

Minutes of Meeting
Lodi Township Planning Commission
June 26,2007

Present:: Crowner, Diuble, Steeb, Swenson (arrived 8:05), Thelen, Veenstra
Absent O'Connor

The Planning Commission meeting was opened at 7:32 pm.

The application for a PUD, Heritage Preserve, was discussed. Tom Covert of Atwell-Hicks basically reiterated his letter of 5/30, 2007 without making any changes to the Area Plan to respond to Planning Commission questions from the May 22 meeting.. Peters Summit, LLC was represented by Robert McCowan and Jim Haeussler. After discussion about selection of alternatives listed on the Area Plan, Jim Haeussler stated that they would go for the straight residential. option.

Douglas Veenstra reiterated several issues the Planning Commission had with the PUD proposal such as interior road r-o-w's, sidewalks, access streets for single family houses, woodland A removal, and the need for costs for added fire and police protection for the township as a result of the project.

Jim Haeussler said they were using the entire 2004 PUD ordinance for planning and not simply Section 22, R-3 zoning, as stated in the Consent Judgment. He stated that they were tired of the process and did not want to spend any more money on the PUD. He stated that they would drop the request for a PUD and develop the property as provided under R-3 zoning. He requested a vote rather than a table.

Douglas Veenstra summarized the following facts, and conclusions of the Planning Commission.

Findings of Facts:

1. The land proposed for rezoning is currently zoned R-3 Low Density Multiple Family Residential District. The applicant has submitted a request to rezone the land to PUD Planned Unit Development.
2. The applicant has provided four sets of plans for the Area Plan, when the Alternate Overlays are considered. After discussion, the applicant selected the residential-only option (without the Alternate Overlays) as the single Area Plan submission.
3. The 220 foot wide Detroit Edison easement along Waters Road was not considered in the Area Plan. The Area Plan shows buildings located in the easement. The applicant has agreed to make vacating this easement a condition of approval.
4. The applicant's calculation of net area is erroneous. Rights-of-way for roads were not deducted when calculating net area. Section 42.07B.1 states: "Land zoned for

residential development may be developed, at the option of the land owner, with the same number of dwelling units on a portion of the land area, that as determined by the Township, could otherwise be developed under existing ordinances, laws, and rules, on the entire land area, ...” Article 22.0 of the Zoning Ordinance addresses the R-3 district. Section 22.04A states: “Lot acreage shall be exclusive of public and/or private road rights-of-way.”

5. The defined rights-of-way for the main roads and access drives do not meet the requirements of the Zoning Ordinance. Section 55.17 of the Zoning Ordinance details Private Road Regulations. Different requirements are detailed for Class 1 roads (serving two or more units) and Class 2 roads (serving not more than eight residential units). Class 1 roads require a 66-foot wide right-of-way, and Class 2 roads require a 50-foot wide right-of-way. The applicant is proposing a 50-foot wide right-of-way for roads serving more than eight units. The applicant is proposing a 22-foot wide right-of-way for access drives that require either a 50-foot or 66-foot wide right-of-way, depending on the number of units served.
6. The proposed density exceeds the density allowed by the Lodi Township Zoning Ordinance. Article 42 (Planned Unit Development), Section 42.07 B.1.a restricts the density to a maximum of two or three dwelling units per acre when using open space provisions, depending on whether or not municipal sewers are available. The applicant states that it is proposing four dwelling units per acre.

Furthermore, Section 42.07B.1 restricts the number of dwelling units to the number that could otherwise be developed under existing ordinances, i.e., R-3. The proposed mix of housing (without Overlay A or Overlay B) would require at least 201.33 net acres under the 2004 version of Article 22.0.

7. The boundaries of the open spaces are not delineated. Other than the single family lots, required setbacks are not shown. Setbacks cannot be counted toward open space. Section 42.07 B.2: “ ... Such open space shall not include the yard areas adjacent to buildings.”
8. Open space uses have not been indicated as required by the Zoning Ordinance. Several of the open spaces appear to be so small as to be useless; they appear to be extensions of adjacent yards rather than community spaces. Section 42.04 D.4: “Common open space, other common properties and facilities, individual properties, and all other elements of a PUD are so planned that they will achieve a unified open space and recreation area system, with open space and all other elements in appropriate locations, suitably related to each other, the site, and surrounding lands.” Section 42.14 B: “Open space areas shall be conveniently located for the residents throughout the PUD in relation to the location of the dwelling units and natural features.” Section 42.14 C: “Open space areas shall have minimum dimensions which are usable for the functions intended and which will permit proper maintenance.”

