

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
May 5, 2014
6:30 p.m.

AGENDA

Call to Order:

Pledge of Allegiance:

Call to the Public*:

Approval of Consent Agenda:

1. Payment of Bills.
2. Request to Approve Minutes: April 21, 2014
3. Request for approval of an application for fireworks display by Calvin Heckman Jr. with a display scheduled for July 5, 2014 at 4263 Clifford, Brighton.
4. Request for approval of \$770 expenditure for two, 30-yard dumpsters from Duncan Disposal to clean up Suburban Mobile Home Estates.

Approval of Regular Agenda:

5. Open Public Hearing and request for approval of rezoning, PUD agreement, impact assessment, conceptual PUD plan and adoption of Ordinance #Z-14-01 to amend the zoning map of Genoa Charter Township by rezoning approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.
 - A. Disposition of Rezoning from RR to NR-PUD and Adoption of Ordinance Z-14-01
 - B. Disposition of PUD Agreement (dated 03-14-14)
 - C. Disposition of Environmental Impact Assessment (dated 02-14-14)
 - D. Disposition of Conceptual PUD Plan (Exhibit B, dated 02-13-14)
6. Presentation from Derek Smith regarding SELCRA programming and budget.
7. Discussion and direction to staff regarding SELCRA Fall of 2014 use of the north athletic field.

Correspondence
Member Discussion
Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: May 5, 2014

TOWNSHIP GENERAL EXPENSES: Through May 5, 2014	\$27,171.52
April 25, 2014 Bi-Weekly Payroll	\$87,249.62
May 1, 2014 Monthly Payroll	\$11,211.84
OPERATING EXPENSES: Through May 5, 2014	\$14,407.06
TOTAL:	\$140,040.04

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
30566	ATT& IL	AT&T	04/15/2014	127.04
30567	BullsEye	BullsEye Telecom	04/15/2014	204.46
30568	Clearwat	Clearwater Systems	04/15/2014	45.50
30569	Election	Election Systems & Software	04/15/2014	1,194.68
30570	JOHNSONR	Johnson, Rosati, Schultz & Jop	04/15/2014	602.70
30571	MASTER M	Master Media Supply	04/15/2014	83.96
30572	mlgma	Michigan Local Gov't Mgmt Asso	04/15/2014	110.00
30573	Net serv	Network Services Group, L.L.C.	04/15/2014	180.00
30574	VERIZONW	Verizon Wireless	04/15/2014	329.04
30575	StateOfM	State of Michigan	04/25/2014	6,311.67
30576	Allstar	Allstar Alarm LLC	04/22/2014	270.00
30577	ARCHINAL	Michael Archinal	04/22/2014	500.00
30578	AT&TLONGA	AT&T Long Distance	04/22/2014	0.79
30579	CARDM	Chase Card Services	04/22/2014	367.91
30580	COMCAST	Comcast	04/22/2014	130.70
30581	HRdirect	HRdirect	04/22/2014	67.99
30582	LC REG D	Livingston Co. Register Of Dee	04/22/2014	52.00
30583	MICHAS	Michigan Assoc. of Planning	04/22/2014	420.00
30584	RELIANCE	Reliance Standard Life Insuran	04/22/2014	1,884.41
30585	VERIZONW	Verizon Wireless	04/22/2014	254.83
30586	WALMART	Walmart Community	04/22/2014	58.39
30587	DTE EN	DTE Energy	04/23/2014	151.36
30588	LexJet	LexJet LLC	04/23/2014	499.00
30589	Tetra Te	Tetra Tech Inc	04/23/2014	2,325.00
30590	TRI COUN	Tri County Supply, Inc.	04/23/2014	50.06
30591	AT&T Fax	AT&T	04/28/2014	88.87
30592	CONTINEN	Continental Linen Service	04/28/2014	102.15
30593	EHIM	EHIM, INC	04/28/2014	10,687.23
30594	OEX	Office Express Inc.	04/28/2014	71.78

Report Total: 27,171.52

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cathy

Printed: 04/17/2014 - 11:48

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
13063	AETNA LI	Aetna Life Insurance & Annuity	04/25/2014		50.00
			Check 13063 Total:		50.00
13064	EFT-Equi	Equivest Unit Annuity Lock Box	04/25/2014		710.00
			Check 13064 Total:		710.00
13065	EFT-FED	EFT- Federal Payroll Tax	04/25/2014		8,201.22 4,513.38 4,513.38 1,055.54 1,055.54
			Check 13065 Total:		19,339.06
13066	EFT-PENS	EFT- Payroll Pens Ln Pyts	04/25/2014		2,216.63
			Check 13066 Total:		2,216.63
13067	EFT-TASC	EFT-Flex Spending	04/25/2014		1,394.15
			Check 13067 Total:		1,394.15
13068	FIRST NA	First National Bank	04/25/2014		3,180.00 54,048.11

Check 13068 Total: 57,228.11

30575

StateOfM

State of Michigan

04/25/2014

04302014

6,311.67

Check 30575 Total: 6,311.67

Report Total: 87,249.62

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cathy

Printed: 04/23/2014 - 10:10

Bank Account: 101CH

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
13070	EFT-FED	EFT- Federal Payroll Tax	05/01/2014		1,955.40 677.05 677.05 158.35 158.35
			Check 13070 Total:		3,626.20
13071	EFT-PENS	EFT- Payroll Pens Ln Pyts	05/01/2014		294.21
			Check 13071 Total:		294.21
13072	EFT-TASC	EFT-Flex Spending	05/01/2014		83.33
			Check 13072 Total:		83.33
13073	FIRST NA	First National Bank	05/01/2014		7,208.10
			Check 13073 Total:		7,208.10
			Report Total:		11,211.84

#503 DPW UTILITY FUND
Payment of Bills
April 15, 2014 through April 28, 2014

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	04/16/2014	2817	U.S. POSTMASTER	MHOG Quarterly Billings - Jan - Mar 2014	-1,481.70
Check	04/16/2014	2818	Verizon Wireless	Acct #481002220-00002 4/6/14	-278.68
Check	04/22/2014	2819	D Hill Environmental	Inv. #820 4/17/14	-300.00
Check	04/22/2014	2820	HRdirect	INV2104417 4/19/14	-67.99
Check	04/22/2014	2821	Howell Soft Cloth	(100) Car Wash Vouchers	-350.00
Check	04/22/2014	2822	HUMPHRISS	May 2014 Car Allowance & Shirt Reimb	-279.65
Check	04/22/2014	2823	State of Michigan (2)	VOID	0.00
Check	04/22/2014	2824	Greg Tatara	May 2014 Car Allowance	-500.00
Check	04/22/2014	2825	State of Michigan (2)	License Renewal Fee - Schlack	-95.00
Total					-3,351.02

#592 OAK POINTE W/S FUND
Payment of Bills
April 15, 2014 through April 28, 2014

Check	04/16/2014	2982	AT&T	Acct #810 227-4883 028 3 dated 4/7/14	-66.48
Check	04/16/2014	2983	Bullseye Telecom	Inv. #18589850 4/9/14 Acct #003CA32	-318.97
Check	04/22/2014	2984	AT & T	Acct #124552625 4/12/14 - 5/11/14	-60.00
Check	04/22/2014	2985	Genoa Township G/O New User Fund	Quarterly Payment Feb 2014 - Apr 2014 per K. Palka	-10,300.00
Total					-10,745.45

#595 PINE CREEK W/S FUND
Payment of Bills
April 15, 2014 through April 28, 2014

Type	Date	Num	Name	Memo	Amount
No Activity					0

#593 LAKE EDGEWOOD W/S FUND
Payment of Bills
April 15, 2014 through April 28, 2014

Type	Date	Num	Name	Memo	Amount
Check	04/16/2014	2522	BullsEye Telecom	Inv. #18604249 4/9/14	-300.88
Bill Pmt -Check	04/22/2014	2523	MHOG Utilities	000301000 12/31/13 - 3/31/14	-9.73
Total					-310.59

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting
April 21, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal and four persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Smith and supported by Mortensen to approve the consent agenda moving the Minutes to the regular agenda for discussion. The motion passed

1. Payment of Bills.

Approval of Regular Agenda:

Moved by Hunt and supported by Mortensen to approve for action all items listed under the regular agenda. The motion passed.

2. Request to Approve Minutes: April 21, 2014

Moved by hunt and supported by Smith to approve the April 21, 2014 minutes as presented. Further, Attorney Mancuso will be asked to review the passing of the motion without naming those who voted for or against. The motion passed.

3. Request for approval of the 2014-2015 Proposed Budget for the Howell Area Parks and Recreation Authority.

Moved by Smith and supported by Rowell to approve the proposed budget for Howell Parks and Recreation as submitted. The motion passed.

4. Introduction for a proposed rezoning of 14.57 acres of property (Ordinance Z-14-01) located at 1201 S. Latson Road (4711-09-100-036) from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 5, 2014.

Moved by Smith and supported by Rowell to introduce the proposed ordinance and to set a public hearing before the Township Board on Monday, May 5, 2014 for the purpose of considering the proposed zoning map amendment (Z-14-01) which involves the rezoning of 14.57 acres of land located at 2101 S. Latson Road (Parcel 4711-09-100-036) from rural Residential (RR) to Non-Residential (NR-PUD) for property also identified as the Latson Road Elementary School. The motion passed.

The regular meeting of the Genoa Charter Township Board was adjourned at 6:45 p.m.

Paulette A, Skolarus, Clerk
Genoa Charter Township

(Press/argus04/25/2014)

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
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1. Payment of Bills.
2. Request to Approve Minutes: April 21, 2014

Approval of Regular Agenda:

3. Request for approval of the 2014-2015 Proposed Budget for the Howell Area Parks and Recreation Authority.
4. Introduction for a proposed rezoning of 14.57 acres of property (Ordinance Z-14-01) located at 1201 S. Latson Road (471 I-09-100-036) from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 5, 2014.

Correspondence
Member Discussion
Adjournment

<p>*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.</p>
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RECEIVED
 APR 21 2014
 GENOA TOWNSHIP

2014

Application for Fireworks Other Than Consumer or Low Impact
 Michigan Department of Licensing & Regulatory Affairs
 Bureau of Fire Services
 P.O. Box 30700
 Lansing MI 48909
 (517) 241-8847

Authority: 2011 PA 256
 Compliance: Voluntary
 Penalty: Permit will not be issued

The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

<input type="checkbox"/> Agricultural or wildlife fireworks	<input type="checkbox"/> Articles Pyrotechnic	<input checked="" type="checkbox"/> Display Fireworks
<input type="checkbox"/> Special effects manufactured for outdoor pest control or agricultural purposes	<input type="checkbox"/> Public Display	<input type="checkbox"/> Private Display
NAME OF APPLICANT <i>CALVIN Heckman JR</i>	ADDRESS <i>4263 Clifford</i>	AGE (18 or over) <i>55</i>
IF A CORPORATION, NAME OF PRESIDENT	ADDRESS	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT	ADDRESS	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR <i>Calvin Heckman JR</i>	ADDRESS <i>4263 Clifford</i>	AGE (18 or over) <i>55</i>
NO. YEARS EXPERIENCE <i>13</i>	NO. DISPLAYS <i>18</i>	WHERE <i>Indiana + Michigan</i>
NAME OF ASSISTANT <i>NONE</i>	ADDRESS	AGE
NAME OF OTHER ASSISTANT	ADDRESS	AGE
EXACT LOCATION OF PROPOSED DISPLAY <i>Water's edge @ 4127 Clifford</i>		
DATE OF PROPOSED DISPLAY <i>5th July 2014</i>	TIME OF PROPOSED DISPLAY <i>1015 pm</i>	
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT <i>Approved storage bunker in Kingsbury IN (delivery, setup, shot same date)</i>		
AMOUNT OF BOND OR INSURANCE (To be set by local government) <i>\$1,000,000</i>	NAME OF BONDING CORPORATION OR INSURANCE COMPANY <i>LLOYDS of London</i>	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY <i>PPI Brokerage 371 Bel Marin Key Blvd., Suite 220 NOVATO, CA 94949</i>		
NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED	
<i>36</i>	<i>3" 1.3 ARIEL Shells</i>	
<i>72</i>	<i>4" " " "</i>	
<i>28</i>	<i>5" " " "</i>	
<i>10</i>	<i>6" " " "</i>	
<i>6</i>	<i>8" " " "</i>	
<i>4</i>	<i>1.3g multi shot cakes</i>	
<i>5</i>	<i>1.4g multi shot cakes</i>	
SIGNATURE OF APPLICANT <i>Calvin Heckman Jr</i>		DATE <i>4-21-14</i>

GENOA TOWNSHIP BOARD,

contingency
↑

I CALVIN HECKMAN, HERE BY REQUEST
A PERMIT FOR A FIREWORKS SHOW FOR,
SATURDAY JULY 5TH 2014 WITH A
CONTINGENCY DATE IN CASE OF WEATHER
OF SUNDAY JULY 6TH 2014. THIS SHOW WILL
BE ALMOST THE SAME AS IN THE PAST
YEARS. PLEASE FIND ALONG WITH MY
REQUEST, THE LICENSE FROM BATF + E ALSO
CERTIFICATE OF INSURANCE. IN THE EVENT THAT
THERE WERE ANY SHELLS UNFIRED THEY WILL
BE REMOVED FROM THE SHOW AREA AND RETURNED TO
THE REGISTERED RKM FIREWORKS BUNKERS.

THANK YOU Calvin Heckman
CALVIN HECKMAN

Shell count as follows

36 - 3"

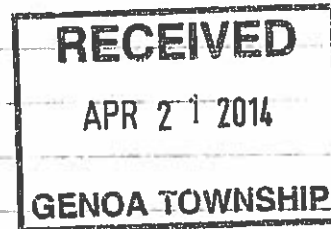
72 - 4"

28 - 5"

10 - 6"

6 - 8"

4 MULTI SHOT 1.3 CAKES
5 MULTI SHOT 1.4 CAKES



SEE REVERSE
SIDE FOR MAP

Certificate of Insurance

3201

Issue Date: 4/17/2014

PRODUCER
Professional Program Insurance Brokerage
371 Bel Marin Keys Blvd., Suite #220
Novato, California 94949

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

INSURED
RKM Fireworks Company & St. Evans, inc.
27383 May Street
Edwardsburg, MI 49112

INSURER A: Underwriter's at Lloyd's, London

INSURER B:

INSURER C:

INSURER D:

COVERAGES:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (DD/MM/YY)	POLICY EXPIRATION DATE (DD/MM/YY)	LIMITS	
A	GENERAL LIABILITY CLAIMS MADE	PY/13-0149	10/8/2013	10/8/2014	EACH ACCIDENT	\$1,000,000
					MEDICAL EXP (any one person)	
					FIRE LEGAL LIABILITY	\$50,000
					GENERAL AGGREGATE	\$2,000,000
					PRODUCTS-COMP/ OPS AGG	

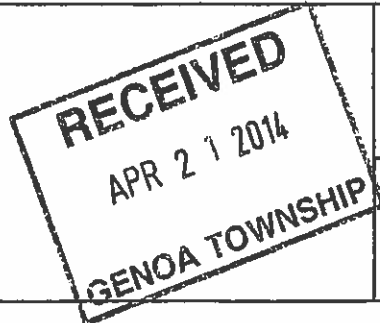
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Certificate holder is additional insured as respects the following:

Date(s) of Display:	7/5/2014
Location:	Crooked Lake
Additional Insured:	Tri Lakes Association
Rain Date(s):	7/6/2014
Type of Display:	Aerial

CERTIFICATE HOLDER

Tri Lakes Association
4263 Clifford
Brighton, MI 48116



SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Susan Preter
AUTHORIZED REPRESENTATIVE

Federal Explosives Licensing Center
244 Needy Road
Martinsburg, West Virginia 25405

901090: CRP/FLS
5400
File Number: 4MI00995

08/25/2010

SUBJECT: EMPLOYEE POSSESSOR LETTER OF CLEARANCE for:

CALVIN HECKMAN 09/05/1958

SHOOTER
(810)227-6307

4263 CLIFFORD
BRIGHTON, MI 48116

and is ONLY valid under the following Federal explosives license/permit:

4-MI-027-51-2L-00995

RKM FIREWORKS CO
27383 MAY ST
EDWARDSBURG, MI 49112

Dear CALVIN HECKMAN:

You have been approved to transport, ship, receive or possess explosive materials as an employee possessor under the Federal explosive license or permit indicated above. This clearance is only valid under the license or permit referenced above.

Sincerely,

Christopher R. Reeves

Christopher R. Reeves
Chief, Federal Explosives Licensing Center (FELC)

FELC Customer Service. If you believe that information on your "Letter of Clearance" is incorrect, please return a COPY of the letter to the Chief, Federal Explosives Licensing Center (FELC), with a statement showing the nature of the error. The Chief, FELC, shall correct the error, and return an amended letter to you.

Mail: ATF
Chief, FELC
Attn: LOC Correction
244 Needy Road
Martinsburg, West Virginia 25405

Fax: 1-304-616-4401
Chief, FELC
Attn: LOC Correction

Call toll-free: 1-877-283-3352

WWW.ATF.GOV

RECEIVED
APR 21 2014
GENOA TOWNSHIP

CALVIN HECKMAN

Employee Possessor Letter of Clearance for:

Little Crooked

High Crest DR

N Shore

OAK POINT

BIG CROOKED

Skusa
1127

BAY

WATER

ROUND LAKE

CLIFFORD

SKUSA

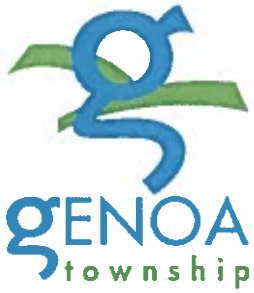
STATE LAND

FILBERT

CLIFFORD

CONRAD

RECEIVED
APR 21 2014
GENOA TOWNSHIP



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

TO: Genoa Township Board of Trustees
FROM: Ron Akers, Zoning Official
RE: **Suburban Mobile Home Estates Clean Up**
DATE: April 22, 2014

Manager Review: 

At the December 16, 2013 meeting it was decided by the Township Board that we would pursue a clean-up effort in Suburban Mobile Home Estates. This clean-up effort would entail placing dumpsters in a central location in the subdivision for residents to dispose of litter located on their properties.

We have tentatively scheduled this clean-up effort for May 24, 2014 and if approved, letters will be mailed to those residing in the subdivision by May 9. On May 24, two, thirty-yard dumpsters will be placed at a location to be determined on Twin Beach Road for approximately eight hours. I have spoken with Mike Goryl from the Livingston County Road Commission who has indicated that no permit will be required from the Road Commission to place the dumpsters on the County Road, but we would need to make sure we place the dumpsters in a location that is not hazardous or obstructive in regards to site distance and traffic flow. The Livingston County Road Commission has also offered to lend us traffic cones if we need them.

Duncan has agreed to provide two, thirty-yard dumpsters at the discounted price of \$770. In order to move forward with this project I am seeking approval from the Township Board for this expenditure. Should anyone have any comments, questions or concerns please feel free to contact me.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Moved by, supported by to approve the expenditure of \$770 for Duncan Disposal as requested.



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

MEMORANDUM

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director

DATE: April 30, 2014

RE: Howell Public Schools/Latson Road Elementary Rezoning Ordinance No. Z-14-01

MANAGERS REVIEW: _____

Township staff have been working with Howell Public Schools to finalize rezoning of the Latson Elementary School as required by Agreements made during right-of-way negotiations for the Latson Road Interchange project. The rezoning has been recommended for approval by the Township Planning Commission on 3/10/14 and by the Livingston County Planning Commission on 4/16/14. Township staff and the schools have proceeded in good faith towards completion of the rezoning in compliance with the Agreements made by the respective Boards. Since the Board set the hearing date at the last meeting the schools have requested additional consideration in the PUD Agreement which staff is unable to support. The schools are requesting that the Township agree to support the retention of the north driveway curb cut if approved by the Livingston County Road Commission.

In consideration of our inability to come to terms prior to the Board hearing on Monday, May 5th, I would like to request your consideration of the following action:

- 1) Open and close the Public Hearing to meet the ordinance requirements.
- 2) Consider the schools request for language in the PUD Agreement that would allow the north driveway to remain.
- 3) Take action to either:
 - a) Approve the request if the Board agrees with the language requested by the Schools.
 - b) Deny the request as recommended by Genoa counsel in their letter dated 04/29/14.
 - c) Adjourn the hearing to a specified future meeting date in hopes that an agreement can be reached.

SUPERVISOR

Gary T. McCrie

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

Given the effort and costs associated with getting the project to this point, it is my recommendation that the Board adjourn disposition to a future meeting date. As required by Section 10.04.01(f) of the Zoning Ordinance specified in regard to the PUD portion of the petition, the Township has 90 days following receipt of the Township and County Planning Commission recommendations to approve, deny, or approve with conditions the proposed PUD. The 90-day requirement of the Ordinance would give the schools and the Board until **July 16th, 2014** to act on the terms of the PUD.

In the above regard, it is my request that you please consider the following action:

Moved by _____, supported by _____ to adjourn to the July 7th, 2014 meeting the request for approval of rezoning, PUD agreement, impact assessment, conceptual PUD plan and adoption of Ordinance #Z-14-01 to amend the zoning map of Genoa Charter Township by rezoning approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.

Unless my daughter chooses to make an early arrival, I intend to be present at your meeting on Monday to discuss this case and answer any questions you may have. In addition I welcome your comments and questions in advance of the meeting.

Most sincerely,



Kelly VanMarter

MANCUSO & CAMERON, P.C.

ATTORNEYS AND COUNSELORS

FRANK J. MANCUSO, JR.

DOUGLAS D. CAMERON

VICTORIA L. LESNER

April 29, 2014

Sent via e-mail only: gvanwieren@thrunlaw.com

Gordon VanWieren
Thrun Law Firm, PC
2900 West Road, Suite 400
P.O. Box 2575
East Lansing, MI 48826

RE: Latson Elementary PUD
Genoa Charter Township

Dear Mr. VanWieren:

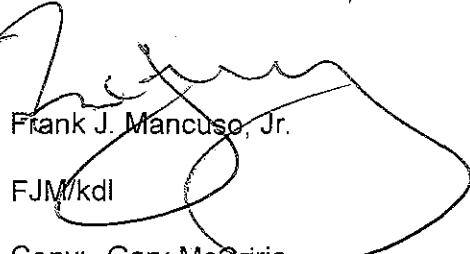
Today I was informed that the Board of Education of Howell Public Schools continues to insist that the existing North Driveway of the former Latson Elementary School Property remain and that this issue be addressed in the Planned Unit Development Agreement for Former Latson Elementary School Property (the "PUD Agreement"). You have proposed the inclusion a new Section 3.2.D in the PUD Agreement to address this issue. As we have discussed, this issue was not addressed in the Real Property Benefits Agreement and is also contrary to Section 15.06 of the Genoa Township Zoning Ordinance (which can be found at: <http://www.genoa.org/government/ordinances/ordinance-zoning>).

I previously advised you that the Board will be conducting a public hearing at its May 5, 2014 regular meeting and will be considering a Motion to rezone the property consistent with the Real Property Benefits Agreement and the proposed PUD Agreement. However, since the parties cannot agree on the terms of the PUD Agreement, my recommendation to the Board is going to be to deny the rezoning request until the parties can agree on the terms of the PUD Agreement.

If you should have any questions, please let me know.

Sincerely,

MANCUSO & CAMERON, PC



Frank J. Mancuso, Jr.

FJM/kdl

Copy: Gary McCrie
Mike Archinal
Kelly VanMarter

From: Terres, Rick <terresr@howellschools.com>
Sent: Friday, April 25, 2014 11:49 AM
To: Kelly VanMarter
Cc: gvanwieren@thrunlaw.com
Subject: Re: FW: Howell Schools PUD/Genoa

Kelly, Thanks for the response. I to understand the township's position. I may pull this off the agenda until we can discuss further.

On Fri, Apr 25, 2014 at 11:42 AM, Kelly VanMarter <Kelly@genoa.org> wrote:
Rick,

I have been mulling this over and have discussed with staff and consultants the option of adding language to the PUD Agreement that would indicate Township support following LCRC approval in regard to the north driveway on the Latson Elementary School site. Unfortunately, I'm afraid that as much as I'd love to reach an agreement, I regret this is not something that we can support.

The Township's development standards and approval process is firmly established and requires that all site design elements (including access management) are first vetted and approved by the Township prior to seeking LCRC approval and I cannot disregard my fiduciary responsibility by reversing this process. I understand and appreciate the position of your Board, but I am not sure that this is the proper time to request additional items over and above those set in the Benefits Agreement.

The Agreement states that the Township will rezone the property in conformance with the Agreement. If the Schools want additional items included than I think the Agreement will need to be re-opened and I'm not sure how to even begin that discussion or process. At this point I think it may be best to have the Attorney's work together on a solution. I've copied the Township Attorney on this e-mail and will direct him to work with Mr. VanWieren on proper process to move forward.

Please let me know if there is anything additional I can do. There is nothing I'd like more than to reach an agreement so that we can rezone this property and start entertaining requests for development on this parcel.

Sincerely,

Kelly VanMarter, AICP
Assistant Township Manager/Community Development Director



Genoa Charter Township
2911 Dorr Road, Brighton, Michigan 48116
Direct: [\(810\) 588-6900](tel:(810)588-6900), Phone: [\(810\) 227-5225](tel:(810)227-5225), Fax: [\(810\) 227-3420](tel:(810)227-3420)
E-mail: kelly@genoa.org, Url: www.genoa.org



From: Terres, Rick [mailto:terresr@howellschools.com]
Sent: Friday, April 25, 2014 11:14 AM

To: Kelly VanMarter

Subject: Re: FW: Howell Schools PUD/Genoa

Any further thoughts from our discussion yesterday (LCRC)

On Tue, Apr 22, 2014 at 4:14 PM, Kelly VanMarter <Kelly@genoa.org> wrote:
Rick,

The Township would also have a say in the driveway location during the site plan approval process and pursuant to our Access Management Ordinance so I am not comfortable keeping the last sentence and removing the others. The Township cannot agree to allow retention of a driveway that may potentially be unsafe to the motoring public.

Some thoughts:

1.) Remove 3.1 and 3.2(D) altogether. This way HPS won't feel restricted by 3.1 and the Township will not have to commit to attempt to retain an access that may be dangerous.

2.) Add a statement that would require a traffic study to determine if utilization of the driveway is safe. Something like this perhaps:

D. The Township recognizes that ~~and HPS is desirous will attempt~~ to retain the current access to Latson Road located at the North end of the Property. The parties acknowledge, however, that in order to do so, a traffic study will need to be provided which determines that the driveway complies with the Access Management standards of both Genoa Charter Township and the Livingston County Road Commission. ~~Township will require Prentis Estates Apartments to vacate its existing driveway (located to the north of the District Property) and to agree to use HPS' north driveway as a shared driveway for ingress and egress to the Prentis Estates Apartment complex.~~ The parties acknowledge that the Livingston County Road Commission has the final decision of whether to allow said north driveway to remain open or not.

I'm sure the Attorney's will have some comments, but I wanted to get this over to you so we could talk about it. I'm open to other suggestions too....just let me know.

Kelly VanMarter, AICP

Assistant Township Manager/Community Development Director



Genoa Charter Township

2911 Dorr Road, Brighton, Michigan 48116

Direct: [\(810\) 588-6900](tel:8105886900), Phone: [\(810\) 227-5225](tel:8102275225), Fax: [\(810\) 227-3420](tel:8102273420)

E-mail: kelly@genoa.org, Url: www.genoa.org



From: Terres, Rick [mailto:terresr@howellschools.com]

Sent: Tuesday, April 22, 2014 8:33 AM

To: Kelly VanMarter

Subject: Fwd: FW: Howell Schools PUD/Genoa

Kelly, Per my phone message I think our BOE may be OK with Sec. 3.2 D. if we simply retain the first and last sentence. The reality is that the LCRC has the final say anyway. Your thoughts?

----- Forwarded message -----

From: Gordon W. VanWieren <GVanWieren@thrunlaw.com>

Date: Mon, Apr 21, 2014 at 4:13 PM

Subject: FW: Howell Schools PUD/Genoa

To: "Terres, Rick" <terresr@howellschools.com>

Rick ,
Please call me .
Thanks ,
Gordie

Gordon W. VanWieren, Attorney
Thrun Law Firm, P.C.
Phone [517.374.8843](tel:517.374.8843) - Fax [517.484.0041](tel:517.484.0041)
gvanwieren@thrunlaw.com – www.thrunlaw.com

P.O. Box 2575
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For deliveries only:
2900 West Road, Suite 400
East Lansing, MI 48823

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From: Frank Mancuso [mailto:frank@mancusocameronlaw.com]
Sent: Monday, April 21, 2014 3:51 PM
To: Gordon W. VanWieren
Cc: Kelly VanMarter
Subject: Howell Schools PUD/Genoa

Gordon:

Please review my changes to your last version of the PUD Agreement (Sections 1.5D and 3.2D). As we discussed, tonight's meeting is to introduce the proposed rezoning. No board action will take place at tonight's meeting other than to set this item for a public hearing on May 5th. If we are close to having a final agreement, I would suggest that we allow the introduction to move forward at tonight's board meeting.

Regards,

Frank J. Mancuso, Jr.
Mancuso & Cameron, P.C.
722 E. Grand River Ave.
Brighton, MI 48116
Ph: [\(810\) 225-3300](tel:(810)225-3300)
Fax: [\(810\) 225-9110](tel:(810)225-9110)

East Lansing, MI 48823

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Sent: Monday, April 21, 2014 3:51 PM
To: Gordon W. VanWieren
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Subject: Howell Schools PUD/Genoa

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Please review my changes to your last version of the PUD Agreement (Sections 1.5D and 3.2D). As we discussed, tonight's meeting is to introduce the proposed rezoning. No board action will take place at tonight's meeting other than to set this item for a public hearing on May 5th. If we are close to having a final agreement, I would suggest that we allow the introduction to move forward at tonight's board meeting.

