

---

**PITTSFIELD TOWNSHIP PLANNING COMMISSION MINUTES**

---

**Members Present:** Dennis Ward, Richard Plisko, Wilma Luna, Christina Lirones, Stuart Dowty, Maria Constant.

**Members Absent:** John Norton.

**Others Present:** Mike Ault, Terence Bilovus, David Zaleski, Joseph Webb, Nancy Thelen, Jason Cooper, Joe White, Pete Jolliffe, Mark Costandi, Senior Planner Paul Montagno, Planning Director Bruce E. Fowler, and Recording Secretary Marge Burkheiser.

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

Chairperson Lirones called the meeting to order at 7:35 p.m.

**2.0 Pledge of Allegiance**

Chairperson Lirones led the Pledge of Allegiance.

**3.0 Approval of Agenda**

**Motion by Commissioner Ward, supported by Commissioner Luna, to move item 7.1 of New Business to follow 5.1 of Public Hearings.**

**MOTION CARRIED**

**4.0 Items from the Floor**

Nancy Thelen, director of Washtenaw County/MSU extension office, said that in June they completed the "Citizens Planner Program". She stated that Commissioner Dowty took and completed the series along with 36 residents of Washtenaw County that completed the course. She presented a certificate of completion and a pin to Commissioner Dowty.

Commissioner Dowty commented this was excellent program and he would recommend it to anyone.

There were no further comments.

**5.0 Public Hearings**

**5.1 WP 06-03 Ann Arbor Business Center/Ashley-Capital**  
[submitted for a wetland permit]

Ann Vaara of Environmental Consulting & Technology, Inc. (ECT) commented that staff has previously visited the site. She said most wetlands are shown in the correct location. She said there are 16 wetlands on the site or close to that. She said two (2) of them are off the site and there are fourteen on sites. She said there were adjustments that needed to be made to areas G, H, I, J, and O but was not sure if this was done on the site. She said

the first thing that should be done is to be sure the requested adjustments had been made. She said the second item was the acreage in the application is not correct in the amount of disturbed area. She did note that the total amount of disturbed area is less than two (2) acres. She said they did not agree with the wetland boundaries that were flagged, with areas A through E being incorrect. She said they also found six (6) unflagged areas in the wooded portion of the parcel and four (4) other areas that were also unflagged. She said the application for the wetland permit is not correct, noting two wetland areas are not regulated. A total of 1.59 acres are to be disturbed and plans need to be adjusted to reflect this. She noted a number of items that would need to be revised for the wetland permit application. She said a soil drainage plan has not been provided. She did say that generally the plans were satisfactory although they do not agree with the flagging that has been done on the site. She said the applicant should re-delineate the parcel's wetlands in order to improve the accuracy of the flagged wetland boundaries and to flag those wetland boundaries not delineated in the current wetland determination.

Chairperson Lirones asked Ms. Vaara if the Washtenaw County Road Commission requires the applicant to move the drive whether or not it would impact a wetland.

Ms. Vaara replied that there would be some impact to wetland "E" and [the applicant] should wait instead of resubmitting before moving the driveway.

Dan Zaleski, project manager, said he had the report and agreed it needed to be revised. He said the wetlands have been re-flagged. He said no mitigation will be done in the forested areas. He said they have submitted to the WCRC but did not want to move the driveway, if possible.

Chairperson Lirones opened the public hearing.

There were no comments.

**Motion by Commissioner Ward, supported by Commissioner Luna, to close the Public Hearing.**

**MOTION CARRIED**

Item 7.1 to follow.

Director Fowler reviewed the zoning review dated September 28, 2006. He noted this is to be a proposed office building with warehouse space which is permitted in an I-1 district. He noted that it should be determined whether outside truck staging would be outdoor storage which would require a Conditional Use Permit. He said the bulk, floor area and lot coverage were all acceptable as are the setback requirements and transition strips. He said parking for various uses requires 689 spaces and that the plan is showing less parking. He said staff has determined the alternative parking plan meets the requirements of the deferred parking. He said the wetlands have been discussed by the Consultant.

