

Artemis Villa

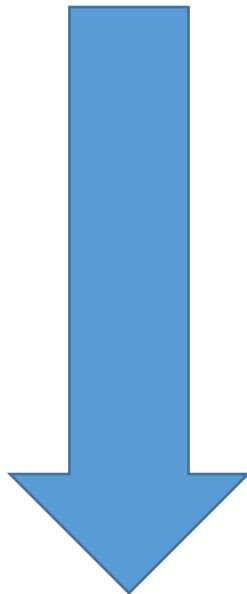
Public Records

(As of 4/20/2021)

(Copied from records on Oakland Township website,
Editorial notes in italics)

9/3/2019

CHARTER TOWNSHIP OF OAKLAND PLANNING COMMISSION SEPTEMBER 3, 2019 REGULAR MEETING



Robert Rudorf – 3522 Briarbrooke

Secretary Scaccia read an email sent to Don Mende from Robert Rudorf regarding the water storage tank issue. Mr. Rudorf commented on the potential land sale and questioned the placement site of the proposed water storage tank.

MOTION by SCACCIA, SECONDED by WORKINGS to close the meeting to public comment for items not on the agenda at 7:24 PM.

MOTION CARRIED – UNANIMOUSLY

Chairperson Kwapis thanked the public for their comments.

7. Planning Commission Considerations:

- a. **Artemis Villa – Planned Unit Development – Single Family Residential. Parcel # 10-20-351-001. General location – northeast corner of Adams and Gunn Roads. Public Hearing.**

Chairperson Kwapis introduced the development proposal and outlined the approval process.

Applicant Comments:

Dominic J. Mocerl, Villa Artemis, LLC. 3005 University Dr., Auburn Hills went over aerial historical photos of the development site and noted that the property has gone fallow and is growing invasive species. He outlined the open spaces present on the property and reviewed the plans for the clubhouse in the central part of the development. He stated that there is a high demand for these smaller homes and reviewed how these homes compare with others in the Township. He outlined the landscape, engineering, and sewage plans and stated that sewage line would be coming from Delta Kelly Elementary School. He reviewed the plan for open space in the development, representing 47% of the proposed project.

Planning Consultant Review:

Mr. Lewan went over his August 26 report. He stated that this is the first PUD that is going in under the new zoning ordinance. He reviewed the approval process and stated the steps needed for final approval. He outlined his findings on density and zoning requirements for the property. He reviewed development information submitted by the applicant, including the public benefit aspect of the development proposal. He stated that the Township Board and the Planning Commission need to be satisfied that the public is getting benefit from this PUD development. He reviewed the open space, which is 47% of the proposed development, and potential for municipal service needs. He outlined other information requirements met by the applicant. He reviewed the

density plans for the development proposal and stated that 38 units would be proposed for this development but they could get more under current zoning requirements. He reviewed the requirements and developer plans for roads within the development. He stated the plan calls for a single road with all units having access. He also reviewed plans for rights-of-way and road widths. He stated that the public open space would be open to residents only per the developer. He reviewed deviations from MRD requirements requested by the developer. He also reviewed the landscaping plans, including the presence of vineyards and other items not normally seen in most landscaping plans. He reiterated the decision process for this meeting and deferred to the Township Engineering and Environmental consultants on other items.

Engineering Consultant Review:

Mr. Hocking reviewed the public sewer requirement for PUDs and stated that this development could meet that requirement through a public sewer connection from Delta Kelly Elementary School, extending through the public benefit section of this property. He reviewed the sanitary sewer requirements for all parts of the development. He stated that Mocerl companies have a consent judgment in place with the Township allowing for 228 unconditional sewer taps for all of their developments. Currently, they have 201 taps in place. The remaining 27 REU unconditional taps would not cover the 38 units proposed. He stated the remaining 11 taps would have to be conditional sewer taps and these would have to be approved by the Board of Trustees. He reviewed the reserve area requirements of the Township Sewer Policy and outlined different ways that these requirements could be implemented. He stated he has a new report from the developer that has addressed these reserve area requirements. He stated the planned optional park area would require 3 sewer taps per County criteria. He stated another revised plan he received has addressed this issue. He stated this clubhouse issue may be revisited in the future by the developer and reviewed the approval process for that. He stated that this development would have water through the Southwest District Community Well and reviewed the connection plans. He cautioned a permit would have to be issued by the State and EGLE may not approve a permit until the current water storage issue is resolved. He reviewed the stormwater management system and stated that the developer has planned for a private system with a mechanical pre-treatment device. He stated that all of these utilities will be designed to County standards. He commented on aspects of the stormwater management plan. He reviewed preliminary grading for the site and said it was sufficient at this point in the process. He stated the public benefit open space would not be disturbed except for putting in water and sewer lines. He reviewed streets, pathways, and pavements. He stated maintenance agreements would need to be drafted for this road and commented on rights-of-way and specific road design aspects. He reviewed the 10-foot wide safety path in the road design. He outlined minor errors in the conceptual plan and stated he would like more soil information documented and summarized aspects of his report.

