
PITTSFIELD TOWNSHIP PLANNING COMMISSION MINUTES

Members Present: Richard Plisko, Wilma Luna, Christina Lirones, Stuart Dowty, John Norton, Maria Constant and Kathie Mahn.

Members Absent: None.

Others Present: Frances Todoro-Hargreaves, Randy Heldt, Warren Heldt, Peter Hammer, Tom Stachler, Jeff (no last name for McKinley), Fareed Mojaradi, Senior Planner Paul Montagno, Associate Planner Suzanne Hicks 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 7:30 p.m. There was a quorum present. She welcomed Kathie Mahn as our new commissioner.

2.0 Pledge of Allegiance

Chairperson Lirones led the Pledge of Allegiance.

3.0 Approval of Agenda

Motion by Commissioner Luna, supported by Commissioner Norton, to approve the agenda, as presented.

MOTION CARRIED

4.0 Items from the Floor

Peter Hammer of 6462 of Michigan Avenue, living next to Nature's Garden Center (NGC) expressed his thanks to the Township for the heroic but difficult efforts in working to resolve issues with NCG. He said there has been no cut back in activities on the site. He talked about the size and amount of trucks that are backing into and out of the site and how disruptive it is to the area. He said that the Michigan Department of Transportation (MDOT) has previously called the intersection (Michigan Avenue and Campbell Road) as a "deadman's curve". He related a current incident of a large truck jockeying in and out of the site, blocking the ingress and egress from the site and the disruption of traffic on Michigan Avenue. He said a whole load of mulch is sold in one day. He commented on the large amount of truck traffic to the site. He said there will be a serious accident there. He said this would have to be a tandem effort with there being a civil and criminal enforcement. He said there has been no effort on their side to comply this summer.

Commissioner Dowty related a brief update of the status of NGC. He said this has been worse more recently. He said he was asked to leave the site on June 4th, while on a site visit and noted the Township is in court with the owner [of NCG]. He expressed his appreciation of Mr. Hammer's endurance with this issue.

5.0 Public Hearings

None.

6.0 Old Business

6.1 CSPA #05-22 Arbor Oaks

[submitted for one (1) year extension of final site plan]

Planner Montagno gave a brief update with a final site plan approved. He said they are looking for an extension of the site and said staff recommends this request.

Motion by Commissioner Luna, supported by Commissioner Constant to approve a one-year extension of final site plan CSPA 05-22 Arbor Oaks with acknowledgement that the wooded area on the site has been donated to the Township with deed restrictions; therefore, the request for the conservation easement is no longer required.

ROLL CALL:

**YES: PLISKO, LUNA, LIRONES, DOWTY, NORTON, MAHN
CONSTANT**

NO: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

6.2 CUP 07-10 Home Depot - Temporary Outdoor Sales

[submitted for a conditional use permit]

Commissioner Dowty said they were issued citations for prohibited items and the status of "non-response" of the citation.

Planner Montagno replied he could not answer that.

Commissioner Dowty said he had photos from the Code Enforcement Officer that showed items outside the [approved] areas of the CUP.

Planner Montagno replied they are in the right place and elsewhere.

Commissioner Dowty asked if things were being corrected.

Planner Montagno said he talked with the store manager today and visited the site prior to the meeting and they now have everything corrected.

Commissioner Dowty asked if it would help to talk with the store manager to improve communications of delivery people and staff.

Planner Montagno said shipments are not made by the local store but by headquarters, based on sales. He said he was told that this is the number one grossing store in North America for garden sales. They have no place to put stock until it's moved inside. He said he was told by the Code Enforcement Officer (Ed Swope) that overstock was being stored at the Jackson store and there would be daily or weekly deliveries as needed. He suggested continuing to work with the store.

Commissioner Norton commented that he has shopped at Home Depot for years and they always have had outdoor sales. He asked if Lowes also had an outdoor sales CUP.

Commissioner Dowty said that Lowes is also being monitored by our Code Enforcement Officer and a citation was issued recently for another matter.

Commissioner Mahn asked if staff comments from April 17th were incorporated into the resolution.

Planner Montagno said the comments were incorporated into a letter that has been provided.

Commissioner Mahn read part of minutes from the April 17th minutes, "Planner Montagno stated they are located out of the setbacks. ...should be noted as a condition of approval."

Chairperson Lirones asked Commissioner Mahn what was outside the setbacks.

Commissioner Mahn she said the minutes stated the dates of sales and read the following section from the minutes. "...three (3) zones listed on the site plan. He said that zone three (3) is for the sale of grills on Father's Day. He said that zone one (1) is for the sale of plant products in the summer months, and zone two (2) is for the sale of additional products around the three (3) holidays; Memorial Day, Independence Day and Labor Day. Chairperson Lirones asked if the zones block the sidewalks or fire lanes. Planner Montagno replied no. He said the Commission can make this a condition of approval. He reviewed the findings the Commission would consider.

