



Lodi Township Planning Commission Meeting Minutes

3775 Pleasant Lake Road
Ann Arbor, Michigan 48103
May 28, 2024 at 7 pm

1. Call to Order and Pledge of Allegiance

The meeting was called to order by Chair Strader at 7:00 PM. The Pledge of Allegiance was then recited.

2. Roll Call

Present: Strader, Sweetland, Swenson, Stevenson, Vestergaard, Warner

Absent: None

Others Present: Township Supervisor Jan Godek,
Recording Secretary Michelle Joppeck,
Township Attorney Jesse O'Jack,
Township Planner Justin Sprague,
Leslie Blackburn, Ari Goldstein, Dixon (David Hammond), P Harround,
Gloria Keefer, Alex Matelski, Carly Rose, Barry Wauldron, and another
member of the public.

3. Announcements: Godek asked for the Planning Commission to find dates and times for a Green Infrastructure workshop that would work for as many people on the Planning Commission as possible.

4. Approval of Agenda

Swenson asking for an update on Copper Leaf Crossing to be added to the agenda. The update was added under 8. Old Business as Section C.

Swenson moved to approve the agenda as amended. Second by Stevenson. A voice vote was taken. Aye=all, Nay=none. Motion carried.

5. Public Hearings: Public Hearing to receive comments on a proposed amendment to the Lodi Township Zoning Ordinance. Pursuant to the authority vested in it by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, Lodi Township, Washtenaw County, Michigan ordains the following amendment to the following sections within the Lodi Township Zoning Ordinance:

Article 41, Section 41.14 Institutional Uses

Article 55, Section 55.21 Exterior Lighting

Sweetland moved to open the public hearing to receive comments on a proposed amendment to the Lodi Township Zoning Ordinance within Article 41, Section 41.14 Institutional Uses and Article 55, Section 55.21 Exterior Lighting at 7:04 pm. Second by Vestergaard. A voice vote was taken. Aye=all, Nay=none. Motion carried.

There were no public comments.

Stevenson moved to close the public comment section of the public hearing at 7:05 pm. Second by Sweetland. A voice vote was taken. Aye=all, Nay=none. Motion carried.

In Township Planner Hannah Smith's absent, Township Planner Justin Sprague was present and reviewed the proposed amendments to Article 41, Section 41.14 Institutional Uses and Article 55, Section 55.21 Exterior Lighting. Sprague noted that the amendments are relatively minor, but Smith feels that they address the concerns that the Planning Commission has had while talking about these sections. In Article 41, Section 41.14 Institutional Uses, Smith added the following requirements:

- The minimum gross lot area shall be 4 acres
- The minimum lot width shall be 250 feet.
- A landscaping transition buffer 15 feet in width and meeting the requirements set forth in Section 30203.E.3 shall be provided along property lines abutting residential districts or uses.

She also amended the traffic impact study requirement to read "A traffic impact study meeting the minimum requirements set forth in Section 55.12.B shall be provided."

In Article 55, Section 55.21.B Exterior Lighting, Smith added the following requirement:

- 8. Timing. Except where used for security purposes, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within non-residential zoning district shall be turned off between 11:00 pm and sunrise, except where such use continues after 11:00 pm but only for so long as such use continues.

Sprague mentioned that the added requirement to the Exterior Lighting ordinance is frequently seen in zoning ordinances in local communities, but it does sometimes present a challenge because it requires the applicant to demonstrate to the Planning Commission what they see as security lighting and non-security lighting, however, Sprague believes that there is nothing in the language that is overly burdensome.

Strader asked if security lighting needs to be fully shielded and Sprague confirmed that according to the ordinance, all lighting is required to be downward directed and fully-shielded, which includes security lighting.

Stevenson asked about what the requirements were for determining if something was security lighting. Sprague noted that that would depend on the institutional use, but that it would be incumbent upon the applicant or the property owner to prove to the Planning Commission what is security lighting and what is not security lighting.

Swenson asked why 11 pm was chosen instead of 10 pm. Sprague was unsure why Smith chose that time, but he did say that in the communities that they work in, 11 pm is a pretty standard time due to the timing of shifts, workers, and non-24-hour businesses. Businesses that are open for 24 hours would fall under the phrase "except where such use continues after 11:00 pm but only for so long as such use continues." He stated that the Planning

Commission could change the time if they so desired. Strader was in favor of altering the time from 11 pm to 10 pm in order to preserve the ambient quality of the township being out in the country where the night sky can be enjoyed. After further discussion, it was decided to change the time to 10 pm.