Environmental Consultant Review:

Mr. Rentschler stated that there are no floodplains and there are 12 wetlands less than one acre in size on this site. They are not high enough quality or large enough to require regulation. Natural feature setbacks are not relevant on the property due to this. He reviewed the three parcels present on the property proposal. He noted that Artemis Villa is less than 25 acres and this makes the property exempt from most tree regulations. There are no trees of 36 inches diameter breast height width or more which exempts the property from Township regulation on this. He outlined the development plan's near-term protection of many wooded areas on the property. He outlined the landscaping plan and how it meets the Township's scenic easement plan. He stated there are a couple minor labeling discrepancies in the landscaping plan and that he would like to see tree protection fencing plans on future proposals.

Mr. Mocerl stated that they plan on going forward with the clubhouse proposal. He also reviewed Mr. Hocking's comments on soil information. He outlined the test plan submitted and how it includes updated information from previous plans.

Commissioner Comments

Board of Trustees Representative John Giannangeli asked if it is required that the road have two access points for the Fire Department. Mr. Hocking replied that the Fire Chief would have an answer on that. Mr. Lewan stated that in other communities this is addressed by having a boulevard entrance like the one proposed. Mr. Giannangeli asked if allowing lower property density than what is currently master planned would be an issue. Mr. Lewan said this could be looked at under the public benefit rule and that could be used in a motion to address any conflict with the Master Plan. Mr. Giannangeli asked if there is a limit on the amount of conditional sewer taps that the Board of Trustees could grant. Mr. Hocking replied that there should be some ability in the Township Sewer Policy to go beyond what has been allocated when it comes to conditional sewer taps.

Vice-Chairperson George Platz stated that he thinks the proposal does isolate the development from surrounding residents and that could be looked at as a positive thing for the Township. He asked if not zoning this development as multi-family would force a demand for rezoning somewhere else down the road. Mr. Lewan replied that someone could always make a case for anything but it would have to be reviewed. Mr. Mocerl commented that under the consent judgment for Blossom Ridge, the Township has a right to rezone properties on its own. He noted that other developments are considered multi-family. He suggested that it would be under the Township's purview to zone this property as multi-family. Mr. Platz asked who is going to control the 22-acre public benefit parcel and who will have access to it. Mr. Mocerl stated that there is no quid pro quo and Mr. Battaglia would still donate the 22 acres even if Artemis Villa didn't exist.

Mr. Platz asked about the other 9-acre section of the property. Mr. Mocerì explained that this section was to be future lot splits but Mr. Battaglia is only interested in creating one outlot. Mr. Mocerì also stated that the development would also be 500 feet from Delta Kelly Elementary School.

Commissioner Peruzzi asked for clarification on the plans as to the location of the public benefit parcel. Mr. Mocerì explained where it is and reviewed the ways this development proposal meets public benefit. Mr. Peruzzi stated that he is pleased to see developments that reduce the traffic congestion on Adams. Mr. Peruzzi asked for clarification on the road design and if that could accommodate Fire Department equipment and if overnight parking would be allowed on the street. Mr. Mocerì stated that overnight parking would not be allowed. Mr. Peruzzi asked what the purpose of the berm on the plan was. Mr. Mocerì replied that the purpose is to hide a possible water storage tank from view. He said the County may have criteria of the height of the berm. He commented on the Commerce Township water storage tank alluded to in earlier public comment. Mr. Hocking reviewed the road requirements from the Road Commission and stated that this proposal meets those standards and that it would not hinder maneuverability for a fire truck.

Commissioner Workings asked if this development is dependent on getting the 14 conditional sewer taps approved or if they would just have less units built. Mr. Mocerì stated the project would be scrapped entirely if the extra conditional taps are not approved. Commissioner Workings asked what would happen if multiple-family homes would be put in instead and where would the additional sewer taps come from. Mr. Lewan replied that a developer could ask for additional sewer taps or request an onsite sewage plant. Mr. Mocerì commented that Wynstone has this same arrangement. Mr. Mocerì stated their development application would be withdrawn if they could not get the conditional sewer taps and explained why this would happen. Mr. Lewan said an applicant could put in multi-family units and still support an onsite sewage plant economically. Mr. Hocking asked Mr. Mocerì if the rights-of-way were applied to the test plan or the conceptual plan. Mr. Mocerì replied they were applied to the test plan.

