

Memo

To: President Lavey & Council Members
From: Julie Durkin, Zoning Administrator
Date: May 7, 2024
Re: Final Site Plan Review – Lakeland Knoll:

Final Site Plan Review – Lakeland Knoll:

History:

- July 8, 2020 the Planning Commission approved both the Special Land Use and Preliminary Site Plan with conditions.
- July 27, 2020 Village Council approved both the Special Land Use and Preliminary Site Plans with conditions
- One-year Extension granted in 2021 and 2022
- September 26, 2023 after proper notice was given, a public hearing was held for the final site Plan for the Lakeland Knoll Residential Open Space Development. At that meeting, several members of the public spoke and the issue was tabled for further review. Since that time, Mr. Blau has been working with the Village and its consultants to make further modifications to the site plan.
- April 8, 2024, the Zoning Board of Appeals approved a variance to allow the street trees to be located within the right-of-way thereby amending the landscape plan as previously submitted.

The process for approval of the final site plan for an open space development is as follows:

§ 152.351 GENERAL REQUIREMENTS.

(L) Review Process. The application for a residential open space development shall require review and approval of both the applicable special use application and site plan application and in some cases may also require a rezoning request for some or all of the property involved. At the request of the applicant, or at the direction of the Planning Commission or the Village Council, these applications may be considered concurrently. Review of the proposed residential open space development plan by the Planning Commission and Village Council shall require the procedures for both site plan and special use reviews and shall be acted on as follows:

- (1) Planning Commission action. The review of the final residential open space development plan shall be noticed for public hearing in the same manner as a rezoning before the Planning Commission, and otherwise acted upon by the Planning Commission, as provided by law.
 - (a) Approval. Upon finding that the final plan meets the criteria and standards set forth in the Village Zoning Ordinance, including this residential open space development chapter and those in §§ 152.242 and 152.388 , the Planning Commission may recommend approval of the plans, with or without conditions.
 - (b) Tabling. Upon finding that the final plan does not meet the criteria and standards set forth in Village Zoning Ordinance, including this residential open space development chapter and those in §§ 152.242, and 152.388 , but could meet such criteria if revised, the Planning Commission may table action until a revised final plan is resubmitted.
 - (c) Denial.
 1. Upon finding that the final plan does not meet the criteria and standards set forth in Village Zoning Ordinance, including this residential open space development chapter and those in §§ 152.242, and 152.388, the Planning Commission shall deny the final plans.
 2. The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the project, including, without limitation, recommendations with respect to matters on which the Village Council must exercise discretion.
- (2) Village Council action. The final plan shall be noticed for public hearing as a rezoning before the Village Council, and otherwise acted upon by the Village Council, as provided by law.

(a) Upon receiving a recommendation from the Planning Commission, the Village Council shall review the final plan. Taking into consideration the recommendations of the Planning Commission and the criteria and standards set forth herein, the Village Council shall approve, approve with conditions, table or deny the final plan.

(b) Within a reasonable time following the hearing, the Village Council, or its designee, shall prepare a report stating the Village Council's conclusions, its decision, the basis for its decision, and any conditions imposed on an affirmative decision.

(c) Prior to approval of a final plan, the Village Council may require all standards and conditions of approval to be incorporated in a development agreement. The agreement shall be approved by the Village Attorney, and the Village Council, and signed by both the village and the applicant.

