
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: Nick Infante, Joe Galvin, John Waggoner, Ann Stevens, Sue Collins, 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 call the meeting to order at 7:30 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 approve the agenda, as written.

MOTION CARRIED

4.0 Items from the Floor

None.

5.0 Public Hearings

None.

6.0 Old Business

6.1 RZ 07-01 KDB Investments
[submitted for a rezoning from W-1 to C-2)

Motion by Commissioner Ward, supported by Commissioner Luna, to adopt resolution recommending approval of RZ 07-01 KDB Investments to the Township Board (Attachment # 1).

ROLL CALL:

YES: WARD, LUNA, LIRONES, DOWTY, CONSTANT, PLISKO

NO: NONE

ABSENT: NORTON

ABSTAIN: NONE

MOTION CARRIED

6.2 CSPA 06-20 Wal-Mart Final Site Plan Amendment
[submitted as an amendment to the final site plan (CSPA 03-16)]

Planner Montagno briefly reviewed his zoning review dated March 30, 2007 and the Planning Consultant's site plan review dated March 21, 2007. He said this is a revision to the final site plan. The changes included an increase of total square footage (about 30,000 square feet), expanding the south portion of the building, which moves the pharmacy further south; an increase in the total number of parking spaces (to 814 parking spaces), an addition of a loading area in the southwest corner of the building, the berm in the southeast area is extended to screen the new loading area, and the removal of the tire, battery, and oil change facility. The retail use is a permitted use. The pharmacy and the garden center need conditional use permits. Those hearings were held November 16, 2006. The plan meets bulk and zoning requirements. The wetland permit (WP 04-03) was previously approved and does not expire. He noted that the mitigation has been completed. The applicant was previously asked to use a different treatment to the screen the compressor on the south wall of the building and the garden center, as well as to fully enclose the area for batteries and used tires and used oil. He said it appears the request has been met. He said the landscaping is correct with a total net increase of 10 trees. If the Planning Commission approves the new site plan, it must revoke the existing CUP permits. The sign that is proposed for the Old State Road entrance will not be permitted, because it is not an arterial road or collector road as designated in the Comprehensive Plan.

Planner Montagno said that the Engineering report dated March 30, 2007 had items that could be handled administratively and that no action was needed on the photometric plan. The WCDC and WCRC have issued approvals, although the WCRC is still reviewing the road improvement agreement.

Commissioner Dowty asked if the elevations showed the replacements of the fencing.

Planner Montagno said it does show in the elevations that the fencing has been replaced with split face block with a very small amount of louvered mesh at the top.

Commissioners, staff and the applicant's representatives reviewed and discussed elevations. The Commissioners agreed the decorative block in a starburst design was acceptable for screened areas.

Chairperson Lirones said the tire and battery is now enclosed, but she could not tell if it also had a roof.

John Waggoner said that it is completely enclosed.

Chairperson Lirones said the old tree on Old State Road will be removed and has been mitigated, with the total site having over 200 trees more than required

which could count towards required number to be mitigated. The tree is in the right-of-way of the road, and the WCRC requires removal.

Commissioner Ward stated he was pleased with the improvements that have been made to the site.

Ann Stevens, of Atwell-Hicks, indicated the berm on Old State Road wraps around the bend on the site.

Chairperson Lirones determined after reviewing the plans that there was not enough room on the north side of the entry drive for a sidewalk, but there is one on the south side.

Ms. Stevens discussed landscaping improvements to the front entrance; including the addition of grates for trees in addition to the planters.

Mr. Waggoner, architect for the applicant, showed samples of split face concrete block in various colors that will be used, noting where the various colors would be used on the building.

Commissioner Ward said that, for a building of this size, this has improved from the last submission.

Commissioner Plisko asked about the “green-colored” material that will be used for the canopy.

Mr. Waggoner replied it was metal with a very durable coating that could not be damaged.

Commissioner Dowty said that after checking the Wal-Mart website, he found information that they are promoting the use of green roofs and recycled materials for construction. He said he would like to stress the use of green materials in this store.

Mr. Waggoner said he would see what they can do.