Commissioner Abbate stated that he thinks this development proposal is well-conceived and will be an asset to the Township.

Secretary Scaccia asked if there would still be a public benefit if the fire station and water storage tank were to be built somewhere else. Mr. Lewan replied that it would stay as open space in that event, and reviewed different ways that this development could still be considered a public benefit. Mr. Scaccia stated that he is happy to see the development entrance coming off of Gunn Rd. rather than Adams Rd. as it reduces traffic near the roundabout.

Chairperson Kwapis stated that he is hopeful that this kind of development would be a good standard-bearer for the community and listed features of the development that benefit the Township.

Opened to public comment:

MOTION by WORKINGS SECONDED by PERUZZI to open the meeting to public comment at 8:44 PM.

MOTION CARRIED - UNANIMOUSLY

Jim Carter – 3558 Briarbrooke Ln.

Commented on the land use language in the Master Plan and locations of zoned multi-family residential parcels. He also reviewed traffic patterns for the Township near the project site and how the proposed development helps reduce traffic.

Closed public comment:

MOTION by PERUZZI, SECONDED by PLATZ to close the meeting to public comment at 8:48 PM

MOTION CARRIED – UNANIMOUSLY

Board of Trustees Representative Giannangeli stated he thinks this development would be very beneficial to the Township and has many positive elements.

MOTION by PLATZ, SECONDED by ABBATE to acknowledge the submission and review of the Preliminary Concept Development Plan for Artemis Villa PUD, and that all Planning Commission considerations are to be put in writing and made part of the official meeting minutes which will be forwarded on to the Board of Trustees.

MOTION CARRIED – UNANIMOUSLY

Mr. Mocerl recognized his landscape architect, Matt Schwanitz, and engineer Nancy Standish for their work on the project.

8. COMMISSIONER COMMENTS

Chairperson Kwapis recognized the two members renominated and approved to the Planning Commission at the last Board of Trustees meeting: Joe Peruzzi and George Platz.

Notes: PEA notes 11 sewer taps too few, adding these requires Board decision

PEA predicted that EGLE would not issue permit until water storage is resolved.

ASTI notes that being less than 25 acres exempts it from tree ordinance

JG – Two fire entrances needed? MH (PEA) – Fire Chief to address

GP– 22 acre public benefit site?

Lewan – could have used on-site sewage treatment like Wynstone – Moceri – will scrap plans if additional 14 sewer taps not provided.

9/6/2019

To: Board of Trustees

From: Adam Kline, Township Manager

Date: September 6, 2019

Re: Township Manager's Report

Other Township Business:

Planning Commission: At the Sept 3 meeting, the Planning Commission made a motion to acknowledge the submission and review of the Preliminary Concept Development Plan for Artemis Villa PUD, and that all Planning Commission considerations are to be put in writing and made part of the official meeting minutes which will be forwarded on to the Board of Trustees. This item is expected at an October board meeting.

9/10/2019

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES SEPTEMBER 10, 2019 – REGULAR MEETING

BOARD REPORTS & CORRESPONDENCE

Trustee Giannangeli –stated that at the last Planning Commission meeting they reviewed a PUD (Planned Unit Development) preliminary concept development for Artemis Villas, which is located at Gunn & Adams and has 38 units on 46 acres. That report will be coming to the Board in October.

11/12/2019

BOARD OF TRUSTEES NOTICE AND AGENDA

Tuesday, November 12, 2019 7:00 PM - REGULAR PUBLIC MEETING

VII. PENDING BUSINESS

3. Resolution to Approve the Concept Development Plan for Artemis Villa

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES NOVEMBER 12, 2019 –

REGULAR MEETING

3. Resolution to Approve the Concept Development Plan for Artemis Villa.

Artemis Villa is a proposed 38 lot single family residential PUD. The overall parcel acreage is approximately 56 acres with the single family residential developed portion located on approximately 24.7 acres, and is centrally located within the larger parcel. The property is zoned Low Medium Residential Density (LMRD) and Medium Residential Density (MRD). The Master Plan designation is Multiple Family Residential with a density of up to nine (9) dwellings per acre.

The Board heard an overview of the Artemis Villa development from Dominic Mocerì, Applicant.