Commissioner Dowty asked about items being located in the setbacks. Planner Montagno stated they are located out of the setbacks. He said this should be noted as a condition of approval.

Planner Montagno said the issue was resolved by using green lines to mark the area. He said that if they are outside the green lines, they are in violation.

Commissioner's agreed that "setbacks" was probably the incorrect word used as to "conditions".

Chairperson Lirones said this is a little confusing since some of the conditions have been done.

Chairperson Lirones read the findings.

WHEREAS an application for a Conditional Use Permit to permit temporary outdoor sales at The Home Depot at 3300 Carpenter Road, was received by the Township on June 8, 2007; and

WHEREAS the Pittsfield Township Planning Commission held a public hearing on this matter on July 12, 2007, and received no public comments; and

WHEREAS the Pittsfield Township Planning Commission reviewed the Conditional Use Permit application 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 use is an annual temporary outdoor sale event and this is harmonious with the general objectives of the ordinance.

All the Commissioners 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 Planning Commission has developed conditions to ensure the use will be operated to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity.

All the Commissioners 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 the site is adequately served and no additional burden will be placed on these services by approving the permit.

All the Commissioners agreed.

D. Will not be hazardous or disturbing to existing or future neighboring uses because conditions have been created to prevent the use from being hazardous or disturbing.

All the Commissioners agreed.

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

All the Commissioners agreed.

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Planning Commission hereby approves CUP #07-10 The Home Depot subject to the following conditions:

- 1. Merchandise and plants shall not block fire lanes, pedestrian walkways, or impede vehicular circulation.**
- 2. Outdoor sales areas shall be delineated by green painted striping on the pavement.**
- 3. The operation must comply with the site plan and the attached letter dated March 27, 2008.**

Motion by Commissioner Luna, supported by Commissioner Plisko, to approve the resolution for CUP 07-10 Home Depot – Temporary Outdoor sales.
(see Attachment #1)

ROLL CALL:

**YES: PLISKO, LUNA, LIRONES, DOWTY, NORTON,
MAHN CONSTANT**

NO: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

6.3 CUP 08-03 / CSPA 08-01 State & Ellsworth Shopping Center
[submitted for conditional use permit and preliminary site plan]

Planner Hicks stated from her zoning report of May 28, 2008 that this site met all zoning requirements. She said from a previous report there were issues with ADA compliance but those have been resolved. She said a letter formally withdrawing the CUP from the applicant would be required. She said that the Planning Consultant's report of May 28, 2008 noted the driveway south of the building was needed for fire access and should be reduced to 12 feet. It was noted that the five (5) large locust trees should be saved.

There were some items that are for final site plan review. She said the engineer's report of May 30, 2008 also had a number of items that were for final site plan. She noted from the report that a sanitary sewer easement to the neighboring property must be obtained and the Washtenaw County Drain Commissioner has given preliminary approval. She said the engineer also noted that the public safety access drive will only be utilized by emergency response vehicles, the pavement width should be reduced to 12 feet wide, the public safety access drive should be gated and approved by the Fire Marshal, and the fire lane south of the coffee shop shall be identified with signs that state "Fire Department Use Only". She said other comments could be addressed in final site plan review.

Commissioner Mahn asked if the floor ratios numbers were correct.

Planner Hicks said they were and that the building is one story. Commissioner Mahn talked about the locust trees. She said even if you removed the sidewalk the sewer line was going through that area. She said they may live for the short term but regardless they would die within a few years.

Fareed Mojaradi, architect for applicant, said the trees are staying and that they had to put a 7 foot walk. He said the walkway could be removed, if requested to do so.

Chairperson Lirones agreed that removing the sidewalk was suggested but it was noted the sewer line is going through the trees.

Commissioner Mahn she said that if tree roots are damaged during construction the trees would not die right away but will in a couple of years.

Mr. Mojaradi said the sewer line is going to a manhole but they could put in cleanouts.

Chairperson Lirones said they should work with engineering to ensure that placement of the sewer will not damage trees on the north property line.

Chairperson Lirones said this sidewalk leads to Tyner's parking lot and suggested that when that site redevelops to put in a sidewalk at that time. She said the trees are doing well.

Mr. Mojaradi said he thought he would hear back from the Fire Marshal but hasn't to date. He said he felt the turn is very tight. He also felt reducing the drive by two (2) feet would not matter nor hinder if someone wanted to use the drive.

Chairperson Lirones said the Township is recommending a gate and that the Fire Marshal recommends the gate to prevent people parking in the fire lane.

Mr. Mojaradi said there should be a "no parking fire lane" sign and people should be ticketed.

