
PITTSFIELD TOWNSHIP PLANNING COMMISSION MINUTES

Members Present: Matthew Payne, Ann Harris, Michelle Anzaldi, George Ralph, Deborah Williams, Michael Yi

Members Absent: None

Others Present: Roland Kibler, Barbara Scherer, John Scherer Jr., Jeff Scherer, Zack Weiss, Joseph Maynard, Christina Lirones, Ben Carlisle, Township Planner, and Allan Hare, Recording Clerk.

1.0 Call Meeting to Order at 6:30 p.m. / Determination of a Quorum

Chairperson Payne called the meeting to order at 6:30 p.m. A quorum was present.

2.0 Pledge of Allegiance

Chairperson Payne led the Pledge of Allegiance.

3.0 Approval of Agenda

Motion by Commissioner Williams, supported by Commissioner Harris, to move Item 8.1 to follow Item 6.1, and to approve the agenda as recommended.

MOTION CARRIED

4.0 Approval of Prior Minutes

4.1 Regular Meeting Minutes of October 20, 2016

Motion by Commissioner Williams, supported by Commissioner Harris, to approve the Regular Meeting minutes of October 20, 2016.

MOTION CARRIED

5.0 Public Comment I

None

6.0 Public Hearings

6.1 RZ 16-05 Lohr Road Townhomes
[Submitted for Rezoning Permit]

Ben Carlisle, Township Planner, stated the applicant is requesting to conditionally rezone the property located at 3253 Lohr Road (L-12-08-250-006) containing 3.57 acres of land with one (1) single-family home from AG, Agricultural to R-2, Low Density Multiple-Family. The conditional rezoning is

requested to permit construction of a maximum of eighteen (18) multi-family units. Conditions of the rezoning are documented in the conceptual site plan submitted for review with the rezoning application. Multiple-Family dwellings are listed as a permitted use allowed in the R-2 Low Density Multiple-Family Residential zoning district.

The applicant has submitted a conceptual site plan for the proposed use which the proposed rezoning to R-2 Low Density Multiple-Family Residential will be conditioned upon. If the rezoning with the concept site plan as a condition of approval is approved by the Township Board, the applicant will be required to submit preliminary and final site plans for review by the Planning Commission.

The conceptual site plan includes:

- Maximum of 18 units
- All units will either front on Lohr or southern property line allowing for some of the existing wetlands/tree stands to be preserved.
- Preservation of at least 0.51 acres of wetland.

The parcel and surrounding area to the north is zoned AG, Agricultural; whereas properties to the south are zoned R-2, Low Density Multiple-Family, and west are zoned FB, Form Based Mixed Use.

The Future Land Use Plan designates this parcel Multi-Unit I. The intent of the Multi-Unit I land use classification is to provide attached and apartment-style dwelling units typically arranged in townhouse style developments. These areas are less dense than the Multiple Family II but more dense than a suburban neighborhood. They can provide transitions between lower density neighborhoods and commercial areas.

The site is located southwest of I-94 on the east side of Lohr Road. The west side of Lohr Road is developed with large-scale commercial uses adjacent to the subject site (planned for Mixed Uses). Properties to the south of the subject site are also planned for Multi-Unit I as identified on the above partial Future Land Use Map. The R-2, Low Density Multiple-Family Residential zoning district corresponds to the future Multi-Unit I designation.

The applicant has offered a conceptual site plan representing the conditions of the rezoning. The conceptual site plan demonstrates the development of eighteen (18) multiple-family units with parking, a stormwater detention area, and at least 0.51 acre (14.3% of the site) open space area. The open space area is proposed to maintain existing natural vegetation along I-94. Access to the development is shown having a single driveway from Lohr Road. The conceptual site plan demonstrates the setback requirements of the R-2 district have been met.

A conditional rezoning to R-2, Low Density Multiple-Family with the conceptual site plan as a condition of approval will allow the subject site to be developed as shown. Any change in use or significant amendment to the site will require Township Board approval.

Upon approval of the conditional rezoning, the applicant will be required to submit a preliminary site plan in accordance with Section 9.03 for review by the Planning Commission.

