



## **Pittsfield Charter Township Planning Commission**

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**Mandy Grewal, Supervisor**

### **RESOLUTION #1 FINDINGS OF REQUIRED STANDARDS Geddes Vista PUD RZ 16-06 FEBRUARY 1**

The Pittsfield Township Planning Commission hereby makes the following findings of required facts from Article 6.02.B of the Pittsfield Township Zoning Ordinance for a Zoning Amendment Petition as RZ 20-01 by Gary Shapiro of Ivanhoe Companies, received by the Township on January 6, 2020, requesting a map amendment to rezone two AG, Agriculture parcels (L -12-22-100-001 and L -12-22-100-002) to Planned Unit Development (PUD).

- 1. The proposed development shall conform to the adopted Master Plan, or represents land use policy which, in the Planning Commission's opinion, is a logical and acceptable change in the adopted Master Plan.***

The Master Plan designates the subject site and properties to the north as Rural Residential and the site to the west as Agricultural Preservation. The Rural Residential future land use classification is intended to accommodate low-density residential development on large lots. The areas designated for Rural Residential are those typically surrounded by agricultural uses, natural features, and open space. A maximum density of one unit per acre is appropriate in Rural Residential areas. The uses planned for these areas are those that do not require public utilities. The equivalent zoning district in the Master Plan is AG, Agriculture with a minimum lot size of 2.5 acres, or R-1A with a minimum lot size of 1 acre.

The proposed development demonstrates 2.5 to over 6.0 times the allowable density contemplated in the Master Plan. With regards to density, there are established density allowances in the PUD Ordinance. As set forth in Section 6.06. B:

*The maximum permitted residential density for a Planned Unit Development shall not exceed the average residential density for the area included in the Planned Unit Development as shown on the Township's adopted Master Plan. The Planning Commission may grant an increase in average lot density up to twenty-five (25%) percent. Such increase in density shall be commensurate with public benefit provided. Such public benefit may include, but is not limited to, preservation, restoration and enhancement of natural resources; increased open space; public dedication of land; or sustainable building and site design.*

The Master Plan for this area calls for rural residential, with a maximum density of one unit per acre. Based on the 80 acres, the maximum density would be 80 units but would permit up to a total of 100 units if such increase in density is commensurate with public benefit provided. The applicant is seeking a density over twice what is permitted through the Planned Unit Development process.

Additionally, the property is located within the Agricultural and Natural Open Space Preservation area demonstrated on page 172 of the Master Plan and is not located within the Public Utility Service Area. Because the minimum lot sizes are large, well and septic systems can provide for water and sanitary disposal needs and therefore these areas are not planned for public utilities. The development would require extension of public water and sewer facilities that are not currently available to the subject site. Section 36-42.H. of the Water and Sewer System Ordinance states the following regarding the Utility Service Area:

*Notwithstanding any other ordinance or other provision of the Pittsfield Charter Township Code, no person shall connect a sewer or water line to any property that is not within the utility service area established by resolution of the Township Board. But the Township Board may approve a connection to property outside the utility service area if the property owner can demonstrate, at a public hearing, a hardship caused by the unavailability of a private water or sewage disposal systems.*

The applicant did not provide a hardship caused by the unavailability of a private water or sewage disposal system.

The proposed development is not consistent with the adopted Master Plan, and does not represent a land use policy that is logical or an acceptable change to the adopted Master Plan.

**2. The proposed development shall conform to the intent and all regulations and standards of a Planned Unit Development district.**

The proposed project does not conform with the intent of a PUD. As set forth in Section 6.01.B, the Zoning Ordinance provides for PUDs to allow flexibility in land development resulting in a higher quality of land development than what would otherwise be developed; allow for a mix of compatible land uses; encourage innovation in planning and design, provide a variety of housing types; and encourage useful open space and long-term protection and conservation of natural features and resources.

As part of the review of a Planned Unit Development, the Planning Commission considered whether the overall site development offered by the developer with respect to the preservation of wetland/natural features preservation, parkland dedication, and proposed housing projects is consistent with the Master Plan, offsets the loss of agricultural land/open spaces, meets the PUD standards, and is commensurate with the requested increased density, and requested dimensional deviations being sought.

