
PITTSFIELD TOWNSHIP PLANNING COMMISSION MINUTES

Members Present: Russell Banush, Julie Griess, Christina Lirones, Wilma Luna, Edward Resha, Andrea Urda-Thompson, Dennis Ward.

Members Absent: None.

Others Present: John Phillips, Kirk McClure, Jeff Williams, Jason Wiles, Tom Covert, Peter Hammer, Jim Anderson, Tamara Pape, Herb Lange, Peter Toogood, Ken Polsinelli, Larry Zahn, Ann Stevens, Mark Pascoe, Joe Schulz, Nick Miller, Assistant Planner Paul Montagno, Senior Planner and Zoning Administrator Mark Spencer, and Recording Secretary Laura Ford.

1.0 Call Meeting to Order at 7:30 p.m. / Determination of a Quorum.

Chairperson Lirones called the meeting to order at 7:30 p.m. A quorum was present.

2.0 Pledge of Allegiance

Chairperson Lirones led the Pledge of Allegiance.

3.0 Approval of Agenda

Motion by Commissioner Ward, supported by Commissioner Resha, to move item 7.1 to follow item 5.1, item 7.2 to follow item 5.2, and item 7.3 to follow item 5.3.

MOTION CARRIED

4.0 Items from the Floor

Peter Hammer, 6426 East Michigan Avenue, stated the Planning Commission decided three (3) months ago to not revoke the Conditional Use Permit (CUP) for Nature's Garden Center. He said this business has a history of non-compliance. He mentioned the business owners have not fixed the problems with their site. He said he wanted to bring these issues to the Planning Commissions attention.

Chairperson Lirones stated staff is dealing with these issues.

5.0 Public Hearings

5.1 RZ 04-04 Haywood (SW ¼ Section 7) [submitted to rezone AG to R-1B]

Planner Spencer reviewed his report. He stated the site is two hundred and sixteen (216) feet by two hundred and forty-one (241) feet. He said the site is undeveloped and mostly wooded. He said there are single-family residential lots to the northeast and south of the site. He said the *Comprehensive Plan* proposes this area for 2 ½ dwelling units per acre. He said the site does have sanitary sewer and water available. He said the site could have six (6) to eight (8) lots with the R-1B zoning. He mentioned this use is consistent with the *Comprehensive Plan*. He said agricultural zoning may no longer be appropriate for this size of a parcel. He said the approval of this petition would set no unfavorable precedence in the area, and it would have no ill effects on the neighboring parcels. He said evidence has been given stating that the property owner signed the petition.

Kurt McClure, Atwell-Hicks, stated the applicant is requesting R1-B zoning. He said the site is comparable to the surrounding area. He mentioned there is residential zoning to the west. He said these residential communities have 10,000 square foot lots that are consistent with the R1-B zoning. He said his goal tonight is to participate in the meeting and answer questions.

Chairperson Lirones opened the public hearing.

There were no comments.

Motion by Commissioner Banush, supported by Commissioner Ward, to close the public hearing.

MOTION CARRIED

Item 7.1 RZ 04-04 Haywood (SW ¼ Section 7) moved to follow Item 5.1 of the public hearing.

Commissioner Ward stated item 9 of the Planners report gives factors for consideration. He said items 9.01 through 9.07 should be recorded as the findings of the Planning Commission.

Commissioner Resha supported Commissioner Ward's comment.

Chairperson Lirones stated these items may already be included in the resolution.

Commissioner Ward stated the Planning Commission has decided in the past that the Commission needs to make their findings clear. He said he is recommending these items be accepted as the Commission's findings.

Chairperson Lirones stated the number of units allowed on the site is a site plan process. She said the number of units has not yet been decided. She then briefly read the findings found in the resolution.

Motion by Commissioner Ward, supported by Commissioner Resha, to approve the resolution to recommend approval of RZ 04-04 Haywood SW ¼ Section 7. (Attachment #1)

ROLL CALL:

YEAS: WARD, RESHA, LUNA, LIRONES, BANUSH, GRIESS, URDA-THOMPSON.

NAYS: NONE.

ABSENT: NONE.

ABSTAIN: NONE.

MOTION CARRIED

5.2 CUP 04-09 Showcase Cinema Spring Festival
[submitted for a conditional use permit for a carnival]

Planner Spencer reviewed his report. He stated a memo from the applicant was received stating the festival dates were changed to June 2, 2004 through June 6, 2004. He then listed the neighboring uses. He said this is in a Commercial C-2 District, and this use is allowed with a CUP. He said the controlled use permit was issued administratively. He said there are no other controlled uses within 1,000 feet of this site. He said no improvements are planned, although the applicant has marked out an area in the northwest corner of the parking lot. He added this use should not change the traffic situation.

Planner Spencer continued and said the Zoning Ordinance does not specify the minimum number of parking spaces for this use. He said if one hundred (100) vehicles enter the site during the peak hours and the average stay is two (2) hours then two hundred (200) additional parking spaces would be required. He said the site has 1,810 parking spaces and the existing use [movie theater] requires 1,742 spaces. He said the carnival will occupy two hundred and nine (209) spaces. He said the net shortage of spaces is three hundred and forty-one (341) parking spaces. He added there is room to have deferred spaces in the north landscape area. He said if the Planning Commission considers the spaces deferred then this use would conform to the parking requirements of the Ordinance. He stated the theater management has decided that these parking spaces will not be needed during the peak times. He mentioned there are a lot of available parking spaces at this site.

Planner Spencer continued and said the Planning Commission is required to make findings. He then read through the findings that are found in the resolution. He mentioned the suggested hours of operation are also included in the resolution. He said the applicant is proposing portable toilets and dumpsters. He said traffic estimates from the ITE Trip Generation Manual are located in his report. He said the size of this site may only generate one-half of the traffic that a ten-acre site would generate. He added this should be acceptable.