The Board heard a summary report from Doug Lewan, Community Planner. He gave an overview on the steps for the “Concept Review” for Artemis Villa and that it **will go back to the Planning Commission for “Final Development Plan” review and approval based upon the standards set forth in the ordinance for special land use approval, site plan approval and the PUD provisions.** He stated that any outstanding issues that have not been addressed as of yet will have to be addressed by the applicant at the final stage of the PUD. He added that Paul Rentschler, ASTI Environmental, and Matt Hocking, PEA Inc, have both recommended approval at the Concept Stage.

The Board collectively had concerns about the documents that were submitted to the Board being different than what was presented to the Planning Commission. They were confused about the detail on the acreage amount, the description of the development and what the status is of the surrounding land.

The Board heard public comment from: Tony Battaglia - 2700 W Gunn Rd

MOTION by Langlois, supported by Mangiapane to **send the Artemis Villa Development back to the Planning Commission for updated reviews by the consultants** for the Planning Commission’s consideration, based on the information discussed at tonight’s meeting.

Motion carried unanimously.

(Editor’s note: Link to meeting packet below, see pages 102-172)

Proposed Resolution – pages 102-104

Planning Coordinator Memo (Don Mende) – pages 105-106

Carlisle Wortman Community Planner Letter (Doug Lewan) (10/25/2019) – pages 107—108)

Carlisle Wortman Letter (Doug Lewan) (8/26/2019) – pages 109-118
PEA Engineering (Matt Hocking) Letter (10/29/2019) – pages 119-124
ASTI Environmental Letter (Paul Rentschler) (10/25/2019)– pages 125-128
Planning Commission Minutes for 9/3/2019 - pages 129-136
Site Plans – pages 137-172

<https://www.ecode360.com/documents/OA3183/public/515218028.pdf>

(Editor's Note: PEA – 168,000 square feet of area needed as reserve (14 REU x 12,000 each) for conditional sewer taps; Board must approve conditional sewer taps.)

1/7/2020

PLANNING COMMISSION REGULAR MEETING January 7, 2020 7:00 p.m.

AGENDA

7. Planning Commission Considerations: a. Artemis Villa - Planned Unit Development – Single Family Residential. Parcel # 10-20-351-001. General location - northeast corner of Adams and Gunn Roads.

CHARTER TOWNSHIP OF OAKLAND PLANNING COMMISSION JANUARY 7, 2020

REGULAR MEETING

7. Planning Commission Considerations:

a. Artemis Villa – Planned Unit Development – Single Family Residential. Parcel # 10-20-351-001. General location – northeast corner of Adams and Gunn Roads.

Matt Schwanitz, Griffels Webster

Explained that they were petitioning for only the rezoning of the 24.72 acres for the development and that the 5.28-acre public benefit parcel is separate. He stated they only applied for the principal development portion of 24.72 acres.

Dominic Mocer, Artemis Villa, LLC

He explained the 5.28-acres public benefit parcel and outlined potential uses for this parcel such as water storage, emergency services, and other governmental use.

Doug Lewan

He reviewed comments from an earlier report and reiterated that the proposed PUD development is only 24.72 acres, 5.28 acres on a separate parcel. He stated the public benefit parcel could be considered inside the PUD but anything less than 30 acres would need to be considered as a deviation by the Board of Trustees. He stated the December report is essentially unchanged from his previous August report but the densities for the development changed due to the exclusion of the public benefit parcel. He reviewed his later report clarifying the densities of the proposed PUD. He stated this lot density is significantly less than what is called for in the Master Plan. He stated that there is still a lot of open space in this proposal and that not much else has changed from the original site plan review in August. He emphasized the details of the public benefit parcel need to be made clearer prior to final PUD review. He reviewed the Township approval process for this concept PUD approval and that this includes the Planning Commission sending comments on to the Board of Trustees. He reviewed the Township Engineer's comments including noting the acreage difference and some technical water and sewer items. He

reviewed the Township environmental consultant's comments including his recommendation for approval of the project. He reiterated the changes in this report from the previous one in December.

Commissioner Questions

Chairperson Kwapis asked why there was confusion on the public benefit parcel. Mr. Mocerì stated the original application was for 24.72 acres, and the confusion was with the public benefit parcel. He also commented on a conversation he had with the current property owner Mr. Battaglia about acquiring more property for a public benefit parcel and reviewed the benefits of the parcel offered for public benefit.