Chairperson Lirones repeated that the Fire Marshal is requesting for the area to be gated.

Tom Stachler, realtor and representing the applicant, said he has talked with [Township] Engineering concerning the south entrance. He said the site is already restricted. He discussed the driveways and making the site accessible from Ellsworth.

Planner Montagno said if the site had one-way traffic going east into the parking area then the parking spaces would have to be angled. He said unless the parking lot was changed, it would have to be one-way.

Chairperson Lirones, Planner Montagno and Mr. Stachler discussed direction of traffic flow, entrances from Ellsworth and State roads, and parking on the site pertaining to vehicle, pedestrian and fire safety.

Chairperson Lirones said this is for fire safety. She said if the lane is for access then parking lot should be redrawn.

Mr. Stachler said there are other sites that have five entrances with traffic coming in on both sides across the street that don't have angled parking. He referenced the Speedway rebuilt (CSPA 07-02), which is across the street from this site.

Chairperson Lirones said all the site plans follow the same standards.

Mr. Mojaradi asked which fire station would respond and explained how the Fire Department would circle the site. He said there would have to be a "Do Not Enter" and have the police enforce it. He said this is a country of laws and most people respect the laws. He said if he saw such a sign, he would not park there.

Mr. Stachler asked how ridiculous would it be with a gate. He said they wanted the site to be accessible. He said it was never stated for "fire use only", and this apparently came up at some meeting that they did not attend. He said they have an easement to the south to enter from Ellsworth. He said this is a small site with four stores. He said his client wants this to be accessible. He said various areas are not restricted for fire use. He said it was more likely that cars would be parked in front of the building. He said the Fire Marshal previously said they probably wouldn't go there and box himself in.

Planner Montagno gave a possible explanation of east/west traffic conflicts with fire traffic. He said that engineering normally did not review site circulation, which is done by the planning consultant.

Chairperson Lirones said there is confusion on traffic circulation and should be reviewed by engineering and the planning consultant. She said it is clear there is some miscommunication about this site.

Mr. Mojaradi said this is really only one issue. He said he has never heard from the Fire Marshal and would be happy to meet with anyone at any time.

Chairperson Lirones said the Fire Marshal review is incorporated into the engineer's report.

Mr. Mojaradi said the fire station is across the street on Ellsworth and suggested a "Do Not Enter" sign to solve to the problem. He said he has never seen a gated fire lane in a shopping center. He suggested someone would steal the gate and sell it for scrap metal.

Commissioner Norton said there is a gated fire lane at a high school in Ann Arbor Township.

Mr. Stachler said that restricting traffic is a good comment; there isn't enough room for two cars. He said they could show fire access in either direction in the final plan. He said the issues could be resolved in final site plan approval.

Commissioner Dowty said he understood that there has been no question this was a one-way fire lane or not.

Planner Montagno said it was originally proposed as a drive-through going one way.

Commissioner Dowty asked everyone assumed it was one-way. He asked if the drive is one-way, and do the standards require angle parking.

Planner Montagno said if entire site is one-way, then yes.

Commissioner Dowty said the Standards say you can't mix one-and two-way traffic.

Mr. Stachler asked if this was a two way parking lot.

Planner Montagno agreed.

Commissioner Dowty said he thought the people should sit down and work through and that there didn't seem to be a proper understanding.

Mr. Stachler said that Mr. Schmult said some restrictions. He said that some of those restrictions could be a sign or could be a fence. He said if it didn't work then it was back to the gated area.

Chairperson Lirones said that if the fire truck is going west to east and if you need a drive going east to west then you need to have the proper professionals to review.

Planner Montagno suggested granting conditional approval of the plans conditioned on agreement of the Fire Marshal and site plan review.

Chairperson Lirones said she was concerned with what was being approved and not meeting the Township standards. She said all the issues would have to be resolved on the final site plan.

Planner Montagno said that would be a condition of the approval and that if the condition is not met then it would not be approved.

Commissioner Dowty said if this is approved they would need to be sure the Fire Marshal and the applicant are working from the same understanding.

Mr. Stachler said the fire trucks would enter the site from Ellsworth and would not likely circle around to State Street.

Chairperson Lirones said it almost appears the fire truck diagram is backwards.

Mr. Stachler said the fire trucks would enter from whatever entrance is most convenient.

Commissioner Mahn said you could not rule out that the fire truck could be coming from another call. She said the Fire Marshal needed to look at this.

Mr. Stachler explained that the previous site plan had a drive-through. He said this is a small site with double setbacks and it is expensive to develop. He said they are trying to make this work and hoped the Commission would support the project.

Chairperson Lirones suggested adding to the suggested motion a fifth item that the applicant will meet with planning staff, engineering and the Fire Marshal, as needed, to resolve vehicle circulation.