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ORDINANCE NO. Z-14-01

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND THE ZONING MAP OF THE CHARTER TOWNSHIP OF GENOA BY REZONING 14.57 ACRES OF LAND LOCATED AT 1201 S. LATSON ROAD (4711-09-100-036) FROM RURAL RESIDENTIAL (RR) TO NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT (NR-PUD)

THE CHARTER TOWNSHIP OF GENOA HEREBY ORDAINS that the Zoning Map, as incorporated by reference in the Charter Township of Genoa's Zoning Ordinance, is hereby amended as follows:

Real property situated at the northeast corner of S. Latson Road and the westbound off-ramp for I-96 at Exit #140 which is part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Charter Township, Livingston County, Michigan, more particularly described as follows:

Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road.

Shall be rezoned from RR (Rural Residential) to NR-PUD (Non-Residential Planned Unit Development) Classification.

Severability If any provision of this Ordinance is found to be invalid, than the remaining portions of this Ordinance shall remain enforceable.

Effective Date This Ordinance shall be effective upon publication in a newspaper of general circulation as required by law.

On the motion to adopt the Ordinance the following vote was recorded:

Yeas:

Nays:

Absent:

I hereby approve the adoption of the foregoing Ordinance this ____ day of _____, 2014.

Paulette Skolarus
Township Clerk

Gary McCririe
Township Supervisor

Township Board First Reading: April 21, 2014
Date of Publication of Proposed Ordinance: April 27, 2014
Township Board Second Reading and Adoption: proposed May 5, 2014
Date of Publication of Ordinance Adoption: proposed May 9, 2014
Effective Date: proposed May 9, 2014

**STATE OF MICHIGAN
COUNTY OF LIVINGSTON
GENOA CHARTER TOWNSHIP**

**PLANNED UNIT DEVELOPMENT AGREEMENT FOR FORMER LATSON ELEMENTARY
SCHOOL PROPERTY**

THIS PLANNED UNIT DEVELOPMENT AGREEMENT is made and entered into on this ____ day of _____, 2014, by **Howell Public Schools**, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell Michigan 48843 (referred to as "HPS") and **Genoa Charter Township**, a Michigan municipal corporation, whose address is 2911 Dorr Road, Brighton, Michigan referred to as "Township").

RECITATIONS:

The HPS possesses fee title to certain real property situated in the Genoa Charter Township, County of Livingston, and State of Michigan, more particularly described in Exhibit A, (referred to as "Property").

The recent completion of the adjacent Latson Road interchange required a portion of the previous Latson Elementary School site, which was agreed upon by HPS and Township in a Real Property Benefits Agreement, dated April 10, 2012, (Exhibit F). In this agreement, the remainder of the parcel was agreed to by both parties to be developed as a Non-residential PUD. This follows the Master Plan future land use designation of this Property as regional commercial. These uses will complement nearby commercial uses and future uses that will arise from the newly created demand of the interchange.

HPS has a preferred concept plan (Exhibit B), but also includes two additional concepts that are variants of the preferred plan (Exhibits B-1 and B-2). Any of these three concepts may be considered upon securing a developer for the property.

The Township Planning Commission and Township Board, in strict compliance with the Township Zoning Ordinance and with Act 110 of the Public Acts of 2006, as amended, reclassified the Property as Non-Residential Planned Unit Development District, finding that such classification properly achieves the purpose of Article 10 of the Genoa Township Zoning Ordinance, including the encouragement of innovation in land use, the preservation of open space in areas adjacent to S. Latson Road and properties to the north and east in order to achieve compatibility with adjacent land uses, the promotion of efficient provision of public services and utilities, the reduction of adverse traffic impacts, and the provision of adequate employment. Further the Township Planning Commission and Township Board find the Non-Residential Planned Unit Development District and the PUD Plan are consistent with the Township Master Plan.

The Township has found and concluded that the uses and future development plans for the Property and conditions shown on the approved PUD Concept Plan, attached as Exhibit B ("PUD Plan"), are reasonable and promote the public health, safety, and welfare of the Township, and that they are consistent with the plans and objectives of the Township and consistent with surrounding uses of land.

NOW, THEREFORE, OWNER AND TOWNSHIP, in consideration of the mutual promises contained in the Agreement, HEREBY AGREE AS FOLLOWS:

ARTICLE I. GENERAL TERMS OF AGREEMENT

- 1.1 The Township and HPS acknowledge and represent that the recitations set forth above are true, accurate, and binding.

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

- 1.2 The Township acknowledges and represents that this Agreement may be relied upon for future land use and development of the Property by HPS's successors, assigns, and transferees.
- 1.3 The PUD Concept Plan, attached as Exhibit B, (or Exhibits B-1 and B-2), has been duly approved by the Township in accordance with all applicable Township ordinances, and depicts the land uses which will be permitted and which may be developed on the Property. All formal actions necessary or expedient to carry out this Agreement shall be taken by the parties without undue delay consistent with the Township's ordinances and policies.
- 1.4 Except as specifically provided for in this Agreement, final site plans will comply with applicable Zoning Ordinance requirements. However, at the time of review of respective site plans for the development of various portions of the Property, deviations from ordinance regulations may be agreed upon by the Township and HPS. Changes to the PUD Concept Plan or PUD Agreement will be processed as outlined in the Zoning Ordinance.
- 1.5 The PUD Plan identifies the location and configuration of the authorized land uses that may be developed on the Property, except as noted in 1.3 above.
 - A. All uses authorized as permitted or as may be authorized by special land use are defined in Exhibit C.
 - B. HPS shall be permitted to create parcels and to adjust the size and shape of such parcels, provided the creation or adjustment does not alter the land use designation for any area of the Property or ~~substantially~~ increase the intensity and/or density of use. Modifications shall be comparable to the alternative Concept Plans (Exhibits B, B-1 and B-2). All development shall be subject to Final PUD Site Plan and land division (if necessary) approval. In addition:
 1. HPS shall not be entitled to make a modification which substantially increases the impact upon adjoining properties or facilities without the approval of Township.
 2. HPS may make other changes consistent with the provisions of Article 10 of the Township's Zoning Ordinance.
 - C. The sizes of the various parcels within the land use designations shall be subject to modification under the applicable regulations of the Zoning Ordinance and state law.
- 1.6 This Agreement, including the uses approved on the PUD Plan, are for the benefit of the Property, and shall run with the Property, and shall bind and inure to the benefit of the successors, assigns and transferees of the parties to this Agreement.

ARTICLE II. LAND USE AUTHORIZATION

- 2.1 The Planned Unit Development shall include a land use authorization for the uses agreed upon by HPS and Township as listed in Exhibit C.
- 2.2 No construction shall be permitted until HPS has received final site plan approval in accordance with Genoa Township ordinances. If the Property is divided into parcels,

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

more detailed planning for the development of the Property may be undertaken on a parcel-by-parcel basis, subject to the intent and obligation to coordinate development of the Property as a whole, as specified hereinafter. HPS, as dictated by HPS's transferees, shall determine the timing and order of development subject to the Township's Zoning Ordinance. At the time HPS, and the HPS's assigns and transferees, are prepared to develop each portion or phase of the Property, a plan prepared in the form required by applicable ordinance and law, including impact assessments required by the Township, and consistent with this Agreement, shall be submitted for review and approval. The Township shall review each of such plans within a reasonable time. Site plan and other review requirements shall not be subject to any subsequent enactments or amendments of the Zoning Ordinance which are inconsistent with this Agreement unless the concept plan as set forth herein is materially altered at the request of HPS or its successors and assigns. Provided however, the PUD Concept Plan attached as Exhibit B is also approved as described herein.

- 2.3 If a use authorized under Exhibit C as a special land use is proposed on the Property, such use must be applied for and authorized as provided in the Zoning Ordinance. No storage of trucks, trailers or similar delivery vehicles or containers shall be stored on site for more than twenty-four (24) hours unless they are being actively loaded or unloaded.
- 2.5 A minimum 15% of the site shall be open space as agreed to in Exhibit D. This requires a deviation from 25% as defined in Article 10 of the Zoning Ordinance. Open space is defined as undisturbed areas of key natural features, detention ponds, landscaped areas or plazas. Detention areas shall comprise no more than 50% of the required open space.
- 2.7 Notwithstanding the current code, the principal structure and parking lot must be set back in accordance with Exhibit B. There shall be only one automobile service station allowed.

ARTICLE III. CURB CUTS AND OFF -SITE TRANSPORTATION IMPROVEMENTS

- 3.1 The establishment of curb cuts and driveways to public thoroughfares from the PUD Property shall be limited and restricted for the purpose of reducing the number of turning movements to and from the Property.
- 3.2 Off-Site Improvements in Public Right of Way.
 - A. Traffic Signal. The Township acknowledges that the Livingston County Road Commission ("LCRC") will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Property and Latson Road. The Township will cooperate with the LCRC and HPS (or its successors, as applicable) for the installation of said traffic signal. The LCRC shall install the traffic signal as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the "Agreement to Transfer"), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.
 - B. Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes are the obligation of MDOT up to the "spring lines" on the North side of the Interchange. The costs of the "extension" of these lanes will be subject to further negotiation between MDOT and LCRC. It is understood that

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

although HPS and its successors and assigns will be permitted to have a voice at the preconstruction meetings, HPS will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Property will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

C. Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

D. The Township and the District HPS will attempt to both agree to use their "best efforts" to retain the current access to Latson Road located at the North end of the Property. The parties acknowledge, however, that in order to do so, the Township will require Prentis Estates Apartments to vacate its existing driveway (located to the north of the District Property) and to agree to use HPS' north driveway as a shared driveway for ingress and egress to the Prentis Estates Apartment complex. HPS agrees to grant all necessary easements for this purpose. The parties acknowledge that the Livingston County Road Commission has the final decision of whether to allow said north driveway to remain open or not.

ARTICLE IV. INTERNAL ROAD NETWORK

4.1 Internal access shall be established between the various uses and buildings as generally shown in Exhibit B (or B-1 or B-2, as applicable).

ARTICLE V. DRAINAGE

5.1 The on-site drainage system will be built by HPS or its assigns following review and approval by the Township Engineer and Livingston County Drain Commissioner.

ARTICLE VI. SITE IMPROVEMENTS

6.1 There shall be a coordination of site improvements within the overall Property, with the objective of creating site improvements that are integrated and mutually supportive among the respective portions or phases of the development, including the utilities, landscaping and lighting.

6.2 A pedestrian network shall be constructed by HPS or its assigns on the east side of Latson, per Township standards.

6.3 Development shall be undertaken with underground electrical service to the buildings on the Property. Public utility lines in existing or future easements shall be permitted overhead so long as the buildings are serviced from underground.

6.4 The following site elements shall be provided:

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

- A. Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets.
- B. Extensive greenways and tree-lined drives shall be within parking lots and throughout the site to improve traffic operations and views
- C. Landscaping shall include all required plantings pursuant to section 12.02 of the Zoning Ordinance and as shown on the approved final PUD site plan.
- E. Ornamental lighting shall be provided along Latson Road right of ways consistent with other recent developments along the roadway.
- F. Ongoing maintenance and repair or replacement of site design elements, such as common landscaping, lighting, and joint freestanding signage shall be maintained by either the developer, or a lot owner, or association.
- G. The parking lot configuration, sizes and quantities of stalls, shall be accepted as shown on a final site plan as approved by the Township.

ARTICLE VII. DESIGN OF BUILDING AND SIGNS

- 7.1 The architecture, building materials, colors and shapes of all buildings shall be in substantial conformity with the guidelines set forth in the Genoa Township Zoning Ordinance, as adopted, and as it may be amended. It is the intention of the parties to promote and encourage a development that incorporates varying building lines, natural earth tone construction materials and other elements contemplated to upgrade the appearance of the development overall in the interest of making it aesthetically pleasing. Flat front roof facades shall be discouraged. Large walls shall include varying building lines, setbacks, color accents, windows or other elements to upgrade appearance. Each site plan will include a narrative or illustration(s) that demonstrates the design will be consistent with, or complement architecture of the other sites. Buildings shall utilize high quality architecture with variable building lines, peaked roofs and architectural accents. Brick facades or tilt up panels with brick shaped forms or other natural materials (i.e., brick, stone, etc.) shall be used for certain building faces.

Other materials may be used for architectural accents provided such materials shall have the appearance of cut or cast stone or stucco. Out parcel buildings shall have wall surfaces with at least eighty percent (80%) natural materials (i.e., brick, stone, etc.).
- 7.2 Signage: Freestanding signs for individual lots within the PUD shall be ground mounted (monument) signs. No pole signs shall be permitted. All freestanding signs shall have a base constructed of materials that coordinate and are not inconsistent with the building, and other signs within the PUD. In addition, there shall be permitted one highway sign, such sign shall be a maximum of 200 square feet, shall not exceed thirty (30) feet in height and shall be permitted to advertise users in the project. Each individual lot within the PUD shall be limited to monument signs no taller than 6 feet and no larger than 72 square feet in area. All wall signs shall have channel lettering or individual letters (not panels). All freestanding lighted signs shall be internally lit. Additional wall, highway and other signs shall be permitted as authorized in the Zoning Ordinance.
- 7.3 Landscaping and site lighting: The landscaping within the PUD shall demonstrate consistency in terms of design and materials. Generally, site lighting shall be a uniform

type and color. All ornamental lighting shall be of the same style as nearby non-residential PUDs.

ARTICLE VIII. UTILITIES

- 8.1 Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Property at no cost to HPS its successors and assigns.
- 8.2 Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Property currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Property. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Property.
- 8.3 No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph 8.2 above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Property. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Property and that the Grand River sewer is the only present sewer capacity constraint for the Property. Notwithstanding the above and except as provided in subparagraph 8.1 above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Property.

ARTICLE IX. MISCELLANEOUS

- 9.1 This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement, which consent shall not be unreasonably withheld. HPS and the Township shall be entitled to modify, replace or amend this Agreement without the consent of any other person or entity, regardless of whether such person or entity now or hereafter has any interest in any part of the Property, including subsequent purchasers, or their tenants, mortgagees, or others.
- 9.2 Reference in this Agreement to activities by HPS in relation to development is intended to include HPS's transferees and assigns unless context dictates to the contrary.
- 9.3 In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PUD Plan), the provisions of the Real Property Benefits Agreement between the parties dated April 10, 2012, the Agreement to Transfer Real Property between the parties, dated March 26, 2012, the provisions of the Zoning Ordinance, or other Township ordinances, rules or regulations, order of priority shall be: (1) the terms of the Real Property Benefits Agreement; (2) this Agreement; (3) the

04-21-14 Draft

(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

Agreement to Transfer Real Property; and (4) the Township's Zoning Ordinance or other Township ordinances, rules or regulations.

- 9.4 In the event a portion of the Property is submitted for site plan approval, and such approval is denied, the party submitting such site plan shall be entitled to appeal such decision to the Zoning Board of Appeals as provided by law, and all parties shall agree to proceed expeditiously to final resolution.
- 9.5 The undersigned parties acknowledge that the conditions imposed upon the development of the property are reasonable conditions necessary to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Further, it is acknowledged that the conditions meet all of the requirements of MSA 5.2963(16d)(2)(a)(b) and (c).
- 9.6 Until the Property is fully developed, each site plan applicant shall be responsible following Township approval of the respective site plan, plat and/or site condominium presented to the Township to superimpose the approved plan of development upon the overall PUD plan to clearly illustrate the final development plan for each portion of the Property.
- 9.7 Minimum dimensional standards shall be as described in Exhibit C.

Exhibit List

- Exhibit A: Cover/Existing Conditions Sheet
- Exhibit B: PUD Concept Plan
- Exhibit B-1: Concept Plan Option B
- Exhibit B-2: Concept Plan Option C
- Exhibit B-3: Concept Plans Programming Detail
- Exhibit C: Use Table
- Exhibit D: Real Property Agreement (dated 4-10-12)
- Exhibit E: Survey (dated 4-25-12)
- Exhibit F: Design Guidelines for Interchange Commercial from Master Plan

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04-21-14 Draft

(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting
April 21, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal and four persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Smith and supported by Mortensen to approve the consent agenda moving the Minutes to the regular agenda for discussion. The motion passed

1. Payment of Bills.

Approval of Regular Agenda:

Moved by Hunt and supported by Mortensen to approve for action all items listed under the regular agenda. The motion passed.

2. Request to Approve Minutes: April 21, 2014

Moved by hunt and supported by Smith to approve the April 21, 2014 minutes as presented. Further, Attorney Mancuso will be asked to review the passing of the motion without naming those who voted for or against. The motion passed.

3. Request for approval of the 2014-2015 Proposed Budget for the Howell Area Parks and Recreation Authority.

Moved by Smith and supported by Rowell to approve the proposed budget for Howell Parks and Recreation as submitted. The motion passed.

4. Introduction for a proposed rezoning of 14.57 acres of property (Ordinance Z-14-01) located at 1201 S. Latson Road (4711-09-100-036) from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 5, 2014.

Moved by Smith and supported by Rowell to introduce the proposed ordinance and to set a public hearing before the Township Board on Monday, May 5, 2014 for the purpose of considering the proposed zoning map amendment (Z-14-01) which involves the rezoning of 14.57 acres of land located at 2101 S. Latson Road (Parcel 4711-09-100-036) from rural Residential (RR) to Non-Residential (NR-PUD) for property also identified as the Latson Road Elementary School. The motion passed.

The regular meeting of the Genoa Charter Township Board was adjourned at 6:45 p.m.

**BOARD OF TRUSTEES
GENOA CHARTER TOWNSHIP
LIVINGSTON COUNTY,
MICHIGAN**

**NOTICE OF PROPOSED ZONING
MAP AMENDMENT
MAY 5, 2014**

Pursuant to Michigan Public Act 359 of 1947, (the Charter Township Act), notice is hereby given that the Genoa Charter Township Board will be considering an ordinance to amend the zoning map of the Charter Township of Genoa at 6:30 p.m. on Monday, May 5, 2014. The property proposed for rezoning is approximately 14.57 acres in Section 09, located at 1201 S. Latson Road, being Parcel No. 4711-09-100-036 and is requested to be rezoned from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD). The complete text of the proposed ordinance is available for public inspection at the Township Hall located at 2911 Dorr Road, Brighton, Michigan 48116, Monday through Friday from 9:00a.m. to 5:00p.m.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

POLLY SKOLARUS
TOWNSHIP CLERK

(04-27-2014 DAILY 192414)

ZONING/MASTER PLAN AMENDMENT FORM

Livingston County Planning Commission, 304 East Grand River, Suite 206, Howell, MI 48843-2323

TOWNSHIP CASE NUMBER 14-01 COUNTY CASE NUMBER Z-17-14

The Genoa Township Planning Commission is submitting the following amendment for review and comment.

REZONING (MAP AMENDMENT) Property description and location (attach a map of the proposed amendment as required by law).

Size: 14.57 acres Property tax identifier: 4711-09-100-036

Location: 1201 S. Latson Rd, Howell

Existing Zoning District is: Rural Residential Proposed Zoning District: Non-Residential PUD

Name of Petitioner: Howell Public Schools/Genoa Township Name of Property Owner: Howell Public Schools

Purpose of Change: Create Non-Residential Planned Unit Development

Existing Land Use: Vacant Former Elementary School

ZONING ORDINANCE TEXT AMENDMENT The following Article and Section to be amended:

Article Number: _____ Article Name: _____

Section Number: _____ Section Name: _____

Please attach a copy of the proposed zoning ordinance changes.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on Feb. 21, 2014 in the Livingston Daily Press
(not less than 15 days before the public hearing)

----- Newspaper, which has general circulation in the township. The Genoa Township Planning

Commission held a public hearing on March 10, 2014 to hear the views of the public on the proposed amendment.

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

MASTER PLAN

Adoption of new or revised plan Amendment (Section/Chapter) _____

Note: For all master plan cases, the municipality must submit a statement signed by the Planning Commission Secretary stating that all of the necessary legislative bodies have been sent copies of the proposed language/map, along with the name and address of each.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on the following days: _____ and _____
(not more than 30 or less than 20 days from the public hearing) (not more than 8 days from the public hearing)

in the _____ Newspaper, which has general circulation in the township.

The _____ Township Planning Commission held a public hearing on _____ to hear the views of the public on the proposed amendment.
(date)

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

TOWNSHIP PLANNING COMMISSION ACTION

The recommendation of the Township Planning Commission, at its meeting of March 10, 2014, was:
(date)

- Approval
- Disapproval
- Approval under the following conditions: (use additional sheets as necessary)


(Chair Signature)


(Secretary Signature)

LIVINGSTON COUNTY PLANNING COMMISSION ACTION

Date Received March 19, 2014
The Commission on the above meeting date took the following action:

Date of LCPC Meeting April 16, 2014

- Approval
- Approval with conditions stated in attachment
- Disapproval
- No action-encourage further review


(Chair Signature)


(Director Signature)

TOWNSHIP BOARD ACTION

Date of Meeting _____ The _____ Township Board at a legally constituted

meeting held on the above date PASSED PASSED WITH AMENDED LANGUAGE DID NOT PASS NO ACTION-ENCOURAGE FURTHER REVIEW the recommended change contained herein.

COPIES: White - County Planning Commission, Canary - Township Planning Commission, _____ (Township Clerk)
Pink - Township Clerk, Goldenrod - County Planning Commission



Livingston County Department of Planning

April 17, 2014

Genoa Charter Township Board of Trustees
c/o Polly Skolarus, Township Clerk
Genoa Charter Township Hall
2911 Door Road
Brighton, MI 48116

Kathleen J. Kline-Hudson
AICP, PEM
Director

Re: Planning Commission Review of Rezoning Z-17-14

Robert A. Stanford
AICP, PEM
Principal Planner

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, April 16, 2014 and reviewed the rezoning amendment referenced above. The Livingston County Planning Commissioners made the following recommendation:

Scott Barb
PEM
Principal Planner

Z-17-14 Approval. The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north and west of the site. NR-PUD zoning is more appropriate for this site than current RR Rural Residential zoning due to the recent changes in planning and zoning surrounding the I-96/Latson Road Interchange area.

Copies of the staff review and draft Livingston County Planning Commission meeting minutes are enclosed. Do not hesitate to contact our office should you have any questions regarding these county actions.

Sincerely,

Kathleen J. Kline-Hudson
Director

Enclosures

c: Doug Brown, Chair Genoa Charter Township Planning Commission
Kelly VanMarter, Assistant Township Manager/Community Development
Director, Genoa Charter Township

Meeting minutes and agendas are available at:
<http://www.livgov.com/plan/Pages/agendas.aspx>

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

(517) 546-7555
Fax (517) 552-2347

Web Site
co.livingston.mi.us

and can't be grown in each zone. Director Kline-Hudson stated she would have to check the zoning ordinance to be sure.

Public Comment: None.

Commissioner Action: IT WAS MOVED BY COMMISSIONER KENNEDY-CARRASCO TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER ANDERSON.
All in favor, motion passed. 5-1 (Sparks – Nay)

D. Z-17-14 GENOA CHARTER TOWNSHIP: REZONING.

Current Zoning: RR Rural Residential

Proposed Zoning: NR-PUD Non Residential Planned Unit Development

Proponents: Howell Public Schools and Genoa Charter Township/ Howell Public Schools

TOWNSHIP MASTER PLAN: The Genoa Township Master Plan adopted in 2013 was enhanced with an I-96/ Latson Road Subarea Plan to specifically guide development surrounding the new interchange. The subarea plan states that land on the east and west side of Latson Road between I-96 and Grand River Avenue is planned for Regional Commercial. The Regional Commercial designation includes higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market.

Uses include big box retail, large shopping centers, restaurants (including fast-food) and automobile service centers. Such land uses rely on higher traffic volumes and easy access via a major arterial or highway. Development within such areas should occur within a planned, integrated commercial setting. Site design for these uses should include high quality architectural and landscape design with parking areas and access points that promote safe and efficient circulation throughout the site. The location of this land use designation shall be focused along the Grand River Avenue corridor between Latson Road and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center.

COUNTY COMPREHENSIVE PLAN: The Livingston County Comprehensive Plan (as amended) designates this site as Residential and Howell-Brighton Growth Corridor. The Plan describes these designations as follows:

Residential - Residential areas are located mainly in the southeast quadrant of the county. This quadrant has had the largest number of new residents move in over the last decade, and is the most built out area of the county. Over 40% of the county's population lived in Residential areas in 2000. It is characterized by fairly dense residential, commercial, and to some extent industrial development, although less dense and intense than uses found in the cities and villages. Residential areas are not without their rural character and scenic vistas. However, few agricultural lands in Residential areas are expected to exist twenty years from now. New residential developments in these areas should be compact and make the best use of sewer and water if it is available, and cluster projects should be utilized when appropriate to preserve open space and scenic vistas. Projects such as planned unit developments that are not feasible in Cities/Villages or Primary Growth Areas because of parcel size or similar restrictions should be channeled into Residential areas. Limited commercial and industrial growth is appropriate.

Howell-Brighton Growth Corridor – This growth area identifies a particular section of the Grand River Avenue corridor between the City of Howell and the City of Brighton. This Plan recognizes the considerable growth that has occurred in this area in the last decade, and that the corridor will continue to

develop over the life of this Plan. The uses are mixed: commercial uses, which include everything from mom-and-pop convenience stores to big-box retailers; office and service establishments; a variety of industrial uses; and recently, fairly dense housing developments, such as attached condominiums and apartment complexes. Established residential neighborhoods are also found along the corridor.

The Howell-Brighton Growth Corridor is a unique area of the county. While the corridor could be interpreted as a logical extension of the two cities because of the infrastructure and types of uses present, the corridor could also be considered suburban sprawl that generates congestion and competes with traditional downtowns. The reality is probably somewhere in between, which warrants this special designation on the Generalized Future Land Use Map.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended APPROVAL of this rezoning at their March 10, 2014 meeting. There were no comments from the public during the public hearing portion of the meeting.

Staff Recommendation: Approval. The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north and west of the site. NR-PUD zoning is more appropriate for this site than current RR Rural Residential zoning due to the recent changes in planning and zoning surrounding the I-96/Latson Road Interchange area.

Commission Discussion: None.

Public Comment: None.

Commissioner Action: IT WAS MOVED BY COMMISSIONER HUBERT TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER CLUM.

All in favor, motion passed. 6-0

E. Z-18-14 MARION TOWNSHIP - PROPOSED AMENDMENTS TO ZONING ORDINANCE: Amendments to Article XVI Special Use Permits and Article III Definitions.

The Marion Township Planning Commission proposes to revise Article XVI: Special Use Permits.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of the text amendment at their February 25, 2014 meeting. There were no public comments at the public hearing.

Staff Recommendation: Approval. The proposed text amendments are straightforward, apply no undue hardship on the public or prospective applicant and make excellent planning sense.

Commission Discussion: Commissioner Sparks why the responsibility for final approval of Special Use Permits moved from the Planning Commission to the Board of Trustees. Principal Planner Stanford stated that Marion Township would like the Planning Commission and the Board to have a dual role in this decision-making process with final approval by the Board. The Township wanted to clarify the Township Board's role in this process.

Public Comment: None.

LIVINGSTON COUNTY PLANNING DEPARTMENT – ZONING REVIEW

CASE NUMBERS: COUNTY: Z-17-14 TWP: 14-01	LOCATION: Genoa Charter Township SECTION NUMBER: 9 TOTAL ACREAGE: 14.57 Acres	APPLICANT/OWNER: Howell Public Schools and Genoa Charter Township/ Howell Public Schools
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<p>CURRENT ZONING: Rural Residential RR</p> <p>PERMITTED/SPECIAL USES (Not all inclusive): Permitted: Single family detached dwellings; accessory home occupations; accessory uses, buildings and structures; keeping of pets; accessory keeping of equine and livestock; adult foster care family home; foster family home; family day care home; essential public services; publicly owned parks; and private non-commercial parks. Special: Bed and breakfast inns; adult foster care small group home; group day care home; places of worship; elementary schools; essential public service/utility buildings; public buildings and uses; and golf courses without driving ranges.</p> <p>MINIMUM LOT AREA: 2 Acres</p>	<p>REQUESTED ZONING: Non-Residential PUD</p> <p>PERMITTED/SPECIAL USES (Not all inclusive): Permitted and Special: All uses permitted by right or by special land use approval in the Commercial, Office and Public and Recreational Facilities Districts (NSD, OS, GCD, RCD and PRF) are permitted by right or special use under the NR-PUD. Permitted uses shall also include Manufacturing Research or Research and Development Uses, defined as low intensity industrial uses that include a large office or laboratory component and that manufacture, package, assemble or treat finished or semi-finished products from previously prepared material but do not process raw materials. There are 20 exceptions to the list of permitted uses noted in Section 10.03.05 (c).</p> <p>MINIMUM LOT AREA: 20 Acres – minimum lot area may be reduced for sites served by public water and sewer.</p>
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<p>CURRENT ZONING MAP: (also see last page of review)</p> 	<p>EXISTING LAND USE MAP: (also see last page of review)</p> 
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<p>LOCATION: The property is located at 1201 S. Latson Road, on the east side of Latson Road just north of the I-96 interchange.</p> <p>LAND USE: Former Latson Road Elementary School</p>	<p>ESSENTIAL FACILITIES: SANITARY SEWER: Municipal sewer WATER SUPPLY: Municipal water ACCESS ROAD(S): Latson Road – paved primary road</p>
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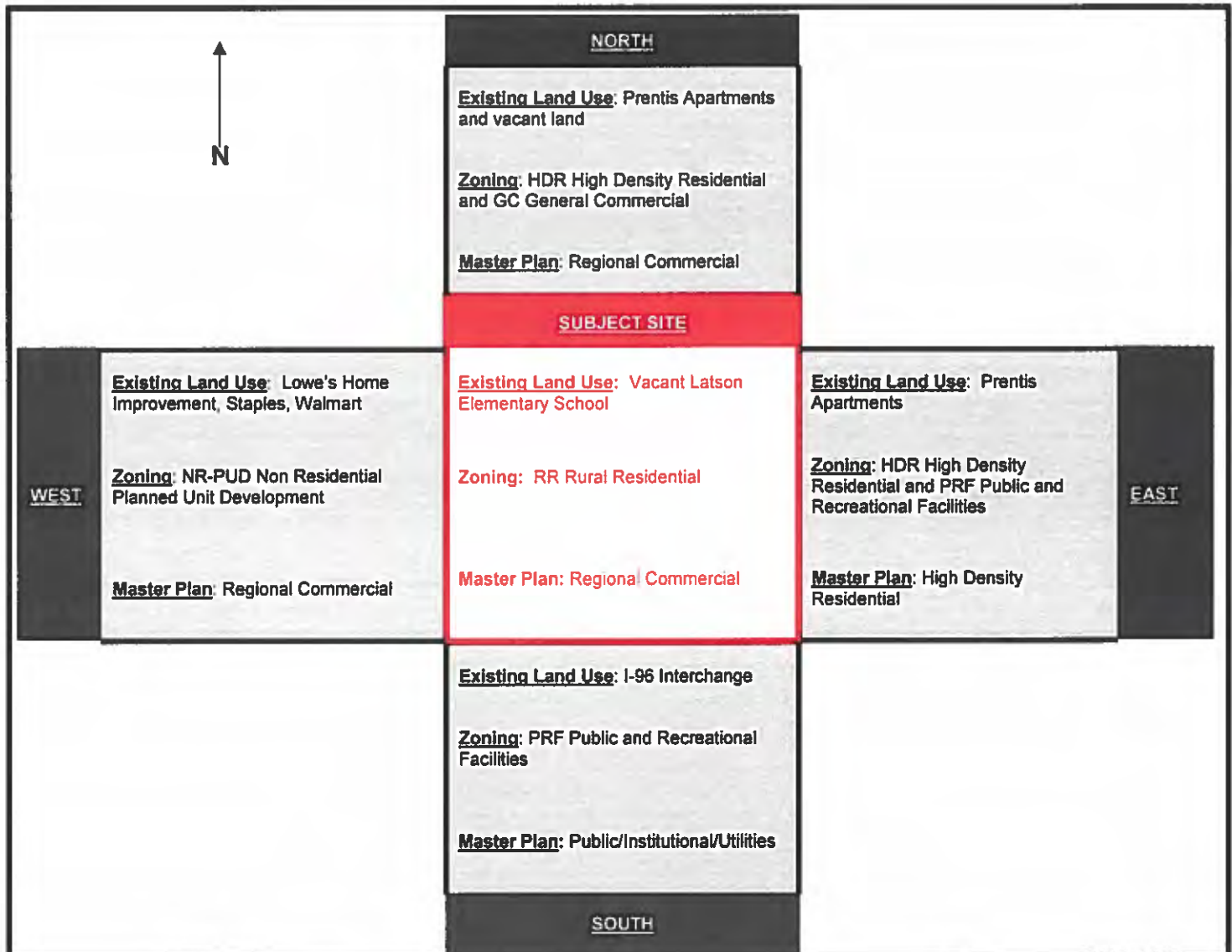
TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:

The Genoa Charter Township Planning Commission recommended APPROVAL of this rezoning at their March 10, 2014 meeting. There were no comments from the public during the public hearing portion of the meeting.