Below is the recommendation to the Village Council from the Planning Commission at their regular meeting of May 6, 2024:

Motion by Kinczkowski, supported by Grischke

Finding that the revised plan dated 4/16/2024 for the Lakeland Knoll Residential Open Space Development meets the criteria and standards set forth in the Village Zoning Ordinance Section 152.242 and 152.388, the Planning Commission recommends to the Village Council approval of the Open Space Development with the following conditions:

- Water shall be extended beyond the southern property line an adequate distance to allow for a future connection to Pond Street
- All utilities will be reviewed during construction plan review and must be approved by the Village Engineer and DPW staff prior to any work on the site
- All requirements found under section § 152.391(C) "Final Site Plan" of the zoning ordinance (that have not received a variance/waiver from the Village), must be satisfactorily addressed during construction plan review, and no work may begin until all items of the zoning ordinance have been satisfactorily addressed.
- All existing easements and proposed easements within the project area should be shown and approved by the Village during construction plan review
- Performance guarantees shall be provided [152.391(C)(1)(i)]
- Applicant shall comply with requirements of all outside agencies.
- A letter of approval of the proposed drainage system from the Livingston County Drain Commissioner shall be submitted.
- Maintenance agreement to be provided for entire stormwater system [152.391(C)(8)(c)]
- Extend the 12" water main through the intersection of N Howell Street and Horizon Lane – not reduced to 8" line as indicated on the plan.
- Provide a landscape buffer area along the outer boundary according to Section 152.354 and add additional evergreen trees on both sides of the emergency access drive. Submission and administrative approval of the revised landscape plan required.
- All standards and conditions of approval to be incorporated in a development agreement. The agreement shall be approved by the Village Attorney, and the Village Council, and signed by both the village and the applicant.

VOTE:

MOTION CARRIED UNANIMOUSLY



April 26, 2024

Village of Pinckney
Planning Commission
220 S. Howell
Pinckney, Michigan 48169

Subject:	Final Open Space Residential Plan Review – Third Review Lakeland Knoll
Applicant/Owner:	Progressive Properties, Inc. / Mr. Marshall Blau
Location:	Vacant Land in the Northeast Quarter of Section 22 (Parcel # 4714-22-200-004 & 4714-22-200-005)
Current Zoning:	R3, High Density Residential District / Residential Open Space Development
Project No.:	P1040012

Dear Planning Commission Members:

We have conducted a review of the Lakeland Knoll residential development for Final Site Plan approval. This report constitutes our third review, concentrating on the landscape plan and incorporating feedback from our previous review dated 9/27/2023. It is based on a revised landscape plan dated 3/12/2024. The applicant received a variance on April 8, 2024, from Section 152.266 (D) of the Village Zoning Ordinance to plant street trees along the development's road rights-of-way.

A. REVIEW COMMENTS

Landscaping and Screening

In accordance with the Village of Pinckney zoning ordinance, a landscape buffer area is mandated along the outer boundary of Residential Open Space developments as stipulated in Section 152.354.

While the landscape plan depicts the preservation of existing vegetation, meeting the stipulated standard across most of the development, the area located along the south boundary, adjacent to the emergency access drive will undergo significant impact due to proposed grading operations. As a result, existing trees in that area will be cleared. The revised Landscape Plan includes the addition of four maples along the west side of the emergency access drive. **We suggest augmenting this with additional evergreen trees on both sides of the drive where grading impacts are anticipated.**

The proposed street trees will maintain a 6-foot distance from sewer and water lines to mitigate any potential damage to underground utilities. The selected tree species are suitable choices street tree planting, having a deep taproot system or a narrow/columnar growth habit. We note the use of Shagbark Hickory trees which are not ideal for street planting due to the potential damage caused by their falling fruit. **We recommend substituting this tree species with an alternative such as the narrow vase Zelkova or other tree species.**

B. FINAL SITE PLAN REQUEST RECOMMENDATION

We suggest the Planning Commission recommends Village Council approval of the final open space residential development plan proposed for parcel numbers 4714-22-200-004 and 4714-22-200-005 contingent upon the following:

1. Submission and administrative approval of a revised landscape plan that addresses the comments outlined on the previous page.
2. Resolution of any concerns raised by the Village staff, Village Engineer, and approval from the Putnam Township Fire Marshal and any relevant outside agencies.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Lucie Fortin

