

**ANN ARBOR CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
MINUTES OF MEETING
MONDAY, MARCH 6, 2006**

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Planning Commission was called to order by Chair Olsson at 7:30 p.m.

Commissioners present: Kris Olsson, Peter Kotila, Diane O’Connell, Richard Mitchell, Randolph Perry, and James Snyder.

Commissioners absent: John Allison.

Also present: Township Attorney Sandra Sorini Elser, Township Planner Dick Carlisle, Township Engineer Damien Wetzel, Environmental Consultant Eugene Jaworski, and Township Supervisor Michael Moran.

II. CITIZEN PARTICIPATION

No citizen signed up for participation.

III. APPROVAL OF MINUTES

Perry moved approval of the minutes of the February 6, 2006 meeting. Kotila seconded the motion which was adopted unanimously.

IV. COMMUNICATIONS

Moran reported on behalf of Allison on the Board of Trustees meeting held on February 20, 2006. The minutes were included in the Commissioners’ packets.

V. PUBLIC HEARING

ZC-5-05 Lake Village Residential Properties. Rezoning application for parcel 1-09-03-200-033, currently zoned ~~AR~~-1 proposed zoning to R-2; 1-09-03-300-002 currently zoned ~~RA~~-1 proposed zoning to R-2.

Chair Olsson opened the public hearing at 7:40 p.m.

Steve Robinson presented on behalf of Lake Village Properties. Robinson introduced the Silverman Development Company and gave a brief history of the company’s development projects throughout southeastern Michigan. Robinson stated the GDP designates the area depicted on the map as future residential and in the residential area policy it further defines the area’s classification for ~~050.5~~ to 1 dwelling unit per acre for suburban residential. Robinson said the GDP directly corresponds with the zoning ordinance for single family suburban residential. Robinson presented a series of findings and facts which he claimed supported the petition for rezoning. Robinson said based upon the findings of fact he request the Planning Commission to recommend approval of the petition to the township Board.

Dick Carlisle, Township Planner: Carlisle stated he submitted a land use and zoning analysis report dated February 22, 2006. Carlisle indicated the surrounding properties are

zoned with lower density residential with a combination of agricultural. Carlisle said the GDP has a clear sense of purpose/intention to ensure properties in this land use category, if they were to be rezoned they would be rezoned in a manner compatible with the surrounding properties. Carlisle said based on information provided and the analysis provided in his review he recommends denial of the petition due to the subject rezoning is inconsistent with the objectives, policies and strategies of the GDP and is incompatible with surrounding land use patterns.

Damien Wetzel, Township Engineer: Wetzel indicated the subject properties are outside the water and sanitary sewer district. Wetzel stated the property is subject to potable water wells by the County Environmental Health Department and the alternative sanitary sewer system would require further investigation.

Eugene Jaworski, Environmental Consultant: Jaworski gave a brief overview of the existing land use of the subject property. Jaworski indicated the southern parcel has active agriculture with old fields in the southeast and eastern parcel. Jaworski said there are some landmark trees in the northern parcel consisting of black walnut and black cherry. Jaworski said there are no wetlands on site but some drainage passes through the area. Jaworski stated the soil would need to be tested in order to determine if it would support on site septic.

Patrick Rourke, 2222 Perennial Lane: Rourke indicated he owns 6 acres directly adjacent to the subject property and is currently building a house. He said it's ridiculous the petitioner is requesting to go from a 4 acre minimum to 1 to 2 acre lots. He said this is not a realistic way of doing things. He said this is spot zoning and you can't gradually increase the density in any direction from the center of the subject property that is consistent with the surrounding properties. He also noted the ability of the property to perk is very important. He said his property is ten feet lower than the subject property and any drainage from the property will end up in wetlands on his property.

| George FammiFahmi, 4545 Pontiac Trail: He stated he is probably more affected than anyone else because 500 feet of his property borders the subject property. He built a home on his property based upon the understanding that most homes in the area would be built on 14 acre lots. Fammi quoted section 5.08 of the GDP in which he stated "existing lot density of rural residential areas and undeveloped lands within them are in the general vicinity.

Development of these lands will be consistent with the existing density and character. Density and uses of such land will not be permitted to adversely affect existing residential areas. Fammi also cited section 6.02 J of the GDP which he stated "new residential development shall be compatible with existing residential in terms of density, lot size, and building types and existing stable residential areas should be protected."

Terry Sergeant, 2154 E. Joy Road: Sergeant indicated the spirit of the Master Plan is about maintaining the rural character and existing environment of the township. He said there are a lot of illusions of clustering and good design and compatibility with existing densities. He doesn't believe a subdivision deals with the basic issue of the quality of the

township environment. He said the intent of the master plan is not to develop one house per acre but to consider all the concepts and design in a way that makes it beautiful and environmentally responsible. He said he is totally opposed to the rezoning and believes design and consistency of rural character is very important.

Beth Costello, 2126 E. Joy Road: She stated she would like to see a gradual transition in density so that it doesn't hurt the surrounding properties with such an abrupt change in zoning.