Chairperson Kwapis questioned if this PUD meets the standard of 30 acres necessary. Mr. Mocerì agreed and stated the 5.28 acres would be considered part of the PUD in intent and outlined advantages to having the public benefit parcel be separate from the PUD. Mr. Schwanitz indicated there would be no performance requirement for the Township to improve the public benefit parcel in the agreement, and the Township would not have their hands tied by an agreement. There was general discussion on the timeframes outlined in PUD agreements.

Board of Trustees Representative Giannangeli asked what the zoning would be for the parcels outside of the PUD and if the safety path would be extended all the way to Adams Road. Mr. Lewan indicated zoning would not change from what it is currently. Mr. Mocerì and Mr. Schwanitz indicated the safety path would be extended. There was general discussion on the safety path extending down to Adams Road.

Commissioner Workings asked if Mocerì owns the public benefit parcel. He explained that he does based on the acquisition from Mr. Battaglia. Commissioner Workings asked why they did not simply develop the full 30 acres required. Mr. Mocerì explained it would not fit with their plan for Artemis Villa or their overall business plan. 24.72 acres was all that was needed. Ms. Workings asked for the results of the October 10th soil percolation tests from the Oakland County Health Division. Mr. Mocerì explained the test results for the engineered fields were as expected. Ms. Workings asked for an explanation on what engineered fields are. Nancy Standish from Griffels Webster explained that engineered fields are areas where native soils are excavated and replaced with engineered soils that allow for better septic sewer percolation or drainage into the soil. Mr. Mocerì explained MDEQ regulations regarding septic sewer flow for the Clinton-Oakland Interceptor and commented on sewer capacities for the site as well as conditional and unconditional sewer taps. Ms. Workings asked why they proposed a PUD development instead of a regular development. Mr. Mocerì explained that there is great demand for this type of high-quality development, particularly for residents who would like to downsize but

not at the expense of quality. Ms. Workings asked if this would be a gated community. Mr. Mocerì stated it would not be gated.

Commissioner Peruzzi asked about the proposed berming on the public benefit parcel. Mr. Mocerì reviewed the elevations present on the property and how berms could screen the development from the surrounding area. There was general discussion on how the zoning ordinance applies in this case. Mr. Lewan stated townships do not have to follow their own zoning ordinance for properties they own. Mr. Schwanitz outlined how the area trees shield the property as well. Mr. Mocerì explained the berms are presented on the site plan for demonstration purposes.

Board of Trustees Representative Giannangeli asked what the foundations would be for this development. Mr. Mocerì explained they would be standard foundations with the latest technology. Mr. Giannangeli asked what the approval process would be for the Board of Trustees. Mr. Lewan stated that this plan would have to be moved forward to the Board of Trustees with the deviations, preliminary plan, and present comments from the Planning Commission for its consent. He stated preliminary PUD approval does not mean final approval. He also reviewed what would have to be addressed before final approval. Mr. Mocerì stated that he cannot move forward with the hard engineering without preliminary approval. Mr. Giannangeli asked if a PUD could still be denied after preliminary approval. Mr. Mocerì stated that it could and explained that that happens from time to time. Mr. Lewan explained the Township attorney has some idea of what the legal transfer would look like and explained how the attorney could give the Board of Trustees assurance and guidance on this. Mr. Giannangeli asked if the public benefit parcel would be part of the PUD, it would be subject to PUD requirements. Mr. Lewan stated the PUD agreement could likely be written to give the public benefit parcel more leeway. Mr. Mocerì stated it would be confusing for the Township to be on this PUD agreement, which is why the public benefit parcel is being treated separately.

Secretary Scaccia asked how many units could be built under the Master Plan. Mr. Mocerì said approximately 200. Mr. Scaccia asked about the engineered fields and if a treatment plant is possible at this site. Mr. Mocerì stated it could at great expense, but is not necessary based on the density of the proposed development. Mr. Scaccia asked what would happen if the BOT approved the 30 acres with a public park on the public benefit parcel. Mr. Lewan stated this could be evaluated and approved for public benefit.

Vice Chairperson Platz stated this development is a good thing for the Township. There was general discussion on the motion that was made at the September 3rd Planning Commission meeting. Mr. Lewan stated a motion is not needed tonight.

Board of Trustees Representative Giannangeli reviewed the items that need to be addressed by the Board, such as sewer taps, acreages, etc., and asked how these issues would be communicated. Mr. Lewan stated he would attend the Board Meeting, they would have tonight's minutes, and a synopsis could be prepared as well.

Commissioner Workings stated that this is a non-conforming PUD and other developers may try to take advantage of the exemptions being proposed.

Mr. Mocerri reviewed the benefits of this development proposal and reviewed benefits to the Township by approving this development.