Commissioner Norton said it was not clear that when the one-way exit was removed that it was to be two-way traffic. He said the report just states that one-way shall be removed and the report should be clearer.

Chairperson Lirones said the area was too narrow to be two way.

Mr. Mojaradi said that when first started they did not have clear title work to use the 30-foot easement. He said they would be happy to meet with the Fire Marshal.

Motion by Commissioner Luna supported by Commissioner Plisko to approve the preliminary site plan CSPA 08-01 State & Ellsworth Shopping Center, with the condition that the applicant addresses the following on the final site plan submittal:

- 1. All outstanding comments in the Township Engineer's report dated May 30, 2008.**
- 2. All outstanding items in the Township Planning Consultant's report dated May 28, 2008.**
- 3. All outstanding items in the Zoning Review dated May 30, 2008.**
- 4. Work with the township Engineer to insure that placement of sewer line will not damage existing trees on north property line.**
- 5. Applicant will meet with the Planner, Township Engineer and Fire Marshal, as needed, to resolve vehicle circulation on the site.**

Furthermore, the Planning Commission acknowledges receipt of a letter to withdraw the application for CUP 08-03 State & Ellsworth Shopping Center.

MOTION CARRIED

6.4 RZ 07-04 / WP 08-01 / CSPA 07-12 Glencoe Crossing Mixed PUD [submitted for revised phasing]

Chairperson Lirones said this item was previously approved but the applicant decided to do phasing which will be added to the site plan.

Planner Montagno said he reviewed the submittal for zoning compliance and that the phasing of this project does not affect any zoning issues. He said what made this rezoning work was the natural preserve area in the rear of the site. He stated the Planning Commission may want to ask for some or all of the proposed enhancements to the walking paths to make the open space more accessible in phase I. He said the proposed phasing will affect the parking on the site. He said residential utilities will be constructed in phase III with retail to be constructed in phase II with necessary parking constructed at that time. He noted that parking has not been calculated on this submittal but should be satisfactory based on the previous PUD approval. He said the planning consultant's report of May 22, 2008 noted some data needed to be added or corrected.

He noted a number of phase lines that were needed on a number of sheets in the plan set, that phase lines on each sheet should clearly show each improvement that will be included in a phase. He said it was possible that some improvements, such as grading, utilities, demolitions, etc., will be made in one phase but actual construction of buildings will occur in a later phase. He said the engineer's report of May 30, 2008, noted the previous comments of April 11, 2008, are still valid and must be addressed. He said this would also include comments from the wetland consultant and planning consultant. He said that the phasing plan is incomplete and must be more detailed. There should be a table that shows which phase each of the following are to be built including watermain improvements, sanitary sewer improvements, storm water system improvements, parking

lot and drive improvements, individual buildings, wetland and tree mitigation, and road improvements. He said the Utilities Department has identified when the following utilities need to be constructed: watermain along Washtenaw Avenue must be constructed in Phase I with Building II, all sanitary sewer must be constructed in Phase II with exception of the sanitary lead to Building II, which will be built in Phase I. The existing outlet sewer is currently near capacity. Any additional sewage flows should not be directed to this sewer. All watermain, other than the main along Washtenaw Avenue, must be constructed in Phase II. The existing watermain does not meet our current standard with respect to size of main and required fire flows. He said the proposed sewer and water would go northward down the proposed road extension which is now shown in Phase III. He said engineering is asking that this be constructed in Phase II because access would be needed at that time. He also said the wetland mitigation should be done at this time. He said the phasing plan should also address how the storm water system will be constructed. The storm water phasing plan shall be approved by the WCDC and that phasing must be clearly shown on all applicable sheets throughout the plan set. Planner Montagno said Staff had no problem with this being three phases. He said the applicant would need to submit a full site and area plan for review before going to the Board; this will become the zoning district for the area. He suggested five (5) copies would be needed until ready for the board with additional copies when needed.

Chairperson Lirones suggested the Board members could share plans and that a smaller number would actually be needed.

Planner Montagno also suggested an "abridged" set of plans, which would be a smaller set of plans.

Chairperson Lirones said the board should have the full set.

Commissioner Mahn said that in Phase I Building 2 there is a proposed 90-foot setback from a major road that has parking in the setback.

Planner Montagno said that area is part of the existing site and will be redeveloped.

Chairperson Lirones noted that the drive-through appears to be in the setback.

Francis Todoro-Hargreaves, representing McKinley, said that parking is currently facing Washtenaw Avenue.

Planner Montagno commented that was consistent with the other sites.

Commissioner Mahn said that currently there are trees in the islands in phase I and asked if they are they being replaced.

Planner Montagno said the trees are staying.

Commissioner Mahn said the transition strip by building 12 shows parking spaces.