The applicant has offered a conceptual site plan representing the conditions of the rezoning. The conceptual site plan shows the preservation of some wetland and existing vegetated area. However, the applicant did not submit a wetland delineation or natural resources inventory to determine the extent and quality of the natural features on site. In addition, site grading was not shown to indicate if and how these natural features would be preserved.

ECT, the wetland consultant, recommends that the small area of on-site wetland located at the north end of the site be included on any subsequent site plan submittals. The wetland and 25-foot wetland setback, as well as all proposed impacts to the wetland and the 25-foot wetland setback, should be indicated, labeled and/or quantified on all future plan submittals. It is recommended that the applicant avoid impacts to this existing wetland and buffer.

In consideration of the proposed rezoning, the Planning Commission shall consider the following standards as set forth in Section 18.05 of the Zoning Ordinance:

1. The conditions, proposed development, and/or proposed use of the land are designed or proposed for public health, safety, and welfare purposes.
2. The conditions, proposed development and/or proposed use are not in material conflict with the Master Plan, or, if there is material conflict with the Master Plan, such conflict is due to one of the following: i. A change in Township policy since the Master Plan was adopted. ii. A change in conditions since the Master Plan was adopted. iii. An error in the Master Plan.
3. The conditions, proposed development and/or proposed use are in accordance with all terms and provisions of the zoning district to which the land is to be rezoned, except as otherwise allowed in the Conditional Rezoning Agreement.
4. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
5. The conditions, proposed development and/or proposed use shall insure compatibility with adjacent uses of land.

When considering the rezoning, the Planning Commission should consider if additional information is needed to ensure compatibility with the surrounding area. Specifically if the applicant has provided enough information to determine that in light of potential quality natural features on site, the applicant has met all the standards.

Conceptually the proposed rezoning/use is in compliance with the Master Plan. However, it is recommended that action be postponed until the applicant can provide enough evidence regarding preservation of existing natural resources to the satisfaction of the Planning Commission that the proposed rezoning meets all required standards.

Joe Maynard, Washtenaw Engineering Company, stated the intent is to build an 18-unit building. In regards to the natural features, a site survey was conducted on October 25, 2016 noting there are no natural woodlands or wetland environments on the property or adjacent lands.

The site consists of two conditions; 1) A domestic landscape plantings immediately adjacent to an existing single-family home; and, 2) The remaining $\frac{3}{4}$ of the site is vacant land that has re-vegetated over time with Glossy Buckthorn/Frangula Alnus which is an invasive shrub or small like tree. The site is entirely populated with this woody shrub and the growth is so dense the existing groundcovers are limited to moss and likens. There are two small American Elm trees existing on site with indication of Dutch Elm disease. There are no Heritage Trees on site. All trees are remnant ornamental landscape trees shrubs and ground covers.

There are no steep slopes on the property and the site gradients are no greater than 6%.

All adjacent properties lack quality natural features or are developed as parking lots, roadways and commercial and/or office structures. What remaining open space is left is unmanaged or unmaintained and is becoming populated with old field or invasive species plants.

Mr. Maynard noted that the ECT review indicated the presence of a small wetland area located in the northwest corner of the site. His wetland consultant, BWA Consulting, inspected the site and determined that the area is a depressional remnant of a roadside ditch and not necessarily a wetland.

However, he stated the client is more than willing to work with the Township to meet the requirements associated with the development of the project.

Motion by Commissioner Williams, supported by Commissioner Harris, to close the public hearing for RZ 16-05 Lohr Road Townhomes.

Item 8.1 of New Business moved to follow Item 6.1 of the Public Hearing.

Chairperson Payne stated he is very familiar with the site and, conceptually, has no issue with the rezoning as long as it meets all the wetland requirements.

Commission Harris stated she has no problem with the conceptual proposed project but is not comfortable with the wetland issues and is concerned with the possibility of encroachment on the wetlands.

Commissioner Ralph concurred.

Commissioner Yi indicated he does not have a problem with the proposed project.

