

ANN ARBOR CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
MINUTES OF MEETING
TUESDAY, OCTOBER 3, 2006

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Planning Commission was called to order by Chair Olsson at 7:34 p.m.

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

Commissioner Absent: James Snyder.

Also present: Township Attorney Sandra Sorini Elser, Township Planner Zak Branigan, Township Engineer Damien Wetzel, Supervisor Michael Moran and Planning Assistant Joanne Collins.

II. CITIZEN PARTICIPATION-No citizen signed up for participation.

III. APPROVAL OF MINUTES

Corrections to the 9/6/06 minutes: On page 3 under Perry’s motion insert “preliminary and” before “final site plan”. **Perry moved approval of the September 6, 2006 minutes as amended. Mitchell seconded the motion which was adopted unanimously.**

IV. COMMUNICATIONS

- A. Allison reported on the Board of Trustees meeting held on September 18, 2006. The minutes were included in the Commissioners’ packets.
- B. Perry requested the minutes from the Planning Commission Workshop sessions be listed on the agenda under “Approval of Minutes” instead of “Communications”. **Allison moved approval of the August 16, 2006 Planning Commission Workshop minutes. O’Connell seconded the motion which was adopted unanimously. Kotila moved approval of the September 11, 2006 Planning Commission Workshop minutes. Allison seconded the motion which was adopted unanimously.**

V. PUBLIC HEARING

A. Public Hearing on the Natural Features Permit for Perkins Construction NF-02-06

Geoff Perkins of Perkins Construction was present representing the Petitioner. Perkins stated because they will be impacting natural features on the site they are required to obtain a natural features permit. The natural features which will be affected are some regulated slopes. Perkins said they initially planned to build two buildings on the site but after looking at the amount of impact to wetlands, floodplain and features of the slopes, they determined it was too great of an impact and decided to reduce the number of buildings to one. To mitigate the amount of impact to the slopes they decided to build the one building into the side of the hill. Perkins said they have done everything they can to

reduce the amount of impact to the natural features considering the parcel is approximately 9.9 acres in size and only 2.5 – 3 acres of buildable area will be used. Perkins said he hopes the Commission finds their request reasonable and will grant the permit.

There were no comments from the Township Planner or Township Engineer.

Damien Wetzel, Township Engineer reported on behalf of Eugene Jaworski, Environmental Consultant: Wetzel referenced Jaworski's report dated September 26, 2006. Wetzel noted there is a 100 year flood plain on the site which makes up approximately 40% of the property which is a limited factor when considering development. The area of steep slopes on site is about 1.40 acres which makes up 15% of the property. Jaworski's report identified the three locations of the steep slopes which will be impacted. Wetzel stated because the proprietor is not impacting the floodplain or wetlands a permit is not required from the MDEQ. Wetzel emphasized the proprietor made a conscious effort and decision prior to submitting the preliminary site plan to mitigate and reduce the amount of impact to the natural features. Wetzel said because they are not impacting the wetlands or floodplain and are mitigating the impact to steep slopes Jaworski recommends approval of the issuance of the natural features permit.

Chair Olsson opened the public hearing at 7:46 p.m. There were no public comments. Chair Olsson closed the public hearing at 7:47 p.m.

Kotila commented that just by looking at the drawings there has been an effort to minimize impact to the natural features including moving the drainfield to avoid impact to the steep slopes. Kotila said he therefore supports the issuance of the natural features permit.

Allison commented he is in agreement with Kotila and supports the issuance of the natural features permit. Allison said by moving everything away from the wetlands and 100 year floodplain, and minimizing the amount of encroachment to the steep slopes it is all justified.

Perry moved approval of the natural features permit. After discussion, Perry moved to withdraw his motion. Allison moved to table the natural features permit to consider simultaneously with the conditional use permit and preliminary site plan. Perry seconded the motion which was adopted unanimously.