Lucie Fortin, AICP, PLA
Community Planner/Landscape Architect

cc: Mr. Marshall Blau, Progressive Properties, P.O. Box 2709, Southfield, MI 48037, proprop@comcast.net
Jim Eppink, Planner/Landscape Architect, J Eppink Partners, Inc., 9336 Sashabaw Rd., Clarkston, MI 48348 jim@jeppink.com
Timothy J. Zimmer, Engineer, Livingston Engineering, 3300 S. Old US-23, Brighton, MI 48114



03/19/2024

Village of Pinckney
220 S. Howell Street
Pinckney, MI 48169

Re: Final Site Plan Review
Lakeland Knoll Residential Open Space Development
Pinckney, Michigan 48169

We have received a full set of "Final Site Plans", dated 11/01/2023, in addition to the previously reviewed site plans. After discussions with representatives of The Village of Pinckney, the Developer, and their engineer, we have removed several comments from the previous reviews dated: 06/30/2020; 07/27/2023; and 08/30/2023. Several of the removed items have not yet been addressed; however, they will be reviewed more thoroughly during our "Construction Plan Review" which has not been provided at this time. It will be the developer and their representative's responsibility to adequately address previous comments to the satisfaction of The Village of Pinkney and the Village Engineer.

Below are updated comments based on plans we have received to date and through our communication with the developers' civil engineer and The Village of Pinckney.

We recommend the comments found below in **RED** are satisfactorily addressed prior to recommending site plan approval – 03/19/2024 – JAL

1. Public Utilities:

- a. 152.392(B)(8): Public services, facilities and utilities. We are concerned that the existing water and sewer systems may not have sufficient capacity to service this development. This was discussed at the pre-planning meeting.
 - i. Water Capacity:
 1. The existing water capacity is not sufficient to support the entire development without the addition of a new supply well. We have been in contact with EGLE, Pinckney, and the developer to discuss the possibility of adding an additional well. Approval of this well is outside of our control and further approvals are needed to ensure adequate water capacity for this development.

2. Per the technical standards: Contractor shall submit for approval design computations for single-family residential development based on average daily flow rate plus a fire demand of 1,500 gallons per minute (gpm) and a residual of 20 psi (pounds per square inch) at the most remote hydrant. 1.04(B)(1).

The proposed water main layout includes one connection to public water located at the Southeast corner of the parcel near Howell St. At the developer's request, we updated our model to include the minimum amount of 12" water main to reach the 1,500 gpm fire demand. Assuming a single connection, and 12" water main from the water connection location to a point located approximately 111 feet east of Horizon Lane, our water system model indicates the most remote hydrant would maintain 1,500 gpm for fire demand with a residual of 20 psi.

Given additional losses that may not be included within the water model, it is our recommendation to extend the 12" water main through the westernmost Tee in Horizon Lane to ensure the minimum fire flow is met.

ii. Sewer Capacity:

1. We are in the process of modeling the Village of Pinckney's sanitary sewer system and require additional time to complete the full analysis. Once a comprehensive model has been created and all existing flows are known, we will determine the available capacity for the Lakeland Knoll Development.
 - a. The Village of Pinckney's sanitary sewer system has been modeled and we are awaiting final confirmation that the system meets all state and federal requirements while providing capacity for peak flows throughout the Village of Pinckney. This will be confirmed in the "Construction Plan Review" portion of the project.
 - b. Water main shall be extended from the intersection of Horizon Lane and N. Howell Street to the southern property line to facilitate the future connection to the adjacent public water system.

2. MDNR Trail Access:

- a. Emergency Access Drive.
 - i. Must be accessible year-round for emergencies, maintenance, and snow removal.
 - ii. Developer must coordinate with the Village of Pinckney, The Fire Marshall, and MDNR to confirm the following are acceptable to all parties:
 1. Proposed gate(s), locking mechanism(s), and/or removable bollards.