Jean Wyman, 2154 E. Joy Road: She commented on the Greenbelt initiative passed by the City and Township which supports the interest to preserve rural character. She stated she believed people were voting against this type of massive suburban development. She said this kind of spot zoning is directly against the wishes of the township residents. She questioned whose interest is this development would serve and the need to look at more innovative ways to deal with new residents of the township.

Joel Cameron, 4607 Pontiac Trail: He stated he purchased his property with the understanding that the surrounding property would be developed on 2 acre parcels instead of a cluster of homes.

Robert Simmons, 4699 Pontiac Trail: He indicated the original PUD plan had conserved land. He said if the township allows R-2 zoning on the subject property the township will set a precedent and the rest of the land will be subject to the same type of spot zoning. He said he didn't plan to look at high density development when he purchased his property and is opposed to the rezoning.

Chair Olsson closed the public hearing at 8:11 p.m.

Planning Commission Discussion/Action

Perry stated he was contacted by the representative of the developer who asked if he needed any further information to make a decision. Perry indicated he hadn't yet made up his mind. He said he was impressed with the consultant's report and asked the developer to take time at the hearing to respond to the points made by the township consultants. He said the key to the consultant's report is the consistency with the policy goals and objectives of the GDP and is disappointed that the developer's primary response to the consultant's analysis is to focus on the map instead of the text of the GDP. He referenced Section 1.02 G which states "the maps and the plan are intended only to illustrate some of the policies described in the text and that the text of the plan should be consulted for description of policies that apply to specific areas or features." He said he knows why the developer relied on the map that supports their position. He said he agrees with the speakers and consultants that the rest of the GDP does not and it is his conclusion that changing the zoning to R-2 is not consistent with the GDP and cannot vote in favor of it.

Snyder stated the nearby residents make a number of excellent points. He indicated cognizant of the PUD plan that was before the Commission prior did have the benefit of

preserving a lot of farmland and was the trade off which would allow quite a few clustered units in exchange. He said going to this zoning category is simply far too dense without any correlating benefits. He stated he doesn't have anything against residential in this area but nothing as dense as proposed. He indicated it would set a terrible precedent for a subdivision development in an area that is not consistent with that type of development and therefore cannot support the proposal.

Kotila indicated the map suggests support of the R-2 zoning however the GDP is a complex document and deals with complex issues and opens one to look for guidance. Looking at all of the findings of fact he sees no error in the ordinance or any change in conditions of the area. He said the area appears rural in character and the subject parcel is agricultural and surrounding parcels are low density residential. He stated to ensure new development is consistent with what is already there both in character and density is mention in section 5.08. He said if it were rezoned to R-2 it would be 5-6 times increase over the current districts, 2-3 times increase over neighboring adjacent properties, and 10 times increase over A-1 districts in the area. He indicated the density difference between the proposed district and surrounding area is discordant and would be upsetting to the character of the area and a negative impact on conditions. He said placing 1 acre lots in this rural area will remove the land from its agricultural use and past and set it apart from its agricultural surroundings. He stated once the connection to the land is lost other similar developments will follow and will set a negative precedent and counter the goals of the master plan which is to preserve the rural character of the township. The location of the subject property is a spot of special importance in the Township-as it sits in the narrowest (east-west) section of the rural residential district that runs north-south along Pontiac Trail that divides the large tracts of the agricultural production lands that exist to the east and west. Developing this area with one acre lot housing will both physically and perhaps more importantly visually and emotionally divide the two remaining large agricultural areas of the Township. This division will fragment and therefore lessen the rural identity and character that now spans the Township's northern expanse (Sections 4.01 and 4.02). He said he can't support this petition and recommends denial.

O'Connell indicated this is high density for this area and fully supports previous points made by the public, consultants and Commissioners. She stated the Master Plan is much more complex than looking at a map and relating what is on the map to current patterns and what the township wishes to see in the future. She said the Master Plan supports maintaining rural character and consistency with surrounding land use patterns. She said she is concerned with the lack of public utilities and services in the area and cannot support this kind of density or the R-2 zoning.

Mitchell indicated the Commission is guided by principles in section 1.30 of the ordinance and doesn't see where these factors have been met. He said therefore he can't support the R-2 zoning because it is inconsistent with the ordinance.

Snyder moved to table the rezoning request so the Township Attorney can prepare a draft of findings of fact and recommendation of denial. Mitchell seconded the motion which was adopted unanimously.

VII. NEW BUSINESS

A. Co-Location to a cell tower Metro PCS 1521 Earhart Road, SP244-05. Requesting approval of site plan. Jon Szutarski presented on behalf of petitioner. He said Metro PCS is requesting to co- locate 3 antennas on an existing communications facility at a height of 30 to 60 feet with a 8 x 12 foot concrete pad that would have 2- 4x4 foot equipment cabinets.

Dick Carlisle, Township Planner: Carlisle stated the antennas are below the current height of the tower and the location of equipment on the ground is relatively unobtrusive. A revised landscape plan was suppose to be submitted but has not yet been provided. He said he recommends approval with conditions that a revised landscape plan be submitted.

Damien Wetzel, Township Planner: Wetzel indicated all construction will be limited within the fence and that the project doesn't affect public utilities.