ENVIRONMENTAL CONDITIONS:

Soils/Topography:	The Livingston County Soil Survey indicates that the entire site consists of Miami Loam soils that are well drained and suitable for nonfarm development. The topography of the site is gently rolling with 2-6% slopes.
Wetlands:	The National Wetland Inventory indicates that there are no wetlands located on the site.
Vegetation:	The subject site contains some minor landscaping.
Natural Areas:	According to Livingston County's High-Quality Natural Areas study, the site does not contain Priority 1, 2 or 3 natural areas.

CURRENT LAND USE, ZONING, AND MASTER PLANNING MATRIX: The graphic below provides a general overview of the existing uses, zoning and future land use designations of the subject site and the immediately adjacent parcels.



TOWNSHIP MASTER PLAN:

The Genoa Township Master Plan adopted in 2013 was enhanced with a I-96/ Latson Road Subarea Plan to specifically guide development surrounding the new interchange. The subarea plan states that land on the east and west side of Latson Road between I-96 and Grand River Avenue is planned for Regional Commercial. The Regional Commercial designation includes higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market. Uses include big box retail, large shopping centers, restaurants (including fast-food) and automobile service centers. Such land uses rely on higher traffic volumes and easy access via a major arterial or highway. Development within such areas should occur within a planned, integrated commercial setting. Site design for these uses should include high quality architectural and landscape design with parking areas and access points that promote safe and efficient circulation throughout the site. The location of this land use designation shall be focused along the Grand River Avenue corridor between Latson Road and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center.

COUNTY COMPREHENSIVE PLAN:

The Livingston County Comprehensive Plan (as amended) designates this site as **Residential and Howell-Brighton Growth Corridor**. The Plan describes these designations as follows:

***Residential** - Residential areas are located mainly in the southeast quadrant of the county. This quadrant has had the largest number of new residents move in over the last decade, and is the most built out area of the county. Over 40% of the county's population lived in Residential areas in 2000. It is characterized by fairly dense residential, commercial, and to some extent industrial development, although less dense and intense than uses found in the cities and villages. Residential areas are not without their rural character and scenic vistas. However, few agricultural lands in Residential areas are expected to exist twenty years from now. New residential developments in these areas should be compact and make the best use of sewer and water if it is available, and cluster projects should be utilized when appropriate to preserve open space and scenic vistas. Projects such as planned unit developments that are not feasible in Cities/Villages or Primary Growth Areas because of parcel size or similar restrictions should be channeled into Residential areas. Limited commercial and industrial growth is appropriate.*

***Howell-Brighton Growth Corridor** – This growth area identifies a particular section of the Grand River Avenue corridor between the City of Howell and the City of Brighton. This Plan recognizes the considerable growth that has occurred in this area in the last decade, and that the corridor will continue to develop over the life of this Plan. The uses are mixed: commercial uses, which include everything from mom-and-pop convenience stores to big-box retailers; office and service establishments; a variety of industrial uses; and recently, fairly dense housing developments, such as attached condominiums and apartment complexes. Established residential neighborhoods are also found along the corridor.*

The Howell-Brighton Growth Corridor is a unique area of the county. While the corridor could be interpreted as a logical extension of the two cities because of the infrastructure and types of uses present, the corridor could also be considered suburban sprawl that generates congestion and competes with traditional downtowns. The reality is probably somewhere in between, which warrants this special designation on the Generalized Future Land Use Map.

COUNTY PLANNING STAFF COMMENTS:

The subject parcel was the former site of Latson Elementary School until its closure due to the nearby construction of the I-96 Interchange ramp. School buildings are still present on the land but they are in the process of being demolished (see site photos on following page of review). During past right-of-way negotiations with Howell Public Schools, Genoa Charter Township purchased a portion of the school property (5.95 acres) for the interchange and both parties agreed upon development details for the remaining acreage (the 14.5 acres in this rezoning petition) such as demolition of the school building, sewer and water REU's and preparation and petition of a PUD plan.

The conceptual NR-PUD plan for this site is based upon the PUD agreement for the Livingston Commons Phase 2 development which is located immediately west of the subject parcel. Potential uses include: commercial, office and multi-story retail/office buildings. The concept is flexible for a larger-scale retail or hotel/conference center. It would provide open space and landscaped parking on-site, and buffering and non-motorized connections for adjacent multi-family development. Entry to the site will be aligned with the new traffic signal on the north side of the interchange (see photos).

COUNTY PLANNING STAFF COMMENTS:

The qualifying conditions of a Genoa Charter Township Application for a PUD, and of Section 10.02 of the Genoa Township Zoning Ordinance, are paraphrased below with an explanation of how each condition has been addressed in this rezoning petition:

1. **A PUD zoning classification may be initiated only by a petition – A:** the submission of this rezoning petition.
2. **The type of PUD designation must be stated – A:** Non-residential Planned Unit Development (NRPUD)
3. **The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit – A:** Howell Public Schools owns the parcel
4. **The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows in A. – D. (applicable minimum lot size requirements shown).**
 - A. **The minimum area requirement may be reduced to five (5) acres for site served by both public water and public sewer.**
 - C. **The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:**
 - **Preservation of significant natural or historic features**
 - **A complementary mixture of uses or a variety of housing types**
 - **Common open space for passive or active recreational use**
 - **Mitigation to offset impacts**
 - **Redevelopment of a nonconforming site where creative design can address unique site constraints**

A: The property was formerly home to the Latson Elementary School, which was closed. The site has remained unoccupied for some time and the intent is to develop an under-utilized site. The property is served by public water and sewer and will provide a complementary mixture of non-residential uses with a higher level of building and site design (consistent with the Township Master Plan) than would otherwise be required under conventional zoning.

Additionally, four standards for rezoning to Planned Unit Development must be addressed in the Genoa Charter Township Application for a PUD or in an attached Impact Assessment. The petitioner's Impact Assessment addressed these standards as follows:

1. **How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area – A:** The Future Land Use map in the Master Plan designates this property as Regional Commercial. This site will be developed as a Planned Unit Development, which means specific uses are not yet known. However, potential uses include a gas station, retail, office, small hotel, and restaurants, which will complement the nearby uses planned across Latson Road and along Grand River Avenue. These uses are compatible with the Future Land Use of the property and nearby businesses.
2. **The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values – A:** Uses proposed for the portions of the property adjacent to the apartment complex are expected to have normal business hours that minimally impact the adjacent residential uses. Office hours of operation are expected to generally be 8AM – 6PM and retail from 9AM – 9PM. Those uses proposed for frontage on Latson Road further from the apartments, such as restaurants and a gas station, are expected to have later operating hours. Their proposed location along Latson Road is to minimize their impacts on the adjacent apartments, buffered by the less intensive uses proposed for the rear of the site. Exterior lighting will comply with current Township standards, while the nature of potential uses is compatible with surrounding development so as to limit other exterior impacts. The final site design will include appropriate buffering so as to mitigate any potential impacts on the adjacent multiple family development.
3. **The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the “health, safety and welfare” of the Township - A:** With the exception of costs and fees exempted by the Real Property Benefits Agreement (between the Township and Howell Public Schools), it is anticipated that the new development will support its fair share of these service costs through appropriate taxing methods. The smaller scale retailers, restaurants and office uses will impact parks, schools, and roads on a minimal basis. The development will be served by public water and sewer systems currently located at the site. The existing systems have sufficient capacity for the anticipated development density. Reference is made to the South Latson Utility Study prepared by Tetra Tech on behalf of Genoa Township for anticipated impacts from the development on the municipal water and sanitary sewer systems.
4. **The apparent demand for the types of use permitted in the PUD – A:** This seems to be addressed in #1 above.

COUNTY PLANNING STAFF COMMENTS:

The Genoa Township Master Plan adopted in 2013 was enhanced with a I-96/ Latson Road Subarea Plan to specifically guide development surrounding the new interchange. The subarea plan states that land on the east and west side of Latson Road between I-96 and Grand River Avenue is planned for Regional Commercial and will be rezoned for a mixed-use PUD (NR-PUD). The plan further states that a NR-PUD should include the following:

- A diversified mixture of uses that may include commercial and office/research and development.
- A mixture of uses that will diversify traffic generated from the site by spreading out the peak hour over times that minimize impact to the interchange's peak hour traffic.
- Access management that will minimize the number of driveways and protect the efficiency of traffic flow along Latson Road between the interchange and Grand River Avenue.
- Distinct and prominent architectural features of enhanced character, which reflect the importance of the site's location and create a positive visual landmark for this gateway to the community.
- Extensive landscaping along Latson Road and Grand River Avenue to enhance the appearance of these corridors and the gateway to the community.
- Uniformity in design through coordination of architectural styles, landscaping, ornamental lighting, pedestrian circulation and vehicular access.

The conceptual NR-PUD plan for this site accomplishes the first three of these master plan considerations with its proposed mixture of restaurants, gas stations, and retail/office uses with a diversity of operation hours and plans for site access at the new traffic light north of the I-96 Interchange. The remaining three master plan considerations will be addressed in site plan review.

NR-PUD rezoning of the property is also consistent with surrounding NR-PUD zoning to the west, and the proposed uses for this site will also complement the existing mixed uses to the west such as Lowe's, Staples and Walmart. The current zoning of RR Rural Residential is inconsistent with the changed landscape and usage of the Latson/I-96 Interchange area. An NR-PUD rezoning is advantageous for this property due to the flexibility of the zoning tool and the control the Township has through this PUD process of negotiation.

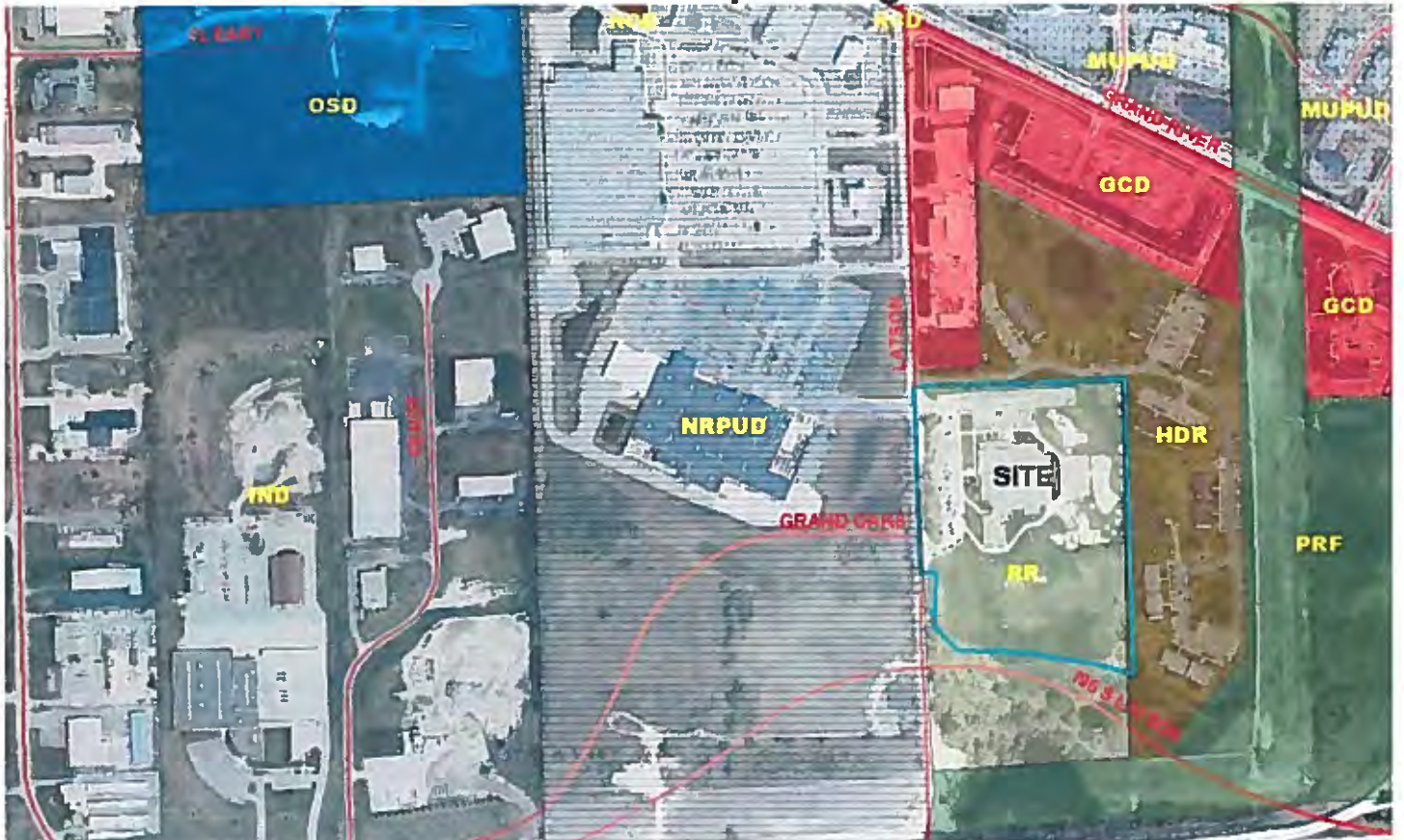
APPROVAL.

The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north and west of the site. NR-PUD zoning is more appropriate for this site than current RR Rural Residential zoning due to the recent changes in planning and zoning surrounding the I-96/Latson Road Interchange area.

Genoa Charter Township Land Use – Section 9



Genoa Charter Township Zoning – Section 9





**NORTH
SOUTH**



**NORTH AND EAST
WEST**



SITE



**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
MARCH 10, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Barbara Figurski, Eric Rauch, Dean Tengel, James Mortensen, Chairman Doug Brown, and John McManus. Also present were Kelly VanMarter, Township Manager, Brian Borden and Kathleen Duffy of LSL Planning and Gary Markstrom from Tetra Tech.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: **Motion** by Barbara Figurski to approve the agenda as submitted. The motion was supported by John McManus. **Motion carried unanimously.**

ELECTION OF OFFICERS: Kelly VanMarter asked for a motion to nominate officers. James Mortensen made a motion to continue the existing slate of officers in their current positions for an additional year. That slate is: Doug Brown as Chairman; Dean Tengel as Vice Chairman; and Barbara Figurski as Secretary. Support by Eric Rauch. **Motion carried unanimously.**

CALL TO THE PUBLIC: Chairman Brown made a call to the public at 6:35 p.m. with no response.

OPEN PUBLIC HEARING #1... Review of a rezoning application, PUD agreement, impact assessment, and conceptual PUD plan for approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.

Chairman Brown provided some background history and overview of this parcel.

Brian Borden made a presentation as it relates to the process ahead regarding this parcel. There are four components before the Planning Commission for recommendation this evening. A public hearing is required. Notification has been provided by Ms. VanMarter. Since there is re-zoning involved, that portion must go through Livingston County. The Board will have final approval authority and can execute the PUD agreement.

The site is approximately 14.5 acres and still contains the school building. It is currently zoned RR. The master plan adopted by the Board in 2013 identifies this site as regional commercial. This is consistent with the property nearby. It is proposed that the zoning become NR-PUD. The specific details will be detailed in the PUD agreement.

The conceptual PUD plan includes: commercial, office and multi-story retail/office buildings. The concept is flexible for larger-scale retail or hotel/conference center. The plan includes an interchange design guideline developed for Latson subarea in the master plan for both the site and buildings. It would provide buffering and non-motorized connections for adjacent multi-family development.

Under the ordinance, the following items must be considered: whether the site qualifies as a PUD and whether it meets the standards for a conceptual PUD plan. A list of the deviations sought was discussed by Brian Borden. In his opinion, the biggest deviation is signage.

Gary Markstrom did not have any additional information to provide. He worked with LSL and he had no concerns to address at this time. Chairman Brown asked if the Grand River sewer line was at capacity. Gary Markstrom indicated that is not correct. Kelly VanMarter indicated that was in the real property benefit paperwork. Gary Markstrom indicated that was the case at that point in time, but it is no longer the case. The real property benefit agreement does not need to be updated according to Kelly VanMarter.

James Mortensen asked about whether one gas station or two gas stations will be permitted. Brian Borden indicated that the language is "up to two." Kelly VanMarter indicated she would review the paperwork for consistency.

James Mortensen asked about a reference to Crooked Lake Road in computer page 55 of the packet. Kelly VanMarter indicated that was a draft and should not have been included in the packet.

References to the Drain Commission should be changed to reflect Drain Commissioner.

Section 9.6 was reviewed. The first sentence needs to be corrected to become a full sentence. The second sentence should be corrected to reflect the applicant superimpose - not the site.

The timing of the sidewalk installation was discussed. The ordinance does not have a requirement for a timeline. Kelly VanMarter indicated she is comfortable with it as written.

Kelly VanMarter indicated a letter from the Road Commission was included in the packet as computer page nine. Chairman Brown asked about the definition of spring lines. Mr. Markstrom indicated that it's the point where a curve ends.

There is no date on the environmental impact assessment plan. It was received on 2/14/14 per Kelly VanMarter. Chairman Brown asked whether any provisions were made with Howell Schools as to tap fees. Ms. VanMarter indicated that there was an agreement regarding tap fees. The environmental impact assessment should be redacted to reflect that.

Chairman Brown asked about the traffic impact study. It should reference the benefits agreement. Kelly VanMarter agreed.

Chairman Brown asked if the Township would be at risk if there was an accident such as a gas line explosion during the demolition of the school. Kelly VanMarter indicated the Township would not be at risk.

Chairman Brown made a call to the public at 7:23 p.m. No one wished to address the Board and the call to the public was closed.

Planning Commission disposition of petition

- A. Recommendation regarding Rezoning from RR to NR-PUD
- B. Recommendation regarding PUD Agreement (02-14-14)
- C. Recommendation regarding Environmental Impact Assessment (02-14-14)
- D. Recommendation regarding Conceptual PUD Plan (Exhibit B, 02-13-14)

Motion by James Mortensen to recommend to the Township Board that the parcel be re-zoned from RR to NR-PUD. This recommendation is made because the Planning Commission finds it meets the standards of section 10.02 of the Township Ordinance, is consistent with the master plan and is consistent with the zoning immediately to the west. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the PUD Agreement dated 2/14/14. Support by John McManus. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend to the Township Board approval of the Environmental Impact Assessment dated 2/14/14, subject to the changes discussed to sections six and nine. Support by James Mortensen. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the Conceptual PUD Plan dated 2/13/14. This recommendation is made because it meets the standards of section 10.02 of the Township Ordinance, is consistent with the master plan and is consistent with the zoning immediately west. Support by Barbara Figurski. **Motion carried unanimously**

Administrative Business:

- *Staff report. Kelly VanMarter indicated that a meeting will be held in April. She gave a quick update to several projects that are ongoing.*



MEMORANDUM

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

TO: Planning Commission
FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director
DATE: March 6, 2014
RE: Howell Public Schools Latson Elementary Rezoning

Dear Commissioners,

As many of you know, the Township was responsible to acquire all of the right-of-way land for the Latson Road Interchange Project. Negotiating with Howell Public Schools to procure part of the Latson Road Elementary School property was one of the most challenging of the endeavor. Not wanting to evoke eminent domain nor enter into lengthy and costly condemnation litigation over the right-of-way, the Township and the School District with the assistance of the Livingston County Road Commission (LCRC) entered into an Alternative Dispute Resolution mediation process which was facilitated by local attorney Ken Burchfield.

Mediation with the interested parties occurred in January 2012 and ended in an agreement between both parties on February 8, 2012. Attached please find the February 8, 2012 Board meeting minutes and the executed Agreement between the Township Board and Howell Public Schools. In addition to the February 8th Agreement you may also wish to review the Real Property Benefits Agreement (the "Benefits Agreement") that is dated April 10, 2012. The Benefits Agreement is the official recorded agreement as executed at closing and can be found in the packet as "Exhibit D" to the PUD Agreement.

As required by the aforementioned Agreements and for your consideration at Monday's (March 10) Planning Commission meeting, petitions for a rezoning and other supplemental applications and information have been provided. The proposed zoning classification is Non-Residential Planned Unit Development (NR-PUD). As was negotiated, the land use provisions of the proposed PUD are based on the PUD Agreement for the Livingston Commons Phase 2 development which is located immediately west of the subject parcel.

I look forward to discussing this matter with you on Monday and I welcome any questions or comments you may have in this regard.

Sincerely,

SUPERVISOR
Gary T. McCririe

CLERK
Paulette A. Skolarus

TREASURER
Robin L. Hunt

MANAGER
Michael C. Archinal

TRUSTEES
H. James Mortensen
Jean W. Ledford
Todd W. Smith
Linda Rowell

**GENOA CHARTER TOWNSHIP
BOARD OF TRUSTEES/ HOWELL AREA SCHOOLS
JOINT MEETING
FEBRUARY 8, 2012**

MINUTES

Supervisor McCririe called the Special Meeting of the Genoa Charter Township Board to order at 7:00 p.m. at the Livingston County Road Commission Building located at 3577 Grand Oaks Drive, Howell, and MI. The Howell School Board convened concurrently. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Steve Wildman, Robin Hunt, Todd Smith, Jean Ledford and Jim Mortensen. Also present were Township Manager Michael Archinal, Planning Director Kelly VanMarter and approximately 16 persons in the audience.

A Call to the Public was made with no response.

Approval of Agenda: Moved by Wildman, supported by Mortensen to approve the agenda as presented. The motion carried unanimously.

- 1. Discussion regarding the Latson Interchange Project and the purchase of property from Howell Area Schools to advance the construction of the interchange with and agreement related to same.**

McCririe stated that the board would continue discussion after the Howell School Board reconvenes from closed session. McCririe stated that the board members have the agreement before them, please review and if they have any questions, please discuss them at the time of the hearing of item #1.

Mortensen questioned what the Township's responsibility would be if the Howell School Board sold the property before the interchange is started. Supervisor McCririe stated that the agreement is for the conceptual PUD only and the fees are for preliminary not final engineering.

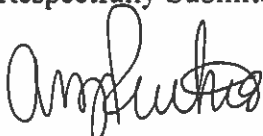
Moved by Smith and supported by Mortensen, to approve the Latson Interchange I-96 agreement between the Howell school Boards and the Genoa Charter Township with final attorney approval and the correction of 12 inches to 12 feet in regards to the signage. The agreement includes 12 items with highlights as follows:

- Genoa Township will pay \$315,000.00 for 5.95 acres on Latson Road
- The balance of the school property will be provided 22 REU's (residential equivalent users) for sewer and 20 REU's for water
- Five free REU's for sewer and seven REU's for water
- A joint preparation and petition for the future conceptual PUD plan
- Demolition of the school is agreed upon

The motion carried unanimously.

Moved by Smith, Supported by Wildman, to adjourn the meeting at 7:55 p.m. The motion carried unanimously.

Respectfully Submitted:



Amy Ruthig, Secretary

**LATSON ROAD / I-96 INTERCHANGE AGREEMENT
BETWEEN THE TOWNSHIP OF GENOA AND THE HOWELL PUBLIC SCHOOLS**

After extensive negotiations between **The Howell Public Schools** (“**Howell Schools**”) and the **Township of Genoa** (“**Genoa Township**”) the respective negotiating committees for the Howell Schools and Genoa Township (collectively the “**Parties**”) on this 8th day of February, 2012 have reached the following agreement concerning the sale and purchase of real property for the Latson Road / I-96 Interchange in Genoa Township, Livingston County, Michigan, as follows:

1. Genoa Township will pay in cash to Howell Schools \$315,000.00 for a portion of Howell School’s real property consisting of 5.95 acres (5.45 acres net of existing MDOT right-of-way) said real property being a part of a larger parcel commonly known as Latson Road Elementary School, 1201 S. Latson Road, Genoa Township, Michigan (the “**Acquired Parcel**”).

As additional non-cash consideration the **Remaining Parcel**, consisting of approximately 14.5 acres upon which the current Latson Road Elementary School is situated, will be provided in addition to the Remaining Parcel’s 22 REU’s for sewer and 20 REU’s for water, 5 free REU’s for sewer and 7 free REU’s for water.

2. The Livingston County Road Commission will provide at its cost the traffic signal which will include a “backside” for the traffic exiting from the Remaining Parcel. The traffic signal designation and description is more fully described in the Livingston County Road Commission – RLG Howell and GCG Howell Agreement to Transfer Property dated August 30, 2011 (“**Agreement to Transfer**”).

3. Other than the REU tap-in fee, there are currently no additional connection or capital fees charged by Genoa Township. However, fees required for engineering, inspection or by other local units of government will be the obligation of the owner of the Remaining Parcel. Genoa Township and Howell Schools agree that the Remaining Parcel will retain its current REU’s for sewer and water and the additional free REU’s. Any further additional REU’s will be at the current (2012) pricing which is \$5,000.00 per REU/water and \$5,500.00 per REU/sewer. The REU’s are assignable but only to the successor in title or interest of the Remaining Parcel.

4. The density, use and building heights will be as afforded to property owners RLG Howell and GCG Howell. The impervious surface percentage will be 85%. Retail uses up to 60,000 square feet will be permitted. One retail use up to 300,000 square feet will be permitted by right without special use permit. Additional uses over 60,000 square feet will be subject to special land use permits. The Remaining Parcel is granted two ground/monument signs the height, width and display portions of the signs are as depicted on Exhibit E (attached).

5. The parties agree to the joint preparation of a conceptual PUD Plan for the Remaining Parcel. Genoa Township agrees to waive Genoa Township administration fees, including the fees for its planning commission. However, outside engineering and outside planning and consultant fees charged for the development and preparation of the conceptual PUD Plan will be shared equally by the parties.

6. The parties agree to submission of a joint petition for the conceptual PUD Plan but subject to the same limitation for the payment of outside consulting fees as set forth in paragraph 5 above. Genoa Township will amend its Master Plan to accommodate the expected future use of the Remaining Parcel with a designation for the Remaining Parcel of NR/PUD. The Remaining Parcel will be permitted to make "adjustments" provided the adjustment(s) will not alter the land use designation or increase the intensity and/or density of use. All development shall be subject to final PUD site plan and land division approval. Thereafter, no modification will be permitted which will *substantially* increase the impact upon adjoining properties or facilities without Genoa Township approval.

7. The parties agree to jointly submit and obtain recommendation for the PUD Plan for the Remaining Parcel from the Livingston County Planning Commission.

8. The Acquired Parcel (whether designated as 5.45 acres or 5.95 acres) will be subject to a reversionary interest in favor of the Howell Schools, but further subject to a claw back provision of the cash consideration paid by Genoa Township for the Acquired Parcel. The claw back amount shall be subject to a cash retention credit to the Howell Schools not to exceed \$40,000.00. The actual amount of the cash retention credit will be reduced by the actual costs paid by Genoa Township to outside engineering and/or planning consultants in developing the conceptual PUD Plan for the Remaining Parcel. If the costs paid by Genoa Township should be in excess of \$40,000.00 any additional costs over \$40,000.00 are not recoverable by Genoa Township.

9. The parties agree to the continued use of a communication tower on the Remaining Parcel which can be relocated on the Remaining Parcel by the owner, but in no event can the height of the tower be increased above the communication tower's current height of 100 feet.

10. The parties agree that the demolition of the school, in whole or in part, and the demolition of related structures on the Remaining Parcel may proceed without Genoa Township objection.