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2. The proposed emergency access road cross section (Must meet emergency vehicle loading requirements).
- b. Primary Main Access Drive at N. Howell Street:
 - i. Utility easement and authorization may be required from MDNR for proposed improvements in the trail area including but not limited to:
 1. Sanitary, Water, and Storm improvements.
 2. Proposed sidewalks, grading activities, and work outside the existing N. Howell Street Right-of-Way.

3. Proposed Road and Drive Improvements:

- a. Provide additional plan information for all improvements located south of the trail connection at Pond Street. Wolverine has limited existing topography on file from Hamburg Street to the north end of Pond Street. All existing topography, site improvements, right-of-way, existing easements, and proposed easements within project areas should be shown.
- b. The proposed N. Howell Street extension does not appear to align with the centerline of the existing portion of N. Howell Street. This should be reviewed and discussed with the Village if an offset is being proposed. Additional survey information and details are required to adequately review this area.
- c. Provide additional ADA compliant sidewalk at southeast corner of the site, north and east of N. Howell Street. The sidewalk on N. Howell shall extend to the nearest public street.
- d. The proposed slope at the water tower access road does not appear to meet maximum requirements in technical standards. Access drive may not be greater than the existing slope in that area. We recommend the developer/design engineer contact the Village of Pinckney to discuss options for this area.
 - i. A locking access gate is required with a minimum of 50' clear south of the gate to allow for parking of vehicles as the gate is opened. Gate and all components must be approved by Village of Pinckney Department of Public Works.

4. Miscellaneous Plan Modifications:

- a. The following plan sheets and modifications shall be included with the "Final Site Plan" submittal:
 - i. Photometric Plan. Note: additional lighting in cul-de-sacs will be required.
 - ii. Trees will not be permitted within the right-of-way (including cul-de-sac islands). These trees inhibit the placement and repair of public and private utilities.
 - iii. Add all variances and waivers which have been requested or approved on the cover sheet.
 - iv. Areas to be left undisturbed during construction shall be clearly labeled on the site plan documents.

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- b. If Franchise Utilities, such as gas and electric, are not to be shown on the "Final Site Plans" for review, these utilities must be located in rear yards unless approved by the Village Engineer or qualified village agent.

General Comments:

1. An application to The Michigan Department of Environment, Great Lakes, and Energy (EGLE) for the proposed water main and sanitary sewer systems shall be completed by the developer or their representative. Once completed and ready for submittal, the Village of Pinckney will sign/submit all approved application documents.
2. Items not included in the "Final Site Plans" as described under § 152.391 FINAL SITE PLAN APPLICATION, in the Village of Pinckney's Zoning Ordinance, are open for review and comment during "Construction Plan Review".
3. Notation of performance guarantees has not been provided including amounts, types and terms. [152.391(C)(1)(i)]
4. Applicant shall comply with requirements of all outside agencies currently received, and those not yet received, at the time of this letter.
5. A letter of approval of the proposed drainage system from the Livingston County Drain Commissioner shall be submitted prior to final site plan approval. A maintenance agreement for entire stormwater system must be included [152.391(C)(8)(c)]

Please do not hesitate to call if you have any questions or require additional information.

Sincerely,

WOLVERINE ENGINEERS AND SURVEYORS, INC.



Jesse A. Lewter

CC: File 18-0115

Julie Durkin

From: Jesse A. Lewter <Jessel@wolveng.com>
Sent: Friday, May 3, 2024 12:04 PM
To: Julie Durkin
Cc: Dustin Moma
Subject: RE: Lakeland Knoll

Julie,

Although they did take care of most of the items (satisfactorily until full construction plans are available for full review). The following items (which were shown in red text) from my previous review letter have not been adequately addressed:

1. Water main shall be extended from the intersection of Horizon Lane and N. Howell Street to the southern property line to facilitate the future connection to the adjacent public water system.
2. Proposed easements have not been shown on the plan documents. (We are particularly concerned with easement for sewer and water from North Howell to their proposed/future connections at Pond Street.)
3. The sidewalk along N. Howell has been extended as requested; however, we may need to adjust the Northwest and Northeast quadrant of the Depot and Howell intersection to allow for future road and sidewalk improvements in those areas. We can provide additional comments during our construction plan review.

