

**PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

RES #20-15

**RESOLUTION REQUIRING DEMOLITION
OF ABOVEGROUND STRUCTURES AT 4025 PACKARD**

March 25, 2020

At a Regular Meeting of the Township Board of Pittsfield Charter Township, Washtenaw County, Michigan, held at the Township Administration Building located at 6201 W. Michigan Avenue, in said Township, on March 25, 2020 at 6:30 PM.

Present:

Absent:

The following preamble and resolution were offered by _____ and supported by _____.

WHEREAS, the gas station, located at 4025 Packard, ceased operations many years ago following the great recession; and

WHEREAS, Pittsfield Township's Planning staff has been working with the property owner of 4025 Packard since 2012 to redevelop the property; and

WHEREAS, five years ago, in 2015, as part of the 2020 Sustainable Vision Master Plan update process, an overwhelming number of Pittsfield Township residents living in the northeastern part of our community, raised major concerns about the blight conditions at 4025 Packard; and

WHEREAS, since then, Pittsfield Township's Planning and Code Enforcement staff began, even more proactively, engaging with the property owner to assist in rehabilitating and revitalizing the property (see attachment); and

WHEREAS, the property owner finally submitted a site plan and received preliminary site plan approval from the Pittsfield Township Planning Commission on December 12, 2019, it is our understanding that the process for final site plan approval, which includes coordination with outside agencies such as the Washtenaw County Road Commission and Washtenaw County Water Resources Commission and, in this case, the Washtenaw County Office of Community & Economic Development will make it unlikely that the long-standing blight issues are addressed any time soon; and

WHEREAS, The Washtenaw County Office of Community & Economic Development is working to provide the property owner, since the property qualifies as a Brownfield Redevelopment Project, Tax Increment Financing incentives to facilitate redevelopment/revitalization; they understand the mounting concern Pittsfield Township has regarding blight and have, as such, issued their opinion insofar as they believe that demolition of above-ground structures will not hinder the ongoing process for approval of the property owner's Brownfield Plan (see attachment); and

WHEREAS, we understand and appreciate that the final site plan approval process must follow established procedures and take its requisite time and we, furthermore, fully understand and appreciate the concerns of the overwhelming number of Pittsfield Township residents that have patiently waited for nearly 8 (eight) years to have the ongoing blight issue addressed;

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Charter Township Board of Trustees, hereby requires the property owner to demolish the aboveground structures at 4025 Packard and provide evidence of proceeding with the same to Pittsfield Township Planning staff in the next six-week period, no later than April 22nd 2020; and

BE IT FURTHER RESOLVED, that if the property owner is unable to meet the afore-mentioned requirement of submitting proof of undertaking removal of the aboveground structures at 4025 Packard by 4/22/2020, the Pittsfield Township Board of Trustees will instruct its legal counsel to undertake the process of filing a nuisance abatement lawsuit for 4025 Packard, which will come before the Board of Trustees for consideration at the Board meeting scheduled for May 13th, 2020.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED _____.

Mandy Grewal, Supervisor
Pittsfield Charter Township

DATED:

CERTIFICATE

I, Michelle L. Anzaldi, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Pittsfield Charter Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on March 25, 2020 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Michelle L. Anzaldi, Clerk
Pittsfield Charter Township

DATED:

ATTACHMENTS:

4025 Packard Violation List

4025 Packard Brownfield Redevelopment Project Letter



Pittsfield Charter Township
Department of Utilities & Municipal Services

6201 West Michigan Avenue, Ann Arbor, MI 48108
Phone: (734) 822-3101 • Fax: (734) 944-1103
Website: www.pittsfield-mi.gov

Mandy Grewal, Supervisor

MEMORANDUM

TO: Mandy Grewal, Supervisor

FROM: Belinda Kingsley, Zoning & Code Enforcement Administrator
Benjamin R. Carlisle, Township Planning Consultant

DATE: March 19, 2020

SUBJECT: 4025 Packard Road

DEVELOPMENT STATUS:

2012: Concept meeting with Craig Lyon, Paul Montagno, Ben Carlisle, and Nathan Vought (county) with property owner and applicant (DFCU) for a credit union drive-through. It was noted during meeting that proposed site plan was not consistent with Master Plan and did not meet zoning requirements.