Planner Montagno replied that parking was asked for by the Township planning consultant for overflow parking.

Ms. Todoro-Hargreaves said that strip is very heavily landscaped with trees to look like a park. She said there are two pages of landscaping in the plan set.

Commissioner Mahn said that are two Building #8's with a footpath going through it.

Ms. Todoro-Hargreaves said the path goes between the buildings and will be a covered pathway.

Commissioner Mahn asked if there would be any grading by the residential area.

Ms. Todoro-Hargreaves said there will be some grading and there would be a retention wall.

Commissioner Dowty said this was first brought in as a mixed PUD, which is a great project. He asked if the requested change to phasing was due to current market conditions.

Ms. Todoro-Hargreaves said it was because they have a commercial tenant anxious to move forward.

Commissioner Plisko asked if the Phase I restaurant had a tenant at this time.

Ms. Todoro-Hargreaves replied when that phase came in for final [site plan review] they would bring the tenant and announce who it is.

Chairperson Lirones asked that the title of Resolution #1 and Resolution #2 be changed to Glencoe Crossing Mix Use PUD (McKinley)

Motion by Commissioner Norton, supported by Commissioner Luna, to approve Resolutions #1 Findings of Required Standards RZ 07-04 Glencoe Mix Use PUD (McKinley). (see attachment #2)

Discussion:

None.

ROLL CALL:

**YES: PLISKO, LUNA, LIRONES, DOWTY, NORTON, MAHN
CONSTANT**

NO: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

Commissioner Dowty asked about paragraph 1 and creating a drainage district.

Chairperson Lirones gave the history of how the original district was dissolved before this project was submitted.

Planner Montagno said any necessary easement, would be provided by McKinley.

Commissioner Dowty asked if in the future if someone tried to create a drainage district if this would prevent that.

Chairperson Lirones said the word “petitioner” should be changed to the “owner” of this property.

Ms. Todor-Hargreaves said she agreed with the change to “property owner”. She said this would then run with the land.

Chairperson Lirones said the Township would want the road connection to be made along with the utilities and walking paths. She said she was concerned that if Phase III wasn’t built for a period of time, it wouldn’t happen.

Ms. Todor-Hargreaves said it is a private road and that they were responsible for it.

Chairperson Lirones read Resolution #2.

Motion by Commissioner Luna, supported by Commissioner Plisko, to approve Resolutions #2 Findings of Required Standards RZ 07-04 Glencoe Crossing Mixed Use PUD (McKinley). (see attachment #3)

Discussion:

None.

ROLL CALL:

**YES: PLISKO, LUNA, LIRONES, DOWTY, NORTON, MAHN
CONSTANT**
NO: NONE
ABSENT: NONE
ABSTAIN: NONE
MOTION CARRIED

7.0 New Business

7.1 CUP 07-07 / CSPA 08-01 Place with Space Parking Expansion
[submitted for discussion only]

Planner Hicks reviewed her zoning report of May 30, 2008, stating this is proposing an expansion of the existing The Place with Space self-storage facility. The proposal includes an expansion of the current number of parking spaces for outdoor storage of recreational vehicles from 27 spaces to a new total of 131 spaces. Improvements on the site also include two curb cuts on Morgan Road. She said these changes require a revised conditional use permit. She noted the site was out of compliance with the previous CUP's and that working with the code enforcement the site is now in general compliance. She said there is a lack of information on the plans. She said that all outdoor storage must meet setback requirements. She said there are two curb cuts that do not meet the Township access management standards and will also need approval from the Road Commission. She said the applicant will need to submit plans to the Road Commission.

Randy Heldt commented that one drive will be eliminated.

Planner Hicks continued that there are RVs shown in the setback along the western property line by the WCRC driveway, and no landscaping is proposed. She suggested the Commissioner may want to discuss if the proposed landscaping is sufficient. She reviewed the site plan review from the planning consultant report of May 29, 2008 which is requesting a list of information be provided on the plan. She said the driveway on Morgan will need a permit from the Road Commission. She said concerning vehicular circulation that fire truck maneuvering patterns should be shown in the proposed RV storage area. She said the engineering consultant's report of May 30, 2008 also listed a number of items that would need to be taken care of. She said that written approval will be required from both the Drain Commissioner and Road Commission. She said the applicant will need to apply and receive a Township wetland permit and a permit from the MDEQ. She restated that all the reports are requesting additional information be provided.

Chairperson Lirones asked if one of the drives would be closed.

Mr. Heldt said yes that their engineer is ready to take plans to the Drain Commissioner and Road Commission. He said they have received their wetland permit.

Planner Montagno said the wetland permit issued is for restoration. He said ECT is reviewing the plans as if restoration is done. He said ECT will ensure compliance.

