



Pittsfield Charter Township
Department of Utilities & Municipal Services

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Mandy Grewal, Supervisor

TO: Pittsfield Township Board of Trustees

THROUGH: Mandy Grewal, Township Supervisor

FROM: Ben Carlisle, AICP

DATE: January 25, 2023

RE: Rezoning Summary Memo

The Planning Commission recently held four (4) public hearings regarding proposed rezonings. After closing the public hearing and considering public testimony, the Planning Commission spent a considerable amount of time in deliberation and discussion for each rezoning. Three of the four rezonings are recommended for approval and one is recommended for denial.

Details of each rezoning include:

13.1: ZOA# 22-224 (White Hall) - Recommended for Approval

The applicant is requesting a rezoning of the property located at 3370 E. Morgan Road from AG, Agriculture to R-1B, Single-Family Suburban Residential district. The site contains approximately 8 acres and is surrounded to the east, west and south by existing residential and vacant land zoned R-1B. Vacant agricultural property is located to the north of the site.

The Planning Commission found that the proposed rezoning to R-1B is recommend and supported by the Master Plan and is consistent with the zoning of the adjacent properties.

13.2: ZOA# 23-225 (2240 W. Ellsworth) - Recommended for Approval

The applicant is requesting a rezoning of the property located at 2240 W. Ellsworth Road from AG, Agriculture to R-1B, Single-Family Suburban Residential district. The site contains approximately 2 acres and is surrounded to the east, west, north and south by existing residential and vacant land zoned R-1B and PUD (Lake Forest Highlands and The Pines of Lake Forest). The requested R-1B zoning is consistent with the adjacent properties.

The Planning Commission found that rezoning the property would allow the application to construct a residential structure meeting the dimensional and bulk standards of the R-1B zoning district and found that the proposed rezoning to R-1B is recommend and supported by the Master Plan and is consistent with the zoning of the adjacent properties.

13.3: ZOA# 23-226 (Helmer Estates) – Recommended for Approval

The applicant is requesting a rezoning of the five (5) properties located west of Warner Road and south of Harwood Farms from AG, Agriculture to R-1A, Single-Family Suburban Residential district. The site contains approximately 26 acres and is surrounded by the Harwood Farms and Warner Creek single-family residential developments to the north and east. The site is surrounded by existing established residential neighborhoods.

The Planning Commission found that the rezoning to R1-A would permit an appropriate transition from AG to the south and west to R1-B to the north and east and permit for a development similar to the nearby Tamarack, Hunters Ridge and Hunters Pond developments. The rezoning would not create a negative precedent, as this property is uniquely positioned between larger lot AG zoned property and denser R-1B property and would not lead to additional sprawl.

13.4: ZOA# 23-227 (Sauk Trail Village) – Recommend for Denial

The applicant is requesting a conditional rezoning to rezone a 36-acre parcel from AG, Agriculture to R-2, Low Density Multiple Family Residential. The site is surrounded to the east and west by vacant property or very low density rural residential development.

The Master Plan designates the subject site and properties to the east, west and south as Rural Residential. The Rural residential future land use classification is intended to accommodate low-density residential development on large lots. The area is outside the urban service boundary and as such the minimum lot sizes are large to allow for individual well and septic for each lot. The equivalent zoning district in the Master Plan is AG, Agriculture with a minimum lot size of 2.5 acres, or perhaps R-1A with a minimum lot size of 1 acre. Based on the master plan, the density of the site should be a maximum of 14 to 36 lots. The proposed concept plan demonstrates a density over 2 to 6 times the allowable density contemplated in the Master Plan.

The Planning Commission found that the proposed development is not consistent with the intended future use outlined in the Master Plan. Therefore, in order to rezone the property to accommodate for the proposed development, the Township would have to consider amending the Master Plan. During the recent update to the Master Plan, the applicant submitted a letter requesting a change to the future land use plan. The Planning Commission considered the letter but did not make the change as requested.

The Master Plan is the primary policy document which guides development in the Township, and all land use decisions that come before the Planning Commission and Township Board should be in general compliance with the Master Plan.

As noted above, the proposed development is not consistent with the intended future use outlined in the Master Plan and is contrary to the ongoing township effort to preserve agriculture and open space.

Due to lack of utilities, the applicant is proposing to construct a private sanitary sewer system. Private and community sanitary sewer systems are regulated by two separate sections of the zoning ordinance.

Private and community wastewater systems are generally frowned upon by municipalities because:

1. They are maintained by the homeowners association, and thus they have a higher chance of failing.
2. If and when they fail, homeowners association often don't have the capacity to repair/replace. In this case, the HOA often turns to the municipality to maintain and replace.
3. If the site is located outside the utility district, when a private system fails, the site cannot be hooked into the public system.

The Planning Commission found that the development did not meet the required PUD Standards:

1. The development is not consistent with the Master Plan.
2. The proposed number of units is not consistent with the surrounding land use.
3. The number of units is not permitted in the ordinance, and the requested density would require a significant deviation from the Master Plan.
4. There are other development means to that would allow for preservation of open space and natural features, not require a community wastewater system, not require a rezoning, and provide a density greater than what can be achieved under the underlying zoning but more consistent with the surrounding area.
5. A private and community wastewater system is not permitted without a variance.
6. Private and community wastewater systems are generally not supported for the aforementioned reasons.

Summary

For the three (3) rezoning that the Planning Commission recommended for approval they found compelling reasons to recommend approval based on the review standards set forth in the ordinance. The three (3) rezonings recommended for approval are consistent with the Master Plan and would not create a negative precedent that could be applied to other property in the Township.

For the Sauk Trail Village rezoning, the Planning Commission spent a conservable amount of time in deliberating the proposal and concluded that the proposal did not meet the Conditional Rezoning Standards. The proposal was inconsistent with the Master Plan, and the proposed conditions offered do not protect public health, safety and welfare, as they are 1). Proposing a development that is 2.5 to 6 times denser than the current zoning allows and planned for in the Master Plan; and 2). Proposing a private sanitary sewer system, which is unconventional in Pittsfield Township.

All resolutions adopted by the Planning Commission are included in the packet for the Board's consideration.

Sincerely,