Planner Spencer continued and stated the applicant has suggested increased public safety officers for this event. He said there will be no over night camping. He said the applicant may need to submit a minimum of \$2,000,000 for a liability policy with the Township named as the insured. He said the Planning Commission with input from the applicant should set the hours of operation. He added that the Commission may want to suggest how many officers are needed during this event. He said if the Commission cannot come up with a suggested number of officers tonight then they could give the Department of Public Safety the authority to do this. He said the applicant should post a \$5,000 cash bond to insure that all litter and trash is removed from the site and from the neighboring properties. He said all the food concessions should be approved by the Washtenaw County Health Department. He said pedestrian aisles should be at least twenty-two (22) feet wide. He said the noise levels should not be disturbing to neighboring property owners. He added that searchlights will be prohibited. He said permits need to be obtained for all the signs on the site.

John Phillips, Department of Public Safety for Pittsfield Township, stated he spoke with the applicant. He mentioned a report was presented to the Commission from himself. He said there have been strong public safety concerns at Showcase since it opened. He said a lot of teenagers are present at the theater. He mentioned there have been assaults that included the use of weapons. He said the Township granted a CUP for a carnival in 1991. He said at the carnival in April of 1991 there was a fight among fifty (50) to sixty (60) people, and it took several police officers to break this fight up. He added that police officers were injured during the fight. He said on August 4, 2002 more fights broke out in the parking lot and police officers had to use pepper spray to break up the fight.

Mr. Phillips continued and stated in July of 2002 Showcase requested in writing the presence of additional police officers. He mentioned on January 9, 2004 a 13 year old female was assaulted, and the assault resulted in cuts to the girl's eye and scratches. He said he included statistics from 2002, 2003 and 2004 in his report. He said he is opposed to this carnival because he believes problems will arise. He said costs for patrol officers, sergeants and lieutenants were provided to the applicant. He said the costs for police officers is a minimum is \$41.15 per hour. He added there are significant problems at this business currently.

Commissioner Banush asked if there were contracted Township police officers at the Showcase carnival in 1991.

Mr. Phillips stated the officers present in 1991 were off duty Washtenaw County officers. He said these officers were in plain clothing not uniforms.

Commissioner Banush stated if the officers were fully identifiable it may make a difference in security.

Mr. Phillips stated high visibility would help. He said the arguments the teenagers have in school carry over to the carnival. He said there are some things that cannot be controlled.

Chairperson Lirones stated a CUP permit was not issued in 1991. She said a "special" permit was issued. She said it states in the March 12, 1991 minutes this was called the "Sheriff Department's Carnival".

Jeff Williams, applicant from Wade Shows, stated he would like to "drop" or withdraw the carnival application. He said the cost of security is too high.

Mr. Phillips stated he is willing to work with the applicant to find a more suitable location for this event.

Chairperson Lirones opened the public hearing.

There were no comments.

Motion by Commissioner Banush, supported by Commissioner Ward, to close the public hearing.

MOTION CARRIED

Item 7.2 CUP 04-09 Showcase Cinema Spring Festival moved to follow Item 5.2 of the public hearing.

Chairperson Lirones stated the applicant has withdrawn the application.

5.3 CUP 04-10 Washtenaw McKinley – Thrifty Car Rental
[submitted for a conditional use permit for rental car storage]
(Glencoe Crossing shopping center)

Planner Spencer reviewed his report. He stated this is a petition for the parking of rental cars. He said there would be up to twenty-four (24) cars which would occupy twenty-four (24) spaces. He then listed the neighboring uses. He said this rental area is permitted with a CUP. He said calculations show that the buildings are 97,425 square feet. He said five hundred and thirty-six (536) parking spaces are required and five hundred and fifty-one (551) parking spaces are shown on the site plan. He said this would be a surplus of fifteen (15) spaces and nine (9) additional spaces will be required. He said if the applicant is looking to defer parking this needs to be shown on the site plan.

Planner Spencer continued and stated the applicant has not stated how the parking will be marked for the rental vehicles. He said the applicant needs to describe the type of vehicles (cars or trucks). He said the Planning Commission must review the application in terms of the findings. He then went through his suggestions for the findings. He said the use will be harmonious with the surroundings uses. He said the Commission should consider if the location of the cars is harmonious with the existing neighborhood. He said the use should have no increase in demand upon the public uses. He said it should not be hazardous to existing uses. He mentioned it should not add any additional costs for public facilities. He said staff is waiting for direction from the Commission before they will write a resolution.

Ken Polsinelli, Washtenaw McKinley, stated the parking spaces will be marked as reserved with a stencil. He said there will be no barriers. He said no large vehicles will be available for rent, although small pick up trucks will be. He said the spaces are close to Washtenaw to minimize the impact on the retail tenants. He said the total area of the shopping center is 95,682 square feet. He said with his calculations the parking for all three buildings is a conforming use.

Chairperson Lirones opened the public hearing.

Jim Anderson, 2528 Deake Avenue, stated he is disappointed that the rental cars are not behind the business. He said there is already increased traffic in the shopping center and he is concerned that the parking of the vehicles will impact nearby residents. He said there is a Thrifty office at Platt Road and Washtenaw Avenue. He said he thought an Enterprise office was going into the shopping center.

Planner Spencer stated the Enterprise office is down the street.

Chairperson Lirones asked if Thrifty has an office in this shopping complex or if they just use the parking spaces.

Mr. Polsinelli stated the Thrifty office on Platt Road will be closed and opened in the shopping center.

Planner Spencer stated the office use does not require a CUP.

Mr. Anderson asked if the twenty-four (24) parking spaces will be a permanent use.

Mr. Polsinelli replied yes.

Mr. Anderson stated he is disappointed because he hoped Thrifty would expand at the office on Washtenaw and Platt. He then asked where the number twenty-four (24) came from for the cars. He restated that the cars should be parked behind the buildings.

Chairperson Lirones stated a letter was received from Johnny Lee, Dynasty Restaurant, 4675 Washtenaw Avenue, stating they felt this use would take parking spaces away from the other businesses in the shopping center.

Motion by Commissioner Resha, supported by Commissioner Urda-Thompson, to close the public hearing.

