' to 100'; and, a good land use transition has been provided in this area. He noted, however, that the PUD Agreement needed to be revised with the new number of units and the setback standards.

Regarding the duplex units being 20' from the sidewalk, Commissioners Mortensen, Joseph,

Litogot and McCririe stated they felt that was acceptable since the greenbelt between the sidewalk and road is provided.

Mr. Purdy stated the 27' road width needed to be added to the PUD Agreement, too.

Mr. Boss stated there has been recent studies that conclude a narrower road actually reduces speed, and the number of accidents. Additional parking has been provided off the road (35 additional spaces in condo portion plus more in the apartment portion). They are trying to minimize the pavement.

Commissioner Litogot asked whether the Fire Department had a problem with the roads? Also, what about school buses?

Mr. Boss stated they should not have a problem meeting the requirements of the Fire Department. The radii are large enough. The school buses would probably not come in since there is not a through street. Although, they haven't talked with the school district yet. That is done further into the process.

Commissioner McCririe noted that in the past, it has been the Township Board's position to allow 27' for private roads.

Vice Chairman Pobuda stated that while he is a staunch believer in 30' wide roads, since ample parking is provided off the street, he felt 27' was acceptable in this case.

Ms. Talley reviewed the McNamee, Porter & Seeley letter of 11/2/99. She stated the reduction in density should provide a better picture for traffic. However, they should still be required to provide the improvements, as well as other requirements, in her September 8, 1999 letter regarding the Traffic Impact Study Review and her October 4, 1999 letter. She noted that the connection fees for sanitary sewer have been increased to \$3,500/REU.

Commissioner Joseph stated that while, overall, he likes the transition that has been provided from the industrial use, he still had concerns with the density. Allowing them to cluster saves on manufacturing costs for them. For the amenities we are getting, are the benefits to the township significant enough? He would like to limit it to only a 50% increase in density. Also, he questioned the width of the roads.

Commissioner Mortensen stated he is was a little more lax on the density issue than he was a few meetings ago. He felt this parcel was never intended to be single-family residential. The Master Plan says 2-4 units/acre. He felt there was a problem with definitions between the Master Plan and zoning. "Single-family residential" with 2-4 units/acre is almost an oxymoron.

Mr. Purdy noted that the Township no longer allows developments with new single-family residential lots as small as allowed in Sunrise Park. The designation for this parcel was single-family residential but was intended to encompass all of the higher density single-family residential, more consistent with lake-front residential.

Commissioner McCririe stated the idea was that we knew this parcel was between small-lot residential (Sunrise Park), industrial, and the DelGuidice PUD. We discussed what would be the appropriate density. At that time, we designated 2-4 units/acre. There are 4.6 units/acre in

Sunrise Park; 4.5 units/acre in the DelGuidice PUD; and 3.6 units/acre in this development. Regarding the road width, the Township Board sets policy in the township. In the past, they did not want more paving if it wasn't necessary.

Commissioner Joseph opined that the Planning Commission makes a recommendation to the Township Board. If they want to change the road width to 27' and make it more unsafe, then let them do it. He felt the Commissioners should stay with the ordinance requirements.

Vice Chairman Pobuda noted that road width, in general, would be a good topic for discussion at the joint meeting with the Township Board later this month.

Commissioner Mortensen questioned the disparity in units/acre for the DelGuidice PUD between the planner and the developer (i.e., item #3 in The Strader Group letter of 11/3/99).

Mr. Boss answered he calculated the density in the 1/4 mile adjacent to their development, not the entire PUD.

Commissioner McCririe noted that with the changes in the site plan, several items needed to be changed in the PUD Agreement. In addition, language for the cross-easement to the west needed to be added.

**Moved** by Figurski, supported by Litogot to recommend to the Township Board approval of the Impact Assessment, dated 7/29/99, with the following changes:

1. Page 2, 4th line down in second paragraph - the word "park" should be changed.
2. Page 3, letter (e) - change to read **74** condominiums and **124** apartments.
3. Page 4, number (3) - add dust control language.
4. Page 4, letter (f) - the numbers should be changed again.

