



Pittsfield Charter Township

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Office of the Supervisor

MEMORANDUM

TO: Pittsfield Charter Township Board of Trustees

THROUGH: Mandy Grewal, Supervisor

FROM: Craig Lyon, Director of Utilities & Municipal Services & Ben Carlisle, Township Planning Consultant

DATE: January 8, 2020

SUBJECT: Approve relocation and expansion of a conservation easement for the outlots at State Street Crossing (CSPA 18-26)

BOARD ACTION REQUESTED: Approve relocation and expansion of a conservation easement for the outlots at State Street Crossing (CSPA 18-26)

BACKGROUND: The applicant desires to develop three parcels; L-12-28-301-004, L-12-28-301-005, and L-12-28-301-006, adjacent to the Walmart site, as commercial space. A conservation easement, which was placed on the final site plan approved in 2003, exists on one of the three parcels: L-12-28-301-004.

The applicant has two options:

1. Individual: retain the entirety of the conservation easement and build, as permitted by the 2003 site plan approval, independent units that do not provide for pedestrian/bike inter-connectivity internal to the site or externally to adjacent land uses. This will make the by-right development mostly accessible only by motorists. In addition, during the planning review process, it was noted that this by-right development, which was originally proposed and submitted, would likely damage some of the heritage trees located within the conservation easement.
2. Comprehensive: reconfigure the site to retain the majority of the existing conservation easement and make up for the disturbance by recording a new conservation easement on site that is 120% larger than the existing conservation easement. This will allow for a more cohesive site development that is accessible to pedestrians/bikers and interconnected to existing land uses.

The current conservation easement includes fourteen (14) trees. We note that the trees within this area are described as in fair to poor health, and two (2) of the trees are species on the township's Invasive Plant List. Eight (8) trees (Swamp White Oak) are considered heritage trees due to their size and fair condition.

In the proposed, option (2), site plan, of the eight (8) heritage trees, the applicant will preserve four (4) heritage trees (along with other trees including a 10-inch American Elm, a 14-inch Norway Maple, a 12-inch Swamp Oak, and a 10-inch Basswood) and record a new conservation easement to make for the loss of the four (4) protected trees. In totality the applicant is preserving eight (8) of the fourteen (14) trees, which includes the preservation of four (4) of the eight (8) heritage trees.

This relocated conservation easement, which is 120% larger than the existing conservation easement, will replant required tree mitigation. The relocated conservation easement will contain 37 trees, 50% of which will be 4-inches in diameter at breast height (dbh) at time of planting, rather than the required 2-inches dbh.

The proposed, option (2), comprehensive site plan also places the building closer to Michigan Avenue with parking behind and will provide for window transparency to comply with the form-based code that enhances streetscapes and engages with multiple modes of transportation.

The preliminary site plan was reviewed by the Planning Commission at their October 17, 2019 meeting. At that meeting there was lengthy discussion with regards to site layout and tree preservation, and the consensus of the Planning Commission was that the comprehensive development of the site was the preferred option. However, the item was tabled to allow the applicant to provide additional measures to preserve the conservation easement and the heritage trees.

On November 7, 2019, the Planning Commission considered the revised site plan, which is included herein.

The Planning Commission voted 6-1 to approve the preliminary site plan with the condition that the township Board approves the conservation easement relocation and enlargement. If the Board approves the easement relocation and enlargement, the final landscape plan for the new relocated conservation easement will be reviewed by the Planning Commission as part of the final plan review.

IMPACT ON TOWNSHIP'S HUMAN RESOURCES: No impact

IMPACT ON TOWNSHIP'S BUDGET: No impact

IMPACT ON INDIRECT COSTS: No impact

IMPACT ON OTHER TOWNSHIP DEPARTMENTS OR OUTSIDE AGENCIES: No impact

CONFORMITY TO TOWNSHIP POLICIES: Conforms to the township's Master Plan and other relevant policies.

ATTACHMENTS:

- Exhibits
- Site Plan – 10-18 Separate Development of Lots
- Site Plan – 11-19 Preliminary Site Plan as approved by Planning Commission
- October 17, 2019 Planning Commission Memo
- October 17, 2019 Planning Commission Minutes
- November 7, 2019 Planning Commission Minutes
- Request to Abandon and Establishment
- First Amendment to Master Deed & 2007 Recorded Easements