2014: Property owner emails Candice Briere (township planning and zoning administrator) and Matt Payne (Planning Commission Chairman) expressing concern regarding potential zoning ordinance amendments.

2017: Ben Carlisle and Craig Lyon met with Najor and his team regarding potential development scenarios. Concept plan shown by applicant was not consistent with Master Plan and did not meet zoning requirements.

10/16/19: Preliminary Site Plan and Conditional Use Permit Application to demo existing building and construct an addition to the building to the north was submitted and reviewed.

11/06/19: Ben Carlisle emails applicant noting deficiencies in application.

11/21/19: Planning Department completes first site plan review.

12/04/19: Planning Department completes second site plan review.

12/06/19: Engineering Department completes first site plan review.

12/12/19: Planning Commission approves conditional use and site plan with conditions.

01/15/20: Ben Carlisle email's applicant asking for project update status.

02/12/20: Water Resources Commission completes first review of site plan.

02/12/20: Meeting with Najor, OP Engineer, Ben Carlisle, Laura Kreps, WCWR Theresa Marsik, Belinda Kingsley to discuss current redevelopment plan and establish a timeline for completion of Brownfield application review. WCRC invited but unable to attend.

02/27/20: Telephone call to Najor regarding township's desire to have the building demolished or a nuisance abatement lawsuit will be taken to the Board of Trustees on 3/25/20.

02/27/19: Email from Najor with a copy of OP Environmental's "Proposal for Supplemental Site Investigation and Soil Characterization" and Washtenaw County Brownfield Development Authority Environmental Assessment Grant Program Application Form.

03/03/20: Email to Najor confirming deadline of 3/11/20 to comply with demo request or nuisance abatement lawsuit will be taken to the Board of Trustees on 3/25/20.

03/04/20: Road Commission completes first review of site plan.

ENFORCEMENT ACTION 2014-2020:

EN140071: Zoning Violation. This action was filed on March 25, 2014, based upon donation bins being located on the site. Written notice was sent to Brian Najor on that date, requesting the bins be removed in 14 days. By May 15 the bins had not been removed, and a second written notice was sent to Brian Najor on that date, requesting the bins be removed by May 24. On June 2, Belinda Kingsley called one of the bin owners and requested they remove the bin. On July 21 the property was re-inspected, and all of the bins had been removed. The action was closed on that date.

EN150065: Snow Covered Sidewalk. This action was filed on March 2, 2015, regarding plowed snow/ice blocking the sidewalks and the sidewalks not being shoveled. Telephone contact was made on that date. On March 11, the site was re-inspected and found to be in partial compliance. The action was closed on that date.

EN150133: Tall Grass & Weeds. This action was filed on May 13, 2015, regarding the lack of mowing at the site. Written notice was sent to Brian Najor on that date. The property was re-inspected on June 10, and the matter was closed on that date.

EN150235: Tall Grass & Weeds. This action was filed on August 7, 2015, regarding a tree branch that had fallen onto the property. Written notice was sent to the owner on that date, seeking removal of the tree within 7 days. The property was re-inspected on September 4 and found to be in compliance. The action was closed on that date.

EN160042: Blight Violation. This action was filed on April 18, 2016, regarding trash on the property, overgrown vegetation, and homeless people living in the brush on the site. The complaint stemmed from a neighborhood meeting on April 11 where several individuals complained about the status of the property. Belinda Kingsley and Craig Lyons called Brian Najor about the condition of the property. He said he was not interested in doing anything that would cost him money. Craig Lyon said the township would conduct the clean-up and bill the property owner for the cost. The work was performed by the Township and an invoice was issued in the amount of \$1,794.84. The matter was closed on November 9 2016.