Swenson suggested adding the word “safety” to the phrase “except where used for security purposes” so that it reads “except where used for safety and/or security purposes.” Sprague had no issue with this change. Strader was in agreement and asked for the word “safety” to be added as Swenson requested.

Swenson also mentioned that motion activated lights are not mentioned in the ordinance. He thought that those should be allowed, but is unsure if that needs to be addressed in the ordinance. Sprague believes that motion activated lights would not be subject to the 11 pm deadline since they are essentially a temporary light which is only on while motion is happening and then turn off when the motion stops.

In regards to Article 41, Section 41.14 Institutional Uses, Strader suggested changing the numbering of the paragraphs to be as follows:

- 4. Institutional uses shall have direct vehicle access to a primary road classified as an arterial or collector by the master transportation plans of the Township, or county or state road authorities.
- 5. A landscaping transition buffer 15 feet in width and meeting the requirements set forth in Section 30.203.E.3 shall be provided along property lines abutting residential district or uses.
- 6. A traffic impact study meeting the minimum requirements set forth in Section 55.12.B shall be provided.

Strader asked why the landscaping transition buffer refers only to Section 30.203.E.3 instead of all of Section 30.203.E. Township Attorney O’Jack said that if it is required to follow all of Section 30.203.E, then transitional buffers would not be required in any properties in a Rural District. By making it so that landscaping transition buffers are required per the requirements in Section 30.203.E.3, that takes away the argument that transitional buffers are not required in the Rural District because chart in Section 30.203.E.1 is not part of the requirement.

Strader was interested in changing the landscaping transition buffer width from 15 feet to 30 feet. After a discussion, the Planning Commission was in agreement with Strader.

Strader moved to recommend approval to the Township Board of the amendments to Zoning Ordinance Article 41, Section 41.14 Institutional Uses and Article 55, Section 55.21 Exterior Lighting in accordance with CIB Planning’s recommendation letter dated May 21, 2024 with the following changes:

Article 41, Section 41.14 Institutional Uses:

- 4. Institutional uses shall have direct vehicle access to a primary road classified as an arterial or collector by the master transportation plans of the Township, or county or state road authorities.
- 5. A landscaping transition buffer 30 feet in width and meeting the requirements set forth in Section 30.203.E.3 shall be provided along property lines abutting residential district or uses.

- 6. A traffic impact study meeting the minimum requirements set forth in Section 55.12.B shall be provided.

Article 55, Section 55.21 Exterior Lighting:

- B.8. Timing. Except where used for security and/or safety purposes, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within non-residential zoning districts shall be turned off between 10:00 pm and sunrise, except where such use continues after 10:00 pm but only for so long as such use continues.

Second by Stevenson. A roll call vote was taken. Warner=yes, Vestergaard=yes, Sweetland=yes, Swenson=yes, Strader=yes, Stevenson=yes. Motion carried.

6. Public Comment

Public comment began at 8:10 pm. Comments were received from 3 people. Public comment ended at 8:13 pm.

7. Approval of Minutes – 4/23/24

Swenson moved to approve the minutes of the April 23, 2024 Lodi Township Planning Commission meeting as presented. Second by Sweetland. A voice vote was taken. Aye=all, Nay=none. Motion carried.

8. Old Business

a. Lodi Township Zoning Ordinance Article 20, Section 20.04- Table of Uses by District (Institutional Uses in AG district)

After a discussion of the requirements for a permitted use vs a special use and a review of the added requirements to Article 41, Section 41.14 Institutional Uses and Article 55, Section 55.21 Exterior Lighting, the Planning Commission was satisfied that the amendments to Sections 41.14 and 55.21 mitigate off-site impact enough to not require the addition of the special use approval process.