**Motion carried (5 yes, 1 no with Joseph dissenting).**

**Moved** by McCririe, supported by Litogot to approve the rezoning request from RR to MDRPUD in accordance with the PUD Agreement. **Motion carried (5 yes, 1 no with Joseph dissenting).**

**Moved** by McCririe, supported by Litogot to recommend to the Township Board approval of the PUD Agreement for the Stone Edge Pointe development by Adler Enterprises Company, dated 11/8/99, with the following changes:

1. Page 2, Section 2.1: Delete "UR Urban Residential" and add the number of units: **124** residential apartments and **74** condominiums.
2. Page 2, Section 2.2: Delete "UR/Urban Residential District" section and change number of units to **124** residential apartment units and add **74** condominium duplex units.
3. Page 2, Section 2.3: Change "UR/URBAN RESIDENTIAL DISTRICT" heading to "**CONDOMINIUM DUPLEX UNITS**". In this section, the Perimeter Setback column should read

"Minimum 100\*". The asterisk would include "Unit 25 is 65' and Units 32 & 33 are 75 ft." In this section, the Front Setback column would be changed to "Minimum 20 ft. from sidewalk".

4. Page 3, continuation of Section 2.3: Change "MDR/MEDIUM DENSITY RESIDENTIAL DISTRICT" heading to "**APARTMENT UNITS**". In this section, the Perimeter Setback column should read "Minimum 75 ft." and the Front Setback column should read "20 ft. from sidewalk".

5. Page 3, Section 3.1: Should include the comments from the township engineer regarding traffic in the McNamee, Porter & Seeley letter of October 4, 1999.

6. Page 3, Section 6.2: Language should be added that **all sidewalks within the residential portion will be concrete, and the walkways in the open space shall be of a pervious surface, but not asphalt or cement.**

7. Page 4, Section 8.4: Change the number of units to **198** and change the last sentence to read ".....for each R.E.U. which **will be** paid by Owner."

8. Page 5, Section 9.1: Include language in number (iv) to add and include language that **no snowmobiles, mini-bikes, motorcycles, all-terrain vehicles or the like are permitted access to any wetland area.....etc.**

9. The PUD Agreement shall contain a provision for a cross easement satisfactory to the Township Board and township attorney for the connection road between this development and the DelGuidice PUD, which shall be presented to the Township Board when this petition comes before them.

10. All condominium duplex buildings shall have at least one side-loading garage.

**Motion carried (5 yes, 1 no with Joseph dissenting).**

**Moved** by McCririe, supported by Litogot to recommend to the Township Board approval of the conceptual PUD site plan for the Adler Enterprises Company development, known as Stone Edge Pointe, dated revised 10/27/99, with the following conditions:

1. Township Board approval of the Impact Assessment as modified by motion this evening.

2. Township Board approval of the rezoning request as recommended by motion this evening.

3. Township Board approval of the PUD Agreement as modified and recommended by motion this evening.

4. Township engineer review and approval of all plans and specifications.

5. Total number of units shall not exceed 74 duplex condominiums and 124 apartment units as essentially depicted on the site plan.

6. Any water softener contained within the development shall not be connected to the sanitary sewer system and shall utilize potassium in lieu of salt.

**Motion carried (5 yes, 1 no with Joseph dissenting).**

Mr. Linton wondered how this project could proceed when they have not designated the property lines between Sunrise Park and the property?

Mr. Boss reiterated that only preliminary staking has been done. The final survey has not been done. Some of the stakes in question are traverse points. However, there appears to be some encroachment with fences, etc. He invited the residents to call him at the office if they have questions, and/or to come out when the actual staking is done. He noted that they are aware there is an easement recorded for the road there.

The meeting was recessed at 8:30 p.m. and reconvened at 8:35 p.m.