Mr. Schwanitz stated exemptions are built into and allowed in the definition of a PUD. There was general discussion on evaluating public benefit for this development and tying in the public benefit parcel to the PUD.

There was general discussion on the possibility of a motion.

Commissioner Workings read the section of the Zoning Ordinance that requires a PUD to comprise more than 30 acres:

Ordinance Section 16-524.02: PUD Qualifying Factors:

To qualify for consideration of Special Use PUD approval, the proposed PUD must meet all of the following minimum standards and requirements.

A. The minimum area of a PUD shall be thirty (30) acres.

Mr. Lewan stated he spoke with the Township Attorney and they agreed that the PUD allows for deviations from any section of the Zoning Ordinance.

Chairperson Kwapis stated this concludes the comments from the Planning Commission.

Notes: Lewan – PUD is minimum 30 acres; but Kelly says one can deviate

Lewan - Township does not have to follow zoning ordinance for properties they own.

1/10/2020

To: Board of Trustees
From: Adam Kline, Township Manager
Date: January 10, 2020
Re: Township Manager's Report

Other Township Business:

Planning Commission: The Planning Commission (PC) met on January 7. Artemis Villa will be presented to the board with PC comments in February

2/7/2020

To: Board of Trustees
From: Adam Kline, Township Manager
Date: February 7, 2020

Re: Township Manager's Report

The following items are scheduled for the February 11 meeting agenda:

Resolution to Approve Concept Development Plan for Artemis Villa PUD: The Planning Commission completed review of the plan at their January meeting and have now forwarded it back to the board with all relevant Planning Commission considerations. These minutes are provided in the packet.

2/11/2020

BOARD OF TRUSTEES NOTICE AND AGENDA Tuesday, February 11, 2020 7:00 PM –

REGULAR PUBLIC MEETING

VII. PENDING BUSINESS

4. Resolution to Approve Concept Development Plan for Artemis Villa PUD

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES FEBRUARY 11, 2020 –

REGULAR MEETING

4. Resolution to Approve Concept Development Plan for Artemis Villa PUD The Board heard updates and had their current questions and concerns addressed on the development from Doug Lewan, AICP, Carlisle Wortman Associates, Inc. and Dominic Mocer, Artemis Villa Developer.

MOTION by Ferriolo, supported by Langlois **to table approval** of the concept development plan for Artemis Villa PUD **until April 14, 2020 Board of Trustees Meeting.**

Motion carried unanimously.

4/10/2020

To: Board of Trustees

From: Adam Kline, Township Manager

Date: April 10, 2020

Re: Township Manager's Report

The following items are scheduled for the April 14 meeting agenda:

Artemis Villa PUD: As scheduled, the board has received back up for the Concept Development Plan for Artemis Villa

4/14/2020

BOARD OF TRUSTEES NOTICE AND AGENDA Tuesday, April 14, 2020 7:00 PM - REGULAR PUBLIC MEETING- VIA VIDEOCONFERENCE GOTOMEETING

VII. PENDING BUSINESS

1. Resolution to Approve the Concept Development Plan for Artemis Villa PUD

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES APRIL 14, 2020 – REGULAR MEETING

2. Resolution to Approve the Concept Development Plan for Artemis Villa PUD

Doug Lewan, Planning Consultant, spoke about the information in the Board's packet. It contains a memo from him along with one from Don Mende. The April 3rd memo is a summary of where we are at with this project, where it's been and what the process is that we are looking at tonight.

MOTION by Ferriolo, supported by Mangiapane to approve the Artemis Villa Concept PUD 38-unit site condominium based upon the conditions as set forth and summarized by the Oakland Township Planning Commission in its January 7, 2020, meeting; all conditions and comments as contained in the December 16, 2019 review by the Township Engineer, PEA; the comments and conditions set forth in the December 20, 2019 and April 3, 2020, review by the Township Planner, Carlisle Wortman; at a time and date to be determined by the Township the donation of the proposed 5.28 acre parcel to the

Township for public use without further zoning restriction nor subject to any PUD requirement; and any further condition requirement as set forth in the Township's Zoning Ordinance, Section 16-524, including the applicant obtaining final site plan approval within one year.