Motion by Commissioner Ward, supported by Commissioner Luna, to approve final site plan CSPA 06-20 Wal-Mart Final Site Plan Amendment with the following conditions:

- 1. Address all outstanding issues in the Township Engineer's report dated March 30, 2007.**
- 2. Address item 12c of the Planning Consultant's report dated March 30, 2007.**
- 3. Enter into a new development agreement with the Township Board.**
- 4. Use ornamental block as depicted in exhibits on store 5472 for garden center and compressors screening areas.**

MOTION CARRIED

- 6.3 CUP 03-05 Wal-Mart – Garden Center and Tire and Lube Facility**
[submitted to revoke the conditional use permit]

Motion by Commissioner Ward, supported by Commissioner Dowty, to revoke CUP 03-05 Wal-Mart Garden Center and Tire and Lube Facility.

ROLL CALL:

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

MOTION CARRIED

- 6.4 CUP 04-01 Wal-Mart – Pharmacy**
[submitted to revoke the conditional use permit]

Motion by Commissioner Ward, supported by Commissioner Plisko, to revoke CUP 04-01 Wal-Mart Pharmacy.

ROLL CALL:

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

MOTION CARRIED

- 6.5 CUP 06-11 Wal-Mart – Garden Center**
[submitted for a conditional use permit]

Chairperson Lirones reviewed the findings.

A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance because a garden center is an appropriate ancillary use to a large scale retail store in this location.

All agreed

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, because the site is designed in such a way that it will be operated appropriately, the majority of the garden center is completely screened, and the conditions placed on this use will ensure harmony with the surrounding character.

All agreed.

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 because it does not appear that any additional burden will be placed on these services by approving the garden center.

All agreed.

D. Will not be hazardous or disturbing to existing or future neighboring uses.

All agreed.

E. Will not create excessive additional requirements at public cost for public facilities or services.

All agreed.

Discussion:

Chairperson Lirones asked if the applicant was clear on the lighting restrictions.

Nick Infante said he was not sure what the situation at the Canton, Michigan store is but this will be resolved on this store.

Mr. Waggoner said that in the garden center, the sun screen is attached to the structure. He said the lights were attached at the top of the structure and not hanging down.

Planner Montagno stated that at the Canton store, the lighting structure did not appear to be very substantial.

Chairperson Lirones stated that no light pollution could be allowed outside the garden area. She said the fixtures must be side shielded and down directed, and could not be hung from a latticed structure.

Mr. Waggoner said the light fixtures are ten feet off the ground and are aimed at the ground.

Chairperson Lirones said they must be shielded.

Motion by Commissioner Ward, supported by Commissioner Luna, to approve findings of required standards and resolution of approval for CUP 06-11 Wal-Mart Garden Centers (see attachment #2).

ROLL CALL:

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

MOTION CARRIED

6.6 CUP 06-13 Wal-Mart – Drive-Through Pharmacy
[submitted for a conditional use permit]

Motion by Commissioner Dowty, supported by Commissioner Ward, to approve findings of required standards and resolution of approval for CUP 06-11 Wal-Mart Drive-Through Pharmacy (see Attachment #3).

Chairperson Lirones reviewed the findings.

A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance, because the addition of a drive-through is an appropriate use in the area.

All agreed.

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, because the site has been

developed through site plan review to ensure the drive-through pharmacy would be designed to function appropriately.

All agreed.

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, because it does not appear that any additional burden will be placed on these services by approving the drive-through.

All agreed.

D. Will not be hazardous or disturbing to existing or future neighboring uses.

All agreed.

E. Will not create excessive additional requirements at public cost for public facilities or services.

All agreed.

Discussion:

Commissioners, staff, applicant briefly discussed lighting in the area, not approving of the use of video screens, hours and type of drive-up service would be provided.

Mr. Infante said they would not need to use the video screens.

Motion by Commissioner Dowty, supported by Commissioner Ward, to approve findings of required standards and resolution of approval for CUP 06-11 Wal-Mart Drive-through Pharmacy.

ROLL CALL:

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

MOTION CARRIED

7.0 New Business

None.