**OPEN PUBLIC HEARING #3...REVIEW OF A PRELIMINARY PLAT FOR THE RAVINES AT ROLLING RIDGE, SECTION 5, NORTH OF GRAND RIVER, WEST OF LATSON, EAST OF GOLF CLUB, FORMERLY KNOWN AS THE DART PROPERTY, FOR 97 SINGLE FAMILY HOME SITES AND 64 MULTI-FAMILY UNITS, PETITIONED BY THE SELECTIVE GROUP.**

**A. RECOMMENDATION REGARDING IMPACT ASSESSMENT.**

**B. DISPOSITION OF PRELIMINARY CONDOMINIUM SITE PLAN.**

Mr. Mike Boss of Boss Engineering introduced Mr. Al Ludwig of The Selective Group. Mr. Boss stated the PUD has already been approved for density. The main entrance will be off Grand River. There is a connection to the subdivision to the east. Single-family homes sites are in the northern portion of the site and two-unit condominiums are in the south. There have not been too many changes made to the site since the last meeting. He presented an elevation drawing of the two-unit condominiums.

Commissioner Figurski stated she still felt the development was too dense.

Mr. Purdy reviewed the preliminary condominium issues in The Strader Group letter of 11/3/99. Mr. Boss stated that in the cul-de-sacs in the public roads, the county requires low brush (30" or less) because of maintenance. The Commissioners, except for Commissioner McCririe, agreed that some landscaping should be required in the cul-de-sacs. They agreed a raised, green, landscaped area would look better than wide open pavement. Mr. Boss agreed to do this.

Mr. Purdy noted that the curve radius for the private roads (in condominiums) are less than 150 feet (i.e., 70-75 feet). The requirement is 230 feet, but may be reduced to 150 feet with Planning Commission approval. Also, the corner units in the MDR do not meet the required 30' front yard setback. They are 20'.

Mr. Boss stated he was not at the last meeting, but he was of the understanding the roads in the MDR were discussed and the Commissioners did not have a problem with them. The radii are safe and the setback issue is the result of the buildings being on a corner, which actually gives them two "front" yards.

Commissioner McCririe stated he felt the roads do not look significantly different from the previous drawings discussed. He asked how the Commission could have looked at this and approved of it, and now question the lay-out?



Mr. Purdy stated the rezoning request was approved, not the site plan.

Commissioner McCririe stated he had a problem with the Commission looking at this previously, not questioning the roads, and now wanting to change the roads. Why wasn't this resolved earlier if it is such a big issue? How has it changed since the last go around?

Vice Chairman Pobuda stated he remembers that when the Commission approves a concept plan, the general concept is approved. And, then the specific details are discussed later. He did not look at this specific detail previously.

Commissioner Joseph agreed. He thought that when the Commission approves the concept, it is assumed that the issues in the planner's and engineer's letters will be remedied as set forth in the ordinance(s).

Mr. Boss roughly drew on the plan what a 150 ft. radius would look like. He noted that making them 150 ft. would change the lay-out completely because there is not enough room. They would have to look at a possible cul-de-sac, taking out some units, and possibly put more units in the other part of the development. Most municipalities allow 90 degree turns in high-traffic subdivisions. Smaller radii don't allow for high-speed turns.

Mr. Purdy noted that the density numbers are set for each portion. They could look at altering the lay-outs to take up less land area.

Commissioner Litogot asked if a fire truck could make the turns? He liked the green space in the development and wouldn't like to see it taken out.

Mr. Purdy stated fire trucks could make the turns. It is not an issue of making the curves.

Commissioners McCririe and Litogot stated they were satisfied with the lay out.

Commissioners Figurski, Joseph and Mortensen were not satisfied.

Commissioner Mortensen stated that he did not believe that just because there is a PUD rezoning and a conceptual site plan, the township is locked into anything, and if a mistake is made, that it cannot be remedied.