Additional comments based on previous conversations with the developer:

4. It is in the best interests of the Village to extend the proposed 12" water main through the intersection of N. Howell Street and Horizon Lane. We do not recommend reducing from a 12" to an 8" water main as is currently shown on the plan documents. Details of this can be worked out during our construction plan review.
5. Although MDNR has expressed concern with adding a new public street crossing located at the currently proposed emergency access drive, we would recommend providing some site modifications which would allow for this area to become a public street in the future. An example of these required modifications would include:
 - a. Eliminating or relocating "Lot 14".
 - b. Adjusting permanent storm features in the area to allow for street widening and sidewalk.
 - c. Providing a 66' wide Right-of-Way from N. Howell Street to the southern property line.

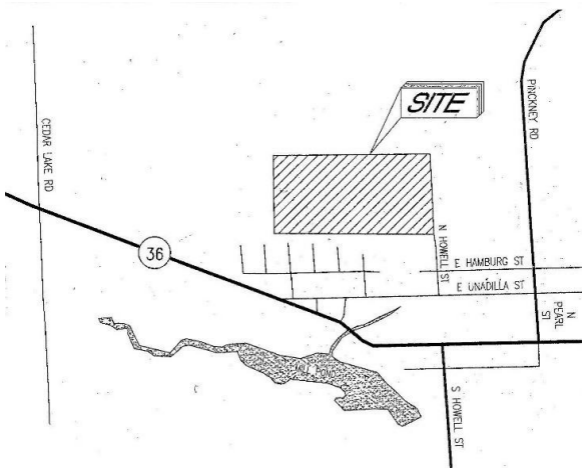
Failure to provide these modifications will likely eliminate the possibility of providing a second connection from Lakeland Knoll to the adjacent neighborhood to the south. We understand neighborhood connectivity to be one of the overall planning goals of the Village.

If this is to be approved as a "Final Site Plan", at a minimum, I would recommend the items below be noted as conditional approval items:

- A. Water main shall be extended beyond the southern property line an adequate distance to allow for a future connection to Pond Street.
- B. All utilities will be reviewed during construction plan review and must be approved by the Village Engineer and DPW staff prior to starting any work on site.
- C. All requirements found under section § 152.391(C) "Final Site Plan" of the zoning ordinance (that have not received a variance/waiver from the Village), must be satisfactorily addressed during construction plan review, and no work may begin until all items of the zoning ordinance have been satisfactorily addressed.
- D. Previous site plan review comments found in our letter dated 03/19/2024, that have not been addressed, shall be revisited during construction plan review, and no work may begin until all items have been satisfactorily addressed.

VILLAGE OF PINCKNEY NOTICE OF PUBLIC HEARING OPEN SPACE DEVELOPMENT PLAN FINAL SITE PLAN REVIEW

NOTICE IS HEREBY GIVEN That the Council of the Village of Pinckney will hold a public hearing on May 13, 2024 at 7:00 p.m. at Village Hall located at 220 S. Howell Street, Pinckney, MI 48169 to consider the Final Site Plan for Lakeland Knoll Proposed 123-unit single family – Residential Open Space Development located on vacant land west of the water tower as recommended by the Village Planning Commission.



A Full set of plans are available for public inspection at Village Hall, Monday through Thursday 8:00 a.m. to 4:00 p.m. Comments can be made during the public hearing. The Village of Pinckney will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the hearing upon 5 days advance notice to the Village Clerk at the address above or by calling 734-878-6206. Public comment can be made at the public hearing or written comments can be made to the Village Clerk at clerk@villageofpinckney.org.

Linda Lavey, Village President

LV-0008792538