Eugene Jaworski, Environmental Consultant: He stated there is very minimal impact to the existing driveway and there is an existing pole. He said there is no tree removal involved and there is minimum natural features impact.

Sandra Sorini Elser, Township Attorney: She indicated in order to encourage co location it is a permitted accessory use on a lawfully existing and approved tower. She said the Township will need some evidence that 3 antennas will not affect the structural stability of the tower and agreements with tower and landowner.

Snyder moved approval of the site plan subject to additional material as required by the Township Attorney and Consultants which are the lease agreement, structural analysis and revised landscape plan. Perry seconded the motion which was adopted unanimously.

B. Co-location to a Cell Tower Metro PCS 3500 Pontiac Trail, SP245-05. Requesting approval of site plan. Jon Szutarski was present representing petitioner. The existing tower is 180 feet and is requesting to co- locate 6 antennas at 140 feet. He said a five foot by eleven foot steel skid will be used inside the existing fence area.

Dick Carlisle, Township Planner: Carlisle indicated he had no issues with the project and recommends approval.

Damien Wetzel, Township Engineer: Wetzel indicated the plan is satisfactory and there is no conflict with technical standards.

Michael Moran, Township Supervisor: Moran indicated the tower was originally permitted with the condition there be a designated drive painted through the parking lot with no parking signs in order to access the tower in the event of an emergency. He said the signs have been installed but the stripping is not evident. He stated the Township is

holding a bond from the original leaseholder to have the work done. He said he may be able to handle this administratively to see that the stripping is completed.

Eugene Jaworski, Environmental Consultant: Jaworski stated there appears to be some old drawings which need to be updated. He said the septic and telephone lines have been removed. He said the acid and batteries will be wholly contained on a slab and shouldn't affect anything. He stated there are some new plantings proposed which will screen the cabinet area and therefore recommends approval.

Perry moved approval of the site plan subject to conditions of lease agreement, structural analysis, addition of LP tank to site plan, and conditions added prior to site plan approval. O'Connell seconded the motion which was adopted unanimously.

C. Toyota Motor Sales-SP-2-06. Expansion of the existing truck dock. Requesting approval of a combination preliminary and final sit plan.

Ann Stevens with Atwell Hicks presented on behalf of petitioner. Stevens indicated the need to expand the existing truck dock is due to the expansion of the facility. She stated as the facility expands there is a greater need to improve and expand the shipping and receiving area. She said there are no changes in the current area and there is an existing concrete pad which a new concrete pad will be added. She stated there are no changes in landscaping, drainage or retention and the WCDC has supported approval of the plans. She said there will be minimal change in lighting with no increase in lighting at the property line or any road right of way. She indicated the facilities can't be seen from neighboring properties due to a substantial berm. She stated there is one minor change as outlined by the Township Consultants which is to relocate a watermain due to an additional compactor which will be mounted to the building and considered a permanent structure.

Dick Carlisle, Township Planner: Carlisle stated he submitted a review report dated February 23, 2006. He said there is very little to be concerned about. He said screening is no longer an issue and believes the lighting will be identical to existing lighting and recommends approval.

Damien Wetzel, Township Engineer: Wetzel submitted a report dated February 23, 2006. Wetzel indicated he participated in the pre-application meeting. He said his main concern is with the realignment of the watermain and to make sure it is 20 feet from any structural improvements to the building. He reiterated the proprietor should consider impact of any further expansion that may conflict with existing utilities. He recommends approval of the final site plans with the condition that the engineer comments will be handled administratively.

Eugene Jaworski, Environmental Consultant: Jaworski submitted a report dated February 18, 2006. He stated his main concern is the amount of imperviousness of the entire site.

He indicated the Commission should take note of the high imperviousness on site and to consider increasing water holding on site to reduce the amount of storm water discharge.

Perry moved approval of the preliminary and final site plan subject to the minor concerns voiced by the Township Consultants. O’Connell seconded the motion which was adopted unanimously.

VI. OLD BUSINESS

A. Storm Water Maintenance Discussion

The Commission discussed the Storm Water Ordinance and the need to further develop the ordinance at a workshop meeting. Stan Tec is currently over seeing Phase 2 requirements. The Commission is trying to parallel the Township ordinance with WCDC standards. The Township Attorney stated the township’s authority falls under the Clean Water Act and police power. Carlisle stated Wayne and Macomb Counties have model ordinances the Commission can consider when developing an ordinance. Carlisle mention there is a current movement in some areas of the country which has zero discharge from development sites to minimize storm water discharge and keep storm water on site as much as possible. The Commission decided to establish a subcommittee to address issues involving the storm water ordinance.

VIII. INFORMATIONAL ITEMS

- A. Letter from Northfield Township regarding a Notice of “Intent to Plan”.
- B. Letter of February 10, 2006 from Carlisle/Wortman regarding Revising Other Sections of the Land Development Standards.
- C. Citizen Planner Program
- D. Planning for Prosperity Workshop

IX. PUBLIC COMMENT-none

X. ADJOURNMENT- Perry moved approval to adjourn the meeting at 9:35p.m. Snyder seconded the motion which was adopted unanimously.