MOTION CARRIED

Chairperson Lirones stated she is concerned that this area will look like a used car lot. She said the cars should be moved out of the visual area of Washtenaw Avenue. She said this would make it more harmonious with a commercial area, although there is a residential area across the street which it may not be harmonious with.

Commissioner Griess asked if there is a marketing advantage to these cars being so visible.

Mr. Polsinelli stated this is not for marketing and there will be no signage in the parking spaces. He said this is the parking lot that has the least amount of use and the least impact on the customers and retailers in the shopping center.

Commissioner Griess stated it may be safer to not have the cars close to Washtenaw Avenue.

Mr. Polsinelli stated the owner does not have concerns with this location. He said there are safety concerns with the cars being located in the back of the building.

Commissioner Resha asked if the twenty-four (24) cars are the maximum number of cars that will be in the lot.

Mr. Polsinelli replied yes.

Commissioner Resha asked how many parking spaces there are in the rear of the building.

Planner Spencer stated there are twenty (20) parking spaces in the rear. He said there may be room for more spaces in the rear of the building without encroaching into the setbacks. He said the spaces [in the front parking lot] could be dispersed to take away from the used car lot look.

Commissioner Ward asked which building Thrifty Car Rental will occupy.

Mr. Polsinelli showed the Commission on the plan which building the applicant attends to occupy.

Chairperson Lirones stated this may not be the best location.

Mr. Polsinelli stated if the Commission would like, the cars could be dispersed throughout the lot. He said he will entertain the Planning Commission's comments.

Chairperson Lirones stated she would like to see this re-drawn. She said dispersing the cars may not work.

The Planning Commission and the petitioner further discussed where the cars could be located.

Chairperson Lirones stated the applicant should work with staff on the placement of the vehicles.

Commissioner Ward asked if the Commission can limit the type of vehicles based on their weight. He said he does not want to see big vehicles in the spaces. He said in the future a new car company could come in and place large vehicles there.

Planner Spencer replied yes. He said Mr. Polsinelli could check with representatives from Thrifty to see if they have large trucks.

Mr. Polsinelli stated the majority of the vehicles are cars and light SUV's.

Planner Spencer stated there could be a ¾-ton limit.

Commissioner Ward stated the customers may not want to walk across the parking lot to get their rental vehicle. He said small signage may be needed for the parking spaces instead of marking them as reserved.

Planner Spencer stated the Commission can determine the maximum number of cars permitted on the site at one time. He said the pick up and drop off areas for the rental cars needs to be addressed. He said there is a fire lane in the front of the building that customers may mistakenly use. He said if Public Safety responds to these vehicles being parked there, the cars could be towed.

Commissioner Ward stated this corner of the parking lot is busy. He said the clustering of cars in the front area should be avoided.

Commissioner Resha asked how many parking spaces are available for the store.

Planner Spencer stated the shopping center parking is based on the total floor space and this could be calculated for this unit.

Commissioner Resha asked if there could be one or two parking spaces near the building for the drop off and pick up of cars.

Planner Spencer stated if the spaces are going to be for a specific use signage would be required. He said people will be dropping a car off or picking one up.

Commissioner Ward stated the applicant said the square footage of the buildings was 95,682 square feet. He said if this number is correct 526.251 parking spaces are needed. He said the correct square footage of the building needs to be supplied.

Planner Spencer stated staff will verify this. He said staff verified the square footage based on the drawings provided. He said staff will check the new plans for any discrepancies in the square footage.

Chairperson Lirones asked if the petitioner worked with staff on these issues, could this item be brought back with a resolution of approval.

Planner Spencer stated staff has heard the concerns of the Commission and these concerns could be addressed in the resolution. He said there is a one way aisle on the left side of the parking lot that could be used as a pick up and drop off area.

Commissioner Ward stated there may be issues with the applicant enforcing parking restrictions.

Planner Spencer stated this aisle way is not large enough for parking spaces. He said this concept could require a small amount of signage. He said the Township sometimes permits six (6) square foot signs for directional purposes. He said if this does not work, the applicant would need to come back to the Commission.

Motion by Commissioner Banush, supported by Commissioner Luna, to postpone action on CUP 04-10 Washtenaw McKinley/Thrifty Car Rental and direct staff to work with the petitioner on the concerns presented by the Planning Commission, residents and business owners and direct staff to write a resolution of approval.

MOTION CARRIED

6.0 Old Business

6.1 CUP 03-10/CSPA 03-26 Standard Federal Bank [submitted for conditional use permit and preliminary site plan]

Planner Montagno reviewed the zoning report. He said this property is zoned C2. He said the drive through for the bank requires a CUP. He said the bulk requirements, the floor area ratio, lot coverage, and net lot coverage are all acceptable. He said the plan meets the required setbacks. He said a fifteen (15) foot wide transition strip along the rear setback to separate the bank from the single family development is proposed. He said twenty-five (25) parking spaces are required and thirty-eight (38) are provided. He said the employee count will vary from ten (10) to eighteen (18) employees. He said the average amount of customers in the lobby area will be from two (2) to twelve (12) customers. He said there are no wetlands on the site. He said the access was approved from MDOT. He said the applicant provided a cross connection easement for future

connections to neighboring properties. He said the Commission should decide if a pathway or sidewalk along Michigan Avenue is needed. He said the Commission may want this sidewalk to connect to the building.

Planner Spencer reviewed his report. He said a ten (10) foot wide asphalt path is proposed along Michigan Avenue. He said the Township Engineer had few comments. He said Saline Ford Tractors has expressed interest in municipal services. He said the applicant should work with Saline Ford Tractors to see if this can be done all at one time. He said the Washtenaw County Drain Commission (WCDC) found the plans feasible and the Commission can take this as a tentative approval. He said Michigan Department of Transportation (MDOT) has changed their policy and they no longer give written preliminary approval. He said verbal approval has been given for this site. He said for projects that are on MDOT roads the Township will have group meetings with MDOT to discuss the projects.

Commissioner Ward asked if at these meetings minutes will be taken.

Planner Spencer stated there will not be minutes taken, although staff will take notes. He said minutes can be taken into consideration.