Commissioner McCririe wondered why this lay-out no longer makes sense. He asked if knowing the radii now, does the plan make any less sense?

Commissioner Litogot noted that he thought the Commission did not look at this closely because it was a site plan issue. The conceptual plan was approved.

Mr. Purdy stated there is a different level of review from the PUD concept plan to the site plan. Specific details are not looked at.

Mr. Boss stated that perhaps it was an oversight. All they are asking at this time is for the Commissioners to look at it and agree that the lay-out makes sense. It is a reasonable use. The lower radii could be made part of the PUD Agreement.

Mr. Ludwig stated when they looked at this site, they tried to come up with the right product with

the right lay-out. They feel this is the best lay-out. It has already been looked at in several different ways.

Commissioner Joseph stated that what may be best for The Selective Group, may not be what is best for the township. We have ordinances in place and they should give us some guidance. We are under no obligation to help the developer maximize the parcel. He stated he was looking for a good reason to allow for the deviation. This roadway, as proposed, seems to maximize the density. Not being an expert, he has to rely on the planner and the ordinance for guidance. He would like to see another plan with the 150 ft. radius. Commissioners Figurski and Mortensen agreed with seeing another plan.

Commissioner McCririe stated he believed any changes in the density of the multi-family does not affect the density in the single-family. The maximum number of units in each are currently set.

Mr. Ludwig stated that changing the building footprints will make a more dense "feel" to the sight. He envisioned more of a "country" look to it. He didn't think the end product would be as good.

Commissioner Mortensen stated that if the plan and agreement are concretely confirmed in the first step of the process, why even have a second step? He would like to see some alternative to this plan.

When asked, Ms. Talley stated the radius at the newly constructed curve at Spencer Road and Main Street in Brighton is about 40'. The speed is 10 m.p.h.

Commissioner McCririe noted that the curve at Spencer Road handles thousands of cars. This development's roads will only have the residents who live there using them. The numbers will be much less. The township ordinances say many things that have already been deviated from in this PUD. The reason for having a PUD is to find the best way to develop a particular parcel without totally relying on the numbers in the books.

Ms. Talley suggested posting traffic signs for speed.

Seeing the split vote in the Commission, Vice Chairman Pobuda suggested the developer come up with specific pros for making this less than 150 feet, as well as an alternative plan with the 150' radii. He noted that the setback issue (for two "front" yards) may be resolved when the alternative plan is drawn.

Commissioner Mortensen also asked the planner and engineer to research the rationale for having certain requirements for the radii. Why is 230' a requirement? Why can it be reduced to 150' with Planning Commission approval?

Commissioner Joseph also voiced his concern with the units only being 20' from the road with a sidewalk. That did not seem too safe.

Ms. Talley reviewed the McNamee, Porter & Seeley letter of 11/2/99. There are several issues. She also noted that an easement agreement is needed for the Scott's property. She is concerned that once the construction begins, their driveway will be eliminated.

Mr. Boss stated this is being worked out.

Vice Chairman Pobuda reviewed the major issues that need more work: road radii, consideration of the 20' vs. 30' setbacks, easement agreement, and landscaping in the cul-de-sacs. He made a call to the public at 9:55 p.m. with no response.

**Moved** by Mortensen, supported by Figurski to table the Ravines at Rolling Ridge petition at the request of the petitioner. **Motion carried (4 yes, 2 no with McCrie and Litogot dissenting).**

#### ADMINISTRATIVE BUSINESS

There was no Planner's Report.

**Moved** by Litogot, supported by Figurski to approve the Minutes of the October 25, 1999 meeting as written. **Motion unanimously carried.**

Mr. Archinal noted that there will be a second Planning Commission meeting on November 22, 1999. The Recording Secretary noted that she will not be in attendance.

The Commissioners asked Mr. Archinal to find out when the election of officers should take place.

The meeting was adjourned at 10:04 p.m.

Dia M. Moulton

Recording Secretary