B. Public Hearing on Conditional Use Permit for Perkins Construction CUP-01-06

Geoff Perkins of Perkins Construction was present representing the Petitioner. Perkins noted Pontiac Trail runs along the west side of the property with the south boundary line abutting the Cornwell Pool and Patio facility. Perkins said they picked a high point of grade on the Pontiac Trail frontage for the location of their driveway. Perkins stated they are a construction company which has been in business for 20 years and they are looking forward to moving into Ann Arbor Township. The building will be strictly for office

usage with well and septic and a drainfield on the north end of the property which is down slope from the building. Perkins said they are proposing 20 parking spaces which are needed to service the usage, and the size of the parking spaces are bigger than the Township ordinance requires in order to accommodate the size of pick-up trucks. Perkins indicated office hours will be from 7 a.m. to 6 or 7 p.m. and the majority of their employees work in the field and typically there are only 4 to 5 employees in the office.

Zak Branigan, Township Planner, stated he is largely supportive of the project at this location and it is a relatively unobtrusive use for one of the remaining industrial district parcels. Branigan said there is no documented use other than office and storage and more information is needed as to what the first floor of the building will be used for. Branigan indicated the building needs to be designed and built to a standard for any contractor use and it may need a designated loading and unloading zone. Branigan stated documentation is needed for the anticipated amount of waste to be generated on site and a plan for waste disposal. Branigan said a landscaping plan is not a requirement at this stage but would like some idea as to the type of landscaping treatment the applicant plans to use to buffer the site from Pontiac Trail.

There were no comments for the Township Engineer or Environmental Consultant.

Allison asked a series of questions of the Petitioner pertaining to hours of operation, retail use, waste disposal, basement usage, loading and unloading zone, and landscaping, lighting and signage plan.

Chair Olsson opened the public hearing at 8:05 p.m. There were no public comments. Chair Olsson closed the public hearing at 8:06 p.m.

The Township Attorney stated there was a list of conditions outlined in Gary Dresselhouse's memo.

Allison moved to table the conditional use permit to consider in conjunction with the preliminary site plan. Perry seconded the motion which was adopted unanimously.

C. Public Hearing for Sections 10.02 E and F Amendments to the Industrial District Zoning Ordinance.

Zak Branigan, Township Planner, said the proposed amendments to the Industrial District Ordinance cleaned up some of the uses and language. Branigan indicated the ordinance underwent a series of revisions during the workshop sessions and has been reviewed by the Township Attorney and is before the Commission for formal consideration.

Damien Wetzel, Township Engineer, said the Industrial District Ordinance is not in a water or sewer district and there is a mechanism in place to ensure it will be compliant with septic field use.

Chair Olsson opened the public hearing at 8:12 p.m. There were no public comments. Chair Olsson closed the public hearing at 8:13 p.m.

Perry moved to recommend approval to the Township Board. Allison seconded the motion which was adopted unanimously.

Allison moved approval to amend the agenda to advance item VI. B. to VI. A. O'Connell seconded the motion which was adopted unanimously.

VI. OLD BUSINESS

A. SP-06-06-Perkins Construction-Approval of Preliminary Site Plan

Zak Branigan, Township Planner, referenced his report dated September 28, 2006. Branigan said the report recommends postponing action until the 10 items listed on page 7 are addressed by the applicant. Branigan said several of the items have been addressed by the applicant tonight but the items will still need to be documented and/or conditioned upon approval.

Geoff Perkins distributed to the Commission a written response addressing the Township Planner's 10 specific points of concern and requested it be entered into the record.

Damien Wetzel, Township Engineer, referenced his report dated September 28, 2006. Wetzel said the WCDC has reviewed and approved the preliminary site plan in a letter dated August 28, 2006. Wetzel said the WCRC has approved the driveway location and he included a review letter and email in his report from Gary Streight, WCRC Permit Section Supervisor. Wetzel addressed number 4 of his report and indicated where the proprietor is proposing the septic field has not yet been approved by the Washtenaw County Public Health Department. Wetzel stated the Fire Chief had concerns with the site providing a safe ingress and egress and the radius of the drive must accommodate a fire apparatus with a turning radius of 45 feet.

The Commission discussed the concerns expressed by the Fire Chief and if revisions to the drive are necessary will it affect the layout and whether the revisions would be a major or minor change to the preliminary site plan.