11. The costs of the acceleration/deceleration lanes will be the obligation of MDOT up to the "spring lines" on the north side of the I-96 Interchange. The costs of the "extension" of these lanes will be subject to further negotiations between MDOT and the Livingston County Road Commission. The Livingston County Road Commission agrees to provide advance notice to Howell Schools of any and all planning and pre-construction meetings and to invite Howell Schools to participate and influence decisions in this regard. It is understood however that although Howell Schools will be permitted to have a voice at these meetings, it will not be empowered to vote on final decisions. It is further understood by the parties that the owner/occupant of the Remaining Parcel may be required at its expense to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

12. The entry way width to the Remaining Parcel will not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel development will not be reduced by the width of the entry way drive.

The undersigned negotiating committees for Genoa Township and Howell Schools have signed this Agreement in duplicate original the date first above written.

HOWELL PUBLIC SCHOOLS


By Its Negotiating Committee



RON WILSON



RICK TERRES



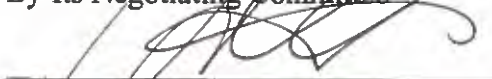
MIKE WITT



ANN ROUTT

TOWNSHIP OF GENOA

By Its Negotiating Committee



GARY McCRIRIE



KELLY VanMARTER

Approved as to Livingston County Road
Commission Representations

By: 

MICHAEL CRAINE
Its: Managing Director

Exhibit E

TOWNSHIP

WAL★MART
SUPERCENTER

STAPLES
The Office Superstore

BENNIGAN'S

**White
Castle**

LOTA

LOTH

LOTI

6'

6'

12"

4'

27'4"

16' 8"

4'2"
Typical

Kelly VanMarter

From: Mike Craine <mcraine@livingstonroads.org>
Sent: Wednesday, March 05, 2014 2:27 PM
To: Kelly VanMarter; Jodie Tedesco
Cc: FMancuso; Kathleen Duffy (duffy@lslplanning.com); borden@lslplanning.com
Subject: RE: Latson Elementary - Grand Oaks Driveway Width
Attachments: Grnd_Oks_Latson_El_Grades.pdf

Kelly,

Attached is the detail grades sheet for the intersection of Grand Oaks/Latson ES with Latson Road. It was constructed in accordance with the plans and conforms to the agreement.

MC

From: Kelly VanMarter [<mailto:Kelly@genoa.org>]
Sent: Wednesday, March 05, 2014 12:39 PM
To: Mike Craine; Jodie Tedesco
Cc: FMancuso; Kathleen Duffy (duffy@lslplanning.com); borden@lslplanning.com
Subject: Latson Elementary - Grand Oaks Driveway Width

Mike/Jodie,

As negotiated during facilitation with Howell Public Schools to obtain the Right-of-Way for the interchange the Township and Howell Public Schools approved the attached Real Property Benefits Agreement.

LCRC was not a party to the attached agreement but was involved in the process.

The Township is (finally) in the process of rezoning the property to a Planned Unit Development (PUD) Zoning which is scheduled to go before the Planning Commission on Monday, March 10th, 2014. There is one provision in the agreement that requires the Township to obtain LCRC approval. The statement is item 3 in the attached and is copied below:

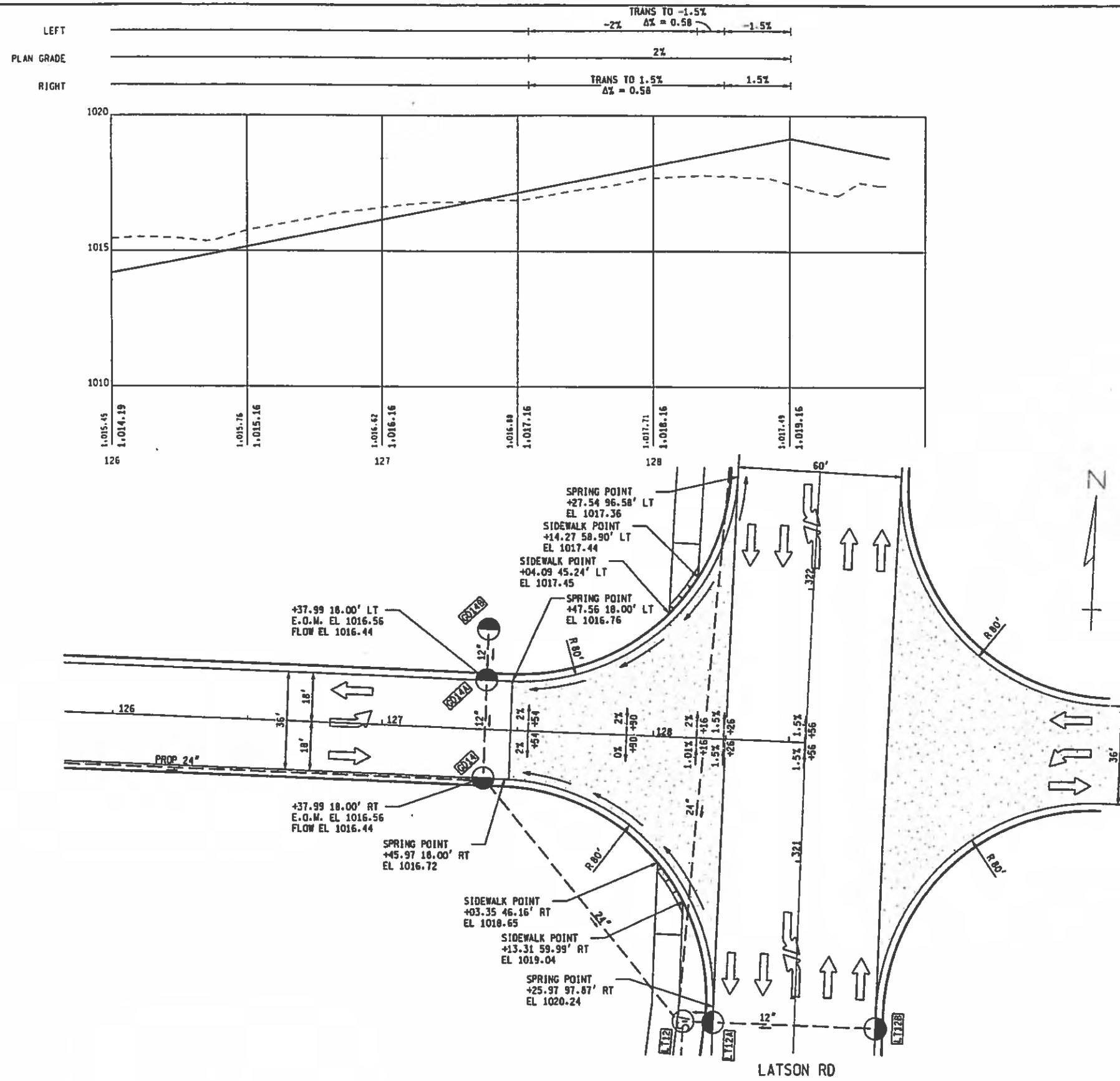
Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive

I'm hoping that I can obtain a letter from the LCRC granting consent for the width of the driveway which is to be aligned with Grand Oaks Drive to be equal to or less than the width of the newly constructed Grand Oaks Drive.

Please let me know at your earliest convenience if this is something you can provide.

Thank you!!

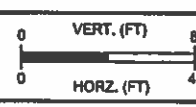
Kelly VanMarter, AICP
Assistant Township Manager/Community Development Director



GRAND OAKS RD

LATSON RD

AS-LET PLAN REVISIONS							
NO.	DATE	AUTH	DESCRIPTION	NO.	DATE	AUTH	DESCRIPTION



DATE: 08/29/12
 DESIGN UNIT: KIRBY
 TSC: BRIGHTON
 FILE: 101612 DETGRD 007.dgn

CS:
 JN: 101621A, 113283A

I-96 AT LATSON RD INTERCHANGE
 DETAIL GRADES
 GRAND OAKS ROAD AT LATSON ROAD

DRAWING	SHEET
LATSON	SECT 1
DETGRD	007
007	253

GENOA TOWNSHIP
APPLICATION FOR REZONING

APPLICANT NAME: Genoa Township ADDRESS: 2911 Dorr Rd, Brighton, MI 48116

OWNER NAME: Howell Public Schools ADDRESS: 411 N Highlander Way, Suite C,
Howell, MI 48843

TELEPHONE: (810) 227 - 5225 PARCEL #(s): 11-09-100-011

We, the undersigned, do hereby respectfully make application to and petitioned the Township Board to amend the Township Zoning Ordinance and change the zoning map of the township of Genoa as hereinafter requested, and in support of this application, the following facts are shown:

A. REQUIRED SUBMITTAL INFORMATION

1. a legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties;
2. the name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
3. It is desired and requested that the foregoing property be rezoned from:

- RR to NRPUD
4. a site analysis site plan illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, steep sloped, drainage patterns, views, existing buildings, any sight distance limitations and relationship to other developed sites and access points in the vicinity;
 5. a conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
 6. A written environmental assessment, a map of existing site features as described in Article 18 describing site features and anticipated impacts created by the host of uses permitted in the requested zoning district;
 7. a written description of how the requested rezoning meets Sec. 22.04 "Criteria for Amendment of the Official Zoning Map".
 8. The property in question shall be staked prior to the Planning Commission Public Hearing.

B. DESCRIBE BELOW HOW YOUR REQUESTED REZONING MEETS THE ZONING ORDINANCE CRITERIA FOR AMENDING THE OFFICAL ZONING MAP.

1. How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted?

The Township Master Plan identifies the property as Regional Commercial. The proposed NRPUD designation, along with the terms of the PUD Agreement, will better implement the goals and objectives of the Master Plan than the current RR designation.

2. Are the site's physical, geological, hydrological and other environmental features suitable for the host of uses permitted in the proposed zoning district?

As a previously developed site, the property is suitable for redevelopment as proposed via the PUD option.

3. Do you have any evidence that a reasonable return on investment cannot be received by developing the property with one (1) of the uses permitted under the current zoning?

Since the school closed and was decided not to be repurposed for institutional purposes, the RR designation is no longer appropriate for this site. This is acknowledged by the Township Master Plan designation of Regional Commercial.

4. How would all the potential uses allowed in the proposed zoning district be compatible with surrounding uses and zoning in terms of views, noise, air quality, the environment, density, traffic impacts, drainage and potential influence on property values?

Potential uses are restricted by both the Zoning Ordinance and PUD Agreement for the property. The host of uses anticipated are consistent with the commercial character along this portion of Latson Road to the west and further north towards Grand River Avenue.

5. Is the capacity of the infrastructure (streets, sanitary sewer, water, and drainage) and services (police and fire protection, etc.) sufficient to accommodate the uses permitted in the requested district?

As a previously developed site, the capacity of infrastructure is expected to be sufficient to support redevelopment under the NRPUD. The Real Property Agreement between the Township and Schools provides confirmation.

6. Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district? If yes, explain how this site is better suited for the zoning than others which may be planned or zoned to accommodate the demand.

Given the recent construction of a new interchange along a major highway, conditions in this area have changed. The placement of the property between the new interchange and Grand River Avenue, as well as the Master Plan designation, demonstrates the need to consider commercial and service uses, as opposed to rural residential (or institutional).

7. If you have a particular use in mind, is there another zoning district where your use is permitted that may be more appropriate? Why should the Township rezone the land rather than amending the list of uses allowed in another zoning district which could also accommodate your intended use?

The NRPUD provides more flexibility for redevelopment of the site, while also providing the Township with more control over how this occurs, than does conventional zoning.

8. Describe any deed restrictions which could potentially affect the use of the property.

There are no deed restrictions impacting redevelopment of the property; however, future uses and how the site redevelops will be subject to the restrictions of the PUD Agreement, which will provide the Township with additional oversight.

C. Affidavit

The undersigned says that they are the representative (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: [Signature] Kelly VanMarter
ADDRESS: 2911 Dorr Rd., Brighton 48116

SIGNATURE

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

1.) Genoa Township of _____ at (____) _____
Name Business Affiliation Fax No.

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

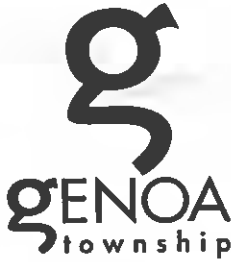
PROJECT NAME: _____ NA _____

PROJECT LOCATON & DESCRIPTION: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____ PHONE: _____

COMPANY NAME & ADDRESS: _____



GENOA CHARTER TOWNSHIP APPLICATION Planned Unit Development (PUD)

APPLICANT NAME: Genoa Township (Kelly VanMarter, Asst. Township Manager)

APPLICANT EMAIL: kelly@genoa.org

APPLICANT ADDRESS & PHONE: 2911 Dorr Rd, Brighton, MI 48116, (810)227-5225

OWNER'S NAME: Howell Public Schools

OWNER ADDRESS & PHONE: 411 N Highlander Way, Suite C, Howell, MI 48843
()

TAX CODE(S): _____

QUALIFYING CONDITIONS (To be filled out by applicant)

1. A PUD zoning classification may be initiated only by a petition.
2. It is desired and requested that the foregoing property be rezoned to the following type of PUD designation:
 - Residential Planned Unit Development (RPUD)
 - Planned Industrial District (PID)
 - Mixed Use Planned Unit Development (MUPUD)
 - Redevelopment Planned Unit Development (RDPUD)
 - Non-residential Planned Unit Development (NRPUD)
 - Town Center Planned Unit Development (TCPUD)
3. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.

EXPLAIN Howell Public Schools owns the parcel as described in the real property agreement with Genoa Township dated April 10, 2012.

4. The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows:
 - A. The minimum area requirement may be reduced to five (5) acres for sites served by both public water and public sewer.
 - B. The minimum lot area may be waived for sites zoned for commercial use (NSD, GCD or RCD) where the site is occupied by a nonconforming commercial, office or industrial building, all buildings on such site are proposed to be removed and a new use permitted within the underlying zoning district is to be established. The Township Board shall only permit the PUD on the smaller site where it finds that the flexibility in dimensional standards is necessary to allow for innovative design in redeveloping the site and an existing blighted situation will be eliminated. A parallel plan shall be provided showing how the site could be redeveloped without the use of the PUD to allow the

Planning Commission to evaluate whether the modifications to dimensional standards are the minimum necessary to allow redevelopment of the site, while still meeting the spirit and intent of the ordinance.

- C. The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:
- preservation of significant natural or historic features
 - a complementary mixture of uses or a variety of housing types
 - common open space for passive or active recreational use
 - mitigation to offset impacts
 - redevelopment of a nonconforming site where creative design can address unique site constraints.
- D. The site shall be served by public sewer and water. The Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department shall be met.

Size of property is 14.57 acres.

DESCRIBE BELOW HOW THE REQUESTED PUD DESIGNATION COMPLIES WITH AFOREMENTIONED MINIMUM LOT SIZE REQUIREMENTS.

The property was formerly home to the Latson Elementary School, which was closed. The site has remained unoccupied for some time and the intent is to redevelop an under-utilized site. The property is served by public water and sewer and will provide a complementary mixture of non-residential uses with a higher level of building and site design (consistent with the Township Master Plan) than would otherwise be required under conventional zoning.

STANDARDS FOR REZONING TO PLANNED UNIT DEVELOPMENT (RESPOND HERE OR WITHIN THE IMPACT STATEMENT)

1. How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

Response within impact statement

2. The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;

Response within impact statement

3. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township;

Response within impact statement

4. The apparent demand for the types of uses permitted in the PUD;

Response within impact statement

AFFIDAVIT

The undersigned says that they are the representative (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: [Signature] Kelly VanMarter
ADDRESS: 2911 Dorr Rd., Brighton 48116

Contact Information - Review Letters and Correspondence shall be forwarded to the following:
1.) Genoa Township of _____ at _____
Name Business Affiliation E-mail



FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

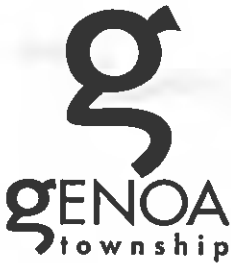
PROJECT NAME: _____ NA

PROJECT LOCATON & DESCRIPTION: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____ PHONE: _____

COMPANY NAME & ADDRESS: _____



GENOA CHARTER TOWNSHIP APPLICATION Site Plan Review

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: Genoa Township 2911 Dorr Rd, Brighton, MI 48116
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: Howell Public Schools 411 N Highlander Way, Suite C, Howell, MI 48843

SITE ADDRESS: 1201 S. Latson Rd. PARCEL #(s): 11-09-100-011

APPLICANT PHONE: (810) 227-5225 OWNER PHONE: ()

OWNER EMAIL: _____

LOCATION AND BRIEF DESCRIPTION OF SITE: East side of Latson Road, between Grand River Avenue and the I-96/Latson Road interchange. The approximately 14.5-acre site is the former home of the Latson Elementary School.

BRIEF STATEMENT OF PROPOSED USE: If approved, the proposed redevelopment of the former school site will be done under the PUD option. Ultimate uses on the site will be limited to those agreed upon by the applicant and Township, but are generally expected to be compatible with regional commercial uses (RCD as noted in the Zoning Ordinance).

THE FOLLOWING BUILDINGS ARE PROPOSED: Please see attached PUD Concept Plan and optional alternative plans.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: Kelly VanMarter 

ADDRESS: 2911 Dorr Rd., Brighton 48116

Contact Information - Review Letters and Correspondence shall be forwarded to the following:		
1.) _____	of _____	at _____
Name	Business Affiliation	E-mail Address

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

**STATE OF MICHIGAN
COUNTY OF LIVINGSTON
GENOA CHARTER TOWNSHIP**

**PLANNED UNIT DEVELOPMENT AGREEMENT FOR FORMER LATSON ELEMENTARY
SCHOOL PROPERTY**

THIS PLANNED UNIT DEVELOPMENT AGREEMENT is made and entered into on this ____ day of _____, 2014, by **Howell Public Schools**, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell Michigan 48843 (referred to as “HPS”) and **Genoa Charter Township**, a Michigan municipal corporation, whose address is 2911 Dorr Road, Brighton, Michigan referred to as “Township”).

RECITATIONS:

The HPS possesses fee title to certain real property situated in the Genoa Charter Township, County of Livingston, and State of Michigan, more particularly described in Exhibit A, (referred to as “Property”).

The recent completion of the adjacent Latson Road interchange required a portion of the previous Latson Elementary School site, which was agreed upon by HPS and Township in a Real Property Benefits Agreement, dated April 10, 2012, (Exhibit F). In this agreement, the remainder of the parcel was agreed to by both parties to be developed as a Non-residential PUD. This follows the Master Plan future land use designation of this Property as regional commercial. These uses will complement nearby commercial uses and future uses that will arise from the newly created demand of the interchange.

HPS has a preferred concept plan (Exhibit B), but also includes two additional concepts that are variants of the preferred plan (Exhibits B-1 and B-2). Any of these three concepts may be considered upon securing a developer for the property.

The Township Planning Commission and Township Board, in strict compliance with the Township Zoning Ordinance and with Act 110 of the Public Acts of 2006, as amended, reclassified the Property as Non-Residential Planned Unit Development District, finding that such classification properly achieves the purpose of Article 10 of the Genoa Township Zoning Ordinance, including the encouragement of innovation in land use, the preservation of open space in areas adjacent to S. Latson Road and properties to the north and east in order to achieve compatibility with adjacent land uses, the promotion of efficient provision of public services and utilities, the reduction of adverse traffic impacts, and the provision of adequate employment. Further the Township Planning Commission and Township Board find the Non-Residential Planned Unit Development District and the PUD Plan are consistent with the Township Master Plan.

The Township has found and concluded that the uses and future development plans for the Property and conditions shown on the approved PUD Concept Plan, attached as Exhibit B (“PUD Plan”), are reasonable and promote the public health, safety, and welfare of the Township, and that they are consistent with the plans and objectives of the Township and consistent with surrounding uses of land.

NOW, THEREFORE, OWNER AND TOWNSHIP, in consideration of the mutual promises contained in the Agreement, HEREBY AGREE AS FOLLOWS:

ARTICLE I. GENERAL TERMS OF AGREEMENT

- 1.1 The Township and HPS acknowledge and represent that the recitations set forth above are true, accurate, and binding.

- 1.2 The Township acknowledges and represents that this Agreement may be relied upon for future land use and development of the Property by HPS's successors, assigns, and transferees.
- 1.3 The PUD Concept Plan, attached as Exhibit B, (or Exhibits B-1 and B-2), has been duly approved by the Township in accordance with all applicable Township ordinances, and depicts the land uses which will be permitted and which may be developed on the Property. All formal actions necessary or expedient to carry out this Agreement shall be taken by the parties without undue delay consistent with the Township's ordinances and policies.
- 1.4 Except as specifically provided for in this Agreement, final site plans will comply with applicable Zoning Ordinance requirements. However, at the time of review of respective site plans for the development of various portions of the Property, deviations from ordinance regulations may be agreed upon by the Township and HPS. Changes to the PUD Concept Plan or PUD Agreement will be processed as outlined in the Zoning Ordinance.
- 1.5 The PUD Plan identifies the location and configuration of the authorized land uses that may be developed on the Property, except as noted in 1.3 above.
 - A. All uses authorized as permitted or as may be authorized by special land use are defined in Exhibit C.
 - B. HPS shall be permitted to create parcels and to adjust the size and shape of such parcels, provided the creation or adjustment does not alter the land use designation for any area of the Property or increase the intensity and/or density of use. Modifications shall be comparable to the alternative Concept Plans (Exhibits B, B-1 and B-2). All development shall be subject to Final PUD Site Plan and land division (if necessary) approval. In addition:
 1. HPS shall not be entitled to make a modification which substantially increases the impact upon adjoining properties or facilities without the approval of Township.
 2. HPS may make other changes consistent with the provisions of Article 10 of the Township's Zoning Ordinance.
 - C. The sizes of the various parcels within the land use designations shall be subject to modification under the applicable regulations of the Zoning Ordinance and state law.
- 1.6 This Agreement, including the uses approved on the PUD Plan, are for the benefit of the Property, and shall run with the Property, and shall bind and inure to the benefit of the successors, assigns and transferees of the parties to this Agreement.

ARTICLE II. LAND USE AUTHORIZATION

- 2.1 The Planned Unit Development shall include a land use authorization for the uses agreed upon by HPS and Township as listed in Exhibit C.
- 2.2 No construction shall be permitted until HPS has received final site plan approval in accordance with Genoa Township ordinances. If the Property is divided into parcels,

more detailed planning for the development of the Property may be undertaken on a parcel-by-parcel basis, subject to the intent and obligation to coordinate development of the Property as a whole, as specified hereinafter. HPS, as dictated by HPS's transferees, shall determine the timing and order of development subject to the Township's Zoning Ordinance. At the time HPS, and the HPS's assigns and transferees, are prepared to develop each portion or phase of the Property, a plan prepared in the form required by applicable ordinance and law, including impact assessments required by the Township, and consistent with this Agreement, shall be submitted for review and approval. The Township shall review each of such plans within a reasonable time. Site plan and other review requirements shall not be subject to any subsequent enactments or amendments of the Zoning Ordinance which are inconsistent with this Agreement unless the concept plan as set forth herein is materially altered at the request of HPS or its successors and assigns. Provided however, the PUD Concept Plan attached as Exhibit B is also approved as described herein.

- 2.3 If a use authorized under Exhibit C as a special land use is proposed on the Property, such use must be applied for and authorized as provided in the Zoning Ordinance. No storage of trucks, trailers or similar delivery vehicles or containers shall be stored on site for more than twenty-four (24) hours unless they are being actively loaded or unloaded.
- 2.5 A minimum 15% of the site shall be open space as agreed to in Exhibit D. This requires a deviation from 25% as defined in Article 10 of the Zoning Ordinance. Such open space shall be dispersed throughout the site. Open space is defined as undisturbed areas of key natural features, detention ponds, landscaped areas or plazas. Detention areas shall comprise no more than 50% of the required open space.
- 2.7 Notwithstanding the current code, the principal structure and parking lot must be set back in accordance with Exhibit B. There shall be only one automobile service station allowed.

ARTICLE III. CURB CUTS AND OFF -SITE TRANSPORTATION IMPROVEMENTS

- 3.1 The establishment of curb cuts and driveways to public thoroughfares from the PUD Property shall be limited and restricted for the purpose of reducing the number of turning movements to and from the Property.
- 3.2 Off-Site Improvements in Public Right of Way.
 - A. Traffic Signal. The Township acknowledges that the Livingston County Road Commission ("LCRC") will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Property and Latson Road. The Township will cooperate with the LCRC and HPS (or its successors, as applicable) for the installation of said traffic signal. The LCRC shall install the traffic signal as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the "Agreement to Transfer"), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.
 - B. Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes are the obligation of MDOT up to the "spring lines" on the North side of the Interchange. The costs of the "extension" of these lanes will be

3-14-14 Draft

(Incorporates comments by Planning Commission)

subject to further negotiation between MDOT and LCRC. It is understood that although HPS and its successors and assigns will be permitted to have a voice at the preconstruction meetings, HPS will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Property will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

- C. Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

ARTICLE IV. INTERNAL ROAD NETWORK

- 4.1 Internal access shall be established between the various uses and buildings as shown in Exhibit B (or B-1 or B-2, as applicable).

ARTICLE V. DRAINAGE

- 5.1 The on-site drainage system will be built by HPS or its assigns following review and approval by the Township Engineer and Livingston County Drain Commissioner.

ARTICLE VI. SITE IMPROVEMENTS

- 6.1 There shall be a coordination of site improvements within the overall Property, with the objective of creating site improvements that are integrated and mutually supportive among the respective portions or phases of the development, including the utilities, landscaping and lighting.
- 6.2 A pedestrian network shall be constructed by HPS or its assigns on the east side of Latson, per Township standards.
- 6.3 Development shall be undertaken with underground electrical service to the buildings on the Property. Public utility lines in existing or future easements shall be permitted overhead so long as the buildings are serviced from underground.
- 6.4 The following site elements shall be provided:
 - A. Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets.
 - B. Extensive greenways and tree-lined drives shall be within parking lots and throughout the site to improve traffic operations and views
 - C. Landscaping shall include all required plantings pursuant to section 12.02 of the Zoning Ordinance and as shown on the approved final PUD site plan.
 - E. Ornamental lighting shall be provided along Latson Road right of ways consistent with other recent developments along the roadway.

- F. Ongoing maintenance and repair or replacement of site design elements, such as common landscaping, lighting, and joint freestanding signage shall be maintained by either the developer, or a lot owner, or association.
- G. The parking lot configuration, sizes and quantities of stalls, shall be accepted as shown on a final site plan as approved by the Township.

ARTICLE VII. DESIGN OF BUILDING AND SIGNS

- 7.1 The architecture, building materials, colors and shapes of all buildings shall be in substantial conformity with the guidelines set forth in the Genoa Township Zoning Ordinance, as adopted, and as it may be amended. It is the intention of the parties to promote and encourage a development that incorporates varying building lines, natural earth tone construction materials and other elements contemplated to upgrade the appearance of the development overall in the interest of making it aesthetically pleasing. Flat front roof facades shall be discouraged. Large walls shall include varying building lines, setbacks, color accents, windows or other elements to upgrade appearance. Each site plan will include a narrative or illustration(s) that demonstrates the design will be consistent with, or complement architecture of the other sites. Buildings shall utilize high quality architecture with variable building lines, peaked roofs and architectural accents. Brick facades or tilt up panels with brick shaped forms or other natural materials (i.e., brick, stone, etc.) shall be used for certain building faces.

Other materials may be used for architectural accents provided such materials shall have the appearance of cut or cast stone or stucco. Out parcel buildings shall have wall surfaces with at least eighty percent (80%) natural materials (i.e., brick, stone, etc.).

- 7.2 Signage: Freestanding signs for individual lots within the PUD shall be ground mounted (monument) signs. No pole signs shall be permitted. All freestanding signs shall have a base constructed of materials that coordinate and are not inconsistent with the building, and other signs within the PUD. In addition, there shall be permitted one highway sign, such sign shall be a maximum of 200 square feet, shall not exceed thirty (30) feet in height and shall be permitted to advertise users in the project. Each individual lot within the PUD shall be limited to monument signs no taller than 6 feet and no larger than 72 square feet in area. All wall signs shall have channel lettering or individual letters (not panels). All freestanding lighted signs shall be internally lit. Additional wall, highway and other signs shall be permitted as authorized in the Zoning Ordinance.
- 7.3 Landscaping and site lighting: The landscaping within the PUD shall demonstrate consistency in terms of design and materials. Generally, site lighting shall be a uniform type and color. All ornamental lighting shall be of the same style as nearby non-residential PUDs.

ARTICLE VIII. UTILITIES

- 8.1 Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Property at no cost to HPS its successors and assigns.
- 8.2 Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Property currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Property. In addition, the Township agrees

3-14-14 Draft

(Incorporates comments by Planning Commission)

to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Property.

- 8.3 No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph 8.2 above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Property. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Property and that the Grand River sewer is the only present sewer capacity constraint for the Property. Notwithstanding the above and except as provided in subparagraph 8.1 above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Property.

ARTICLE IX. MISCELLANEOUS

- 9.1 This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement. HPS and the Township shall be entitled to modify, replace or amend this Agreement without the consent of any other person or entity, regardless of whether such person or entity now or hereafter has any interest in any part of the Property, including subsequent purchasers, or their tenants, mortgagees, or others.
- 9.2 Reference in this Agreement to activities by HPS in relation to development is intended to include HPS's transferees and assigns unless context dictates to the contrary.
- 9.3 In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PUD Plan), the provisions of the Real Property Benefits Agreement between the parties dated April 10, 2012, the Agreement to Transfer Real Property between the parties, dated March 26, 2012, the provisions of the Zoning Ordinance, or other Township ordinances, rules or regulations, order of priority shall be: (1) the terms of the Real Property Benefits Agreement; (2) this Agreement; (3) the Agreement to Transfer Real Property; and (4) the Township's Zoning Ordinance or other Township ordinances, rules or regulations.
- 9.4 In the event a portion of the Property is submitted for site plan approval, and such approval is denied, the party submitting such site plan shall be entitled to appeal such decision to the Zoning Board of Appeals as provided by law, and all parties shall agree to proceed expeditiously to final resolution.
- 9.5 The undersigned parties acknowledge that the conditions imposed upon the development of the property are reasonable conditions necessary to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the

natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Further, it is acknowledged that the conditions meet all of the requirements of MSA 5.2963(16d)(2)(a)(b) and (c).