Commissioner Ward stated the applicants can be responsible for issuing the minutes for meetings.

Planner Spencer stated the applicant worked to try to get the different access.

Mark Pascoe, Atwell-Hicks, stated at the meetings with MDOT they discuss how to generate the plans and then the plans are made.

Chairperson Lirones asked why the applicant needs more parking spaces.

Planner Spencer stated a letter was received by Michael Boglow Associates, explaining how a bank's parking spaces requirements can vary.

Chairperson Lirones asked if staff is comfortable that this letter provides good logic as to why more parking spaces are needed.

Planner Spencer stated this is a reasonable compromise. He said the lot coverage on the site is also reasonable.

Planner Montagno reviewed the CUP report. He listed the neighboring uses. He said staff does not feel this use will cause any negative impacts. He said the Planning Commission should review the CUP application for the standards and findings.

Chairperson Lirones then read through the findings.

Letter A: **Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance.** The general purposes and intent of the ordinance include:

Chairperson Lirones read item 1: *Protecting the character and stability of the agricultural, recreational, residential, commercial and industrial areas within the unincorporated portions of the Township.* This is a service needed in the community a new bank will aid the surrounding commercial and residential uses.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 2: *Promoting the orderly and beneficial development of such areas.* The Ordinance provides for uses in each district in an orderly manner.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 3: *Providing adequate light, air, privacy and convenience of access to property.* The proposed use meets all setback requirements and includes a transition strip for screening.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 4: *Determining the area of open spaces surrounding buildings and structures necessary to provide adequate light and air and to protect the public health.* The proposed use meets all setback requirements and includes a transition strip for screening.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 5: *Lessening and avoiding congestion on the public highways and streets.* Traffic will enter and leave onto Michigan Avenue. The additional traffic will have some impact on Michigan Avenue.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 6: *Providing for the needs of agriculture, recreation, residence, commerce, and industry in future growth.* The proposed use could provide a service to the surrounding commercial and residential uses.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 7: *Promoting healthful surroundings for family life in residential and rural areas.* The proposed use could improve the health of the local residents by providing a bank within walking distance to the neighboring subdivision.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 8: *Prohibiting uses, buildings or structures which are incompatible with the character of development or the uses, buildings or structures permitted within specified zoning districts.* The Commission concluded the proposed plan is compatible with other structures and uses in the C-2 District.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones read item 9: *Protecting against fire, explosion, noxious fumes and odors, heat, dust, smoke, glare, noise, vibration, radioactivity, and other nuisances and hazards in the interest of the public health, safety, and general welfare.* The Commission determined the use was not a detriment to public health, safety and general welfare.

Chairperson Lirones read item 10: *Conserving the taxable value of land, buildings, and structures.* This will add to the property value of this parcel and not take away from neighboring property values.

There was a consensus of the Commissioners with staff's findings.

Letter B: Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

There was a consensus of the Commissioners that it will be conditionally designed, constructed, operated, maintained, and managed.

Letter C: Will be served adequately by essential public facilities and services, such as highways, streets, police, and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service. This property is in the water and sewer service district and other public services are in the Township to serve this use.

There was a consensus of the Commissioners with staff's findings.

Letter D: Will not be hazardous or disturbing to existing or future neighboring uses. The Commission decided the proposed use would not be hazardous or disturbing.

Letter E: Will not create excessive additional requirements at public cost for public facilities and services. This use will have a minimal impact upon the cost of public service delivery.

There was a consensus of the Commissioners with staff's findings.

Chairperson Lirones stated the site was reviewed by the Township Wetland Consultant and no wetlands were found on the site. She asked if there will be a buffer for the residential properties that almost border this site.

Planner Spencer stated there is a proposed transition strip and the landscaping for this will be shown on the final site plan.
Chairperson Lirones asked if there is a danger of flooding on the property.

Planner Spencer stated if the pond is designed correctly with an emergency spillway the water will go to the southeast and into the wetland.

Chairperson Lirones asked if a higher berm is needed.

Ann Stevens, Atwell-Hicks, stated the natural flow of the land is to the southeast and the residences are to the south. She said the water will go into the wetland.

Chairperson Lirones asked if there was danger to the residents directly behind this site.

Ms. Stevens stated the water would have to reach twelve (12) feet to affect the residents.

Michael Boglow, Architect, stated the last lane in the drive through is an ATM machine.

Commissioner Ward stated this condition has been noted in the proposed wording of the resolution.

Planner Spencer stated they need to add the condition that they comply with the April 15, 2004 site plan.

Chairperson Lirones stated the Commission has specified the width of the sidewalk but has not decided whether it should be asphalt or concrete.
Planner Spencer stated the Commission can call this a sidewalk whether it is asphalt or concrete.

Commissioner Ward asked if it would be appropriate to make the applicant guarantee to pay for the clean up, if the pond overflowed.

Commissioner Resha asked if the applicant is already required to issue a bond.

Planner Spencer stated the applicant would be responsible for the damage. He said the applicant may need to be litigated to pay the money.

Commissioner Ward stated he is not suggesting a bond. He said he is suggesting some other form of a guarantee. He asked if this could be placed in the master deed, or if there was another form of a binding mechanism that could be used. He said he does not want to see the homeowners have to litigate this.

Planner Spencer stated the 100-year storage level is forty (40) feet from the property line. He added that the berm reaches the height of eight hundred and thirty (830) feet. He asked Ms. Stevens if the 2-100 year storage is eight hundred and twenty-seven (827) feet. Ms. Stevens stated it would be around three (3) feet higher than the 100-year flood level. She said the gas station is what they should be worried about.

Planner Spencer stated if the Commission is not comfortable with this, the berm may be raised higher. He said there is a spot near the residences where fill could be added. He asked if the overflow from the gas station went across this property.

Ms. Stevens replied the overflow from the gas station was through the residences. She said there was suppose to be a swale built. She said she can check to see if the flow will come through their site, and if they will have a method to continue this as part of the drain code.

Planner Spencer stated there may be room for a swale along the property line.

Chairperson Lirones asked if this needs to be added as a condition.