Allison commented the proposed conditional use is consistent with the zoning and ordinances in the existing master plan and is a reasonable low intensive use that will be compatible with the surroundings. Perry concurred with Allison's comments and stated this is a very light use for an industrial district and the Petitioner has bent over backwards to make it compatible with the surrounding uses. Perry said based on discussions tonight issues can be resolved without a major change prior to final site plan approval.

Allison moved that the PC find that the required standards for a CUP listed in Section 21.08 of the zoning ordinance are met and that the findings identified in the Planning Consultants 9/28/2006 memorandum are incorporated in this motion; that Natural Features Setback Use Permit 02-06 is approved; and that the PC recommends approval of CUP 06-06 including the 9/12/06 area plan/preliminary site plan for a Contractors Establishment comprised of a single occupant building for offices for contracting building construction and remodeling with no retail sales activity, one sign, no outside storage, no heavy commercial equipment and no

external dumpster. CUP approval should be contingent upon permits approved by the WCRC and County Health and compliance with consultants and Fire Chiefs issues in the final site plan submission. Perry seconded the motion which was adopted unanimously.

B. SP-05-06-Northbrooke- Approval of Final Site Plan

Steve Robinson was present representing the Petitioner. Robinson updated the Commission on the current status of the final site plan. Robinson said the WCDC has approved the final site plan, part 41 permit is ready to be issued, and some miscellaneous notes from engineering need to be addressed. Robinson stated he expects some changes to PUD agreement and would seek PUD approval ~~to take place~~ at the Township Board's December meeting.

Damien Wetzel, Township Engineer, referenced his report dated September 28, 2006. Wetzel said the WCDC technically approved the plans and the Board of Trustees conditionally approved the private road permit applications in September. Wetzel stated item #6 regarding fence detail has been addressed by the Proprietor.

Allison expressed concern regarding the number of serviceberry trees on sheet 12 between lots 1 and 4, and that they may not be enough to serve as a buffer and would take care of in future meetings. Allison said the township planner suggested sumac trees which may be a better choice mixed in with the Austrian pines for the 500 foot span.

Perry moved approval to table Northbrooke's final site plan. Allison seconded the motion which was adopted unanimously.

VII. NEW BUSINESS

A. SP-07-06-Fiber Tower- Cell Tower Co-location-Final Site Plan Approval

Steve Francis was present representing the Petitioner. Francis said they are requesting final site plan approval for a wireless co-location at 3500 Pontiac Trail for an existing wireless facility. Fiber Tower is asking for permission to place 2 microwave dish antennas at 129 foot level with an equipment cabinet at the base.

Zak Branigan, Township Planner, said these are microwave antennas designed to provide back hauling and the only visual effect is the 2 ½ foot dishes. The ground cabinets are enclosed and are very small. Branigan stated there are no additional items that need to be addressed and recommends approval.

Damien Wetzel, Township Engineer referenced his report dated September 28, 2006. Wetzel informed the Commission that Cornwell Pool and Patio added a gazebo to the southwest corner of their property and it may conflict with Sprint Drive, a private road. Wetzel said a survey and topography must be conducted to ensure Sprint Drive conforms to the approved plans. Wetzel stated he recommends approval with this one condition which can be handled administratively.

The Township Attorney informed the Petitioner that the Township needs a letter of authorization of the owner's consent of co-location.

Kotila moved approval of the final site plan for Fiber Tower Cell Tower Co-location at 3500 Pontiac Trail contingent upon submission of the owner's consent agreement, compliance with the engineer's comments and information regarding battery storage submitted to the Township. Perry seconded the motion which was adopted unanimously.

VIII. ITEMS FOR DISCUSSION

The Commission briefly discussed the Agricultural Preservation Residential District and decided to defer the matter to the November meeting. The Commission also discussed the upcoming workshop session scheduled for October 9, 2006.

IX. INFORMATIONAL ITEMS

Items were included in the Commissioner's packets.

XI PUBLIC COMMENT

There were no public comments

XII. ADJOURNMENT

Perry moved approval to adjourn the meeting at 9:50 p.m. Allison seconded the motion which was adopted unanimously.