- 9.6 Until the Property is fully developed, each site plan applicant shall be responsible following Township approval of the respective site plan, plat and/or site condominium presented to the Township to superimpose the approved plan of development upon the overall PUD plan to clearly illustrate the final development plan for each portion of the Property.
- 9.7 Minimum dimensional standards shall be as described in Exhibit C.

Exhibit List

- Exhibit A: Cover/Existing Conditions Sheet
- Exhibit B: PUD Concept Plan
- Exhibit B-1: Concept Plan Option B
- Exhibit B-2: Concept Plan Option C
- Exhibit B-3: Concept Plans Programming Detail
- Exhibit C: Use Table
- Exhibit D: Real Property Agreement (dated 4-10-12)
- Exhibit E: Survey (dated 4-25-12)
- Exhibit F: Design Guidelines for Interchange Commercial from Master Plan



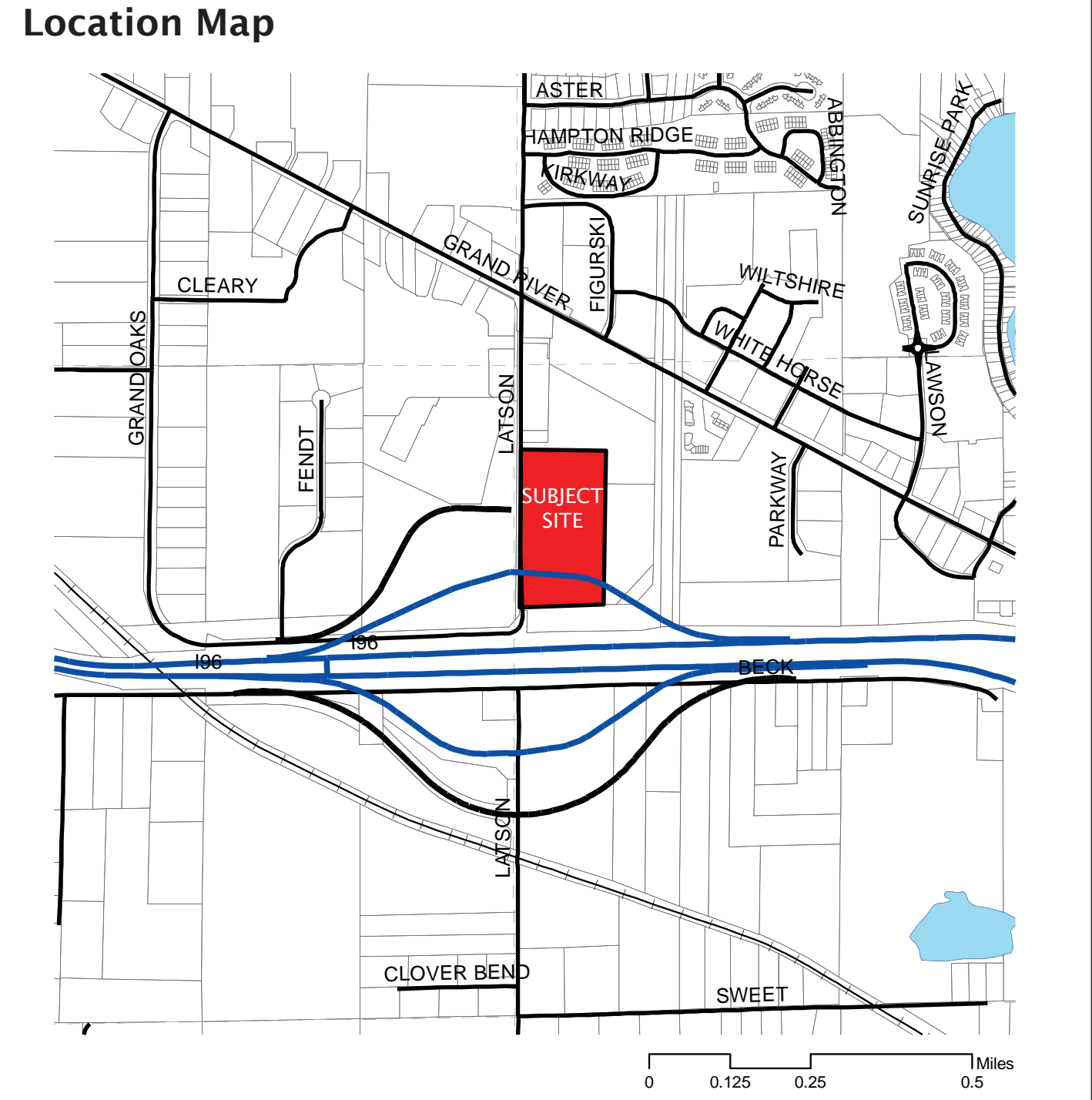
Exhibit A: Existing Site Conditions

Development:
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

Preparer:
LSL Planning, a SAFEbuilt Company
Rebekah Kik, BS Arch., M. Arch., M. Arch. Design & Urbanism
Kathleen Duffy, AICP, BS Arch., M. Urban Planning
Survey prepared by Boss Engineering

Legal Description
Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 0°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.



Current Land Use
The property is currently a vacant school site, awaiting demolition. It is directly abutted by multiple-family residential to the north and east, vacant property slated for commercial planned unit development in the near future on the west, and the new Latson Road interchange to the south.

	Multiple-Family Residential
	Commercial
	Public
	Transp/Comm/Utilities
	Vacant

Zoning
The property is currently zoned Rural Residential. The parcels to the north and east are zoned High-Density Residential. The parcels to the west are zoned Non-Residential PUD. The ROW to the south is zoned Public and Recreational Facilities.

	RR		NRPUD
	HDR		PRF
	GC		MUPUD

2-13-14

SCALE 1"=100'

1

Image Source: Google

Exhibit B: Concept Plan

Development:
Former Latson Elementary School Site

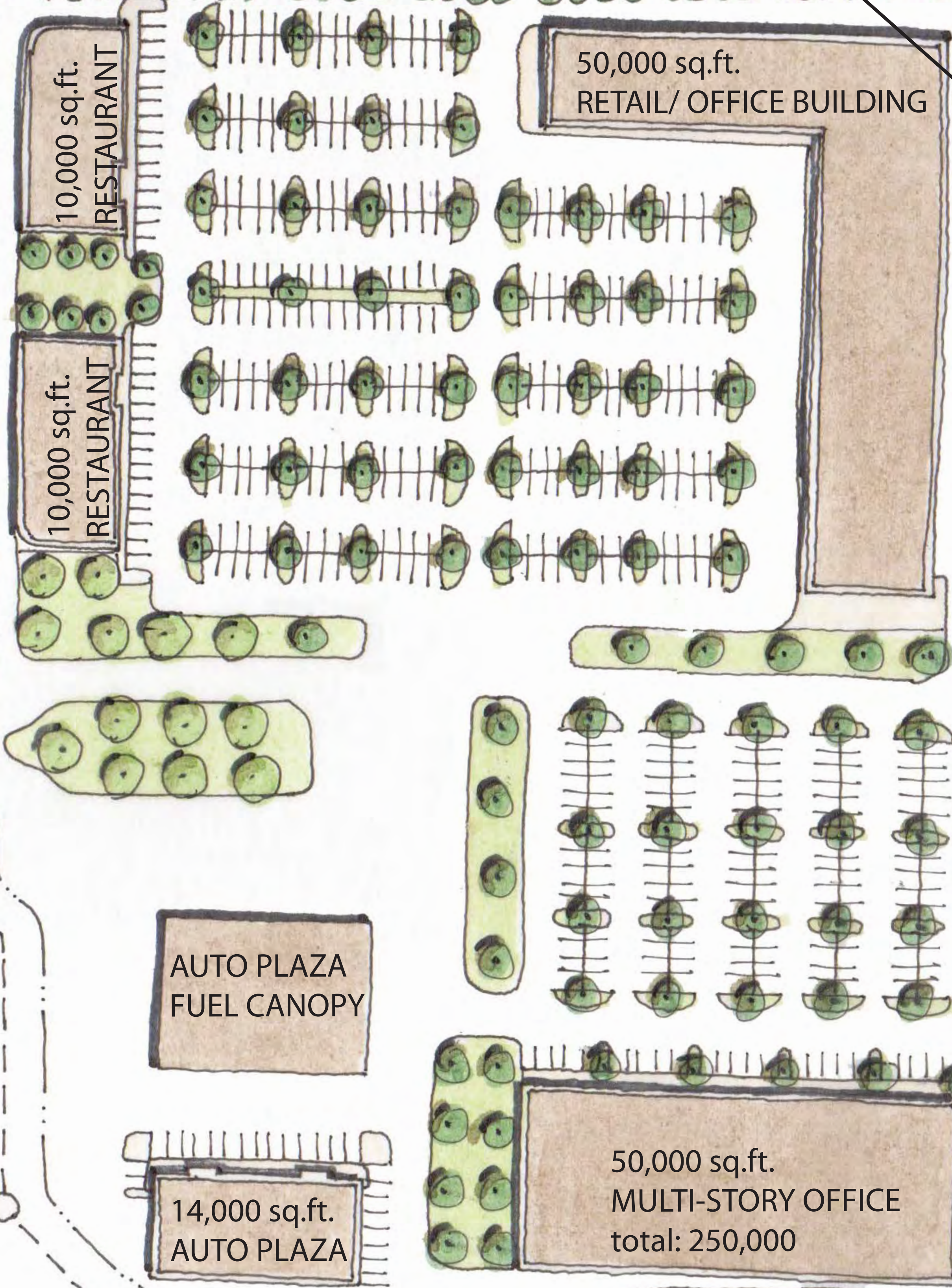
Applicant:
Howell School District and Charter Township of Genoa

Preparer:
LSL Planning, a SAFEbuilt Company
Rebekah Kik, BS Arch., M. Arch., M. Arch. Design & Urbanism
Kathleen Duffy, AICP, BS Arch., M. Urban Planning
Survey prepared by Boss Engineering

AMPLE BUFFER TO PROTECT ADJACENT MULTIPLE-FAMILY RESIDENTIAL (FIND OPPORTUNITIES FOR NON-MOTORIZED CONNECTIONS).

LATSON ROAD

LATSON ROAD



50,000 sq.ft.
RETAIL/ OFFICE BUILDING

10,000 sq.ft.
RESTAURANT

10,000 sq.ft.
RESTAURANT

AUTO PLAZA
FUEL CANOPY

14,000 sq.ft.
AUTO PLAZA

50,000 sq.ft.
MULTI-STORY OFFICE
total: 250,000

45,000 CF
4' DEEP/SIDES 3:1

21% OPEN SPACE

Type, size, and quantity of landscaping will comply with Genoa Township standards.

Parking and drive aisle dimensions will meet Genoa Township standards.

2-13-14

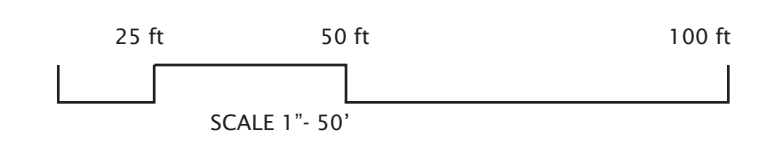
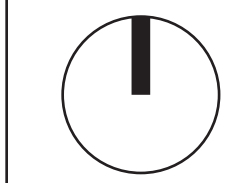


Exhibit B-1: Concept Plan Option B

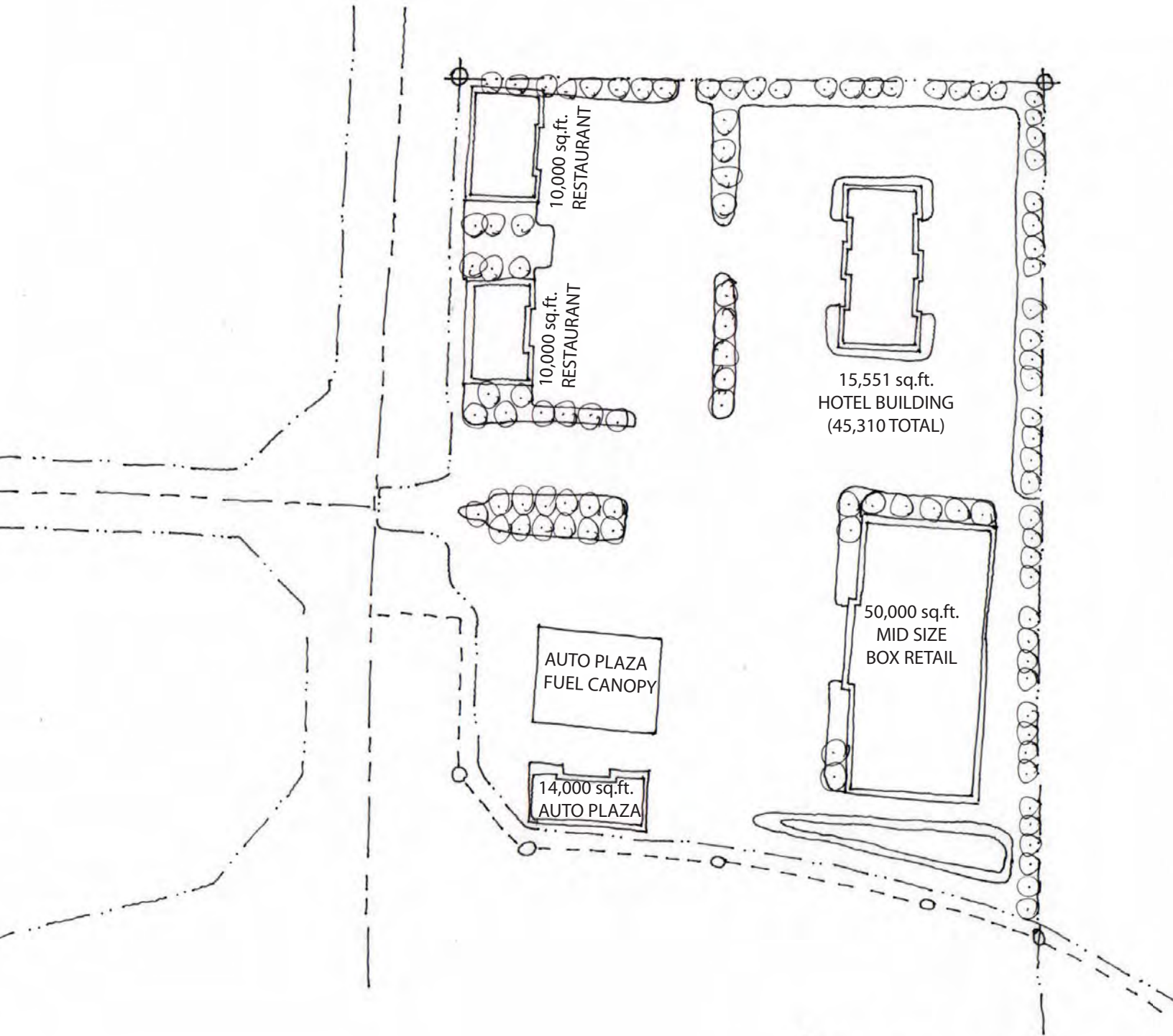


Exhibit B-2: Concept Plan Option C

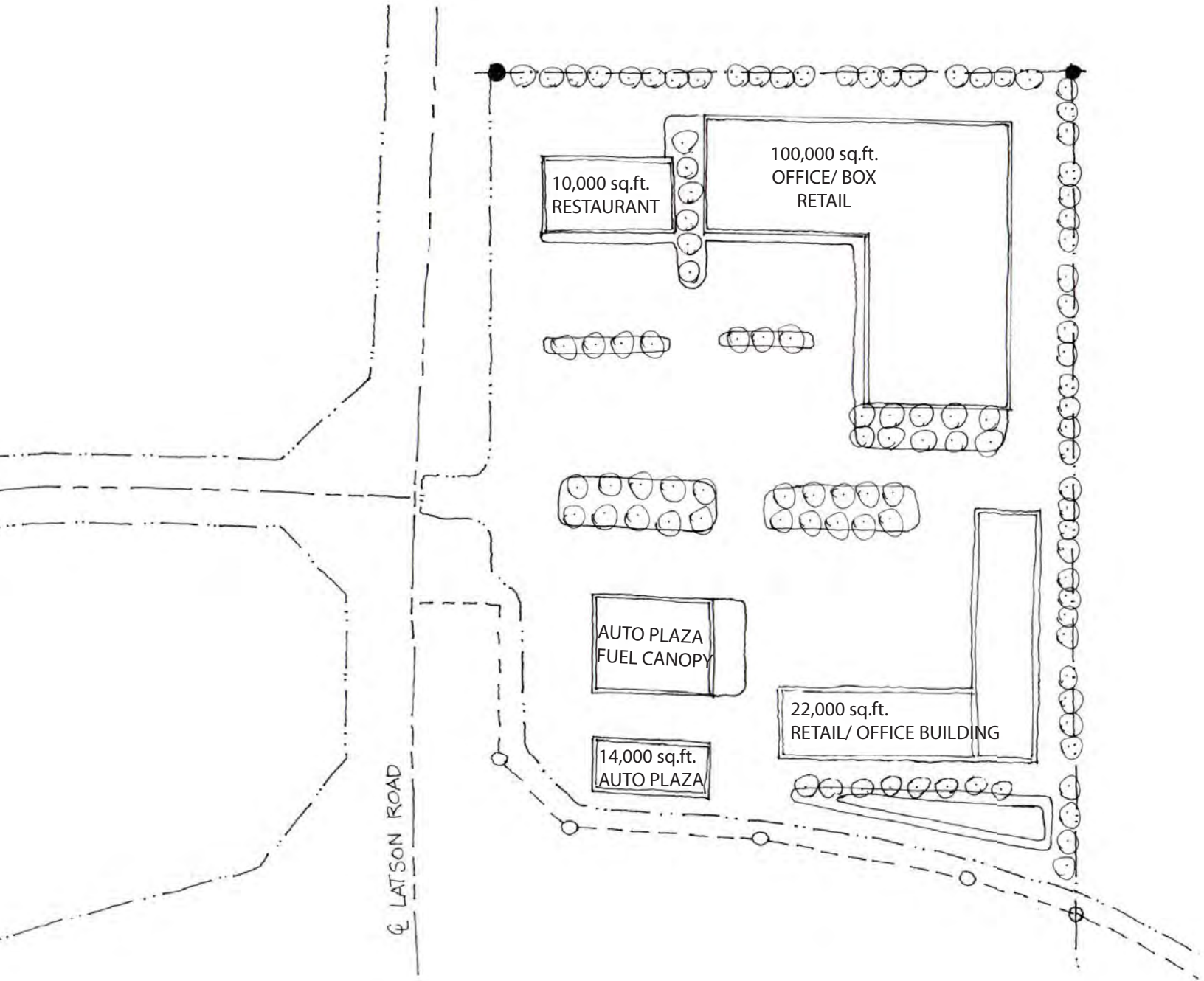


Exhibit B-3: Concept Plan Programming Detail

Option A

4 Parcel Divisions

Total Buildout - 330,000 square feet

Parking Required - 1,126 spaces

Water - 164.5

Office Complex 50,000 sqft building footprint

250,000 total with 5 floors

600 Max Parking* (this is a low estimated figure. Developer will probably need to incorporate a parking deck to meet 300 foot rule as well)

Water – 100

Retail/ Office Building

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Model (i.e. Olive Garden)

(2)10,000 sqft

142 Max Parking Each

284 Total Parking

Water – 50

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option B

4 Parcel Divisions at approx. 3.625 acres each

Total Buildout - 125,310 square feet

Parking Required - 617 spaces

Water - 89.5

Typical Hotel Model (found on Best Western website)

Parking Req'd - 91 (80 ROOMS/ 5 EMPLOYEES/ 6 MEETING SPACE)

Building Footprint- 16,861 (TOTAL 45,310) - 80 ROOMS

Hardscape - 49,262

Softscape - 18,093

TOTAL 84,216

Water - 25 (high estimate - 80 Rooms+)

Mid Size Box Retail (i.e. Bed Bath & Beyond)

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Models (i.e. Olive Garden)

10,000 sqft

142 Max Parking Each

284 Max Parking

Water - 50 Total

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option C

3 Parcel Divisions (1 at 7.25 acres; 2 at 3.625 acres)

Total Buildout - 141,600 square feet

Parking Required - 692 spaces

Water - 55.64

Large Box Retail (i.e. Target)

100,000 sqft

400 Max Parking

Water - 15

Sit Down Restaurant Model (i.e. Olive Garden)

10,000 sqft

142 Max Parking

Water - 25

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Office/ Retail Strips (i.e. salons, insurance agency, sm. food establishment)

(2) 10,800 sqft. (Each division 30 feet wide x 60 feet deep -1,800 sqft each space)

Total 108 Max Parking

Water - 8.64 (Total for both - estimated for the higher .40 water in Office use)

Exhibit C: Zoning Concessions
(from Real Property Agreement dated 4-10-12)

		Howell Schools Latson Elementary Property Remainder
Minimum Lot Area		1 acre
Minimum Lot Width		120 feet
Front Yard Setback		20 feet
Side Yard Setback		10 feet
Rear Yard Setback		20 feet
Parking Lot Setback - front		10 feet
Parking Lot Setback - side/rear		5 feet
Maximum Lot Coverage		50% building / 85% impervious
Maximum Building Height		75 feet & 5 stories
Open Space		15%
Traffic Study		Limited Traffic Study
Signage		2 Highway Signs –200 sq. ft. & 30’ tall
Land Uses:		
<i>(“P” is permitted, “S” is Special Land Use. Unlisted uses are not permitted)</i>		Howell Public Schools Remainder Parcel
Retail Uses		
Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere	Uses up to 20,000 square feet gross floor area	P
	Uses 15,001 - 30,000 square feet of gross floor area	P 2 uses up to 40,000 sq. ft.
	Uses 30,000 - 60,000 square feet of gross floor area	P 2 uses up to 40,000 sq. ft.
	Uses over 60,000 square feet of gross floor area	S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right.
	Pharmacies with drive-up window	P, one only. Additional if Special Use Conditions are met.
Automobile, motorcycle, boat and recreational vehicle sales, new and used		S
Outdoor commercial display, sales or storage		S
Service Uses		
Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly		P
Business services such as mailing, copying, data processing and retail office supplies		P
Child care centers, preschool and commercial day care		P
Conference Centers		P

Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family		P
Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants		P
Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments		P
Dry cleaning drop-off stations with drive-through service		P, one only. Additional if Special Use Conditions are met.
Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages	Standard restaurants, except as provided below	P
	Restaurants and bars serving alcoholic beverages	P
	Bars providing dancing and live music	P
	Restaurants with open front windows	P, one only. Additional if Special Use Conditions are met.
	Restaurants with outdoor seating	P
	Drive-through restaurants	P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
	Drive- in restaurants	S
	Carry-out restaurants	P
Studios of photographers and artists		P
Tattoo parlors		P
Tool and equipment rental, excluding vehicles		S
Auto Service Uses		
Minor auto repair establishment		P
Auto/gasoline service station		P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
Automobile wash, automatic or self serve		P – w/conditions in PUD
Office Service and Medical Uses		
Banks, credit unions, savings and loan establishments and similar financial institutions	With up to 3 drive-through teller windows	P
	With more than 3 drive-through teller windows	P, one only with up to 5 drive-through. Additional if Special Use Conditions are met.
	Stand alone automatic drive-up teller machines	P, one only if a principle use. Additional if Special Use Conditions are met.
Hospitals		P

Offices of non-profit professional, civic, social, political and religious organizations		P
Medical urgent care facilities, medical centers and clinics		P
Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers	Buildings up to 15,000 square feet of gross floor area	P
	Buildings over 15,000 square feet of gross floor area	P
Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions	Buildings up to 15,000 square feet of gross floor area	P
	Buildings between 15,000 and 55,000 square feet of gross floor area	P
	Buildings over 55,000 square feet of gross floor area	P
Recreation		
Motion picture theaters		P
Public parks and open space		P
Miniature golf courses and driving ranges		S
Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball		S
Health clubs, fitness centers, gyms and aerobic clubs		P
Education		
Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc		P
Vocational and technical training facilities		P
Public/Institutional		
Bus passenger stations		S
Churches, temples and similar places of worship and related facilities		S, no facility shall occupy more than 4 acres of land.
Essential public services and structures, not including buildings and storage yards		S
Public/government buildings such as; township/state/county offices, public museums, libraries and community centers		S
Accessory Uses		
Accessory temporary outdoor sales and events		P
Accessory drive-through service not listed above		P, one only. Additional if Special Use Conditions are met.
Accessory uses, buildings and structures customarily incidental to any of the above		P
Accessory fuel storage and use or storage of hazardous materials		S



//

REAL PROPERTY BENEFITS AGREEMENT

This Real Property Benefits Agreement is entered into on this 10th day of April, 2012, by and between Howell Public Schools, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell, Michigan 48843 ("HPS" or the "District") and Genoa Charter Township, a Michigan municipal corporation organized under the laws and statutes of the State of Michigan, whose address is 2911 Dorr Road, Brighton, Michigan (the "Township") (individually a "Party" and collectively, the "Parties") upon the terms and conditions set forth below:

WHEREAS, HPS is the owner of a parcel of real property located in the Charter Township of Genoa, Livingston County, Michigan, as described and shown on **Exhibit A** (the "Property"), which is presently the location of the Latson Road Elementary School consisting of 20.52 acres of land, more or less commonly known 1201 S. Latson Road, Charter Township of Genoa, Michigan.

WHEREAS, the Michigan Department of Transportation ("MDOT") has proposed to construct a new interchange at Latson Road providing ingress and egress to eastbound and westbound Interstate 96 (the "Interchange").

WHEREAS, the Township has assisted MDOT and the Livingston County Road Commission in acquiring parcels of land necessary for the construction of the Interchange and related improvements.

WHEREAS, a portion of the Property consisting of 5.95 acres, more or less (including 5.45+/- acres net of existing MDOT right-of-way) (the "Acquired Parcel") as described in **Exhibit B** is necessary for the construction of the Interchange.

WHEREAS, on the date stated above, HPS is selling to, via Warranty Deed of even date herewith, and the Township is acquiring the Acquired Parcel.

WHEREAS, as consideration for the transfer of the Acquired Parcel, the Township has paid a monetary sum of Three Hundred Fifteen Thousand and 00/100 Dollars (\$315,000.00) and has agreed to provide certain benefits to the Property that will remain in effect after the transfer of the Acquired Parcel, which remaining property will consist of approximately 14.5 acres (the "Remaining Parcel"), which Remaining Parcel is described in **Exhibit C**.

WHEREAS, in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in below.

NOW, THEREFORE, in consideration of the mutual covenants and promises the Parties acknowledge and agree that a substantial portion of the consideration for the transfer of the Acquired Parcel are the following benefits to be provided by the Township to the Remaining Parcel and the Parties wish to memorialize the following benefits:

a. Traffic Light and Latson Road Intersection.

(1) Traffic Signal. The Township acknowledges that the Livingston County Road Commission (“LCRC”) will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Remaining Parcel and Latson Road. The traffic signal will be required only if the Interchange is constructed. The Township will cooperate with the LCRC and HPS for the installation of said traffic signal. In the event that the Interchange is constructed, LCRC shall install the traffic signal at such time as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the “Agreement to Transfer”), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.

(2) Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes be the obligation of MDOT up to the “spring lines” on the North side of the Interchange. The costs of the “extension” of these lanes will be subject to further negotiation between MDOT and LCRC. The LCRC agrees to provide advance written notice to HPS, its successors and assigns, of any and all planned and preconstruction meetings and to invite HPS, its successors and assigns, to participate and influence decisions with regards to the Interchange. However, it is understood that although HPS and its successors and assigns will be permitted to have a voice at these meetings, they will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Remaining Parcel will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

(3) Entryway to Remaining Parcel. The Township represents and warrants that it will obtain LCRC’s consent that the width of the entryway to the Remaining Parcel at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

b. Water and Sanitary Sewer for Remaining Parcel.

(1) Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Remaining Parcel at no cost to HPS its successors and assigns.

(2) Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Remaining Parcel currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Remaining Parcel. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Remaining Parcel.