The Board heard public comment from: Dominic Mocerì – 3005 University Drive

Roll Call Vote:

Ayes: Bailey, Buxar, Ferriolo, Giannangeli, Langlois, Mangiapane, Reilly,

Nays: None,

Absent: None

(Editor's note: Link to Board Resolution 20-11 Approves Concept Development Plan effective until 4/13/2021)

<https://www.ecode360.com/documents/OA3183/public/544806218.pdf>

Meeting packet :

<https://www.ecode360.com/documents/OA3183/public/538528054.pdf>

From Memo to Township Manager from Don Mende:

Memo

To: Adam Kline, Township Manager
Jamie Moore, Assistant Manager
From: Donald Mende, AICP, Planning Coordinator
Date: April 10, 2020
Re: Resolution to Approve the Concept Development Plan for Artemis Villa PUD

Introduction:

Artemis Villa is a proposed 38 unit single family residential Planned Unit Development (PUD) at the northeast corner of Adams and Gunn Roads in Section 20.

In the previous months, the Board of Trustees reviewed this proposal and collectively had concerns about differences in the documents submitted to the Planning Commission and BOT, acreage discrepancies, description of the development and status of the surrounding land, and referred the matter back to the Planning Commission.

The Planning Commission completed their review of the Concept Development Plan at their meeting of January 7, 2020, and have now forwarded it to the Board of Trustees (BOT) with all relevant Planning Commission considerations included in the official meeting minutes.

PUD Ordinance Standards:

The PUD review procedure is a two-step process involving both the Planning Commission and Board of Trustees. First is Concept Development Plan review and, secondly, Final Development Plan review.

Concept Development Plan - The Planning Commission does not provide a formal recommendation to the BOT at this concept stage but, rather, reviews the proposal and discusses the development particulars with the applicant. Any concerns and comments are reflected in the official meeting minutes. The BOT completes their review of the proposal and, if acceptable, adopts a resolution approving it. Plan review is currently at this stage.

Final Development Plan - If the Concept Development Plan is approved by the BOT, the applicant may then submit for Final Concept Development Plan approval. This is a much more detailed review and approval shall be based upon the standards set forth in the ordinance for special land use approval.

site plan approval and the PUD provisions. The Planning Commission shall forward a recommendation to the BOT, who will then complete a final review.

Correspondence has been previously provided to the Board in binder form, and attached to this memo are the Carlisle Wortman Associates report and the project description/community impact statement from the applicant.

Sample Motions:

To **adopt** the resolution approving the Concept Development Plan for the Artemis Villa Planned Unit Development. This approval does not imply or constitute Final Development Plan approval, Final Site Condominium approval, or anything other than Concept Development Plan approval, and only bestows the right on the applicant to continue with a more detailed review and proceed to the Final Development Plan stage.

To **deny** the Concept Development Plan for the Artemis Villa Planned Unit Development.

The second part of the review and approval process shall be the application for an approval of a Final Development Plan for the entire project, or for any one or more phases of the project. Final Development Plan approval shall require the grant of special land use and site plan approval, to be approved by the Township Board following recommendation of the Planning Commission.

CWA Comment: After concept PUD approval a significant amount of information that includes the review of the project as a special land use and the review of a final site plan with detailed engineering, landscaping, a schedule of development and construction details will be required. A public hearing will be required for the special land use portion of the review and full reviews of all consultants will be required for the final PUD plan. Final conditions can also be placed on the PUD at this stage of the review as a part of the special land use portion of the review, and performance guarantees can be put into place. The final development plan must be reviewed by both the Planning Commission and the Township Board.

4. Consumers Energy Site Plan Approval – Dutton Road for Artemis Villa PUD

MOTION by Ferriolo, supported by Mangiapane to approve the site plan for Consumers Energy Dutton Road Valve Site, subject to the applicant completing the site plan and building plan review process, and that the applicant agrees to abide by and comply with all pertinent codes, ordinances and standards of Oakland Township, Oakland County and the State of Michigan. This approval is further conditioned upon the applicant installing the required safety path.

MOTION amended by Ferriolo, supported by Buxar to add “and maintaining the required safety path.”

The Board heard public comment from: John Markel – 245 Birch Hill Dr

Roll Call Vote: Ayes: Bailey, Buxar, Ferriolo, Giannangeli, Mangiapane, Reilly Nays: Langlois Absent: None
Motion carried 6/1.

5/12/2020

CHARTER TOWNSHIP OF OAKLAND PLANNING COMMISSION ANNUAL REPORT FY 2019-2020

Artemis Villa – Requesting approval for a Planned Unit Development – Single Family Residential. Parcel # 10-20-351-001 (General location - northeast corner of Adams and Gunn Roads in section 20). The Planning Commission forwarded the preliminary concept proposal to the Board of Trustees.