Planner Spencer stated this is a final site plan matter. He stated there is a catch basin on the rear of the James property. He said this is where the gas station overflow would end up.

Chairperson Lirones stated the Township does not want to get thrown into lawsuits because residents property floods.

Planner Spencer asked if this pond is being designed for both properties.

Ms. Stevens replied yes.

Planner Spencer asked if this pond is being designed with 60% lot coverage for the neighboring site.

Ms. Stevens replied yes. She said the detention basin sizing may prevent them from maximizing their site.

Planner Spencer asked Ms. Stevens if she could provide notes of these calculations on the site plan.

Ms. Stevens stated she would have to provide the back up data so they can show how much is needed for their site and the other site.

Planner Spencer asked if this could be shown on the plan set not just on the drainage narrative.
Ms. Stevens replied yes.

Chairperson Lirones stated the Commission would like a five (5) foot sidewalk connecting to the building from the sidewalk in front of the building.

Mr. Boglow stated this would be fine.

Motion by Commissioner Banush, supported by Commissioner Resha, to approve CSPA 03-26 Standard Federal Bank, preliminary site plan with the following conditions:

- 1. Address the concerns in items number 5, and 11 of the Zoning Review dated April 30, 2004.**
- 2. Address the concerns of the Township Engineer's Report dated April 26, 2004.**
- 3. Address the concerns in item number 4.05 of the Township Planner's report dated April 28, 2004.**
- 4. Provide a ten-foot wide asphalt or concrete sidewalk parallel to Michigan Avenue and provide a connecting five-foot concrete sidewalk to the building.**

MOTION CARRIED

Motion by Commissioner Ward, supported by Commissioner Banush, to approve the resolution to approve CUP 03-10 Standard Federal Bank. (Attachment #2)

MOTION CARRIED

6.2 CSPA 04-04 Guedel Manufacturing
[submitted for final site plan]

Planner Montagno reviewed his report. He stated the height is recorded on the coversheet as eighteen (18) feet and should be shown as thirty-two (32) feet as shown in the elevation plans. He said forty (40) parking spaces are required and forty-three (43) are proposed.

Planner Spencer stated Planner Schmult had no major comments. He said the width between the driveway island needs to be shown. He said the Township Engineers had a fair amount of comments. He said the biggest comment is that the wall-mounted lights are not approved. He said protective fencing should be provided off-site where the off-site grading will occur.

Commissioner Ward stated his site plan was not stamped by the Engineer.

Ann Stevens, Atwell-Hicks, stated the plans are suppose to be stamped and she will see that this is done.

Commissioner Banush and Commissioner Resha stated their site plans were not stamped either.

Commissioner Ward stated these site plans do not meet the Land Development Standards of a site plan.

Planner Spencer stated a condition can be placed in the motion stating four (4) stamped and signed site plans should be provided to meet the conditions.

Chairperson Lirones asked if the landscaping will be done with sensitivity to the neighboring residents.

Ms. Stevens stated there are three (3) spruce trees in the southeast corner of the building that will be re-located. She said these trees are noted on the site plans with a "T" to show they are being transported.

Chairperson Lirones mentioned a lot of excess lighting is not needed on the site.

Motion by Commissioner Ward, supported by Commissioner Luna, to approve the final site plan for CSPA 04-04 Guedel Manufacturing with the following conditions:

- 1. Address item number 3 from the Township Planner's report dated April 27, 2004.**
- 2. Address item 2.C. from the Zoning Review dated April 27, 2004.**
- 3. Address comments 1.a. and b., 2.a., 3.b., 4.a., 5.a. and 6.a., 7.a., b. and c., 8.a.iii.(1), 9.a., and 10 from the Engineer's report dated April 29, 2004.**
- 4. Final site plans shall have the original seal and signature of a licensed professional engineer for administrative review.**

MOTION CARRIED

6.3 CSPA 02-04 Sam's Club/Fueling Station [submitted for review of fueling station]

Planner Spencer reviewed his report. He stated the gas station building material does not match the Sam's Club building. He said they are proposing smooth face blocks instead of split face block. He said only one wall sign will be permitted and no other advertising is permitted. He added that permits need to be obtained for the signs. He said all the lighting must be approved by the Township Lighting Consultant. He said a photometric plan should be provided. He said the layout changes of the fuel station will be handled administratively. He said the Commission should discuss the proposed striped off no parking areas. He said staff recommends those spaces be placed in islands. He said changes have been made in the grading and the Township Engineers have minor comments on this item in their review.

Chairperson Lirones asked why smooth faced blocks are being proposed versus the split face blocks.

Nick Miller, Atwell-Hicks, stated the smooth face block was a professional over site made by the architect. He said they are working with two separate architects on the fueling station and on the building. He said the architects are willing to accept the split face block. He said they were proposing an eight (8)-pump facility and now they are proposing a six (6)-pump facility. He said the layout changed and the plan has been changed to show the correct landscaping in the striped islands. He said there are five (5) islands on the site.

Planner Spencer referred to the plan and asked about the striped area on the southern side of the site.

Mr. Miller stated they needed a way to not block the eleven (11) cars that would park in the spaces. He said this island is being reduced to allow the semi trucks room to deliver the fuel.

Planner Spencer stated there is an issue regarding outdoor storage that needs to be addressed.

Mr. Miller stated the applicant is currently storing items outside.

Planner Spencer stated the applicant was sent a violation notice.

Chairperson Lirones asked if there is room inside the building for storage. Mr. Miller showed a sketch proposing an enclosure to be used as a storage area outside of the building.

Commissioner Luna asked what will be stored?

Mr. Miller stated Sam's Club recycles their cardboard boxes and a third party picks up the recycled cardboard. He said they are in violation of the Zoning Ordinance by storing the cardboard outside. He said the proposal is for a bale and pallet storage area on the north side of the building. He said in addition to the cardboard they would be storing wood crates. He said a split face block is the proposed material for the enclosure along with a cedar gate.

Chairperson Lirones asked which direction the gate faces.

Mr. Miller showed the two openings on the sketch that face toward the building.