Motion by Commissioner Harris, supported by Commissioner Ralph, to postpone action on RZ 16-05 Lohr Road Townhomes until the applicant can provide enough evidence regarding preservation of existing natural resources to the satisfaction of the Planning Commission that the proposed rezoning meets all required standards.

ROLL CALL

YES: ANZALDI, HARRIS, PAYNE, WILLIAMS, YI, RALPH
NO: None
ABSENT: None

ABSTAIN: None

MOTION CARRIED

7.0 Old Business

None

8.0 New Business

8.1 RZ 16-05 Lohr Road Townhomes

[Submitted for Rezoning Permit]

Item 8.1 of New Business moved to follow Item 6.1 of the Public Hearing.

8.2 ZOA 16-198

[Zoning Ordinance Text Amendments]

Mr. Carlisle stated the Zoning Ordinance was adopted in 2014. He noted that anytime an Ordinance is adopted, there are always changes needed in the following couple years. In 2015, the first round of Zoning Ordinance Amendments were presented. Today he is submitting ten more amendments for the Commissioner's review and discussion. If the Planning Commissioners are agreeable to the text amendments, the Staff will start drafting ordinance language to be presented back to the Planning Commission. The ten revisions are as follows:

1. Minimum Transparency

Recently constructed buildings in the form-base districts have provided 50% transparency when counting the entire length of the façade, but not when considering individual tenant spaces. The intent is to have transparency for all tenant spaces, not to have not black out windows for a significant length of the building. Evenly distributed transparency will reduce the starkness of the non-transparent areas and provide better design consistency.

Current Requirement: The current requirement states: The first floor of any front façade facing a right-of-way shall be no less than fifty percent (50%) windows and doors, and the minimum transparency for facades facing a side street, side yard, or parking area shall be no less than thirty percent (30%) of the façade.

Proposed Amendment Consideration: Amend the current section to state: The first floor of any front façade space facing a right-of-way shall be no less than fifty percent (50%) clear windows and doors, and the minimum transparency for façade facing a side street, side yard, or parking area shall be no less than thirty percent (30%) of the façade. The transparency requirement shall be measured for each tenant space.

2. Transparency Alternative

Current Requirement: The ordinance permits wall design alternatives to count towards up to 80% of the required transparency. However, the

intent of the form-based district is to encourage visual interest from the street and sidewalk. Often the wall design alternatives do not accomplish that goal and they are often difficult to calculate.

Proposed Amendment Consideration: Eliminate the use of wall design alternatives for facades that front on a street. As such we are requiring all buildings in the form-based district to meet the transparency requirement of 50% for each tenant façade.

3. Flag Height

A recent development has placed flags on top of their roof. As a result, the pole and flag is much taller than the roofline and creates visual clutter.

Current Requirement: Current regulations permit flags to be attached to a building and flag heights may be equal to the maximum structure height of the zoning district. In form-based districts, the applicants are building one or two story buildings but because the districts permits three (3) stories, flags may be significantly taller than the building itself.

Proposed Amendment Consideration: Require all flags to be ground mounted and limit flag pole height to no more than 5 feet above the top of the building roofline for the lot in which it sits.

4. Shared Driveway vs. Private Road

Current Requirement: The ordinance requires that every lot front on a public or private street. Hence any driveway that services two or more homes has to meet the private road standards. The Township recently adopted a private road policy.

There are many legacy parcels in the Township that do not front a road and the only way to access them would be to build a private road that meet all the private road requirements at a significant cost. Furthermore, there may be instances where the allowance of a driveway or a reduced private road standard may be appropriate for some small single-family developments. In both cases a road constructed to the requirement standards of a private road is not necessary and maybe overly burdensome.

Many surrounding communities permit either driveways or a reduced private road for smaller single-family developments or legacy parcel splits. For example, Scio Township permits a Class C private road for those developments which will serve no more than four lots or parcels, where all lots are over 2.5 acres, and where the private road has no reasonable opportunity to be extended in the future. Class C roads do not require the engineering design and hard surface pavement of a typical road.