9. The Area Plan does not make adequate provisions for pedestrian traffic as required by the Zoning Ordinance. Access to many of the open spaces seems to be by the narrow roads, which is a safety hazard. Section 42.04 D.11: "Pedestrian circulation shall be provided within the site, and shall interconnect all use areas, where applicable." Section 42.04 D.6: "... the Planning commission shall consider, among other things, convenient routes for pedestrian traffic, ..." Section 42.12 B: "Each lot or principal building shall have pedestrian access from a public sidewalk, where deemed necessary by the Planning Commission."
10. The integrity of the woodlands existing on the site and connecting to adjacent properties has not been adequately protected, as required by the Zoning Ordinance. Section 55.08 (Natural Features Protection and Preservation) requires that woodlands be protected. Section 55.08 F.4.b.2: "The integrity of woodland areas shall be maintained to the greatest extent reasonably possible, regardless of whether such woodlands cross property lines." The woodland designated "A" appears to have been entirely removed. The woodland designated "B" cutting across the center of the property from east to west connects to woodland immediately to the east has been interrupted. Greater effort needs to be made to preserve the woodlands.
11. The applicant's letter of May 15, 2007, regarding the Financial Impact of Heritage Preserve is inadequate. At a minimum, it neglected to include the additional costs to Lodi Township for police and fire protection, administrative services, and road maintenance due to the project. The applicant has agreed to revise the Financial Impact statement with additional Township input.

Conclusions:

1. The Area Plan submitted with the Petition for Zoning Amendment does not meet the requirements of Article 42.0 (Planned Unit Development) of the Lodi Township Zoning Ordinance.
2. The Area Plan submitted with the Petition for Zoning Amendment does not meet the requirements of Section 55.08 (Natural Resources Protection and Preservation) of the Lodi Township Zoning Ordinance.

Veenstra then moved, seconded by Steeb, that the Lodi Township Planning Commission recommends that the Lodi Township Board of Trustees deny the Petition for Zoning Amendment for rezoning to PUD – Planned Unit Development . The motion passed 6 – 0, no abstentions.

The minutes from the May 22 meeting were reviewed and it was moved by Thelen, seconded by Swenson to put the attachment directly into the minutes. Passed 6-0. The revised minutes are attached.

Other business

A revised site plan amendment for Travis Pointe Country Club for a new Half-Way

House was presented. Comments by Orchard, Hiltz & McCliment, Inc. were received as follows

COMMENTS

1. In the Project Data/Information section on Sheet 1, Note 4 states that water, gas, sanitary and rainwater will be hooked to existing lines in the area. The drawing on Sheet 3 clearly shows the proposed roof drain and sanitary lead connecting to existing infrastructure. However, it appears that the water and gas lines for the new building are connected to the existing clubhouse. The applicant shall clarify, and Note 4 may need to be slightly modified.
2. It is recommended that a grease trap be installed on the proposed sanitary lead to separate grease/oils before the wastewater enters the main sanitary sewer.
3. Minimum slope (typically 1%) and material of the proposed sanitary lead should be noted on the plans. Materials should also be noted for the new water service and 6-inch roof drain.
4. It appears from the drawing that the roof overhang will slightly overlap the existing bituminous walk. We recommend that the walk be slightly rerouted around the roof overhang to alleviate any safety concerns.

REQUIRED PERMITS/APPROVALS

The following is a list of outside agency reviews and permits that will likely be required for the project. We request that copies of correspondence between the applicant and the review agencies be sent to our office.

- **Washtenaw County Environmental Health Department:** Approval required for any increased loading on the existing well. It is our understanding that the applicant has already contacted this agency, but no documentation has been submitted as of yet.
- **Washtenaw County SESC** – Soil Erosion and Sedimentation Control permit will be required

Moved by Diuble, seconded by Thelen, to approve the amended site plan for Travis Pointe Half-Way House conditioned upon receiving the amended plan addressing the OCM comments and required approvals stated above. Passed 6-0.

Moved by Thelen, seconded by Diuble, to adjourn the meeting at 8:50 pm.

Submitted by

Vice Chair