He said a tree survey has been provided and that seven (7) trees would have to be mitigated, although this may be revised based on moving the driveway to the north. He said that access points should be aligned with non-signalized intersections or be offset a minimum of 150 feet. He said the Planning Commission could waive this requirement. He said the WCRC approval is needed and has indicated moving the drive 200 feet to the north to align with Cloverlane Drive which may be signalized in the future. He said concerning signage, the proposed plan is showing four (4) existing billboards; one to be removed and one to remain, the other two (2) are to be relocated on site. He said that billboards are not permitted in an I-1 district. He said separate permits are required for all signage.

Director Fowler continued by briefly reviewing the Planning Consultant's report dated September 22, 2006 noting similar comments about the billboards. He said concerning the parking layout that the east bay of parking spaces along Carpenter Road should be moved two (2) feet so they did not overhang into the front yard setback. He said that a sidewalk should be provided along Carpenter Road between the street sidewalk and the public entry to the building. He reviewed the engineer's report dated September 27, 2006 stating there are a number of items that would be addressed in next submission. He commented on a number of items in the report. He said the wetlands must be delineated both in the field and on the plan, the project needed to have approvals from the WCRC, overhead utility lines need to be identified and re-located underground, the proposed layout encroaches into the buffer for wetland "H" and must be corrected, and that a retention basin grading encroaches into wetland "A" that must be corrected.

Mr. Zaleski noted the building has 619,000 square feet with the general location on Carpenter Road and I-94. He said currently there is no tenant for this spec building and felt the only major issue is aligning the driveway.

Chairperson Lirones asked if the use for was distribution and warehouse.

Mr. Zaleski replied yes, along with light manufacturing. He said there would not be a lot of traffic and the parking lot could be re-striped if necessary. He said the billboards could be re-located but thought they are grandfathered.

Chairperson Lirones stated she would prefer to have them [all] removed.

Joe Webb of Powell & Associates said they would remove the signs that are on Carpenter Road.

Chairperson Lirones restated she would like to see them all go.

Commissioner Dowty asked if they [billboards] are not allowed, how did they get there.

Director Fowler said the Township could not find any permit record for installation.

Commissioner Dowty asked the applicant if they had any rights to keep them in good faith.

Planner Montagno said approvals likely came from other agencies. He said that they are a legally non-conforming structure. He said that over time the billboards will become eye-sores.

Mr. Webb said if the signs were not structurally sound they would remove them.

Chairperson Lirones suggested that they start by agreeing to remove the billboards on Carpenter Road.

Commissioner Ward said he would like them all removed. He said it would be a requirement to remove the ones [billboards] on Carpenter Road and would certainly appreciate the applicant's willingness to remove the ones [billboards] on the highway [US 23].

Mr. Zaleski said they pride themselves in working with the communities.

Commissioner Ward said the zoning review commented on the trailer staging spaces. He said he was concerned that whoever moved in would use this for storage.

Mr. Zaleski said it would depend on who the tenants are. He said some move in and out in a few days.

Commissioner Ward said some businesses would abuse outdoor storage and over time would become "blight".

Mr. Zaleski said the company Ashley Capital would not tolerate blight. He said they have over 13 million square feet in southeast Michigan.

Commissioner Ward asked if there could be some type of "binding agreement" that the Township could enforce concerning outdoor storage.

Planner Montagno clarified by saying that anything left outside with or without wheels becomes outside storage.

Commissioner Ward said that if a tenant needed outdoor storage, they could apply [for a CUP] and then deal with the screening at that time.

Planner Montagno said that a trailer with or without a cab would be considered outdoor storage. He said it might just be a screening issue and that outdoor storage is a permitted use with a Conditional Use Permit. He said it might be better to plan for the use instead of trying to retro-fit uses to the site.

Director Fowler mentioned that the zoning and CUP goes with the land and not the owner.

Commissioner Dowty felt the CUP did go with the owner who would be using the land.

Mr. Zaleski offered to add landscaping with the next submittal to show the proposed screening.

Commissioner Ward suggested planning for the use and then apply for the CUP when a tenant needs it.

Chairperson Lirones also suggested the screening be added and then do CUP for the tenant.

Planner Montagno suggested they may want to do the CUP simultaneously with site plan approval.