Commissioner Dowty said the report implies the work has not been completed. Mr. Heldt said they started the restoration work today and should have the work done in about ten days.

Chairperson Lirones noted from the ECT report that the plan appears to encroach into the 25-foot natural features setback that is associated with the pond.

Commissioner Mahn said the silt fence is outside of the wetland and 25-foot setback and it just happened when the work started.

Mr. Heldt said they put the fencing down and will move it later to the high side when done.

Commissioner Mahn stated she has visited the site and noted there is a lot of asphalt milling. She asked if it was possible to remove the milling and replace with topsoil so the landscaping will grow.

Planner Montagno said that as part of the restoration plan, the millings will be removed and appropriate fill added.

Mr. Heldt said he was hoping to use the millings for the parking lot.

Commissioner Mahn said the wetland staff show really poorly draining clay and she was not sure anything would grow.

Commissioner Mahn said she wasn't sure where the water from the parking lot was draining to.

Mr. Heldt replied the water was draining into the detention pond.

Commissioner Mahn asked if the Drain Commissioner accommodated for the fluids from the vehicles.

Chairperson Lirones noted that both the Township and the Drain Commissioner requires interceptors.

Planner Montagno said the first plan submittal is generally to introduce the project to the Planning Commission.

Commissioner Mahn said she would like to have the applicant create a drainage district.

Planner Montagno said this is part of the East Central District.

Chairperson Lirones said this area is part of an existing drainage district. She said she would want sufficient landscaping to buffer the site. She told the applicant their engineer could contact staff for requirements.

Chairperson Lirones said the Township does not allow woven strip fencing. She said that sufficient landscaping and buffering will be required and that landscaping is a final site matter.

Commissioner Norton asked if the parking area is going to be asphalt and with no gravel and the parking spaces marked.

Mr. Heldt replied yes.

Commissioner Norton asked if all the spaces are 30 feet or less.

Mr. Heldt replied yes.

Commissioner Norton asked how RV's over 30 feet long would be accommodated.

Mr. Heldt replied that owners would be required to rent two adjacent spaces.

Commissioner Norton asked if the individual spaces would be designated for each renter.

Mr. Heldt replied yes.

Commissioner Norton stated that there should be a requirement that all RV spaces be designated and marked for each renter to ensure that RV's over 30 ft long will always be parked in their appropriate spot. He also stated that this has been an issue there in the past, because there are not designated spaces today.

Commissioner Norton said there should be a requirement that all RVs are 30 feet or less. He asked if a 45-foot RV could make the turns [on the site].

Mr. Heldt replied a fire truck could make the turns.

Commissioner Dowty said this has been a long road with ups and downs. He said there are a lot of details and happy to see the positive direction of this site.

Chairperson Lirones offered the suggestion that the applicant's engineer meet with the Township engineer and staff about the drives and setbacks.

Motion by Commissioner Luna, supported by Commissioner Plisko, for CUP 07-07 and CSPA 08-01 Place with Space - Parking Expansion to direct the applicant to address:

- 1. All comments in the Township Engineer's report dated May 30, 2008.**
- 2. All comments in the Township Planning Consultant's report dated May 29, 2008.**
- 3. All comments in the Zoning Review dated May 30, 2008.**
- 4. All comments in the Township Wetland Consultant's Report dated May 30, 2008.**
- 5. Address all issues discussed by the Planning Commission at the meeting of June 5, 2008.**

MOTION CARRIED

8.0 Planner's Report

Planning Director Fowler provided written comments for the Commissioners. The comments include:

- Marge Burkheiser has completed eight years of service to the Township.
- Planning Intern, Ian Brand interned with the Township for thirteen months and recently graduated from Eastern Michigan University with a bachelor's degree in Urban Planning.
- David Waligora, will be the new planning intern, starting June 11th. He currently is a senior at Eastern Michigan University studying Urban Planning with a minor in GIS.
- He noted there were 39 applicants for the planning intern position.
- Senior Planner Montagno recently attended a workshop on Small town and Rural Planning.
- The planning staff will be attending workshops on the new Michigan Planning Enabling Act and major revisions to the Michigan Zoning Enabling Act.

Chairperson Lirones noted receiving planning director Fowler's letter to the Commissioners.

9.0 Chairperson's Report

10.0 Commissioner's Report

Commissioner Mahn asked if there should be drainage district created for the State and Ellsworth project.

Planner Montagno said one is not being created. He said the situation they are creating is better than it has been. He said if made to create a drainage district it would be unduly burdensome to the applicant having to involve other properties that have no interest.

Commissioner Mahn asked about landscaping on the State and Ellsworth site.