8.0 Planner's Report

Director Fowler briefly commented on articles he provided to the Commissioners. One article concerned restoration of wetlands in the Pittsfield Preserve. He noted that most of the cost is being paid for through a grant from the Fish & Wildlife Service, with the cost of permits paid for by the Township. The improvements will be a benefit to the Township and its residents. There was an article about the Scio Township Planning Commission conducting a citizens' survey prior to updating their Master Plan. He had additional handouts about WATS Goals and Objectives, increase in public transit ridership, new rail service in Washtenaw County, Michigan Association of Planning seminars, Intergovernmental Cooperation on Purchase of Development Rights in Washtenaw County Meeting II, and PowerPoint presentations by Carlisle/Wortman on Regulating Wastewater Treatment Systems from a meeting he attended with Commissioner Dowty and others and Green Development. He said there is a grant application pending for a pedestrian and bicycle path over I-94 at Ann Arbor-Saline Road. This is a result of many meetings with Pittsfield Township, City of Ann Arbor, MDOT, WCRC, WATS and Washtenaw County Parks and Recreation Department. There are two additional pedestrian connections that are being investigated: State Road over I-94 and Washtenaw Avenue under US-23.

9.0 Chairperson's Report

Chairperson Lirones commented, concerning the Wal-Mart site, that in the beginning of the original site plan review in 2002, they tried to involve AATA (Ann Arbor Transportation Authority). She expressed concern about finding an appropriate location for a shelter on the site.

Planner Montagno said he felt AATA would be able to find a location when bus service might be extended to the area

10.0 Commissioner's Report

Commissioner Ward said he, along with a number of other members, attended the “ABC’s of ZBA” which he found informative.

Director Fowler said the seminar was presented by Dave Nicholson, Ypsilanti Township Planning Director. He said it was an interesting and informative seminar.

11.0 Approval of Prior Minutes

11.1 Minutes of March 15, 2007

Motion by Commissioner Ward, supported by Commissioner Luna to approve the minutes of March 15, 2007.

MOTION CARRIED

12.0 Adjournment

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

Chairperson Lirones adjourned the meeting at 9:00 p.m.

Attachment #1

**RESOLUTION FOR APPROVAL
PITTSFIELD TOWNSHIP PLANNING COMMISSION
RZ-07-01 KDB INVESTMENT CO.
April 5, 2007**

WHEREAS Pittsfield Charter Township received petition RZ 07-01 KDB Investment Co. to rezone a property located at 3060 Lohr Circle in Section 7, known as tax parcel ID# L12-07-100-001 from W-1 (Wholesale and Warehouse) to C-2 (General Commercial); and

WHEREAS The Pittsfield Township Planning Commission held a public hearing on March 15, 2007; and

WHEREAS The Pittsfield Township Planning Commission received no comments; 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 07-01 KDB Investment Co. from W-1 (Wholesale and Warehouse) to C-2 (General Commercial) be approved;

BE IT FURTHER RESOLVED That the Pittsfield Township Planning Commission makes the following findings regarding petition RZ 07-01 KDB Investment Co.:

1. The purpose of District C-2, as stated in the Zoning Ordinance, is:

This district is composed of those areas of the Township whose principal uses are, and ought to be, general retail, service and restricted and repair business activities which serve the entire Township and surrounding area. This district has been located within the Township to permit the development of these business activities, to protect adjacent agricultural, residential and industrial areas against the encroachment of incompatible uses, and to lessen congestion on public streets and highways. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district, have been excluded.

2. Permitted uses in C-2 include retail services and stores, business and professional offices, agricultural services (machinery sales and repair, farm supplies), showroom and sales of new automobiles, farm machinery, and other vehicles, mobile home sales and repair, and accessory uses.

3. Conditional uses in C-2 include bars and restaurants serving alcoholic beverages, mortuaries, hotels and motels, kennels, open air display for the sale of manufactured products, lots for sale of used cars and used farm machinery and other vehicles, gasoline service stations, cultural center facilities (theaters, orchestra halls, and museums), business/technical schools, drive-in facilities, minor vehicle repair, temporary outdoor sales, outdoor seating for a restaurant, recreation facilities (bowling alleys, miniature golf courses, commercial swimming pools, skating rinks, arcades, dance halls, pool halls), adult motion picture theaters and adult products, cabarets, pawn shops, child care facilities and printing facilities.

4. The rezoning of the site to C-2 as proposed would be consistent with the Comprehensive Plan. The Plan designates the site and surrounding area as Regional Commercial. The Plan states:

This land use designation offers conveniently located commercial uses for the surrounding region and freeway travelers. Such uses include auto dealerships, home improvement centers, hotels/motels, movie theaters, and large shopping centers. Also permitted are accessory commercial uses that serve shoppers and nearby businesses/employers such as restaurants, gas stations, and various types of convenience retail and service uses.