Chairperson Lirones said the applicant should apply for a CUP. She asked about landscaping and berming along the front but sees something is already proposed. She asked to be sure the building is not stucco but a substantial building material. She said the sidewalk goes along Carpenter Road, the entire length of property through the wooded area.

Planner Montagno noted the sidewalk is only partway to the woods.

Commissioner commented that the Carpenter Road rebuild project will start next year and the applicant should coordinate with MDOT.

Mr. Webb replied they were aware and will be working with MDOT.

Chairperson Lirones said the when the Cloverlane extension comes in, she is hoping for a traffic signal which would be beneficial to everyone.

Commissioner Ward asked about the possibility of needing to waive access management standards concerning the driveway.

Director Fowler replied not likely; the drive would be aligned.

Commissioner Ward asked about the potential for truck traffic and whether the WCRC has requested a traffic study.

Mr. Zaleski replied the road study is nearly finished.

Commissioner Plisko asked about the number of trees on the north side of the site that are being removed.

Mr. Webb replied seven (7) trees.

All the Commissioners agreed this was a nice building and would be an improved addition to the area.

Ms. Vaara commented that if the driveway was moved, there is a small wetland area that would need to be mitigated.

## **6.0 Old Business**

### **6.1 CSPA 06-06 State Street Business Park Units 8 & 9** [submitted for final site plan]

Planner Montagno reviewed the Planning Consultants report dated September 27, 2006. He said that previous comments from the Planning Commission have been addressed. He said the direction of trucks has been revised. He said that the engineers are asking for a slight change to better accommodate a WB 50 truck. He said that on 18 trees were not accounted for. He said the Engineer's report also noted discrepancies of trees. He said trees are being shown as being saved in the transition strip but also as being removed. He

said this should be clarified. He said there are wetlands on the site but are not regulated. He said that ECT [wetland consultant] has reviewed the plans. He said the zoning report noted change in layout bulk, ratios and setback are acceptable. He also noted the trees in the transition strip are to be saved and that the plan meets access management standards. He said the Planning Commission requested, as a condition of approval, removing the existing path and replace with a six foot wide concrete sidewalk and this is now shown on plans. He said the engineering report is mostly clean up items that can be handled administratively.

Chairperson Lirones said the preliminary plan was approved with the building turned the other way. She said this is the same footprint just flipped. She said the Planning Commission requesting to flip [the building] due to the driveway location and to save the trees in the rear. She expressed appreciation for the effort to line up the driveway and minor modifications to accommodate a WB50 truck.

Joe White, with Kirco, said concerning the landscaping, they will take direction from the Township and have every intention of saving all the trees in the greenbelt, which is in the rear.

Terence Bilovus, noted the area in question shown as 2 feet fill is normal grade and the tree will be saved.

Chairperson Lirones said it will be noted in the motion the engineering report.

Chairperson Lirones asked Planner Montagno if there are any questions of how trees are calculated.

Planner Montagno referred the comment to Planner Schmult since he is working on that issue.

Chairperson Lirones noted there are more conifers and Planning Commission should decide. She said the ornamentals could not be counted. She noted the client is planting a lot of trees.

Commissioners agreed to allow the substitution of ornamentals and conifer trees for canopy trees.

**Motion by Commissioner Ward, supported by Commissioner Luna, to approve final site plan CSPA 06-06 State Street Business Park Units 8 & 9 with the condition that the applicant submit 5 sets of the final site plan for administrative review that address:**

- 1. All outstanding comments in the Zoning Review dated August 28 2006,**
- 2. All outstanding comments in the Township Planner's Review dated September 27, 2006,**
- 3. All outstanding comments in the Township Engineer's review dated September 27, 2006, and**
- 4. The Planning Commission accepts the substitution of conifers and 3 ornamental trees for canopy trees.**

**MOTION CARRIED.**

## **7.0 New Business**

### **7.1 CSPA 06-17 Ann Arbor Business Center/Ashley Capital** [discussion only]

Item moved to follow 5.1 of the Public Hearing.