Chairperson Lirones asked Planner Spencer if this is a big problem.

Planner Spencer stated the Commission may want to approve this as a minor change to the site plan. He said this [site plan change] can be handled administratively. He said there have been problems with

businesses not closing the doors on the outdoor enclosures. He said sliding doors might work better. He said the proposed storage is out of site.

Commissioner Resha asked if the storage is strictly for pallets.

Mr. Miller stated they would also store cardboard.
Commissioner Resha asked if the building has a trash compactor for the cardboard.

Mr. Miller stated there is a trash compactor inside the building. He then showed on the sketch the compactor for the cardboard and pallets. He said the existing vegetation provides a buffer.

Planner Spencer stated there are alternatives. He said they could provide enough dock space to store the cardboard on semi trailers parked at the dock.

Commissioner Resha asked how often the storage area will be emptied.

Mr. Miller stated he is not sure. He said this information will be supplied to staff.

Commissioner Resha stated there may be a lot of scrap pieces that get left on the ground and eventually end up in the parking lot.

Planner Spencer stated there are potential problems.

Commissioner Resha stated he has seen litter in the back of Sam's Club. He said the litter is cleaned up most of the time but there are times when it is not.

Chairperson Lirones stated having the compactor in the building will help.

The Planning Commission discussed compacting the cardboard.

Commissioner Ward stated he would like to see a proposal for controlling the litter.

Planner Spencer asked how many truck bays the building has.

Mr. Miller stated there are five (5) truck bays.

Planner Spencer stated one of the bays could be dedicated to the cardboard.

Commissioner Resha stated he does not like the proposed location of the storage. He said it would be too easy for litter to accumulate and not be cleaned.

Commissioner Banush asked how far the storage is from the building.

Mr. Miller stated thirty (30) to forty-five (45) feet from the building.

Commissioner Urda-Thompson stated she agrees this is a bad location. She said the litter could end up in the wetlands.

Planner Spencer stated if this is stored inside, a fork lift will lift the cardboard and pallets and carry them to a flat bed truck and there could be a potential for litter.

Commissioner Resha stated he does not have a problem with the pallets being stored outside just the cardboard.

Chairperson Lirones stated the pallet storage is acceptable. She said there should be an alternative proposal for the storage of the cardboard or more detail submitted.

Planner Spencer stated this could be a minor change to the PUD with conditions. He said if a handling procedure is presented that the Planning Commission is comfortable with, then this can be added as a condition of the PUD.

Commissioner Ward stated the Township and the store manager will have little control of the employees and making sure they follow the procedures.

Planner Spencer stated mechanisms and safe guards can be installed. He said a snow fence may help keep the litter out of the wetlands.

Chairperson Lirones stated she is comfortable with the pallet storage.

Commissioner Ward asked if the Commission wants the tan stripe on the canopy and if they feel the material of the canopy is acceptable.

Commissioner Banush asked what is the canopy material.

Commissioner Ward stated metal. He added metal canopies look good for approximately five (5) years until they start to rust and deteriorate.

Chairperson Lirones asked if there are alternatives.

Planner Spencer stated this issue can be addressed with a gabled roof. He said the draw back of it is it starts looking like a huge structure.

Chairperson Lirones stated this may be unnecessary because it would enlarge the profile.

Commissioner Luna asked if the tan stripe can be removed.

Mr. Miller replied yes.

Commissioner Banush asked if they are using powder coatings for the aluminum.

Mr. Miller stated the only powder coating is on the monitoring kiosk.

Commissioner Ward stated the elevations did not show an extinguisher system.

Planner Spencer stated this is not a requirement of the Township, although it may be a State requirement.

Commissioner Ward asked where the price signs for gasoline will be placed.

Planner Spencer stated a sign permit has not been obtained although they are allowed to incorporate it into the gas sign. He said the Ordinance provides for an additional gas price sign approximately eight (8) square feet in size on each street frontage. He mentioned this site has one (1) street frontage.

Commissioner Resha stated he thought the prices were going to be at the pumps.

Commissioner Ward stated this needs to be shown on the site plan.

Mr. Miller stated the applicant is not looking for anything other than the Sam's Club signage.

Commissioner Resha asked if the station will be selling oils and transmission fluids.

Mr. Miller replied no. He said the building at the fueling station is there because Michigan law does not allow people to pump gas unattended.

Commissioner Ward asked if the fence that holds the HVAC in the back of the building is acceptable to staff. He said the material looks like a chain link fence.

Commissioner Resha asked if this is the transformer.

Mr. Miller stated this is the electrical service cabinet. He stated posts could be added to the fence.

Commissioner Ward asked if the phone on the site is a pay phone or an emergency phone. He added that the phone is gaudy.

Chairperson Lirones asked if they are required to have an emergency phone.

Commissioner Resha stated it is required by law to have the emergency phone.

Chairperson Lirones stated this will add congestion to the site.

Mr. Miller stated they will withdraw the pay phone and make it an emergency phone only.

The Commissioners and staff further discussed the sign locations.

Mr. Miller stated he was not prepared to discuss the signage but he will get more information on the price signage and find alternatives.

Chairperson Lirones asked what material is typically used around an HVAC unit.

Mr. Miller stated he will get more information on this.

Motion by Commissioner Ward, supported by Commissioner Resha, to postpone the building elevations for the fueling station for CSPA 02-04 Sam's Club with the following conditions:

- 1. Change the smooth face block to split face block to match the material on the Sam's Club store building.**
- 2. Lighting should be approved by the Township lighting consultant and the Planning staff.**
- 3. Applicant understands that signage must be addressed by separate permit application(s).**
- 4. Price signage to be included in the elevation drawings for Planning Commission review.**
- 5. The pay phone shall be replaced with a building mounted emergency phone.**
- 6. HVAC fence shall match the kiosic building style.**
- 7. Remove the tan stripe from the canopy and kiosic.**

MOTION CARRIED

7.0 New Business

7.1 RZ 04-04 Haywood (SW ¼ Section 7) [submitted to rezone AG to R-1B]

Item 7.1 moved to follow the public hearing.