Commissioner Dowty said NGC is about protecting our Comprehensive Plan. He said the main issues are over bulk storage, and the movement of trucks. He said they are violating the CUP and site plan and that Judge Simpson wants to mediate this. He said the next meeting is June 18th. He said that the past couple of days, things have taken a turn for the worst, relating recent events on a site visit.

Commissioners discussed possible citations being issued to bring into compliance.

11.0 Approval of Prior Minutes

11.1 Minutes of April 17, 2008

Motion by Commissioner Luna supported by Commissioner Norton to approve the minutes of April 17, 2008, as corrected.

MOTION CARRIED

12.0 Adjournment

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

MOTION CARRIED.

Chairperson Lirones adjourned the meeting 10:21 p.m.

Attachment #1

**FINDINGS OF REQUIRED STANDARDS
AND RESOLUTION OF APPROVAL
THE HOME DEPOT
C.U.P. #07-10
June 5, 2008**

WHEREAS an application for a Conditional Use Permit to permit temporary outdoor sales at The Home Depot at 3300 Carpenter Road, was received by the Township on June 8, 2007; and

WHEREAS the Pittsfield Township Planning Commission held a public hearing on this matter on July 12, 2007, and received no public comments; and

WHEREAS the Pittsfield Township Planning Commission reviewed the Conditional Use Permit application 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 use is an annual temporary outdoor sale event and this is harmonious with the general objectives of the ordinance.
- 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 Planning Commission has developed conditions to ensure the use will be operated to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity.
- 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 the site is adequately served and no additional burden will be placed on these services by approving the permit.
- D. Will not be hazardous or disturbing to existing or future neighboring uses** because conditions have been created to prevent the use from being hazardous or disturbing.
- F. 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 #07-10 The Home Depot subject to the following conditions:

- 1. Merchandise and plants shall not block fire lanes, pedestrian walkways, or impede vehicular circulation.**
- 2. Outdoor sales areas shall be delineated by green painted striping on the pavement.**
- 3. The operation must comply with the site plan and the attached letter dated March 27, 2008.**

Attachment #2

RESOLUTION #1
FINDINGS OF REQUIRED STANDARDS
RZ 07-04 Glencoe Crossing Mixed Use PUD (McKinley)
PITTSFIELD TOWNSHIP PLANNING COMMISSION
June 5, 2008

The Pittsfield Township Planning Commission hereby makes the following findings of the standards in Sections 52.07C and 59.05 of the Zoning Ordinance for a zoning amendment based on the latest version of the area plan, consisting of 32 sheets, date stamped March 27, 2008, with a revised cover sheet and sheet number two date stamped April 9, 2008, and a phasing concept sheet dated May 15, 2008 as received by Pittsfield Township, with the conditions listed in Resolution #2.

1. The petition is consistent with the land use designation in the Comprehensive Plan, and will help facilitate the intent for the area. The plan designates the area for moderate to high density residential uses and commercial uses while preserving the natural features in the area. The plan will conserve a large area of natural features including a wetland area and woodlands. The plan will provide new housing and expand the commercial uses on Washtenaw Avenue. The rezoning petition is justified as it offers mixed uses that are in proximity to each other and allow for the preservation of significant natural features on the site.
2. The proposed development conforms to the intent and all regulations and standards of a PUD District.
3. There is a mix of residential and commercial uses proposed. A list of these uses has been assembled that incorporates the existing commercial uses along with additional uses that are appropriate for the area.
4. The site is adequately served by Township sanitary sewer and water systems. Street access is adequate, the area plan provides for vehicular and pedestrian access to major thoroughfares. Fire Station #2 is approximately 3 miles away.
5. Common open spaces are provided for in the area plan within the undeveloped portion of the site where the residential use is proposed. The area plan provides common space between the commercial building and the proposed residential units. There is a pedestrian connection between the residential and commercial space that is designed to be landscaped with an outdoor seating area.
6. A "Conservation Parcel" is proposed that will protect areas of woodlands and wetlands on the site. The area plan indicates that a conservation easement has been placed on the parcel. The easement is held by the Washtenaw Land Trust and has been recorded. The petitioner has provided a copy of the conservation easement.
7. A mix of residential and non-residential uses are provided in the area plan. Moderate density residential units are being proposed located near commercial amenities, and these uses are compatible. The layout has been designed to provide a common space between the residential and the commercial uses, and a pedestrian connection between the two uses.
8. The Planning Commission has determined the height of the buildings to be appropriate with regards to natural light, air circulation, views, fire protection, and airport flight patterns, where applicable. The height of each building is indicated on the area plan and shall be indicated on the final site plan.
9. Noise and light impacts should be minimal on adjacent sites. The potential impacts of the commercial use on the site on the residential units are addressed in the plan. The space between the two uses serves as a buffer between the residential use and the rear side of the existing commercial building. All site lighting will be reviewed for conformance with current standards as part of the final site plan.