(3) No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph (2) above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Remaining Parcel. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Remaining Parcel and that the Grand River sewer is the only present sewer capacity constraint for the Remaining Parcel. Notwithstanding the above and except as provided in subparagraph (1) above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Remaining Parcel.

c. Zoning Concessions. The Township and HPS agree to the following land use concessions for the Remaining Parcel:

Howell School Lot 100 Elementary Property Remainder	
Minimum Lot Area	1 acre
Minimum Lot Width	120 feet
Front Yard Setback	20 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet

Front Lot Setback - Street		10 feet
Front Lot Setback - Sidewalk		5 feet
Maximum Lot Coverage		50% building / 85% impervious
Maximum Building Height		75 feet & 5 stories
Open Space		15%
Traffic Study		Limited Traffic Study (see paragraph a(2) above)
Signage		2 Highway Signs -200 sq. ft. & 30' tall
Land Uses:		
<i>("P" is permitted, "S" is Special Land Use. Unlisted uses are not permitted)</i>		Howell Public Schools Remainder Parcel
Retail Uses		
Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere	Uses up to 20,000 square feet gross floor area	P
	Uses 15,001 - 30,000 square feet of gross floor area	P 2 uses up to 40,000 sq. ft.
	Uses 30,000 - 60,000 square feet of gross floor area	P 2 uses up to 40,000 sq. ft.
	Uses over 60,000 square feet of gross floor area	S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right.
	Pharmacies with drive-up window	P, one only. Additional if Special Use Conditions are met.
Automobile, motorcycle, boat and recreational vehicle sales, new and used		S
Outdoor commercial display, sales or storage		S
Service Uses		
Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly		P
Business services such as mailing, copying, data processing and retail office supplies		P
Child care centers, preschool and commercial day care		P
Conference Centers		P
Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family		P
Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants		P
Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments		P
Dry cleaning drop-off stations with drive-through service		P, one only. Additional if Special Use Conditions are met.
Restaurants, taverns, bars, delicatessen, food	Standard restaurants, except as provided below	P

carryout, and similar establishments serving food or beverages	Restaurants and bars serving alcoholic beverages	P
	Bars providing dancing and live music	P
	Restaurants with open front windows	P, one only. Additional if Special Use Conditions are met.
	Restaurants with outdoor seating	P
	Drive-through restaurants	P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
	Drive- in restaurants	S
	Carry-out restaurants	P
Studios of photographers and artists		P
Tattoo parlors		P
Tool and equipment rental, excluding vehicles		S
Auto Service Uses		
Minor auto repair establishment		P
Auto/gasoline service station		P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
Automobile wash, automatic or self serve		P – w/conditions in PUD
Office Service and Medical Uses		
Banks, credit unions, savings and loan establishments and similar financial institutions	With up to 3 drive-through teller windows	P
	With more than 3 drive-through teller windows	P, one only with up to 5 drive-through. Additional if Special Use Conditions are met.
	Stand alone automatic drive-up teller machines	P, one only if a principle use. Additional if Special Use Conditions are met.
Hospitals		P
Offices of non-profit professional, civic, social, political and religious organizations		P
Medical urgent care facilities, medical centers and clinics		P
Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers	Buildings up to 15,000 square feet of gross floor area	P
	Buildings over 15,000 square feet of gross floor area	P
Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions	Buildings up to 15,000 square feet of gross floor area	P
	Buildings between 15,000 and 55,000 square feet of gross floor area	P
	Buildings over 55,000 square feet of gross floor area	P
Recreation		
Motion picture theaters		P

Public parks and open space	P
Miniature golf courses and driving ranges	S
Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball	S
Health clubs, fitness centers, gyms and aerobic clubs	P
Education	
Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc	P
Vocational and technical training facilities	P
Public/Institutional	
Bus passenger stations	S
Churches, temples and similar places of worship and related facilities	S, no facility shall occupy more than 4 acres of land.
Essential public services and structures, not including buildings and storage yards	S
Public/government buildings such as; township/state/county offices, public museums, libraries and community centers	S
Accessory Uses	
Accessory temporary outdoor sales and events	P
Accessory drive-through service not listed above	P, one only. Additional if Special Use Conditions are met.
Accessory uses, buildings and structures customarily incidental to any of the above	P
Accessory fuel storage and use or storage of hazardous materials	S

The Township shall amend its Master Plan and to take any other action necessary to comply with the land use concession described in this Paragraph 8.

d. Conceptual Planned Unit Development Plan.

(1) Preparation of Conceptual Planned Unit Development Plan. The Parties agree to work cooperatively to prepare a Conceptual Planned Unit Development Plan (the "Conceptual PUD Plan") for the Remaining Parcel. The Township agrees to waive its administration fees, including without limitation any planning commission fees. However, the Parties acknowledge any third party engineering and planning and consulting fees will be charged for the development and preparation of the Conceptual PUD Plan, which amounts will be shared equally by the Parties.

(2) Submission of Conceptual PUD Plan. The Parties agree to work cooperatively to submit a joint petition for the Conceptual PUD Plan. The Parties shall equally share the costs of any third party consulting fees. The Township will amend its Master Plan to accommodate the expected future use of the Remaining Parcel with a designation for the Remaining Parcel of NR/PUD. Any requested "adjustment(s)" for the Remaining Parcel must be reviewed and approved by the Township prior to any such adjustment(s) being made. All such adjustment(s) shall be approved provided that the adjustment(s) will not alter the land use designation or increase the intensity and/or

density of use. All development of the Remaining Parcel shall be subject to final PUD site plan and land division approval. After the Conceptual PUD Plan is developed, no modifications of the Conceptual PUD Plan will be permitted which will substantially increase the impact upon adjoining properties or facilities without Township approval, which approval shall not be unreasonably withheld.

(3) Livingston County Planning Commission Approval. The Parties agree to work cooperatively to jointly submit and obtain a recommendation for the Conceptual PUD Plan for the Remaining Parcel from the Livingston County Planning Commission.

e. Communications Tower.

The Township acknowledges that there is a communications tower currently located on the Remaining Parcel. The Township agrees that the use of the communications tower can continue and the District, its successors and assigns may locate the communications tower with the Remaining Parcel. However, in no event shall the height of the communications tower be increased above its current height of one hundred (100) feet.

f. Demolition of School Building and Related Structures.

The Township acknowledges that there is a school building and related structures currently located on the Remaining Parcel. The Township agrees that the demolition of the school building, in whole or in part, and the demolition of related structures on the Remaining Parcel may proceed by HPS, its successors and assigns without the consent or approval of the Township.

g. Termination. in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in the Warranty Deed and this Agreement shall terminate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

**HOWELL PUBLIC SCHOOLS,
a Michigan general powers school district**

Dated: 5/10/12

By: Ronald C. Wilson
Ronald Wilson
Its: Superintendent of Schools

Acknowledged before me in LIVINGSTONE County, Michigan, this 10th day of May, 2012, by Ronald Wilson, Superintendent of Schools, Howell Public Schools, a Michigan general powers school district.

Carole Bullion (signature)

(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTON**

**GENOA CHARTER TOWNSHIP,
a Michigan municipal corporation**

Dated: 5/10/12

By: Gary McCrie
Gary McCrie
Its: Supervisor

Acknowledged before me in LIVINGSTON County, Michigan, this 10th day of May, 2012, by Gary McCrie, Supervisor, Genoa Charter Township, a Michigan municipal corporation.

Carole Bullion (signature)

(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTON**

***Prepared By and After
Recording Return To:***
Gordon W. VanWieren, Jr., Esq.
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826-2575

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Exhibit A

Legal Description for Entire Parcel of Property

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

Exhibit B

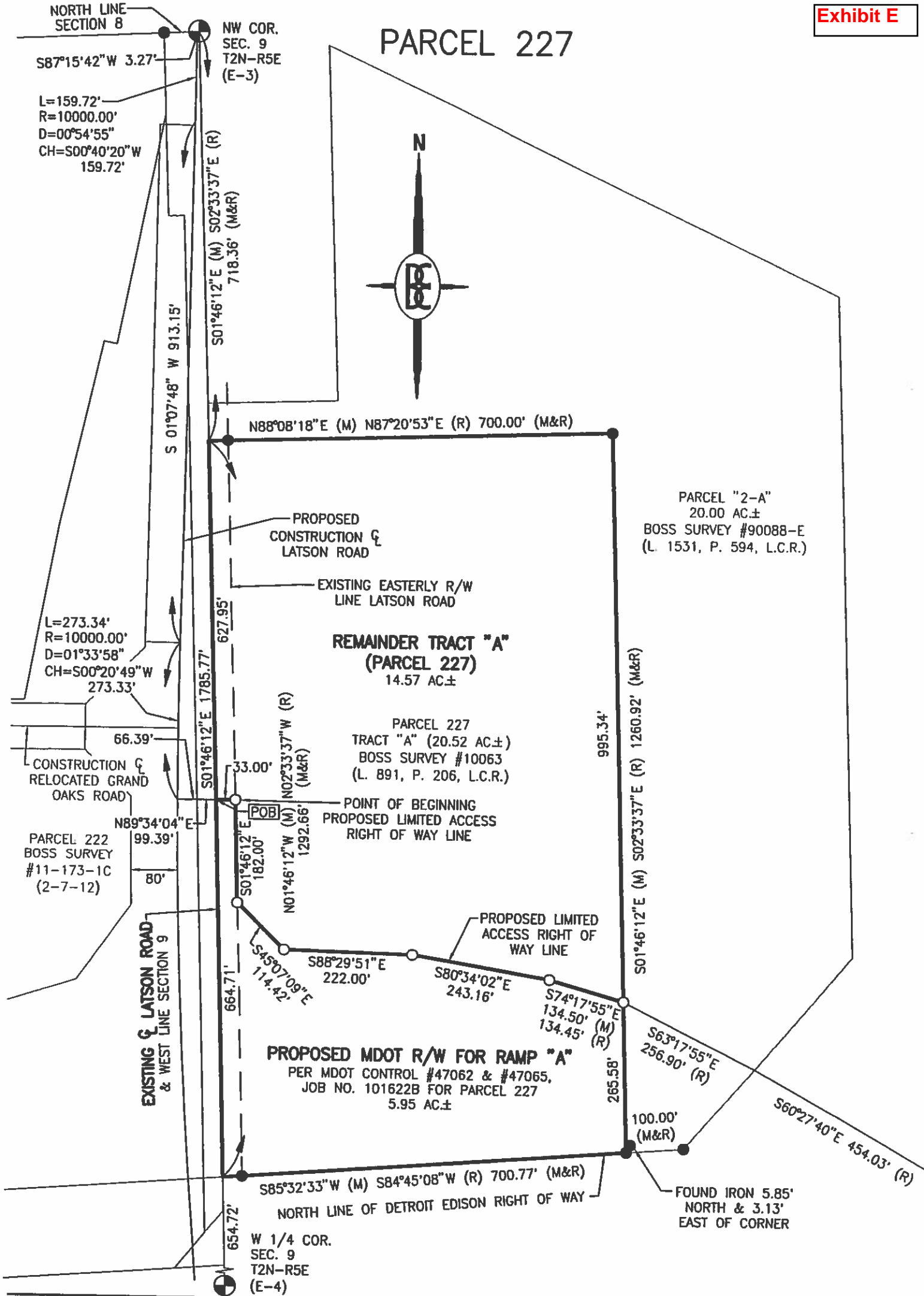
Legal Description for the Acquired Parcel

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

Exhibit C

Legal Description of Remaining Parcel

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT NUMBER 132 OF 1970, AS AMENDED.

DESCRIPTION:
PART OF THE NORTHWEST
1/4, SEC. 9, T2N-R5E,
GENOA TOWNSHIP,
LIVINGSTON COUNTY,
MICHIGAN

BOSS ENGINEERING
ENGINEERS • SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
(E-MAIL: be@bosseng.com)
3121 E GRAND RIVER AVE., HOWELL, MI. 48843
(800) 246-6735; FAX (517) 546-1670



CLIENT:
GENOA CHARTER
TOWNSHIP



- LEGEND
- = IRON SET
 - = IRON FOUND
 - *- = FENCE
 - (R) = RECORDED
 - (M) = MEASURED

JOB NO. 11-173-2 DATE 4-25-12 FB 505 CREW BP/EB DR. AEB CK. *CJF*

TRACT "A" (PARCEL 227), AS PROVIDED, PER MDOT TECHNICIAN'S WORK SHEET, CONTROL NO. 47065, JOB NO. 101622B, DATED MAY 14, 2009 AND ALSO DESCRIBED IN SURVEY BY BOSS ENGINEERING, JOB NO. 10063, DATED 7-19-78, AS RECORDED IN LIBER 891, PAGE 206, LIVINGSTON COUNTY RECORDS:

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

PROPOSED MDOT RIGHT OF WAY FOR RAMP "A":

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

REMAINDER TRACT "A" (PARCEL 227):

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

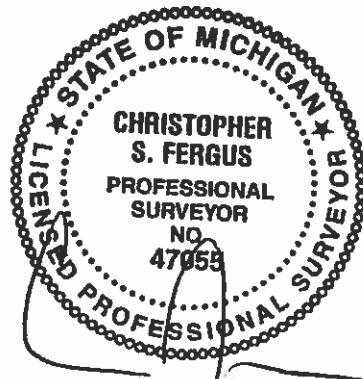
Bearings were established from descriptions provided by MDOT, Control No. 47062 & Control No. 47065, Job No. 101622B, for Parcel 227 & Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.

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April 25, 2012

Job Number: 11-173-2
Sheet: 2 of 3

CJF
**BOSS ENGINEERING
ENGINEERS & SURVEYORS**

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4836 • Fax (517)548-1670



CHRISTOPHER S. FERGUS, P.S.

REFERENCES:

1. Warranty Deed as recorded in Liber 890, Page 548, Livingston County Records.
2. Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.
3. Survey by Boss Engineering, Job No. 90088-E, dated 12-24-91, as recorded in Liber 1531, Page 594, Livingston County Records.
4. MDOT Right of Way Maps for proposed I-96 at Latson Road Interchange, Sheets 173-178, dated 05/19/11.

WITNESSES:

Northwest Corner, Section 9, T2N-R5E (E-03) LSC#1718m
Livingston County Remon Brass Cap
N 65° 62.21' Remon N/T NW/S Utility Pole
S 50° E 33.38' Remon N/T N/S 24" Oak
S 30° E 93.80' Remon N/T W/S Utility Pole
S 10° E 113.34' Remon N/T W/S 24" Oak

West 1/4 Corner, Section 9, T2N-R5E (E-04) LSC#1719m
Livingston County Remon Brass Cap
N 75° E 86.53' Remon N/T S/S 18" Oak
S 75° E 69.75' Remon N/T S/S 18" Oak
N 75° W 159.30' Remon N/T S/S 15" Oak
S 40° W 72.13' Remon N/T NW/S 30" Hickory

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April 25, 2012

Job Number: 11-173-2
Sheet: 3 of 3

CJF

BOSS ENGINEERING
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[Signature]
CHRISTOPHER S. FERGUS, P.S.

- Access management that will minimize the number of driveways and protect the efficiency of traffic flow along Latson Road between the interchange and Grand River Avenue.
 - Distinct and prominent architectural features of enhanced character, which reflect the importance of the site’s location and create a positive visual landmark for this gateway to the community.
 - Extensive landscaping along Latson Road and Grand River Avenue to enhance the appearance of these corridors and the gateway to the community.
 - Uniformity in design through coordination of architectural styles, landscaping, ornamental lighting, pedestrian circulation and vehicular access.
- The areas immediately south of the interchange along S. Latson Road are planned for Interchange Commercial, as described in Section B above. This area is intended to accommodate the needs of interstate traffic and should complement, not duplicate the commercial areas north a long Latson and Grand River.
 - The areas adjacent to the Interchange Commercial area as depicted on the map are planned for Interchange Campus uses. This area can be served by utility extensions and is intended to be a well-planned, campus setting.
 - Residential development along S. Latson Road south of the Interchange Campus area will remain at large lot residential densities. The intent is to protect the residential character and natural features through lower density development (Future Transition Area on Map X).
 - As the areas designated for Interchange Commercial and Campus are approved for significant development, areas south currently planned residential should be reevaluated for potential supporting uses, conditional upon the utility and roadway capacities, as shown as Future Transition Area on Map 10. This plan is intended to be flexible, balancing the impacts of new development on the infrastructure system, accommodating new uses dependent on surrounding uses, and limiting the negative impacts on existing nearby uses.

Interchange Commercial Examples



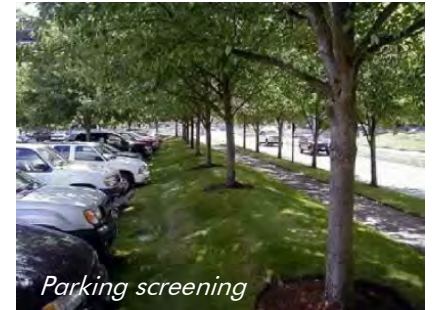
South Latson Interchange Design Guidelines

Streetscape

Streetscape improvements, such as street lights, landscaping, wayfinding signage, and pathways, should be integrated into the interchange commercial and campus developments. This will contribute to the unified, high-quality development the Township would like to project at the new interchange.

- As part of the development of the South Latson campus, a landscaped median should be installed south of the railroad. This will not only help beautify the corridor but improve safety by restricting left-turns.

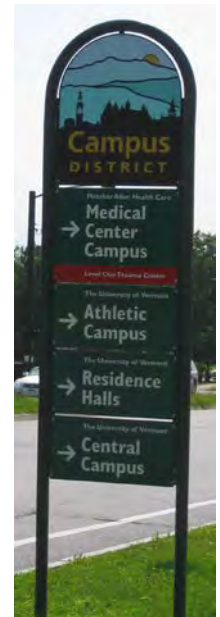
- Ornamental street lighting should be included along South Latson and within the new development itself to contribute toward the site’s unified design.
- South Latson should be well landscaped, not only in the median, but along the frontage, with street trees and knee walls or hedgerows screening parking.
- Gateway and wayfinding signs should be installed at the interchange welcoming visitors to the Township and directing them to major landmarks. This signage should be consistent with that proposed along Grand River and for the Town Center. Elements of a gateway entrance sign should include lighting, landscaping, and masonry material.
- Pathways should be installed on both sides of South Latson and connect to the interior of the site. Buildings and parking should all have pedestrian connections to the pathway network.



Access and Circulation

In order to efficiently accommodate new traffic that is likely to result from new development, having a coordinated circulation and access plan is essential.

- A signalized intersection should be located approximately ¼ mile south of the railroad at Sweet Road. This should be the primary entrance to campus Area A as identified on the Subarea Map.
- An additional entrance to Area A should be located halfway between the signalized intersection and the railroad tracks and be right-in/right-out.
- Area A’s ring road should be sensitive of the wetland/wooded area in its southeast corner and provide stub roads for future connections to the south.
- Area B should be accessed via the newly realigned Beck Road which can be extended and configured into a loop road.
- Area B’s loop road should be sensitive to the wetland/natural areas at the south of the site.
- Auxiliary campus uses on the east side of South Latson across from Area A should be primarily accessed via the signalized intersection. Additional access points north and south of the signalized intersection should be right-in/right-out. A frontage road will help provide convenient access for these businesses and should continue south for future connections.
- No access points other than Beck Road should be allowed on South Latson at the interchange north of the railroad tracks. Businesses fronting South Latson at this location should share access off Beck Road.

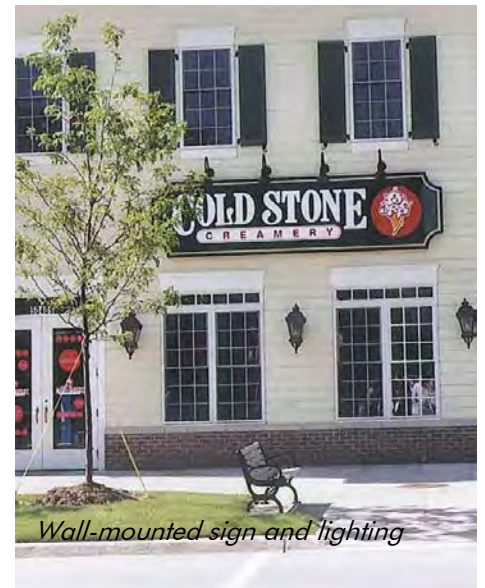


- Access to the Future Transition Area should be integrated into the overall circulation plan for Areas A and B.
- Further access management standards are included in the Township's zoning ordinance and MDOT's Access Management Manual

Building and Site Design

In order to establish a cohesive, high-quality campus at the South Latson interchange, it will be important to have consistent building and site design features.

- Entrances should be well defined and easily accessible by pedestrians.
- Buildings should orient toward South Latson where possible with parking given a less dominant presence along the corridor.
- Parking should be buffered with landscaping or decorative fencing.
- Understanding that a user like a hospital may need several stories for its patient wings, this plan seeks not to require a maximum building height. More importantly, any new building built along South Latson fronting the corridor should be built at a pedestrian scale at its Latson frontage.
- Stormwater should be consolidated and treated through low-impact design and retention ponds that contribute to the existing natural character of the site.
- Building orientation should be sensitive to wetlands and existing natural features and be situated to maximize the sight lines and pedestrian access to enjoy them.
- Materials should be of high quality brick, stone, glass, or similar, reflective of a well-designed modern research park or medical campus.
- Loading zones and waste receptacles should be well delineated and appropriately screened (see zoning ordinance).
- Lighting should be directed downward and fully shielded to eliminate an outward or upward glare, providing for adequate public safety without overly illuminating a site or building.
- Site lighting should consist of decorative fixtures, such as goose neck fixtures, and be architecturally integrated with the building style, materials and color. Pole fixtures should be located within landscaped islands or behind the curb or sidewalk.
- Monument signs should be well landscaped and have masonry bases.



- Signs should be comprised of an interesting design that adds interest to the business and the streetscape. Signs that have the appearance of a box sign are discouraged.
- Signs should be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting and not promote visual competition with other signs in the area.





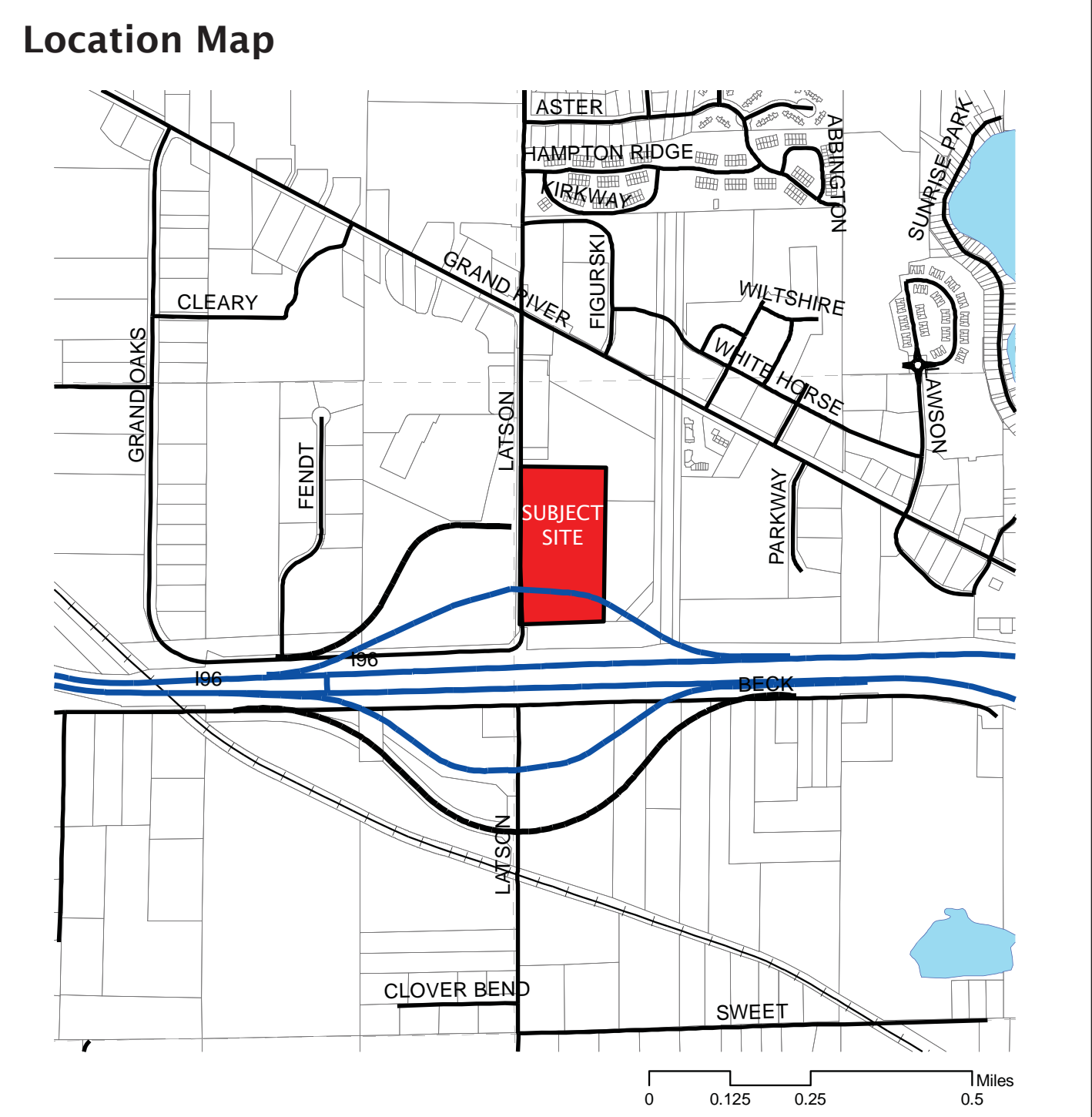
Exhibit A: Existing Site Conditions

Development:
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

Preparer:
LSL Planning, a SAFEbuilt Company
Rebekah Kik, BS Arch., M. Arch., M. Arch. Design & Urbanism
Kathleen Duffy, AICP, BS Arch., M. Urban Planning
Survey prepared by Boss Engineering

Legal Description
Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 0°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.



Current Land Use
The property is currently a vacant school site, awaiting demolition. It is directly abutted by multiple-family residential to the north and east, vacant property slated for commercial planned unit development in the near future on the west, and the new Latson Road interchange to the south.

	Multiple-Family Residential
	Commercial
	Public
	Transp/Comm/Utilities
	Vacant

Zoning
The property is currently zoned Rural Residential. The parcels to the north and east are zoned High-Density Residential. The parcels to the west are zoned Non-Residential PUD. The ROW to the south is zoned Public and Recreational Facilities.

	RR		NRPUD
	HDR		PRF
	GC		MUPUD

2-13-14

SITE PLAN

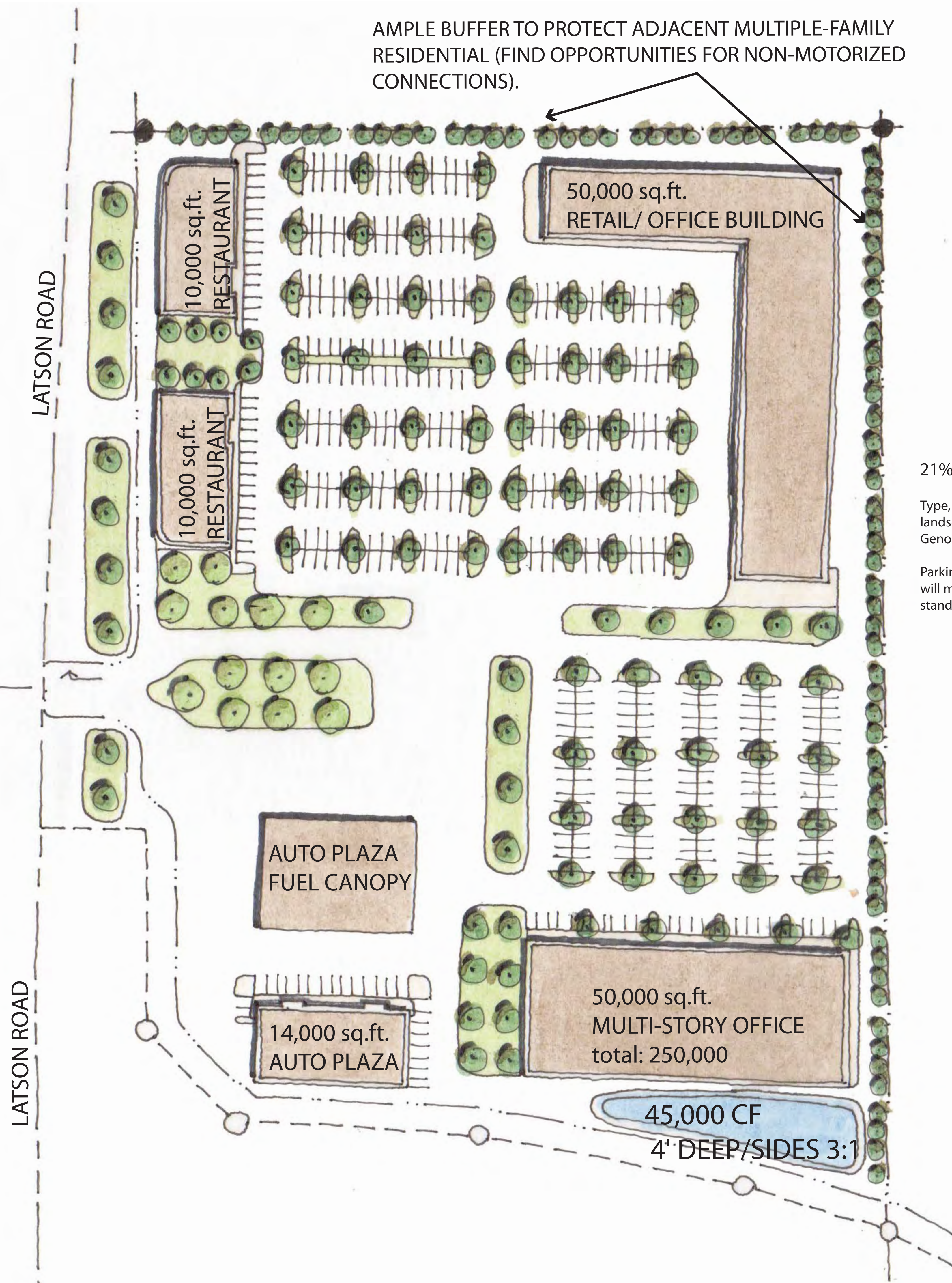


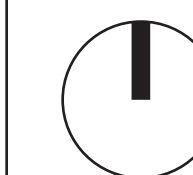
Exhibit B: Concept Plan

Development:
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

Preparer:
LSL Planning, a SAFEbuilt Company
Rebekah Kik, BS Arch., M. Arch., M. Arch. Design & Urbanism
Kathleen Duffy, AICP, BS Arch., M. Urban Planning
Survey prepared by Boss Engineering

2-13-14



25 ft 50 ft 100 ft
SCALE 1" = 50'