7.2 CUP 04-09 Showcase Cinema Spring Festival [submitted for a conditional use permit for a carnival]

Item 7.2 moved to follow the public hearing.

7.3 CUP 04-10 Washtenaw McKinley – Thrifty Car Rental [submitted for a conditional use permit for rental car storage]

Item 7.3 moved to follow the public hearing.

7.4 CSPA 04-09 Doan Spec Building
[submitted for discussion only]

Planner Montagno reviewed his report. He stated the proposed use is for two buildings for general industrial use. He said the bulk requirements, lot area, lot width and building height are all acceptable. He said there are problems with the calculations for the floor area ratio, lot cover, and the net lot coverage. He said the entire site needs to be included in the calculations not just the new area of development. He said a landscape strip in the front, of twenty (20) feet or more in depth is needed. He said ninety-three (93) parking spaces are proposed including four (4) barrier free spaces. He said the buildings are speculative buildings and the specific use is not known so the exact number of parking spaces is not known.

Planner Montagno continued and stated a warehousing use requires one (1) space for every 1,000 square feet. He said if the buildings were used for warehousing thirty-seven (37) spaces would be needed. He said a manufacturing use typically requires one (1) space for every five hundred (500) square feet of manufacturing floor area. He said the Commission may want discuss a minimum number of spaces needed. He said there are no wetlands on the site. He said the site does not meet the access management standards. He said the site plans show two (2) entrances to the site two hundred and twenty (220) feet apart. He said the Commission may want the applicant to combine the entrances. He restated that the calculations for the site must include the entire site, and included the proposed and existing structures, and all impervious surfaces. He said most of the site may be considered impervious because of the history of the site and its uses.

Planner Spencer reviewed Planner Schmult's report. He said there is an excessive amount of pavement. He said templates should be provided to determine whether the pavement is necessary or could be reduced. He said the paving behind the west building is seventy-five (75) feet wide and the pavement behind the east building is one hundred and ten (110) feet wide. He said the sidewalk along the north edge of the parking lot should be six (6) feet wide. He said the plan does not provide for a sidewalk along Morgan Road. He said the Commission should direct the applicant on whether they want sidewalks or not. He said the Township Engineers have stated there are deficiencies in the area maps. He said the Fire Marshal also had comments. He said retention must be provided for the site. He said in paragraph 3 A of the Engineer's report it states, "therefore retention must be provided" and in the next sentence it states "detention must be provided". He said he spoke with the Township Engineer and runoff from the whole site must be retained onsite. In addition, the WCDC supports this. He said twenty-five (25) foot buffer stripes are need around each of the ponds. He said any permanent wet portions of the ponds should be aerated. He said preliminary approval from outside agencies needs to be provided. He said the general opinion of staff is that buildings like these will be a big improvement to the neighborhood.

Chairperson Lirones stated the letter from the WCDC stated it was their understanding that the Township is requiring the storm water management system use a retention basin.

Ann Stevens, Atwell-Hicks, stated she agrees and the direction they have received is to use retention not detention.

Planner Spencer stated all facilities in this proposed drainage must use retention to minimize impacts down stream.

Chairperson Lirones asked if the Commissioners want to see a sidewalk installed.

The Commissioners agreed they did.

Chairperson Lirones asked how wide the sidewalk should be.

Planner Spencer stated a six (6) foot sidewalk should be wide enough.

Commissioner Resha asked if the sidewalks that will connect to this sidewalk will be six (6) feet wide also.

Chairperson Lirones stated there are no sidewalks to connect to yet, but the further sidewalks would probably be six (6) feet wide.

Ms. Stevens stated she appreciates the feedback and she will review the parking.

Motion by Commissioner Resha, supported by Commissioner Urda-Thompson, (CSPA 04-09 Doan Spec Building) to direct the applicant to address the comments of the Planning Commission and staff before resubmitting.

MOTION CARRIED

8.0 Planner's Report

Planner Spencer stated staff cited Natures Garden Center and Saline Flower Land for violations of their CUP's. He said if the tickets are not paid more tickets will be written and they will ask the District Court for a formal hearing. He said the Township will not issue tickets if the owners are in the process of solving the problems. He said if the owners appeal to the Zoning Board of Appeals then the fines would be put on hold.

Planner Spencer continued and stated that Natures Garden Center probably cannot expand their property because it is a nonconforming use at the present time. He said issues with this site have also been addressed with the Department of Public Safety. He said trucks are backing onto Michigan Avenue and this is against the

law. He said this site was designed with a large enough yard for the trucks to turn around.

9.0 Chairperson's Report

None.

10.0 Commissioner's Report

Commissioner Resha stated at Sam's Club the block masons walked off the job at 11:20 p.m. and went back to Missouri. He said they left their employees stranded here. He said there are possible violations with what they did. He said if there is ever a problem with the building the Township could be held responsible because the Township inspects the building.

Planner Spencer stated the Township will not be held responsible because they do not inspect the building 100% of the time. He said they have governmental immunity. He said unless there is neglect or malicious intent by the Township's inspectors, the Township cannot be sued.

Commissioner Banush stated he agrees with Planner Spencer's comment.

Commissioner Ward stated that by the State's definition of licensure, some people are not qualified to be stamping the plans. He said a modification should be proposed to change this in the Land Development Standards.

Planner Spencer stated the Land Development Standards have the minimum standards required for the stamping of plans. He said the Commission could insist that the plans are always signed by a professional engineer. He said this is on the list of Land Development Standard changes that will be presented later this year.

Commissioner Griess stated Milan is looking at what will be done with the hospital. She said they are looking to make it a manufacturing facility that might be getting water from the City of Milan.

Commissioner Ward stated the hospital area has been planned as an enterprise zone. He said they have wanted to bring in light industrial uses. He said last year they were going to bring in a fuel cell research facility but it fell through because of utility issues.

Commissioner Griess asked if the Township will be kept in the loop because it is in the area.

Planner Spencer stated if there is a rezoning on the border of the Township, it would get notice.