10. There are some trees being removed in the area where the residential units are proposed. There are wetland impacts where the proposed private drive goes through to the north. Proper mitigation plans appear to be acceptable and will be further reviewed in the final site plan. The landscaping on the site is acceptable in concept and will be further reviewed in the final site plan.
11. The area plan provides for a road extension to an existing drive connecting to Arbor Circle West within the Arbor Pointe apartments. The development will provide adequate access to public streets.
12. A pedestrian path is proposed connecting the existing nature path to the west of the site. A new pathway is proposed through the residential area between the residential units and the nature area, and connects to the existing nature path as well as to the Golfside Lake apartments to the east.
13. There will be no adverse precedents established by approving the rezoning petition. The approval of the rezoning petition could lead to improvement in the existing shopping center, provide moderate density residential units, and preserve natural features, all of which would improve the general condition of the area.

Attachment #3

RESOLUTION #2
RECOMMENDATION OF APPROVAL
RZ 07-04 GLENCOE CROSSING MIXED USE PUD (MCKINLEY)
PITTSFIELD TOWNSHIP PLANNING COMMISSION
June 5, 2008

WHEREAS Pittsfield Township received petition RZ 07-04 Glencoe Crossing Mixed Use PUD (McKinley), to rezone two parcels of land totaling 40.26 acres located in Section 1 at 4747 and 4885 Washtenaw Avenue, tax parcels L12-01-100-033, and L12-01-100-039, Pittsfield Township, Washtenaw County, Michigan., from General Commercial (C-2) and (R-3) Moderate Density Multiple-Family Residential to Planned Unit Development (PUD); and

WHEREAS The Pittsfield Township Planning Commission held a public hearing on this petition on November 15, 2007 and received no comments; and

WHEREAS The Pittsfield Township Planning Commission reviewed the petition and required a number of changes in the area plan; and

WHEREAS The Pittsfield Township Planning Commission found that the petition, including the area plan, consisting of 32 sheets, date stamped March 27, 2008, and revised cover sheet and sheet two date stamped April 9, 2008 and a phasing concept sheet dated May 15, 2008 as received by the Township, meets the standards for a PUD district as provided in Section 52.07C of the Zoning Ordinance, and for a zoning amendment as provided in Section 59.05 of the Zoning Ordinance, provided certain conditions are met.

NOW THEREFORE BE IT RESOLVED That the Pittsfield Township Planning Commission recommends that the Pittsfield Township Board approve petition RZ 07-04 Crossing Mixed Use PUD (McKinley).

BE IT FURTHER RESOLVED That the Pittsfield Township Planning Commission approves the area plan with the conditions that the approval shall be in effect only after the Township Board approves this petition.

BE IT FURTHER RESOLVED That the Pittsfield Township Planning Commission recommends that the Pittsfield Township Board attach the following conditions to its approval of this petition:

1. The owner of this property shall sign a petition in favor of the establishment of a drainage district at such time as one is presented.
2. Any easements necessary for the establishment of a drainage district shall be granted to the WCDC when a drainage district is established.
3. The petitioner must secure all necessary wetland permits.
4. The MDOT road improvements required in the review dated February 22, 2008 must be incorporated into the final site plan.
5. The proposed landscaping is acceptable in concept and will be reviewed in the final site plan. Provisions for landscaping between the new commercial building and the parking lot shall be provided in the final site plan.
6. Potential outdoor seating areas that have been identified on the plan will be reviewed in the final site plan.

7. Architectural elevations are acceptable in concept, and will be further reviewed as part of the final site plan.
8. A line-of-sight view of the western side of the new commercial building shall be provided in order to provide assurance that rooftop mechanical equipment shall not be visible.
9. All site lighting shall be reviewed for conformance with current standards as part of the final site plan.

BE IT FURTHER RESOLVED That prior to sending this resolution to the Township Board of Trustees the applicant must submit five (5) full plan sets that reflect the proposed phasing which:

- A. Address all comments from the Planning Commission at their regular meeting of April 17, 2008.
- B. Address all issues in the Township Engineer's reports dated April 11, 2008 and May 30, 2008.
- C. Address all issues in the Township Planning Consultant's reports date April 9, 2008, and May 22, 2008.
- D. Address all issues in the rezoning report April 11, 2008.
- E. Address all issues brought forth by the Planning Commission at the meeting of June 5, 2008, including, in phase II, extension of utilities to the north, construction of the driveway connection to the north, wetland mitigation and enhancements to the extent acceptable to the township, and instillation of walking paths in the conservation area in phase II.

BE IT FURTHER RESOLVED That the Pittsfield Township Planning Commission transmits the Township Planner's report of April 11, 2008 as the Planning Commission's report on the petition.