The Planning Commission finds that the overall site development and request relief is not commensurate with the proposed benefits. Furthermore, the benefits stated by the applicant including preservation of open space, unique housing products, and pedestrian amenities may be achieved through the Open Space Preservation Development Option. A development through the Open Space Preservation Development Option would be consistent with Master Plan, not require a rezoning, and not require extension of public utilities.

- 3. The proposed development shall be adequately served by public facilities and services such as but not limited to streets, police and fire protection, drainage courses, water and sanitary sewer facilities, refuse disposal, and sidewalks; or that the persons or agencies responsible for the proposed development shall be able to properly provide such facilities and services.**

The proposed development is outside of the Utility Service Boundary and would require an amendment to that boundary to provide public water and sanitary sewer facilities. The applicant did not provide proof of a hardship caused by the unavailability of a private water or sewage disposal system. Because the applicant did not provide proof of a hardship, the proposed development cannot be served by private utilities, and thus is not consistent with zoning ordinance requirements.

- 4. Common open space, other common properties and facilities, individual properties, and all other elements of a Planned Unit Development 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.**

A total of 36% of the site is proposed for open space preservation. The primary preserved open space is existing regulated woodlands that are adjacent to the southern property line. Other preserved open space include buffers along the road frontages and three small pocket parks.

- 5. Public and common areas will be or have been irrevocably committed. Provisions shall be made for financing of improvements shown on the plan for open space and other common areas, and that proper maintenance of such improvements is assured.**

If approved, all public and common areas would be irrevocably committed through a formalized PUD Agreement. In combination with the ongoing maintenance of the detention facility, maintenance of the common open space will need to be provided by the development's Homeowners Association. The future Homeowners Association would be responsible for future costs and maintenance responsibilities of open space maintenance and preservation.

- 6. The proposed development shall be located and designed in a manner which will minimize the impact of traffic, taking into consideration: pedestrian access and safety;**

***vehicle trip generation (i.e. volumes); types of traffic, access location, and design, circulation, and parking design; street and bridge capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion.***

If approved the applicant has provided adequate internal circulation. All public road improvements will be reviewed and approved by the Washtenaw County Road Commission. Private roads will be reviewed by the Township Engineer.

- 7. The mix of housing unit types and densities, and the mix of residential and non-residential uses shall be acceptable in terms of convenience, privacy, compatibility, and similar measures.***

As noted, both the mix of housing unit types and densities is not consistent with the Master Plan objectives nor consistent with the standards set forth in the zoning ordinance. A Planned Unit Development is a unique zoning process that should be used to allow flexibility in land development resulting in a higher quality of land development than what would otherwise be developed; allow for a mix of compatible land uses; encourage innovation in planning and design, provide a variety of housing types; and encourage useful open space and long-term protection and conservation of natural features and resources. The proposed development is not a proper application of the PUD zoning process.

- 8. Where applicable, that noise, odor, light, or other external effects which are connected with the proposed uses, will not adversely affect adjacent and neighboring lands and uses.***

The site is currently active farmland. The site is surrounded by active farmland to the north and east, and the Pittsfield Preserve to the southeast and adjacent east. The development of the site for any residential use will have an impact with regards to light, noise, and other external factors upon those adjacent properties. Through density reduction and other screening mechanisms the applicant could mitigate those adverse impacts upon adjacent properties.

- 9. The proposed development shall create minimum disturbance to natural features and land forms.***

The site is currently active farmland, and a +/-14 acre area of woodlands. The woodlands would be preserved but the farmland would be graded for site development.

- 10. Streets shall follow topography, be properly spaced, and be located and aligned in accordance with the intended function of each street. The property shall have adequate access to public streets. The plans shall provide for logical extensions of public streets and shall provide suitable street connections to adjacent parcels, where applicable.***

The applicant has provided a private road network which would require compliance with the Township private road standards.

***11. Pedestrian circulation shall be provided for within the site, and shall interconnect all use areas, where applicable. The pedestrian system shall provide a logical extension of pedestrian ways outside the site and to the edges of the site, where applicable.***

The applicant has provided a complete internal sidewalk system. In addition, the applicant has provided a 10-foot sidewalk on Platt Road and Morgan Road.