8/25/2020

(Editor's note: The Memorandum of Understanding deals with resolving disagreement over sewer taps which affects Artemis Villa) (pages 35-39 at link below)

<https://www.ecode360.com/documents/OA3183/public/560000569.pdf>

9/22/2020

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES SEPTEMBER 22, 2020 – REGULAR MEETING

2. Land Division variance – Parcel 10-20-351-001

The Board heard from Don Mende, Planning Coordinator. Mr. Mende stated that this request is for a parcel of property at the northeast corner of Adams Rd and Gunn Rd. The property owner is requesting a lot split to split off 2.3 acres adjacent to his property that fronts on Gunn Rd. The applicant is proposing a lot width of 210'. It is brought to the Board because they do not meet the land division ordinance requirements of 350' of frontage.

MOTION by Ferriolo, supported by Mangiapane to approve the request for a variance to the Land Division width requirement as the proposal would not alter the character of the area, subject to the following conditions: 1) That no further divisions of either of the parcels can be permitted. 2) That the petitioner agrees to abide by and comply with all pertinent Code Ordinances and standards of Oakland Township, Oakland County and the State of Michigan.

Trustee Ferriolo withdrew the motion along with Trustee Mangiapane.

MOTION by Ferriolo, supported by Mangiapane to table **Item # 2 until the next meeting to obtain further detail of Artemis Villa.**

Roll Call Vote: Ayes: Bailey, Buxar, Ferriolo, Giannangeli, Langlois, Mangiapane, Reilly Nays: None
Absent: None Motion carried 7/0.

3/23/2021

BOARD OF TRUSTEES NOTICE AND AGENDA Tuesday, March 23, 2021 7:00 PM - OAKLAND TOWNSHIP
BOARD OF TRUSTEES VIA GOTOMEETING

VII. PENDING BUSINESS

1. Artemis Extension Request

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES MARCH 23, 2021 – REGULAR MEETING

PENDING BUSINESS

1. Artemis Extension Request

This is a request under the Township's zoning ordinance to extend the Township's initial concept development PUD approval which was granted back on April 14, 2020. Those approvals are good for one year under the Township's ordinance and if the final approval of the plans is not obtained within the one year, the applicant is required to come in front of the Board to request an extension. They are coming before the Board at this time to request an extension for one year. The Board held a discussion with Dan Kelly, Township Attorney and Chris Bronzetti from Moceri.

MOTION by Giannangeli, supported by Zale to extend the Artemis Villa Concept Development conditional approval for an additional 90 days from the initial one-year period approval which was on April 14, 2020.

Roll Call Vote: Ayes: Abbate, Buxar, Elder, Giannangeli, Mabry, Mangiapane, Zale Nays: None Absent: None Motion carried 7/0

(Editor's note: Link to meeting packet , pages 51-54 are relevant,EGLE will not grant a permit until the EPA required water storage is under construction.)

<https://www.ecode360.com/documents/OA3183/public/593728233.pdf>

4/13/2021

(Editor's note: Draft Minutes)

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES APRIL 13, 2021 – REGULAR MEETING

5. Discussion on Board Subcommittees

Giannangeli explained that the Board occasionally uses subcommittees to gather, review and sort through documents and data relating to a particular development or project. The subcommittee then brings their findings and/or recommendations to the Board. It is usually made up of no more than 3 Board members. The Board has found them very useful in the past.

MOTION by Giannangeli, supported by Mabry to appoint a subcommittee of no more than 3 or less than 2 Board members to review the Artemis Development. Giannangeli amended the MOTION, supported by Mabry to include and request that the Township Manager work with the Subcommittee.

Roll Call Vote: Ayes: Abbate, Buxar, Elder, Giannangeli, Mabry, Mangiapane, Zale Nays: None Absent: None Motion carried 7/0.

MOTION by Buxar, supported by Mangiapane to appoint **Treasurer Giannangeli** to the Artemis Subcommittee. Roll Call Vote: Ayes: Abbate, Buxar, Elder, Mabry, Mangiapane, Zale Nays: None Absent: None Motion carried 6/0.

MOTION by Buxar, supported by Zale to appoint **Trustee Mangiapane** to the Artemis Subcommittee. Roll Call Vote: Ayes: Abbate, Buxar, Elder, Giannangeli, Mabry, Zale Nays: None Absent: None Motion carried 6/0.

MOTION by Mangiapane, supported by Buxar to appoint **Trustee Mabry** to the Artemis Subcommittee.
CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES APRIL 13, 2021 – REGULAR MEETING PAGE 6 of 7
Roll Call Vote: Ayes: Abbate, Buxar, Elder, Giannangeli, Mangiapane, Zale Nays: None Absent: None
Motion carried 6/0