Commissioner Urda-Thompson asked what is happening with the Mayflower Motel.

Planner Spencer stated he put a call into the Deputy Public Safety Director. He said he will talk to Director Phillips and the Township Treasurer Mr. Skrobola.

Chairperson Lirones stated she has also contacted the Deputy Public Safety Director and she has received no response.

Commissioner Ward stated if staff receives no response then he will write a formal letter to the Department of Public Safety.

11.0 Approval of Prior Minutes

11.1 Minutes of April 15, 2004

Motion by Commissioner Resha, supported by Commissioner Luna, to approve the minutes of April 15, 2004 as corrected.

MOTION CARRIED

12.0 Adjournment

Motion by Commissioner Resha, supported by Commissioner Ward, to adjourn the meeting.

MOTION CARRIED

Chairperson Lirones adjourned the meeting at 10:44 p.m.

(Attachment #1)

**RESOLUTION FOR APPROVAL
PITTSFIELD TOWNSHIP PLANNING COMMISSION
RZ-04-04 Haywood SW ¼ Section 7
February 3, 2005**

WHEREAS Pittsfield Township received petition RZ 04-04 to rezone properties north of Ellsworth Road in Section 7 from Agricultural (AG) to Single Family Suburban Residential (R-1B) from Calvin and Jeff Haywood for property described as parcel tax ID # L12-07-300-010; and

WHEREAS The Pittsfield Township Planning Commission held a public hearing on the petition on May 6, 2004; and

WHEREAS The Pittsfield Township Planning Commission considered comments presented by the petitioner's representative and there was no public comment; and

WHEREAS The Pittsfield Township Planning Commission has studied the petition in terms of the standards in Section 59.05 of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED That the Pittsfield Township Planning Commission recommends to the Pittsfield Township Board that the request to rezone the property in RZ 04-04 from AG to R-1B be approved;

BE IT FURTHER RESOLVED That the Pittsfield Township Planning Commission makes the following findings regarding petition RZ 04-04:

1. The petition is consistent with the Township's adopted Comprehensive Plan. The Plan designates the property and surrounding area for suburban residential use, at a density of 2.5 dwelling units (DUs)/acre. The R-1B district is intended to be used in such areas.
2. The current AG zoning is no longer appropriate for this parcel. The parcel is in an area of urban development – single-family residential at densities of about 2.5 DUs/acre. The property has access to public water and sanitary sewer services. Conditions have changed since this property was zoned AG.
3. The R-1B district is consistent with existing land use and zoning in the surrounding area.
4. Approval of the petition would have no precedent effects in this area. The land use and zoning patterns for single-family residential use on 10,000 square feet and larger lots are well established in the area and the R-1B district would be consistent with them.
5. Public water and sanitary sewer services are available to the property. Storm water runoff can be detained on-site and discharged under controlled conditions into the stream that crosses the property. Ellsworth Road has capacity

to handle the additional traffic that would be generated by development under R-1B zoning.

6. Approval of the petition should have no adverse effects on the value of neighboring properties for residential use. The lot sizes and densities permitted in the R-1B district are similar to those existing in the area.

7. The lot is a lot of record and is a reasonable unit of land for zoning consideration.

BE IT FURTHER RESOLVED That the Pittsfield Township Planning Commission is transmitting a copy of the Township Planner's report of April 20, 2004 with this resolution as the Commission's report on the petition.

(Attachment #2)

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
C.U.P. #03-10 Standard Federal Bank
May 6, 2004**

WHEREAS, an application for a Conditional Use Permit #03-10 to allow a drive-in service in a General Commercial district was received on December 15, 2003, and

WHEREAS, the Pittsfield Township Planning Commission held a public hearing on this matter on January 15, 2004 and received no unfavorable comments; and

WHEREAS, the Commission received and acknowledged comments regarding concerns from neighboring parties at its regular meeting held on January 15, 2004; and

WHEREAS, the Pittsfield Township Planning Commission reviewed and approved the preliminary site plan for this use and per the requirements of Section 50.06 of the Township Zoning Ordinance and based on the Township Zoning Ordinance review dated April 29, 2004 it finds the following:

- A. The proposed use will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance because of the following:
1. The proposed use protects the character and stability of the agricultural, recreational, residential, commercial and industrial areas within the unincorporated portions of the Township by being located in an appropriate zoning district.
 2. The proposed use will promote the orderly and beneficial development of such areas because the Ordinance provides for uses in each district in an orderly manner,
 3. The proposed use is adequately setback from the property lines and the proposed structures and landscaping are adequately arranged to provide light, air, privacy and convenience of access to the property, and surrounding buildings and structures.
 4. The proposed use does not substantially add to congestion on the public highways and streets.
 5. The proposed use provides for the needs of agriculture, recreation, residence, commerce, and industry and its future growth by increasing the facilities in the Township for this use.
 6. The proposed use promotes healthful surroundings for family life in residential and rural areas.
 7. The use and structures are compatible with the character of development or the uses, buildings or structures permitted within the C-2 General Commercial district.
 8. The use should not create any fire, explosion, noxious fumes and odors, heat, dust, smoke, glare, noise, vibration, radioactivity, and other nuisances and hazards or diminish public health, safety, and general welfare.
 9. The proposed use will not take away from the neighboring property values. This use will add to the property value of this parcel.

- B. The proposed use will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
- C. The proposed use will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
- D. The proposed use will not be hazardous or disturbing to existing or future neighboring uses.
- E. The proposed use will not create excessive additional requirements at public cost for public facilities and services, and

WHEREAS, the Commission has studied this application and developed conditions adequate to insure this will not be hazardous or disturbing to the surrounding uses; and

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves, C.U.P. 03-10 subject to meeting the following conditions:

1. Be approved for four (4) drive-up windows, one to be located in the bank building and three (3) additional windows each on a separate island, and an extra drive will be for an Automated Teller Machine, as shown on Sheet #3 of the Preliminary Site Plan, dated April 15, 2004.
2. That pavement markings shall be provided in the one-way drives for the windows.
3. Comply with the preliminary site plan dated April 15, 2004.