Regional Commercial uses are planned near existing expressway interchanges to provide convenient access to the uses. Where feasible, the mass of buildings and parking areas in new development and redevelopment should be minimized to ensure that the overall site reflects a high quality image of the Township. Design guidelines set forth in Chapter 6 assist in accomplishing this intent.

5. The Comprehensive Plan designates the site and surrounding area as the Northwest Planning Sub-Area, bounded by I-94, Airport Plaza development, Ellsworth Road, and the west Township boundary. The Plan states the following pertinent goals for the sub-area:

- Provide a full range of urban services and facilities, both public and private
- Recognize its location as a key entryway into the community and design buildings and roads to be welcoming and aesthetically pleasing.

6. The existing W-1 zoning for this property is no longer appropriate. This property has been zoned W-1 for many years. Conditions in the area have subsequently changed.

7. If rezoned, the existing cellular communications tower would no longer be a permitted use. The tower would be allowed to remain as a legal non-conforming use.

8. Approval of the petition would not set an adverse precedent for zoning of other properties in the area. Current zoning in the surrounding area is well established.

9. Approval of the petition is unlikely to have an adverse effect on the values of properties in the area. In fact, the establishment of commercial uses on this site will likely enhance the viability of the neighboring properties by attracting a large number of customers to the area. Approval of the petition will ultimately lead to the redevelopment of this site under current regulations and standards, therefore providing for site enhancements, such as sidewalks, landscaping and drainage retention.

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

Attachment #2

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
WAL-MART GARDEN CENTER
C.U.P. #06-11**

WHEREAS, an application for a Conditional Use Permit to conduct an attached open roof garden center with an attached fenced area (open air-display area) in a General Commercial (C-2) District was received on September 12, 2006, and

WHEREAS, the Pittsfield Township Planning Commission held a public hearing on this matter on November 16, 2006, and received public comments; and

WHEREAS, the Commission reviewed the site plan and application received by the Township for this use and per the requirements of Section 50.06 of the Township Zoning Ordinance it finds the use:

A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance because a garden center is an appropriate ancillary use to a large scale retail store in this location.

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, because the site is designed in such as way that it will be operated appropriately, the majority of the garden center is completely screened, and the conditions placed on this use will ensure harmony with the surrounding character.

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 because it does not appear that any additional burden will be placed on these services by approving the garden center.

D. Will not be hazardous or disturbing to existing or future neighboring uses.

E. Will not create excessive additional requirements at public cost for public facilities or services.

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves CUP #06-11 Wal-Mart Garden Center, subject to the following condition:

1. Compliance with the final approved amended site plan CSPA 06-20.
2. Speakers or other sound producing devices associated with this use shall not be audible past the property lines of the lot thereon located.
3. Outdoor sales are not permitted
4. Any lighting within the garden center must be completely shielded and down directed so as not to allow any glare outside the garden center area.
5. No storage of bagged or bulk material will be permitted within the area screened by the semi opaque wall along the front side of the store.
6. No storage or display will be permitted outside the garden center area.

Attachment #3

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
WAL-MART DRIVE-THROUGH PHARMACY
C.U.P. #06-13**

WHEREAS, an application for a Conditional Use Permit to operate a pharmacy with a drive-through in a General Commercial (C-2) District was received on September 12, 2006, and

WHEREAS, the Pittsfield Township Planning Commission held a public hearing on this matter on November 16, 2006, and received public comments; and

WHEREAS, the Commission reviewed the site plan and application received by the Township for this use and per the requirements of Section 50.06 of the Township Zoning Ordinance it finds the use:

A. Will be harmonious with, and in accordance with, the general objectives, intent and purposes of this ordinance, because the addition of a drive-through is an appropriate use in the area.

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, because the site has been developed through site plan review to ensure the drive-through pharmacy would be designed to function appropriately.

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, because it does not appear that any additional burden will be placed on these services by approving the drive-through.

D. Will not be hazardous or disturbing to existing or future neighboring uses.

E. Will not create excessive additional requirements at public cost for public facilities or services.

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves CUP #06-13 Wal-Mart Drive-through Pharmacy, subject to the following conditions:

1. Compliance with the final approved amended site plan CSPA 06-20.
2. Speakers or other sound producing devices associated with this use shall not be audible past the property lines of the lot thereon located.
3. Lighting under the canopy shall be down directed and recessed flat lenses.
4. Advertising or video displays are prohibited.
5. Drive-through shall be operated only between the hours of 6 a.m. and 10 p.m.