### **7.2 CSPA 06-09 State Street Crossing Unit 3** [for discussion only]

Planner Montagno reviewed the planning consultant's report dated September 12, 2006 stating all the site plan information has been provided. He said the east walls will be visible from the interior of the retail complex of WalMart and that the facades should be the same in appearance including the roof lines. He said the parking has changed slightly since moving the west lot out of the front yard setback along State Road and that the numbers of parking spaces are correct. He said a number of items are for final site plan. He said that all the trees proposed in State Street Crossing (CSPA 03-19) should be shown as existing trees. He said from the zoning report [dated September 29, 2006] that this is for multi-retail units and is a permitted use in the district. He said this meets the bulk requirements, net lot coverage, and setbacks for all areas except the side yard setback. He said this is a tight area. He said transition strips have been provided. He said a wetland permit was previously issued to fill and mitigate the regulated wetlands. He said there is a parkette with heritage trees that are to be saved. He said access management standards are met. He said we are waiting final administrative approval of final details on the site condo (CSPA 03-19) before this can move forward. He said that engineering has noted that restaurants require grease traps and require different parking to be considered.

Chairperson Lirones asked if the current parking is based on all retail.

Pete Jolliffe, of Atwell-Hicks, said there is extra parking with the understanding they may change.

Mark Costandi, with Regency Centers, calculated the current proposed parking use based on 5 spaces for every 1,000 square feet of retail space. He said they have allowed for restaurant parking.

Commissioner Dowty asked about the underlying Condo plan for the site.

Planner Montagno said they are waiting for details to be completed.

Tony Haslinger, Regency Centers, said they were close to finalizing the details of the Condo. He gave a brief summary of the company, himself and design considerations. He said there is strong interest for the area but felt they have 50 parking spaces more than needed. He said they could put in a one way drive in back for deliveries. He said the buildings are designed to be four sided with all brick and glass.

Chairperson Lirones said the rear of the buildings should be similar to fronts since they will be completely visible.

Mr. Haslinger agreed.

Chairperson Lirones said that more landscaping needed to be on the west parking lot side.

Planner Montagno suggested using taller shrubs.

Commissioner Ward asked the applicant to remember we have winter here and to please do not use something that leaves are gone half the time in the landscaping.

Chairperson Lirones asked if the grading for the parking lot would impact the easement.

Mr. Jolliffe replied no, they made minor changes to the grading.

Commissioner Ward said he felt site will blend well with the WalMart site.

Chairperson Lirones commented that the planning consultant noted landscaping is a final site item and that the lighting should be flat down directed lens.

**7.3 RZ 05-06 Oak Valley Centre**  
[determination of major/minor change]  
(3115 Oak Valley Drive, NW ¼ Section 7)

Director Fowler said that he received a letter from the petitioner requesting outdoor seating. He briefly reviewed his zoning report of September 28, 2006 stating:

The Oak Valley Centre PUD is located on the east side of Oak Valley Drive, both north and south of Waters Road, in Sections 6 and 7.

The rezoning petition was approved in 1989. An amendment to the PUD area plan to permit kennels was approved in 2005.

The PUD is divided into two use areas. "Oak Valley Centre" is comprised of the area north of Waters Road, and "Oak Valley Village Centre" is the area south of Waters Road.

The applicant is proposing a change to the approved list of permitted uses to include outdoor seating as an accessory use to a restaurant use. Restaurants currently are a permitted use in this district.

The Planning Commissioners must make the determination whether it considers this a major or minor change according to Section 52.12 C. and E. of the Zoning Ordinance.

The following are the criteria for determination of a major or minor change to a PUD from the section of the Zoning Ordinance pertaining to this matter:

**SECTION 52.12 - AMENDMENT AND REVISION**

- C. The following changes shall be considered major, for which amendment is required:

1. Change in concept of the development.
  2. Change in use or character of the development.
  3. Change in type of dwelling unit as identified on the approved area plan.
  4. Increase in the number of dwelling units (density).
  5. Increase in non-residential floor area of over five (5) percent.
  6. Increase in lot coverage or FAR of the entire PUD of more than one (1) percent.
  7. Rearrangement of lots, blocks, and building tracts.
  8. Change in the character or function of any street.
  9. Reduction in land area set aside for common open space or the relocation of such area(s).
  10. Increase in building height.
- E. Minor changes shall include the following:
1. A change in residential floor area.
  2. An increase in non-residential floor area of five (5) percent or less.
  3. Minor variations in layout which do not constitute major changes.
  4. An increase in lot or FAR of the entire PUD of one (1) percent or less.
  5. A change in phasing of development.