Exhibit B-1: Concept Plan Option B

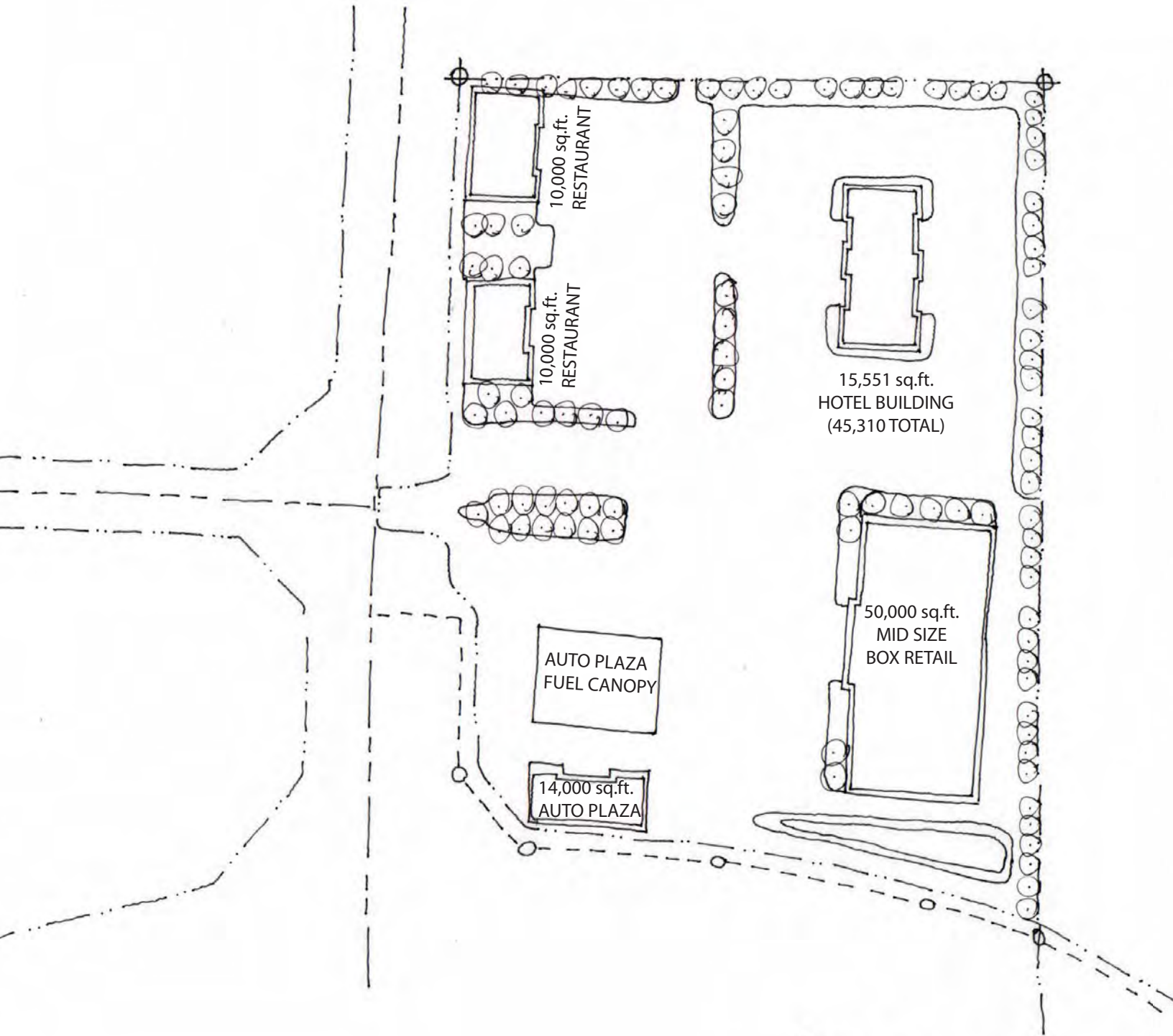


Exhibit B-2: Concept Plan Option C

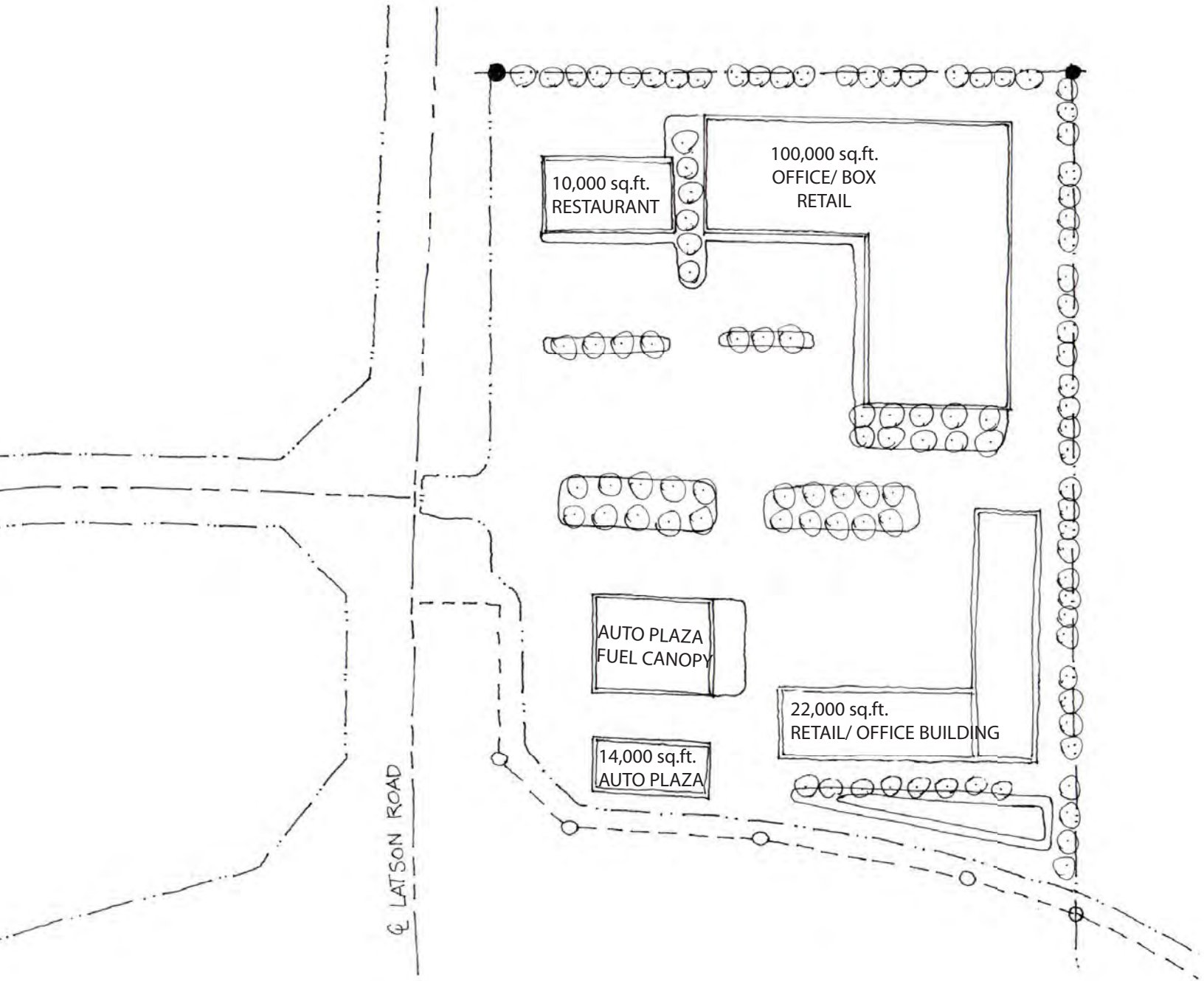


Exhibit B-3: Concept Plan Programming Detail

Option A

4 Parcel Divisions

Total Buildout - 330,000 square feet

Parking Required - 1,126 spaces

Water - 164.5

Office Complex 50,000 sqft building footprint

250,000 total with 5 floors

600 Max Parking* (this is a low estimated figure. Developer will probably need to incorporate a parking deck to meet 300 foot rule as well)

Water – 100

Retail/ Office Building

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Model (i.e. Olive Garden)

(2)10,000 sqft

142 Max Parking Each

284 Total Parking

Water – 50

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option B

4 Parcel Divisions at approx. 3.625 acres each

Total Buildout - 125,310 square feet

Parking Required - 617 spaces

Water - 89.5

Typical Hotel Model (found on Best Western website)

Parking Req'd - 91 (80 ROOMS/ 5 EMPLOYEES/ 6 MEETING SPACE)

Building Footprint- 16,861 (TOTAL 45,310) - 80 ROOMS

Hardscape - 49,262

Softscape - 18,093

TOTAL 84,216

Water - 25 (high estimate - 80 Rooms+)

Mid Size Box Retail (i.e. Bed Bath & Beyond)

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Models (i.e. Olive Garden)

10,000 sqft

142 Max Parking Each

284 Max Parking

Water - 50 Total

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option C

3 Parcel Divisions (1 at 7.25 acres; 2 at 3.625 acres)

Total Buildout - 141,600 square feet

Parking Required - 692 spaces

Water - 55.64

Large Box Retail (i.e. Target)

100,000 sqft

400 Max Parking

Water - 15

Sit Down Restaurant Model (i.e. Olive Garden)

10,000 sqft

142 Max Parking

Water - 25

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Office/ Retail Strips (i.e. salons, insurance agency, sm. food establishment)

(2) 10,800 sqft. (Each division 30 feet wide x 60 feet deep -1,800 sqft each space)

Total 108 Max Parking

Water - 8.64 (Total for both - estimated for the higher .40 water in Office use)

Exhibit C: Zoning Concessions
(from Real Property Agreement dated 4-10-12)

		Howell Schools Latson Elementary Property Remainder
Minimum Lot Area		1 acre
Minimum Lot Width		120 feet
Front Yard Setback		20 feet
Side Yard Setback		10 feet
Rear Yard Setback		20 feet
Parking Lot Setback - front		10 feet
Parking Lot Setback - side/rear		5 feet
Maximum Lot Coverage		50% building / 85% impervious
Maximum Building Height		75 feet & 5 stories
Open Space		15%
Traffic Study		Limited Traffic Study
Signage		2 Highway Signs –200 sq. ft. & 30’ tall
Land Uses:		
<i>(“P” is permitted, “S” is Special Land Use. Unlisted uses are not permitted)</i>		Howell Public Schools Remainder Parcel
Retail Uses		
Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere	Uses up to 20,000 square feet gross floor area	P
	Uses 15,001 - 30,000 square feet of gross floor area	P 2 uses up to 40,000 sq. ft.
	Uses 30,000 - 60,000 square feet of gross floor area	P 2 uses up to 40,000 sq. ft.
	Uses over 60,000 square feet of gross floor area	S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right.
	Pharmacies with drive-up window	P, one only. Additional if Special Use Conditions are met.
Automobile, motorcycle, boat and recreational vehicle sales, new and used		S
Outdoor commercial display, sales or storage		S
Service Uses		
Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly		P
Business services such as mailing, copying, data processing and retail office supplies		P
Child care centers, preschool and commercial day care		P
Conference Centers		P

Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family		P
Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants		P
Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments		P
Dry cleaning drop-off stations with drive-through service		P, one only. Additional if Special Use Conditions are met.
Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages	Standard restaurants, except as provided below	P
	Restaurants and bars serving alcoholic beverages	P
	Bars providing dancing and live music	P
	Restaurants with open front windows	P, one only. Additional if Special Use Conditions are met.
	Restaurants with outdoor seating	P
	Drive-through restaurants	P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
	Drive- in restaurants	S
	Carry-out restaurants	P
Studios of photographers and artists		P
Tattoo parlors		P
Tool and equipment rental, excluding vehicles		S
Auto Service Uses		
Minor auto repair establishment		P
Auto/gasoline service station		P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
Automobile wash, automatic or self serve		P – w/conditions in PUD
Office Service and Medical Uses		
Banks, credit unions, savings and loan establishments and similar financial institutions	With up to 3 drive-through teller windows	P
	With more than 3 drive-through teller windows	P, one only with up to 5 drive-through. Additional if Special Use Conditions are met.
	Stand alone automatic drive-up teller machines	P, one only if a principle use. Additional if Special Use Conditions are met.
Hospitals		P

Offices of non-profit professional, civic, social, political and religious organizations		P
Medical urgent care facilities, medical centers and clinics		P
Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers	Buildings up to 15,000 square feet of gross floor area	P
	Buildings over 15,000 square feet of gross floor area	P
Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions	Buildings up to 15,000 square feet of gross floor area	P
	Buildings between 15,000 and 55,000 square feet of gross floor area	P
	Buildings over 55,000 square feet of gross floor area	P
Recreation		
Motion picture theaters		P
Public parks and open space		P
Miniature golf courses and driving ranges		S
Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball		S
Health clubs, fitness centers, gyms and aerobic clubs		P
Education		
Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc		P
Vocational and technical training facilities		P
Public/Institutional		
Bus passenger stations		S
Churches, temples and similar places of worship and related facilities		S, no facility shall occupy more than 4 acres of land.
Essential public services and structures, not including buildings and storage yards		S
Public/government buildings such as; township/state/county offices, public museums, libraries and community centers		S
Accessory Uses		
Accessory temporary outdoor sales and events		P
Accessory drive-through service not listed above		P, one only. Additional if Special Use Conditions are met.
Accessory uses, buildings and structures customarily incidental to any of the above		P
Accessory fuel storage and use or storage of hazardous materials		S

Exhibit D: Real Property Agreement



REAL PROPERTY BENEFITS AGREEMENT

This Real Property Benefits Agreement is entered into on this 10th day of April, 2012, by and between Howell Public Schools, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell, Michigan 48843 ("HPS" or the "District") and Genoa Charter Township, a Michigan municipal corporation organized under the laws and statutes of the State of Michigan, whose address is 2911 Dorr Road, Brighton, Michigan (the "Township") (individually a "Party" and collectively, the "Parties") upon the terms and conditions set forth below:

WHEREAS, HPS is the owner of a parcel of real property located in the Charter Township of Genoa, Livingston County, Michigan, as described and shown on **Exhibit A** (the "Property"), which is presently the location of the Latson Road Elementary School consisting of 20.52 acres of land, more or less commonly known 1201 S. Latson Road, Charter Township of Genoa, Michigan.

WHEREAS, the Michigan Department of Transportation ("MDOT") has proposed to construct a new interchange at Latson Road providing ingress and egress to eastbound and westbound Interstate 96 (the "Interchange").

WHEREAS, the Township has assisted MDOT and the Livingston County Road Commission in acquiring parcels of land necessary for the construction of the Interchange and related improvements.

WHEREAS, a portion of the Property consisting of 5.95 acres, more or less (including 5.45+/- acres net of existing MDOT right-of-way) (the "Acquired Parcel") as described in **Exhibit B** is necessary for the construction of the Interchange.

WHEREAS, on the date stated above, HPS is selling to, via Warranty Deed of even date herewith, and the Township is acquiring the Acquired Parcel.

WHEREAS, as consideration for the transfer of the Acquired Parcel, the Township has paid a monetary sum of Three Hundred Fifteen Thousand and 00/100 Dollars (\$315,000.00) and has agreed to provide certain benefits to the Property that will remain in effect after the transfer of the Acquired Parcel, which remaining property will consist of approximately 14.5 acres (the "Remaining Parcel"), which Remaining Parcel is described in **Exhibit C**.

WHEREAS, in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in below.

NOW, THEREFORE, in consideration of the mutual covenants and promises the Parties acknowledge and agree that a substantial portion of the consideration for the transfer of the Acquired Parcel are the following benefits to be provided by the Township to the Remaining Parcel and the Parties wish to memorialize the following benefits:

a. Traffic Light and Latson Road Intersection.

(1) Traffic Signal. The Township acknowledges that the Livingston County Road Commission (“LCRC”) will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Remaining Parcel and Latson Road. The traffic signal will be required only if the Interchange is constructed. The Township will cooperate with the LCRC and HPS for the installation of said traffic signal. In the event that the Interchange is constructed, LCRC shall install the traffic signal at such time as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the “Agreement to Transfer”), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.

(2) Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes be the obligation of MDOT up to the “spring lines” on the North side of the Interchange. The costs of the “extension” of these lanes will be subject to further negotiation between MDOT and LCRC. The LCRC agrees to provide advance written notice to HPS, its successors and assigns, of any and all planned and preconstruction meetings and to invite HPS, its successors and assigns, to participate and influence decisions with regards to the Interchange. However, it is understood that although HPS and its successors and assigns will be permitted to have a voice at these meetings, they will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Remaining Parcel will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

(3) Entryway to Remaining Parcel. The Township represents and warrants that it will obtain LCRC’s consent that the width of the entryway to the Remaining Parcel at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

b. Water and Sanitary Sewer for Remaining Parcel.

(1) Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Remaining Parcel at no cost to HPS its successors and assigns.

(2) Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Remaining Parcel currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Remaining Parcel. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Remaining Parcel.

(3) No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph (2) above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Remaining Parcel. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Remaining Parcel and that the Grand River sewer is the only present sewer capacity constraint for the Remaining Parcel. Notwithstanding the above and except as provided in subparagraph (1) above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Remaining Parcel.

c. Zoning Concessions. The Township and HPS agree to the following land use concessions for the Remaining Parcel:

Howell School Lot 100 Elementary Property Remainder	
Minimum Lot Area	1 acre
Minimum Lot Width	120 feet
Front Yard Setback	20 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet

Fronting Lot Setback - Street	10 feet
Fronting Lot Setback - Sidewalk	5 feet
Maximum Lot Coverage	50% building / 85% impervious
Maximum Building Height	75 feet & 5 stories
Open Space	15%
Traffic Study	Limited Traffic Study (see paragraph a(2) above)
Signage	2 Highway Signs -200 sq. ft. & 30' tall
Land Uses:	
<i>("P" is permitted, "S" is Special Land Use. Unlisted uses are not permitted)</i>	
Howell Public Schools Remainder Parcel	
Retail Uses	
Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere	Uses up to 20,000 square feet gross floor area Uses 15,001 - 30,000 square feet of gross floor area Uses 30,000 - 60,000 square feet of gross floor area Uses over 60,000 square feet of gross floor area Pharmacies with drive-up window
	P P 2 uses up to 40,000 sq. ft. P 2 uses up to 40,000 sq. ft. S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right. P, one only. Additional if Special Use Conditions are met.
Automobile, motorcycle, boat and recreational vehicle sales, new and used	S
Outdoor commercial display, sales or storage	S
Service Uses	
Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly	P
Business services such as mailing, copying, data processing and retail office supplies	P
Child care centers, preschool and commercial day care	P
Conference Centers	P
Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family	P
Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants	P
Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments	P
Dry cleaning drop-off stations with drive-through service	P, one only. Additional if Special Use Conditions are met.
Restaurants, taverns, bars, delicatessen, food	Standard restaurants, except as provided below P

carryout, and similar establishments serving food or beverages	Restaurants and bars serving alcoholic beverages	P
	Bars providing dancing and live music	P
	Restaurants with open front windows	P, one only. Additional if Special Use Conditions are met.
	Restaurants with outdoor seating	P
	Drive-through restaurants	P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
	Drive- in restaurants	S
	Carry-out restaurants	P
Studios of photographers and artists		P
Tattoo parlors		P
Tool and equipment rental, excluding vehicles		S
Auto Service Uses		
Minor auto repair establishment		P
Auto/gasoline service station		P, up to two. Additional if Special Use Conditions are met. 500' separation not required.
Automobile wash, automatic or self serve		P – w/conditions in PUD
Office Service and Medical Uses		
Banks, credit unions, savings and loan establishments and similar financial institutions	With up to 3 drive-through teller windows	P
	With more than 3 drive-through teller windows	P, one only with up to 5 drive-through. Additional if Special Use Conditions are met.
	Stand alone automatic drive-up teller machines	P, one only if a principle use. Additional if Special Use Conditions are met.
Hospitals		P
Offices of non-profit professional, civic, social, political and religious organizations		P
Medical urgent care facilities, medical centers and clinics		P
Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers	Buildings up to 15,000 square feet of gross floor area	P
	Buildings over 15,000 square feet of gross floor area	P
Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions	Buildings up to 15,000 square feet of gross floor area	P
	Buildings between 15,000 and 55,000 square feet of gross floor area	P
	Buildings over 55,000 square feet of gross floor area	P
Recreation		
Motion picture theaters		P

Public parks and open space	P
Miniature golf courses and driving ranges	S
Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball	S
Health clubs, fitness centers, gyms and aerobic clubs	P
Education	
Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc	P
Vocational and technical training facilities	P
Public/Institutional	
Bus passenger stations	S
Churches, temples and similar places of worship and related facilities	S, no facility shall occupy more than 4 acres of land.
Essential public services and structures, not including buildings and storage yards	S
Public/government buildings such as; township/state/county offices, public museums, libraries and community centers	S
Accessory Uses	
Accessory temporary outdoor sales and events	P
Accessory drive-through service not listed above	P, one only. Additional if Special Use Conditions are met.
Accessory uses, buildings and structures customarily incidental to any of the above	P
Accessory fuel storage and use or storage of hazardous materials	S

The Township shall amend its Master Plan and to take any other action necessary to comply with the land use concession described in this Paragraph 8.

d. Conceptual Planned Unit Development Plan.

(1) Preparation of Conceptual Planned Unit Development Plan. The Parties agree to work cooperatively to prepare a Conceptual Planned Unit Development Plan (the "Conceptual PUD Plan") for the Remaining Parcel. The Township agrees to waive its administration fees, including without limitation any planning commission fees. However, the Parties acknowledge any third party engineering and planning and consulting fees will be charged for the development and preparation of the Conceptual PUD Plan, which amounts will be shared equally by the Parties.

(2) Submission of Conceptual PUD Plan. The Parties agree to work cooperatively to submit a joint petition for the Conceptual PUD Plan. The Parties shall equally share the costs of any third party consulting fees. The Township will amend its Master Plan to accommodate the expected future use of the Remaining Parcel with a designation for the Remaining Parcel of NR/PUD. Any requested "adjustment(s)" for the Remaining Parcel must be reviewed and approved by the Township prior to any such adjustment(s) being made. All such adjustment(s) shall be approved provided that the adjustment(s) will not alter the land use designation or increase the intensity and/or

density of use. All development of the Remaining Parcel shall be subject to final PUD site plan and land division approval. After the Conceptual PUD Plan is developed, no modifications of the Conceptual PUD Plan will be permitted which will substantially increase the impact upon adjoining properties or facilities without Township approval, which approval shall not be unreasonably withheld.

(3) Livingston County Planning Commission Approval. The Parties agree to work cooperatively to jointly submit and obtain a recommendation for the Conceptual PUD Plan for the Remaining Parcel from the Livingston County Planning Commission.

e. Communications Tower.

The Township acknowledges that there is a communications tower currently located on the Remaining Parcel. The Township agrees that the use of the communications tower can continue and the District, its successors and assigns may locate the communications tower with the Remaining Parcel. However, in no event shall the height of the communications tower be increased above its current height of one hundred (100) feet.

f. Demolition of School Building and Related Structures.

The Township acknowledges that there is a school building and related structures currently located on the Remaining Parcel. The Township agrees that the demolition of the school building, in whole or in part, and the demolition of related structures on the Remaining Parcel may proceed by HPS, its successors and assigns without the consent or approval of the Township.

g. Termination. in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in the Warranty Deed and this Agreement shall terminate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

**HOWELL PUBLIC SCHOOLS,
a Michigan general powers school district**

Dated: 5/10/12

By: Ronald C. Wilson
Ronald Wilson
Its: Superintendent of Schools

Acknowledged before me in LIVINGSTONE County, Michigan, this 10th day of May, 2012, by Ronald Wilson, Superintendent of Schools, Howell Public Schools, a Michigan general powers school district.

Carole Bullion (signature)

(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTONE**

**GENOA CHARTER TOWNSHIP,
a Michigan municipal corporation**

Dated: 5/10/12

By: Gary McCrie
Gary McCrie
Its: Supervisor

Acknowledged before me in LIVINGSTON County, Michigan, this 10th day of May, 2012, by Gary McCrie, Supervisor, Genoa Charter Township, a Michigan municipal corporation.

Carole Bullion (signature)

(printed)
Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTONE**

***Prepared By and After
Recording Return To:***
Gordon W. VanWieren, Jr., Esq.
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826-2575

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Exhibit A

Legal Description for Entire Parcel of Property

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

Exhibit B

Legal Description for the Acquired Parcel

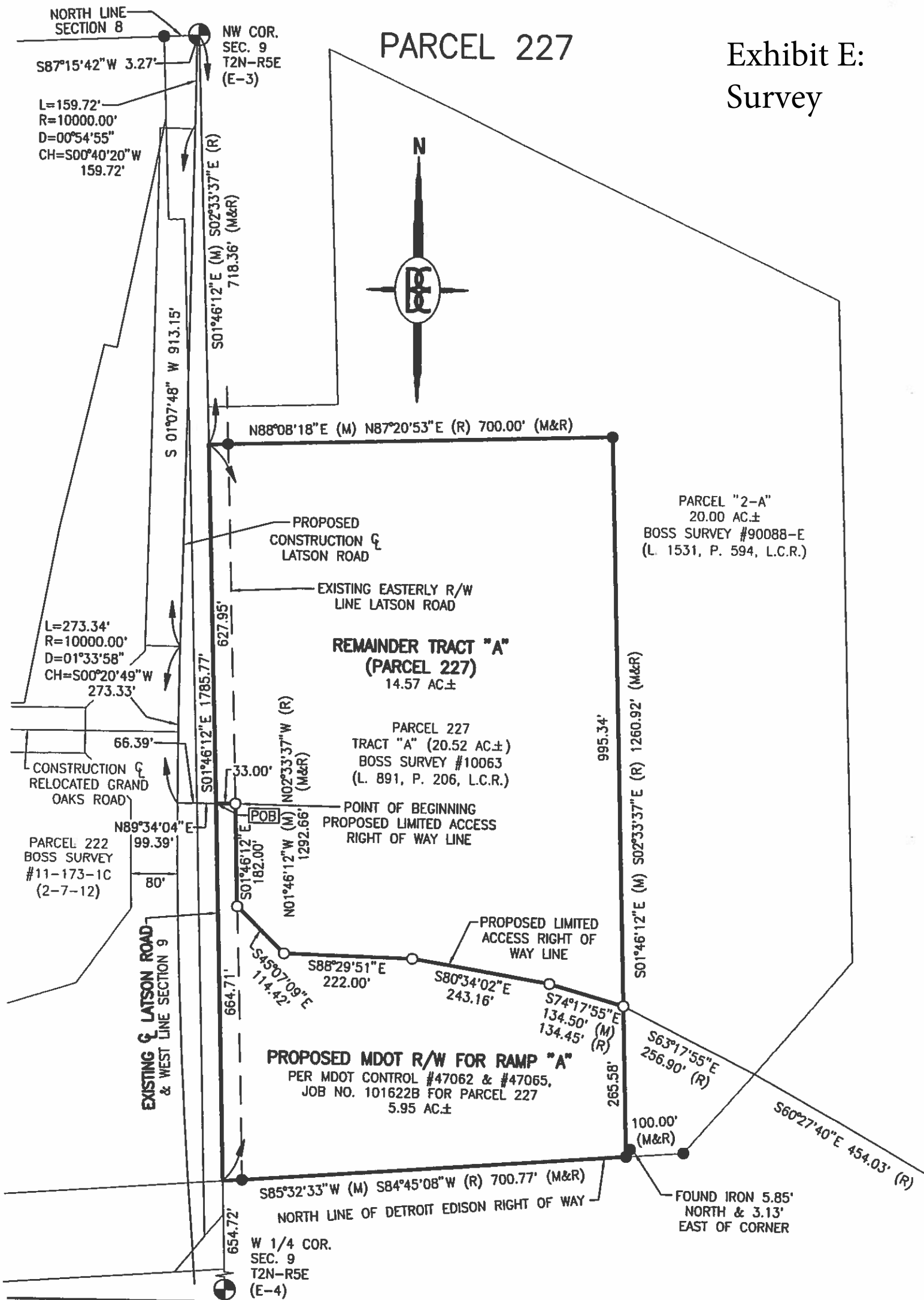
Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

Exhibit C

Legal Description of Remaining Parcel

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

Exhibit E: Survey



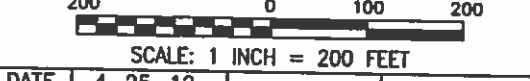
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT NUMBER 132 OF 1970, AS AMENDED.

DESCRIPTION:
PART OF THE NORTHWEST
1/4, SEC. 9, T2N-R5E,
GENOA TOWNSHIP,
LIVINGSTON COUNTY,
MICHIGAN

CLIENT:
GENOA CHARTER
TOWNSHIP

JOB NO. 11-173-2
DATE 4-25-12
SHEET 1 OF 3

BOSS ENGINEERING
ENGINEERS • SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
(E-MAIL: bo@bosseng.com)
3121 E GRAND RIVER AVE., HOWELL, MI. 48843
(800) 246-6735; FAX (517) 546-1670



- LEGEND**
- = IRON SET
 - = IRON FOUND
 - *- = FENCE
 - (R) = RECORDED
 - (M) = MEASURED



TRACT "A" (PARCEL 227), AS PROVIDED, PER MDOT TECHNICIAN'S WORK SHEET, CONTROL NO. 47065, JOB NO. 101622B, DATED MAY 14, 2009 AND ALSO DESCRIBED IN SURVEY BY BOSS ENGINEERING, JOB NO. 10063, DATED 7-19-78, AS RECORDED IN LIBER 891, PAGE 206, LIVINGSTON COUNTY RECORDS:

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

PROPOSED MDOT RIGHT OF WAY FOR RAMP "A":

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

REMAINDER TRACT "A" (PARCEL 227):

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

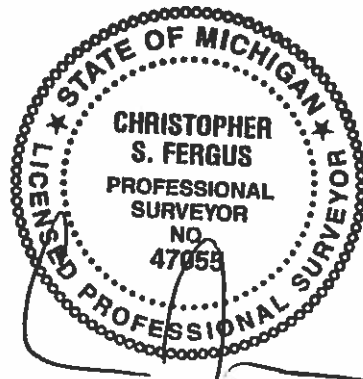
Bearings were established from descriptions provided by MDOT, Control No. 47062 & Control No. 47065, Job No. 101622B, for Parcel 227 & Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.

G:\11-173\docs\11-173-2_PARCEL-227.doc
April 25, 2012

Job Number: 11-173-2
Sheet: 2 of 3

CJF
**BOSS ENGINEERING
ENGINEERS & SURVEYORS**

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4836 • Fax (517)548-1670



CHRISTOPHER S. FERGUS, P.S.

REFERENCES:

1. Warranty Deed as recorded in Liber 890, Page 548, Livingston County Records.
2. Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.
3. Survey by Boss Engineering, Job No. 90088-E, dated 12-24-91, as recorded in Liber 1531, Page 594, Livingston County Records.
4. MDOT Right of Way Maps for proposed I-96 at Latson Road Interchange, Sheets 173-178, dated 05/19/11.