Proposed Amendment Consideration: Create a private drive standard for developments of four or less single-family lots. The Public Safety Department will still review and confirm adequate access and circulation.

5. Artisan Category-Products that are made, sold and consumed on site.

There has been a rise in small-scale, local, artisan food production, which include gourmet food production (Zingermans), arts/crafts, or breweries.

Current Requirement: The current ordinance does not include a definition or land use category for these uses, and the current definitions and regulations for like uses, such as food processing or general retail, do not reflect the smaller scale characteristics of artisan production, and are often too restrictive. For example, food processing is only permitted as a conditional use in industrial districts. The form-base and commercial districts are an appropriate place for artisan production.

Proposed Amendment Consideration: Draft zoning language to include: 1). Defining small scale and artisan food production; 2). Determine appropriate districts to allow use as a permitted and conditional use; and 3). Determine if there are any additional use requirements that should be required.

6. Revise lighting standards

A recently approved site has installed lighting that has impacted adjacent properties.

Current Requirement: The ordinance requires that all lighting source shall be fully screened and shall meeting the lighting levels of the maximum value of the Illuminating Engineering Society of North America RP-8 and RP-33. The intensity of light at the base of a light fixture pole shall not exceed ten (10) footcandles. Light shall not exceed one-tenth (0.1) foot-candle along any boundary, or beyond, adjacent to residentially zoned or used property, and one-half (0.5) foot-candle along or beyond all nonresidential property boundaries.

Proposed Amendment Consideration: Insert stronger lighting requirements including minimums and maximums, lumens measurements, and lighting types.

7. Carpenter Road form-base district and general scan of more modern version to see if general form-base amendments are necessary.

While zoning is very permissive, there may not be enough incentives to spur redevelopment at the Carpenter Road Form Based District.

Current Requirement: The current requirements are very permissive and allow a multitude of uses and varying densities.

Proposed Amendment Consideration: Similar to recent amendments to the Washtenaw Avenue form-based district, we recommend that the Township review the Carpenter Road form-based district to:

- a. Be more contextually relevant
- b. Encourage/incentivize quality redevelopment

- c. Permit greater flexibility to allow for redevelopment?

Also, we suggest to speak with local development community to determine what market incentives could be used to encourage revitalization.

8. Hookah Lounges

The Township does not have any specific regulations for Hookah Lounges. The increasing popularity of hookah lounges presents several important regulatory and enforcement issues for the Township to consider.

Current requirement: Bar/Lounges are regulated as permitted use in the C-2 and Form-based Districts, and a Conditional Use in the C-1 District. If considered a like use, those current regulations would most likely apply. However, there are additional regulations that the Township should consider.

Proposed Amendment Consideration: Define and draft specific regulations for Hookah Lounges, including requiring a conditional use regardless of district, restricting hours of operation, requiring licensing requirements, and setting distance requirements from each other, schools, parks, etc.

9. Signs

Current requirement: In the 2014 update the Township removed “Grand Opening” signs. The Township Code Enforcement Officer, who issues sign permits, has received a number of requests for temporary Grand Opening signs.

Proposed Amendment Consideration: Add language to allow temporary Grand Opening signs.

10. On-Street Parking

Current requirement: In the 2014 update the Township removed the language that limited off-street parking in residential districts to passenger vehicles only. This regulation stated that vehicles that exceeded three-quarter (3/4) ton were prohibited.

Proposed Amendment Consideration: Reinsert language that was removed.

Following a general discussion regarding the proposed amendments, the Commissioners approved the Staff to begin drafting ordinance language to be presented at a future meeting.

9.0 Planner’s Report

Mr. Carlisle announced the Township has issued a job opportunity for a zoning administrator.

10.0 Chairperson's Report

Chairperson Payne encouraged the Commissioners to read the September 2016 issue of the Planning & Zoning News. This issue addresses the new medical marijuana laws.

11.0 Commissioner's Report

None

12.0 Public Comment II

None

13.0 Adjournment

Motion by Commissioner Harris, supported by Commissioner Ralph, to adjourn the meeting.

Chairman Payne adjourned the meeting at 7:21 p.m.