Jason Cooper, contractor for the applicant, he said there is a canopy over the proposed area. He said he felt this was a minor change per Section 56.12 c of the Zoning Ordinance and did not feel this would fall in section e. He said they would be doing some minor renovations including putting in a bar and wine area. He said the owner has had a liquor license but not a bar. He said they want outdoor seating for the summer months.

Commissioner Dowty asked about the location of the open space.

Mr. Cooper said the proposed area is between two building and not in front of the business.

Chairperson Lirones asked about the number of seats in the common area.

Mr. Cooper replied 12 to 16 seats.

Chairperson Lirones asked if the seating would cause a problem for people walking through the area.

Mr. Cooper replied no.

Commissioner Constant asked if there was a statement in writing that the property owner approved.

Chairperson Lirones said the letter states interior remodeling and nothing about the outside. She said the Township will need a letter from the property owner approving.

Mr. Cooper replied he would obtain that letter.

Chairperson Lirones said she did not have a problem with the concept.

Commissioner Ward commented that this is similar to Tio's on Stone School, [when they applied for a minor change for outdoor seating].

Chairperson Lirones asked the Commissioners if they agreed is a minor change.

All the Commissioners agreed.

**Motion by Commissioner Ward, supported by Commissioner Luna to determine that the proposed change to RZ 05-06 Oak Valley Centre is found to be a minor change to the PUD.**

**ROLL CALL:**

**YES: WARD, PLISKO, LUNA, LIRONES, DOWTY, CONSTANT.**  
**NO: NONE.**  
**ABSENT: NORTON.**  
**ABSTAIN: NONE.**

**MOTION CARRIED**

**Motion by Commissioner Ward, supported by Commissioner Luna to direct the applicant to revise the area plan depicting the outdoor seating area as discussed at tonight's meeting.**

**ROLL CALL:**

**YES: WARD, PLISKO, LUNA, LIRONES, DOWTY, CONSTANT.**  
**NO: NONE.**  
**ABSENT: NORTON.**  
**ABSTAIN: NONE.**

**MOTION CARRIED**

## **8.0 Planner's Report**

Director Fowler introduced Ed Swope, Zoning enforcement Officer, to the Commissioners.

Ed Swope briefly gave an explanation what he would be doing.

Everyone discussed being able to identify the owner of abandoned/non-operative cars.

Mr. Swope said he had a meeting scheduled for next week to resolve whether cars are only a police matter or enforcement could be able to handled by staff. He said he has had lots of support from everyone.

Director Fowler met with the Washtenaw County Planner Advisory Board (PAB) and that on September 25, 2006 to discuss the proposed 2005 amendments to the Comprehensive Plan. The recommendations of the PAB will be finalized by the County Planning Board.

He said that next week was the annual planner's conference and that all our planners would be attending. He handed out a flyer from the Washtenaw Area Transportation Study (WATS) with upcoming dates for the "Transit Plan for Washtenaw County". He invited the Commissioners to attend.

Planner Montagno commented that the Land Development Standards have been approved by the Board of Trustees. He said there are formatting issues to be resolved and that copies will be provided to the Commissioner's.

Director Fowler informed the Commissioner s that flu shots will be available to Township employees and that they could make a reservation if interested. He noted there is a fee that would need to be paid.

## **9.0 Chairperson's Report**

None.

## **10.0 Commissioner's Report**

None.

## **11.0 Approval of Prior Minutes**

### **11.1 Minutes of September 21, 2006**

**Motion by Commissioner Constant, supported by Commissioner Ward, to approve the minutes of September 21, 2006, as corrected.**

**MOTION CARRIED**

**12.0 Adjournment**

**Motion by Commissioner Ward, supported by Commissioner Luna, to adjourn the meeting.**

**MOTION CARRIED**

Chairperson Lirones adjourned the meeting at 9:35 p.m.

---

**s/Wilma Luna, Secretary**

**October 19, 2006**