EN180061: Blight Violation. This action was filed on April 23, 2018, regarding paint peeling, pump canopies in bad shape, trash, and old light post bases. It was initiated as a result of complaints from the public. Written notice was sent on that date to the owner, with a request that the pump islands be removed, and the other matters be resolved through maintenance. There is no record of any other action being taken, or communication, regarding the matter, and it remains open.

EN190098: Blight Violation. This action was filed on June 3, 2019, after receiving numerous complaints from the neighbors regarding the property, and a light pole observed laying on the ground. Written notice was sent to the owner on that date, requesting removal of the light pole within 7 days. There is no record of any other action being taken, or communication, regarding the matter, and it remains open.

EN200053: Blight Violation. This action was filed on January 22, 2020, regarding broken windows on the front of the building. Written notice was sent to the owner on that date, requesting the violation be removed in 7 days. By February 27 the windows had not been repaired, and a municipal civil infraction citation was issued in the amount of \$100. The citation was mailed and emailed to Brian Najor on that date. Brian Najor claimed he had not received the original notice. The windows were boarded up during the weekend of February 29 – March 1, but the wood hasn't been painted yet. The action remains open.

Update: Closed and citation dismissed. Owner advised he did not receive the Notice of Violation sent prior to issuing a citation. The violation was emailed and he addressed the broken windows.

EN200103: Three Civil Infraction Tickets issued on March 19, 2020. Ticket No. 3023 issued under §8-3 of the Blight Code, for trash, a tire, and hazardous chemical containers on the property. Ticket No. 3024 issued under IPMC §302, for failure to maintain exterior property and premises in clean, safe and sanitary condition; sidewalks and driveways not kept in proper state of repair. Ticket No. 3025 issued under IPMC §304, for structure exterior not maintained, peeling and flaking paint, masonry joints not maintained, roof flashing defects, canopy in disrepair, windows in disrepair.

Formal hearing requested for all three tickets, with a date to be established by the Court.



OFFICE OF COMMUNITY &
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Collaborative solutions for a promising future

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Mandy Grewal
Supervisor
Pittsfield Charter Township
6201 W. Michigan
Ann Arbor, MI 48108

March 9, 2020

RE: 4025 Packard Brownfield Redevelopment Project

Dear Supervisor Grewal,

The property known as 4025 Packard Road, a former gas station at the northeast corner of Carpenter and Packard, is an Eligible Brownfield Property. This office has had ongoing discussions with the property owner and Township over the years regarding potential for Brownfield Tax Increment Financing (TIF) incentives to facilitate redevelopment. TIF can be used to reimburse the developer for various Eligible Activities, such as demolition, soil remediation, and Due Care measures, such as Vapor Intrusion Mitigation for the future building.

We've learned that the Township has issued preliminary approval of a redevelopment proposal. In a recent meeting with the developer and Township officials more specific discussions took place regarding potential for approving a Brownfield Plan to allow for reimbursement of specific brownfield costs, including those mentioned. We are aware that demolition of the existing structure is a Township priority. Typically, a Brownfield Plan must be approved prior to any Eligible Activities included the Plan taking place. However, in addition to Environmental Due Diligence activities, Demolition may also occur prior to Brownfield Plan approval, and then subsequently be included in an approved Brownfield Plan, which would allow for reimbursement of those costs.

The developer could proceed with demolition of the above-ground structures at this time, and then later include that cost in an approved Brownfield Plan for reimbursement. Any demolition of structures on an existing contaminated site would have to observe Due Care requirements, where an owner must not exacerbate existing environmental conditions. This is the responsibility of the property owner.

We look forward to working further with the developer and Township in redeveloping this long-vacant property. Please don't hesitate to contact me if you have any questions.

Regards,

Nathan Voght, AICP

Brownfield Redevelopment Coordinator

Washtenaw County Brownfield Redevelopment Authority

Washtenaw County Office of Community and Economic Development

cc: Trevor Woollatt, WCBRA Chair