WITNESSES:

Northwest Corner, Section 9, T2N-R5E (E-03) LSC#1718m
Livingston County Remon Brass Cap
N 65° 62.21' Remon N/T NW/S Utility Pole
S 50° E 33.38' Remon N/T N/S 24" Oak
S 30° E 93.80' Remon N/T W/S Utility Pole
S 10° E 113.34' Remon N/T W/S 24" Oak

West 1/4 Corner, Section 9, T2N-R5E (E-04) LSC#1719m
Livingston County Remon Brass Cap
N 75° E 86.53' Remon N/T S/S 18" Oak
S 75° E 69.75' Remon N/T S/S 18" Oak
N 75° W 159.30' Remon N/T S/S 15" Oak
S 40° W 72.13' Remon N/T NW/S 30" Hickory

G:\11-173\docs\11-173-2_PARCEL-227.doc
April 25, 2012

Job Number: 11-173-2
Sheet: 3 of 3

CJF

BOSS ENGINEERING
ENGINEERS & SURVEYORS

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4836 • Fax (517)548-1670



[Signature]
CHRISTOPHER S. FERGUS, P.S.

Exhibit F: Design Guidelines

Interchange Commercial Examples

- Access management that will minimize the number of driveways and protect the efficiency of traffic flow along Latson Road between the interchange and Grand River Avenue.
 - Distinct and prominent architectural features of enhanced character, which reflect the importance of the site's location and create a positive visual landmark for this gateway to the community.
 - Extensive landscaping along Latson Road and Grand River Avenue to enhance the appearance of these corridors and the gateway to the community.
 - Uniformity in design through coordination of architectural styles, landscaping, ornamental lighting, pedestrian circulation and vehicular access.
- The areas immediately south of the interchange along S. Latson Road are planned for Interchange Commercial, as described in Section B above. This area is intended to accommodate the needs of interstate traffic and should complement, not duplicate the commercial areas north a long Latson and Grand River.
 - The areas adjacent to the Interchange Commercial area as depicted on the map are planned for Interchange Campus uses. This area can be served by utility extensions and is intended to be a well-planned, campus setting.
 - Residential development along S. Latson Road south of the Interchange Campus area will remain at large lot residential densities. The intent is to protect the residential character and natural features through lower density development (Future Transition Area on Map X).
 - As the areas designated for Interchange Commercial and Campus are approved for significant development, areas south currently planned residential should be reevaluated for potential supporting uses, conditional upon the utility and roadway capacities, as shown as Future Transition Area on Map 10. This plan is intended to be flexible, balancing the impacts of new development on the infrastructure system, accommodating new uses dependent on surrounding uses, and limiting the negative impacts on existing nearby uses.

South Latson Interchange Design Guidelines

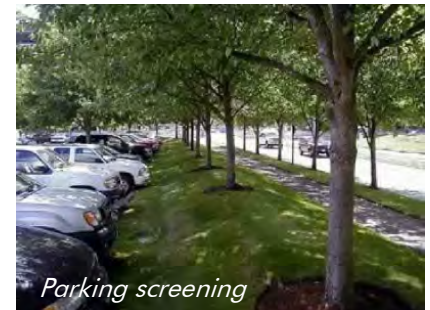
Streetscape

Streetscape improvements, such as street lights, landscaping, wayfinding signage, and pathways, should be integrated into the interchange commercial and campus developments. This will contribute to the unified, high-quality development the Township would like to project at the new interchange.

- As part of the development of the South Latson campus, a landscaped median should be installed south of the railroad. This will not only help beautify the corridor but improve safety by restricting left-turns.



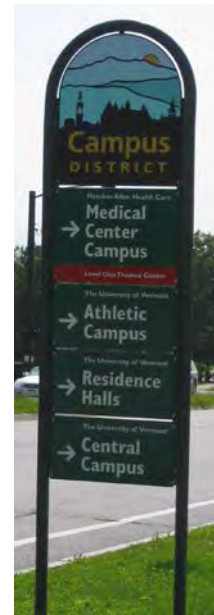
- Ornamental street lighting should be included along South Latson and within the new development itself to contribute toward the site's unified design.
- South Latson should be well landscaped, not only in the median, but along the frontage, with street trees and knee walls or hedgerows screening parking.
- Gateway and wayfinding signs should be installed at the interchange welcoming visitors to the Township and directing them to major landmarks. This signage should be consistent with that proposed along Grand River and for the Town Center. Elements of a gateway entrance sign should include lighting, landscaping, and masonry material.
- Pathways should be installed on both sides of South Latson and connect to the interior of the site. Buildings and parking should all have pedestrian connections to the pathway network.



Access and Circulation

In order to efficiently accommodate new traffic that is likely to result from new development, having a coordinated circulation and access plan is essential.

- A signalized intersection should be located approximately ¼ mile south of the railroad at Sweet Road. This should be the primary entrance to campus Area A as identified on the Subarea Map.
- An additional entrance to Area A should be located halfway between the signalized intersection and the railroad tracks and be right-in/right-out.
- Area A's ring road should be sensitive of the wetland/wooded area in its southeast corner and provide stub roads for future connections to the south.
- Area B should be accessed via the newly realigned Beck Road which can be extended and configured into a loop road.
- Area B's loop road should be sensitive to the wetland/natural areas at the south of the site.
- Auxiliary campus uses on the east side of South Latson across from Area A should be primarily accessed via the signalized intersection. Additional access points north and south of the signalized intersection should be right-in/right-out. A frontage road will help provide convenient access for these businesses and should continue south for future connections.
- No access points other than Beck Road should be allowed on South Latson at the interchange north of the railroad tracks. Businesses fronting South Latson at this location should share access off Beck Road.

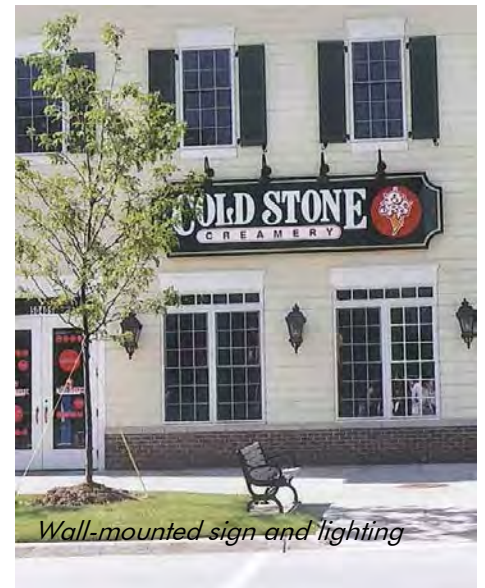


- Access to the Future Transition Area should be integrated into the overall circulation plan for Areas A and B.
- Further access management standards are included in the Township's zoning ordinance and MDOT's Access Management Manual

Building and Site Design

In order to establish a cohesive, high-quality campus at the South Latson interchange, it will be important to have consistent building and site design features.

- Entrances should be well defined and easily accessible by pedestrians.
- Buildings should orient toward South Latson where possible with parking given a less dominant presence along the corridor.
- Parking should be buffered with landscaping or decorative fencing.
- Understanding that a user like a hospital may need several stories for its patient wings, this plan seeks not to require a maximum building height. More importantly, any new building built along South Latson fronting the corridor should be built at a pedestrian scale at its Latson frontage.
- Stormwater should be consolidated and treated through low-impact design and retention ponds that contribute to the existing natural character of the site.
- Building orientation should be sensitive to wetlands and existing natural features and be situated to maximize the sight lines and pedestrian access to enjoy them.
- Materials should be of high quality brick, stone, glass, or similar, reflective of a well-designed modern research park or medical campus.
- Loading zones and waste receptacles should be well delineated and appropriately screened (see zoning ordinance).
- Lighting should be directed downward and fully shielded to eliminate an outward or upward glare, providing for adequate public safety without overly illuminating a site or building.
- Site lighting should consist of decorative fixtures, such as goose neck fixtures, and be architecturally integrated with the building style, materials and color. Pole fixtures should be located within landscaped islands or behind the curb or sidewalk.
- Monument signs should be well landscaped and have masonry bases.



- Signs should be comprised of an interesting design that adds interest to the business and the streetscape. Signs that have the appearance of a box sign are discouraged.
- Signs should be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting and not promote visual competition with other signs in the area.



Former Latson School Site PUD Impact Assessment

The following impact assessment follows the requirements of Section 18.07 “Written Impact Assessment Requirements” of the Genoa Township Zoning Ordinance.

1. Preparer.

Prepared by:

LSL Planning, a SAFEbuilt Company
306 S. Washington Avenue Suite 400
Royal Oak, MI 48067

Prepared for:

Howell Public Schools
411 N. Highlander Way, Suite C
Howell, MI 48843

Charter Township of Genoa
2911 Dorr Road
Brighton, MI 48116

2. Location.

The former Latson Elementary School site (1201 S. Latson Road) is located northeast of the new I-96 interchange at Latson Road. A portion of the site was required to accommodate the interchange’s off-ramp, and the remaining parcel is approximately 14.5 acres. The former school building and facilities still remain but are expected to be demolished in the near future, leaving a vacant site. The site is bordered by the Prentis Estates apartments to the east whose driveway borders the north of the site. The Livingston Commons PUD is across the street, with Lowe’s and Staple’s to the northwest and Phase II slated for redevelopment to the southwest.

Latson Road is 2 lanes with a center turn lane under the jurisdiction of the Livingston County Road Commission.

The site is served with municipal water and sanitary sewer through infrastructure in Latson Road. Existing gravity sanitary sewer is on the site and has capacity to serve the proposed development. Water distribution piping is also extended to the site and provides domestic and fire protection.

Storm water is managed on site through sheet flow to the south and east. The storm water exits the site to the south in an open swale along the exit ramp for I-96. Currently there are no detention basins on the site.

There are no significant natural features on the site, just some minor landscaping around the former school building. The property slopes to the southeast corner of the site. The total elevation change within the site is approximately 12’.

3. Impact on natural features.

Former Latson School Site PUD Impact Assessment

The property contains no regulated wetlands, woodlands, or streams. The U.S.D.A Soil Conservation Service "Soil Survey of Livingston County" indicates the soil to be Miami Loam with 2-6% slopes.

4. Impact on stormwater management

As stated above, the property slopes to the southeast corner of the site. Storm water runoff currently flows to the open swale along the north side of the I-96 exit ramp. From there the water is directed to the large MDOT detention basin east of the site. Development of the site will need to include detention and sedimentation systems in accordance with local jurisdictions. Facilities are anticipated to be located in the south east corner of the site with the ultimate disposal consistent with existing flow paths.

5. Impact on surrounding land uses.

The Future Land Use map in the Master Plan designates this property as Regional Commercial. This site will be developed as a Planned Unit Development, which means specific uses are not yet known. However, potential uses include a gas station, retail, office, small hotel, and restaurants, which will complement the nearby uses planned across Latson Road and along Grand River Avenue. These uses are compatible with the Future Land Use of the property and nearby businesses.

Uses proposed for the portions of the property adjacent to the apartment complex are expected to have normal business hours that minimally impact the adjacent residential uses. Offices' hours of operation are expected to generally be 8AM-6PM and retail from 9AM-9PM. Those uses proposed for frontage on Latson Road further from the apartments, such as restaurants and a gas station, are expected to have later operating hours. Their proposed location along Latson Road is to minimize their impacts on the adjacent apartments, buffered by the less intensive uses proposed for the rear of the site.

Exterior site lighting will comply with current Township standards, while the nature of potential uses is compatible with surrounding development so as to limit other exterior impacts. The final site design will include appropriate buffering so as to mitigate any potential impacts on the adjacent multiple family development.

6. Impact on public facilities and services.

It is anticipated that the new development will support its fair share of these service costs through appropriate taxing methods. The smaller scale retailers, restaurants and office uses will impact parks, schools, and roads on a minimal basis.

7. Impact on public utilities.

The development will be served by public water and sewer systems currently located at the site. The existing systems have sufficient capacity for the anticipated development density. Reference is made to the South Latson Utility Study prepared by Tetra Tech on behalf of Genoa Township for anticipated impacts from the development on the municipal water and sanitary sewer systems.

8. Storage and handling of any hazardous materials.

Former Latson School Site PUD Impact Assessment

Any future gas station will be developed in accordance with current local, state, and federal requirements. A Pollution Incident Prevention Plan (PIPP) will be provided at such time as a final site plan is developed for any such use.

9. Traffic Impact Study.

Based on the range of uses proposed, the expected range of number of trips is 743 for morning peak and 802 for evening peak hours, according to the 7th Edition of the ITE Trip Generation Manual (see table below). The actual number of trips daily or in the peak hour could vary depending upon the mix of uses and their characteristics. For example, a mixture of office with service uses or restaurants will have more “internal” trips. A gas station would have more “bypass” trips, i.e. the traffic that is already on the roads and thus would not increase traffic except at the driveways. Once there is an actual user, the developer will provide a detailed traffic study, if necessary, in accordance with the Township Zoning Ordinance.

	General Office			Shopping Center			Restaurant (sit-down)			Gas w/ convenience store			Total
	Rate	GFA	Trip Generation	Rate	GFA	Trip Generation	Rate	GFA	Trip Generation	Rate	Pumping Stations	Trip Generation	
Weekday AM Peak	1.55	275,000	426.25	1.03	25,000	25.75	11.52	20,000	230.4	10.06	6	60.36	742.76
Weekday PM Peak	1.49	275,000	409.75	3.75	25,000	93.75	10.92	20,000	218.4	13.38	6	80.28	802.18

10. Historical and Cultural Resources.

The former school building is not more than 50 years old and is not historically significant.

11. Special Provisions.

There are no deed restrictions or protective covenants. However a property agreement was filed with Livingston County related to the dedication of land from the school district to the interchange construction.

Future development of the site will also be subject to compliance with the provisions of the PUD Agreement.

Sources:

- 7th Edition of ITE Trip Generation Manual
- U.S.D.A Soil Conservation Service “Soil Survey of Livingston County”
- Real Property Benefits Agreement, dated April 10,2012 between Howell Public Schools and Genoa Township



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

PUBLIC HEARING NOTICE -REZONING-

February 17, 2014

Dear Property Owner:

Please be advised that there will be a public hearing for a proposed rezoning held before the Genoa Charter Township Planning Commission on Monday, March 10, 2014 at 6:30 p.m. at the Genoa Township Hall, located at 2911 Dorr Road, Brighton, Michigan 48116.

As required by state law, you are receiving this notice because you have been identified as an owner or occupant of real property within 300 feet of the subject parcel. The property in question is the former Latson Road Elementary School on approximately 14.57 acres located at 1201 S. Latson Road in Howell with the parcel identification number of 4711-09-100-036.

The request is for approval of a rezoning from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD). The rezoning has been petitioned by Howell Public Schools and Genoa Charter Township and includes consideration of a Rezoning Application, PUD Agreement, Impact Assessment, and Conceptual PUD Plan.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Sincerely,

Kelly VanMarter
Assistant Township Manager/Community Development Director

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

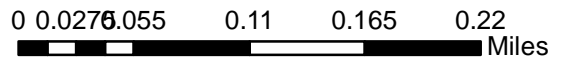
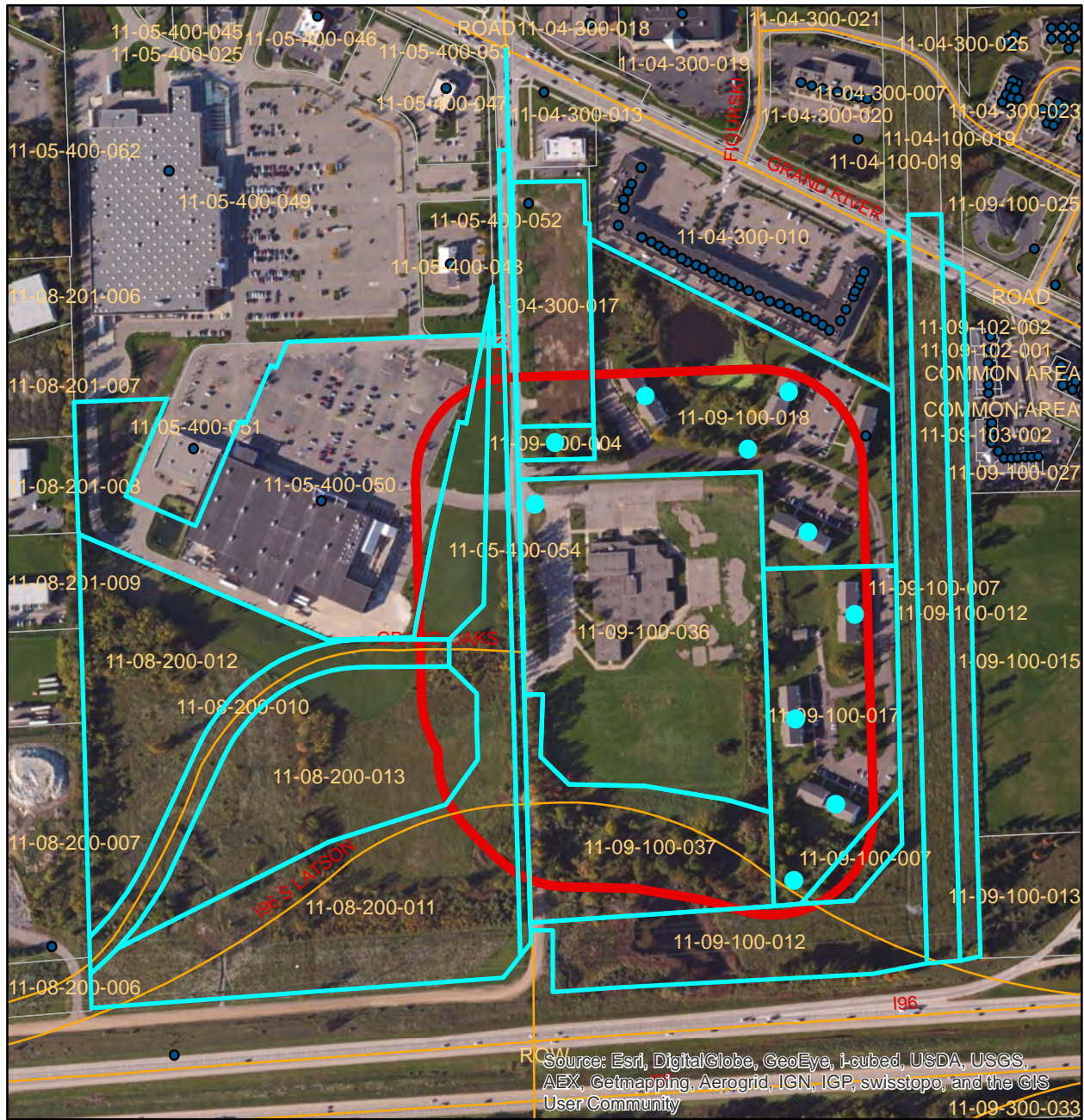
H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

300 ft Buffer for Noticing



Latson Elementary Rezoning
Howell Public Schools
Parcel: 11-09-100-036
Meeting Date: March 10, 2014



**GENOA CHARTER TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
NOTICE OF REZONING PUBLIC HEARING**

PLEASE TAKE NOTICE that the Planning Commission of Genoa Charter Township will conduct a public hearing on Monday, March 10, 2014, commencing at 6:30 p.m. at the Genoa Charter Township Hall, 2911 Dorr Road, Brighton, Michigan, as required under the provisions of the Michigan Zoning Enabling Act.

PLEASE TAKE FURTHER NOTICE that the items to be considered at said public hearing include, in brief, the following:

1. Consideration of the rezoning of approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), being Parcel No. 4711-09-100-036, from "RR" Rural Residential zoning classification to "NR-PUD" Non-Residential Planned Unit Development zoning classification.

2. Such other and further matters as may properly come before the Planning Commission at the public hearing.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225


SIGNED:

KELLY VANMARTER
ASSISTANT TOWNSHIP MANAGER/
COMMUNITY DEVELOPMENT DIRECTOR

(02-21-2014 DAILY 181201)

MEMORANDUM

TO: Township Board

FROM: Michael Archinal 

DATE: 5/1/2014

RE: SELCRA Fall 2014 Use of North Athletic Field

The north athletic field was damaged in 2010. This damage was caused by a soccer club's repeated use during wet conditions. The field was repaired in the spring of 2011 at a cost of \$4,383.49. Around that time we discontinued participation in SELCRA.

On May 6, 2013 the Board directed staff to pursue actions necessary to achieve full membership in SELCRA. On August 5, 2013 the Board appointed Board Member Ledford and I to the SELCRA Board. Since appointment we have attended the monthly SELCRA meetings and the tenor of the relationship has been cooperative and positive.

When the fields were developed and use agreements were set in place the north field was dedicated to use by SELCRA and the south field was dedicated to HAPRA. Since we are now full participating and voting members I would like the Board to consider returning to the original intent and allow SELCRA to program the north field this fall. I would also recommend that the issue of compensation for the damage that occurred four years ago be forgiven. The amount is relatively nominal, years have passed, we are full and represented members, SELCRA leadership has changed and conciliation would show good faith moving forward into the future.

Please consider the following action:

Moved by _____, supported by _____, to allow SELCRA to program and use the north athletic field for the Fall 2014 season.

December 21, 2010

Derek Smith, Director

SELCRA

125 S. Church Street

Brighton MI 48116

RE: Genoa Township North Field

Mr. Smith,

The Township Board has asked that I bring to your attention the degraded condition of the north field at our Township Hall. I have asked our grounds maintenance contractor for an estimate for bringing the field back to playable condition. I have enclosed a copy of the estimate. He feels that the fields can be restored to an acceptable level by the end of May if aggressive restoration is pursued.

As you are aware Genoa Township took the lead for mowing and fertilizing while the fields were being established. We then billed the authorities for our costs. Pursuant to the Athletic Fields Lease between SELCRA, HAPRA and Genoa Township the authorities are responsible for maintenance of the athletic fields including mowing, fertilizing, grass seeding and watering. For 2011 I would like the authorities to schedule these services directly. Cooper's Turf Management is the existing contractor and I have been very pleased with his work and responsiveness. If you should chose to utilize his services his phone number is 517.548.6653.

Some coordination will be necessary between the authorities with respect to irrigation. I will be happy to provide access to the system controls as needed. Also any repairs to the irrigation system are the responsibility of the Township. I am the appropriate contact should such repairs be necessary.

Best regards,

Michael Archinal

Township Manager

Cc: Debbie Mikula, HAPRA

Brian Cooper

Township Board

Tabled - 6. Request for approval of Resolution No. 2 [to approve the project, scheduling the first hearing and directing the issuance of statutory notices] for the Timberview Road Improvement Project Special Assessment District.

7. Request to direct staff to pursue actions necessary to achieve full membership in SELCRA.

James Mortensen indicated he has no trouble with getting involved with SELCRA. He is, however, concerned about entanglements with other governmental entities if it relates to any debts. He would ask that any contract be carefully reviewed. There was discussion about any liabilities involved in joining. Todd Smith would also like to know about voting rights. The issue of millage and to whom it would be assessed against was discussed.

Moved by Ledford and supported by Smith to pursue an agreement with SELCRA. Motion carried unanimously.

8. Request for approval of a proposal from Superior Play for equipment and installation of playground equipment at a cost of \$91,568.89.

Skolarus believes this is a good project. The township needs to support Parks & Recreation (bike paths, soccer fields, etc.) as well as roads. We have a diverse community and we need to take care of the children and not spend every general fund dollar on roads. Rowell - I do not feel comfortable adopting this proposal when the Township is asking for a road millage from the residents. She thinks the playground, as it currently exists, is very nice and is sufficient. She indicated the current budget does not cover this. McCririe indicated it would require a budget amendment. Hunt believes that the final phase of the project should be completed. Archinal reminded the Board that this is an economic development tool. A capital improvement project is forthcoming.

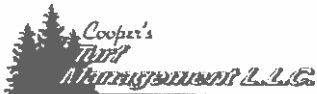
Moved by Skolarus and supported by Ledford to approve the proposal. Motion carried with Rowell opposed.

9. Request to award a contract for the Red Oaks Subdivision Paving Special Assessment District to Cadillac Asphalt in the amount of \$757,169.

Moved by Smith and supported by Hunt to award the contract to Cadillac Asphalt for the repaving of Red Oaks subdivision. Motion carried unanimously.

10. Discussion regarding citizen survey results.

Kelly VanMarter presented the results of the citizens' survey with 472 responses with comments. The community suggested that the rural character of the township be maintained and the campus concept was agreeable. Residents wanted more hard surface roads throughout the community.



PO Box 501 Howell, MI, 48844-0501
 517-548-6653 info@coopersturf.com

Invoice

DATE	INVOICE #
5/17/2011	8871

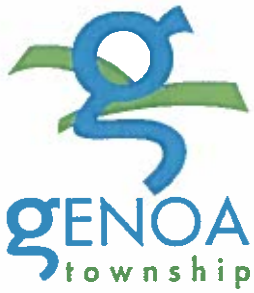
BILL TO
GENOA TOWNSHIP-LAWN ATTN: GREG TATARA 2911 DORR ROAD BRIGHTON, MI. 48116

DUE DATE	TERMS	PO Number
5/17/2011		

SERVICED	QUANTITY	DESCRIPTION	RATE	AMOUNT
5/12/2011	53	NORTH SOCCER FIELD RESTORATION TOP DRESS FIELD AND FILL IN RUTS WITH TOPSOIL PER YARD	21.60	1,144.80
	60,000	RE-SEED ENTIRE SOCCER FIELD PER SQ. FT.	0.05	3,000.00
		FERTILIZATION APPLICATION OF 15/30/15 SUPER STARTER	238.69	238.69
			Total	\$4,383.49

PLEASE ALLOW 7 DAYS FOR US TO RECEIVE AND POST YOUR PAYMENT.
 An 18% Annual Finance Charge (1.5% Monthly) will be assessed to all past due amounts.

Payments/Credits	\$0.00
Balance Due	\$4,383.49



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

TO: Genoa Township Board of Trustees
FROM: Ron Akers, Zoning Official
RE: Update on Camp Chaldean
DATE: April 21, 2014

Manager Review:  _____

Recently we have contacted Camp Chaldean in order to determine when events are going to take place at the Camp this summer and to offer an opportunity for the Camp Overseer Sami Herfy to meet with me to determine volume levels that are within the guidelines of our Noise Ordinance. This will be accomplished through measuring decibel levels at the edges of the property with the Township's sound meters. By meeting with the Camp Overseer and determining these volume levels ahead of time, we hope to prevent future issues.

There are two large events at Camp Chaldean this summer. They will occur on June 20th and July 27th. Each event will have approximately 1,200 people in attendance. Mr. Herfy also indicated that there are three family events in June, and there will be two to three family events in July and August. Those family events may or may not have music associated with them. During this conversation I offered to go out to the property with Mr. Herfy during one of these events to measure the decibel level of the music. Mr. Herfy accepted my offer and stated that he would contact me at a later date to schedule a time for us to meet.

As this has been a re-occurring concern in the past, we felt it would be appropriate to be proactive with regards to helping the Camp determine the appropriate volume levels in order to be consistent with our Noise Ordinance. We hope this proactivity will limit the amount of complaints we receive this year and encourage long-term compliance with our Noise Ordinance.

Please feel free to contact me with any comments or concerns.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

GENOA CHARTER TOWNSHIP
Opinion Regarding Township Board Meeting Minutes
April 29, 2014

Question:

In Township Board of Trustee Meeting Minutes when the votes on a Motion are less than unanimous and it is not a roll call vote, may the Township Clerk include in the Minutes the name(s) of those Board members who voted against the Motion?

Response:

The relevant statutes are Section 9 of the Open Meetings Act, Act No. 267 of the Public Acts of 1976 (MCL 15.269) and Section 66, Chapter 16 of the Revised Statutes of 1846 (MCL 41.66).

Section 9 of the Open Meetings Act. Paragraph 1 of MCL15.269 provides in pertinent part:

Sec. 9. (1) Each public body shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting. . .

Section 66 (MCL 41.66) provides that the Township Clerk is responsible to transcribe the minutes of the proceedings of each township meeting held in the township.

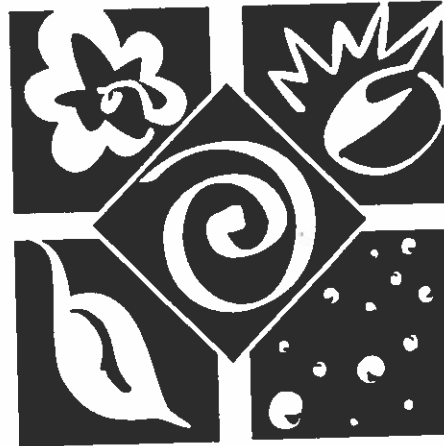
Additionally, Robert's Rules of Order merely provides that "when a count has been ordered . . . the number of votes on each side should be entered. . ." Robert's is silent as to the question presented above.

The above statutes (and Robert's Rules) merely set forth the minimum requirements for recording votes on motions. Nothing in the statutes prohibit the Township Clerk and/or the Township Board from including or requiring other information such as the names of Board members who voted in opposition to a motion in the Minutes. Therefore, if the Township Clerk or the Township Board wishes to include in the Meeting Minutes the names of Board Members that vote in opposition to motions before the Board, she/it may do so.

If anyone has any questions, please let me know.

Frank J. Mancuso, Jr.
Township Attorney

ON BEHALF OF HOWELL
AREA PARKS & RECREATION
& THE 800 PLUS KIDS
THANK YOU FOR YOUR
SUPPORT, ASSISTANCE &
USE OF YOUR FACILITIES
FOR THE 2014 MARSHMALLOW
DROP / MOON GLOW. I
WILL HAVE A FULL REPORT
AT YOUR NEXT BOARD
MEETING.



**HOWELL AREA PARKS &
RECREATION
AUTHORITY**

925 W. Grand River Ave.

Howell, Michigan 48843

517.546.0693

517.546.6018 Fax

www.howellrecreation.org