Vestergaard moved to recommend approval to the Township Board for adding Institutional Uses as a permitted use in the AG district under Article 20, Section 20.04 – Table of Uses by District. Second by Swenson. A roll call vote was taken. Warner=yes, Vestergaard=yes, Sweetland=yes, Swenson=yes, Strader=yes, Stevenson=yes. Motion carried.

b. Lodi Township Master Plan Amendment

An updated draft survey has been created and is ready for review. Godek would like any comments to be sent to her so that a final draft could be included for approval at the next meeting. *LEAF*

c. Copper ~~Creek~~ *LEAF* Crossing Update

O'Jack mentioned that Copper Leaf Crossing was given 9 months to submit a modification to the PUD that reflects the current and future uses of the property at the August 22, 2023 Planning Commission Special Meeting, however, at the December 5, 2023 Board Meeting, Copper Leaf Crossing was required to start the process of updating the area plan within 60 days. This requirement to update the area plan has interrupted the modification of the PUD.

Arie Goldstein, the attorney for Copper Leaf Crossing, gave an update on the progress of the updated area plan. Goldstein said that Copper Leaf Crossing worked hard with their engineers in January and February to try to meet the deadline set forth by the Board. When they went to submit the prepared materials, they were told by the Township to hold a pre-application meeting with the Township Planner, which was completed in March 2024. They were expecting to receive some feedback from the Township Planner, but was told by the Board at the next Board meeting that that was not going to happen. After some additional correspondence between Goldstein and the Township Attorney in April and May, they came to a mutually workable understanding on what the applicable procedures from the Zoning Ordinance were in regards to their unique circumstances. They have received the updated materials from the engineers which incorporate the comments received at the pre-application meeting. They are planning on submitting the area plan documents to the Township tomorrow morning so that they could be formally considered and discussed at the next Planning Commission meeting. What they are planning on presenting is a series of, based on their understanding of how the Ordinance would constitute them, minor changes, many of which have been addressed in prior minor site plan amendments, to help get everyone get on the same page and demonstrate the substantial compliance of Copper Leaf Crossing with the Zoning Ordinance. They are planning on submitting the updated area plan drawings from the engineer with a written request that goes through all of the requirements in Section 42.106.

Strider asked if the plans will include their plans for the future. Goldstein answered that those were taken out, but if the Planning Commission is interested in seeing those, they are happy to submit those.

O'Jack mentioned that the first step that the Planning Commission will need to take is deciding if their submitted changes would be considered a minor area plan change or a major area plan change since they require different requirements and procedures. Strader noted that the Planning Commission will need to be provided the original plan in order to help be able to determine if it is a minor area plan change or a major area plan change.

Goldstein asked for clarifications as to how much leeway they can expect in terms of planning future developments before new area and/or site plans would need to be submitted again. O'Jack said that he is not sure how to answer that request, but mentioned that the Township needs to be notified of potential changes before those changes are made so that the Township can decide what kind of change it falls under and thus the procedure that would need to be followed for those changes.

Strader asked for a presentation at the next meeting which will walk the Planning Commission through the history and all of the changes that have been made over their history to help the Planning Commission make their decision.

After a question by Matelski about the minimum threshold for updating the site and/or area plan, O'Jack mentioned that a development agreement may be appropriate to clarify some of these questions and issues.

9. New Business: None

10. Public Comment

Public comment began at 8:57 pm. No comments were received. Public comment ended at 8:58 pm.

11. Reports

- A. Board of Trustees:** Swenson reviewed the most recent Board of Trustees meeting held on May 7, 2024.
- B. Commissioners:** None
- C. Planning Consultant:** None
- D. Engineering Consultant:** None

12. Other Business: For the Green Infrastructure workshop, Strader’s understanding is that the Green Infrastructure process will create connecting protected natural spaces for wildlife to be able navigate through the Township. Godek was asked about holding a presentation on this to the Township Board and Planning Commission. Since the Township is in the process of updating their Master Plan, it was decided that now might be a good time to consider this idea. Godek wants to know when would be the best date and time for the most members of the Commission to be able to attend that presentation. After a discussion, it was determined that the evenings in the week of June 10 would work best.

13. Adjournment

Sweetland moved to adjourn at 9:09 pm. Second by Stevenson. A voice vote was taken. Aye=all, Nay=none. Motion carried.

The next regular meeting is scheduled for June 25, 2024 at 7:00 pm.

Respectfully Submitted,

Ann Warner,
Planning Commission Secretary



Michelle Joppeck,
Recording Secretary