

**BOARD OF TRUSTEES
CHARTER TOWNSHIP OF ANN ARBOR
WASHTENAW COUNTY, MICHIGAN
RESOLUTION APPROVING AMENDED
PUD REZONING PETITION, AND AMENDED AREA PLAN,
ALL SEASONS OF ANN ARBOR
(FORMERLY TRADITIONS AND FORMERLY VERDURA)**

June 20, 2016

SP 07-15 (PUD)

Resolution and ordinance adopted at a regular meeting of the Board of Trustees of the Charter Township of Ann Arbor, (“Township Board”) Washtenaw County, Michigan, held at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, on June 20, 2016.

PRESENT: Rena Basch; Claudia Sedmak, John Allison, Della DiPietro, Michael Moran, Randy Perry, Ken Kohrs

ABSENT: NONE

Motion by Trustee: Basch; supported by Trustee: Sedmak.

RECITALS

A. 4540 LLC, a Michigan limited liability company (“Owner”) is the Owner of 31.66 acres of land located at the Southeast corner of the intersection of Geddes Road and Dixboro Road in Ann Arbor Charter Township (“Township”) being Parcel ID No. I 09-36-100-016 (“Property”) and described on attached Exhibit A.

B. Owner has authorized Beztak Land Company, a Michigan corporation (“Applicant”), to file a petition with the Township for: a) amendment to the PUD Zoning and Area Plan of the Property approved by the Township Board on May 19, 2008 (“Traditions”) and amended December 21, 2009 (Verdura) (“PUD Zoning”) pursuant to Section 74-542 of the Township Zoning Code (“Amended Petition”), b) amendments to the Area Plan (“Amended Area Plan”), c) and related permits and approvals.

C. Applicant filed the Amended Petition and Amended Area Plan (SP-07-15 PUD) on or about January 11, 2016 and subsequently revised with last revision dated May 16, 2016 and received by the Township on May 17, 2016 (“Project”).

D. The Planning Commission held a public hearing on the Amended Petition and Amended Area Plan on April 4, 2016.

E. The Planning Commission reviewed the reports on the Amended Petition, and the Amended Area Plan from its consultants and others including:

- Township Planner's Reports including the last revision dated May 25, 2016.
- Township Engineer's Reports including the last revision dated June 2, 2016.
- Washtenaw County Road Commission ("WCRC") letters dated March 3, 2016 and June 2, 2016 approving the entrance drives and traffic impact assessment.
- Washtenaw County Water Resources Commissioner's ("WCWRC") conceptual approval report dated March 3, 2016.
- Letter from Washtenaw County Parks and Recreation Commission ("County Parks") dated March 11, 2016 and letter to County Parks from Applicant dated May 18, 2016.
- Fleming Creek Advisory Council letter dated February 8, 2016.

F. The Township has adopted a 2015 Master Plan, amended Site Plan Review Ordinance and a new Stormwater Management Ordinance since the prior PUD Rezoning, and the Amended Petition and Amended Area Plan have been reviewed under the 2015 Master Plan, amended Site Plan Review Ordinance, new Stormwater Ordinance, and other Township ordinances as amended.

G. On June 6, 2016, the Planning Commission adopted findings and recommended approval of the Amended Petition and Amended Area Plan subject to conditions ("Planning Commission Resolution").

RESOLUTION

Now, therefore, the Township Board resolves and ordains:

Based on the foregoing recitals, which are incorporated by reference, the Amended Petition, Amended Area Plan and other submissions by Applicant, the comments of the public, reports and recommendation of the Township Planning Commission, Township consultants and others, and information and recommendations pertaining to the Amended Petition and Amended Area Plan gathered by the Township, the Township Board adopts the following findings, recommendations and conditions and ordains as follows:

A. FINDINGS AND STANDARDS FOR PUD ELIGIBILITY. The Township Board accepts and adopts the findings of the Township Planning Commission ("Findings") set forth in the Planning Commission Resolution, attached as Exhibit B, except to the extent modified by this Resolution.

B. CONDITIONS Based on the Applicant's submissions, the Township's consultants' reports, the substance of the Planning Commission Resolution, including its recommendations and conditions, and the Findings, the Township Board approves the Amended Petition and Amended Area Plan, subject to the Conditions set forth in this Resolution ("Conditions").

1 Findings. All conditions and requirements set forth in Findings which are incorporated by reference.

2. PUD Agreement. The Township, the Owner and the Applicant shall enter into an amendment to the existing PUD Agreement, as amended and restated, that requires the Applicant and Owner to adhere to all of the Conditions (“Amended PUD Agreement”) and that supersedes the existing PUD Agreement as amended and restated. The Amended PUD Agreement shall be signed and recorded within ten (10) days after the date of this Resolution. The Township Supervisor is authorized to sign the Amended PUD Agreement in the form approved by the Township Board at the meeting at which this Resolution is adopted. Applicant shall pay the cost of recording.

3. Conceptual Approval. The approval of the Amended Area Plan is in concept only, with the details of the Project to be provided in (i) the final site plan to be approved by the Planning Commission, (ii) plans and permits to be issued for construction of utilities and private drives including water mains, sanitary sewer mains, storm water management systems, and related easements and dedications, (iii) the Conservation Easement granted pertaining to the Project to be approved by the Township Board, (iv) the agreement pertaining to maintenance and preservation of the Common Areas of the Project, and the County Parks Agreement, all to be approved by the Township Board, (v) Soil Erosion and Sedimentation Control Permits, and (vi) all other permits and approvals from the Township and applicable governmental authorities including MDEQ, WCRC and WCWRC.

4. Consultant’s Reports. The Amended Area Plan and Amended Petition must comply with the requirements of all Township Consultant’s reports including those set forth in Recital E above.

5. Senior Housing. The Property shall be developed as a continuing care retirement community providing a variety of residential dwelling units for persons 55 years of age and older including independent living duplexes, independent living apartments, assisted living apartment, and memory care units. There shall be limitations on the ages of residents consistent with the Federal Fair Housing Act to ensure that the Project residents are primarily persons 55 years of age and older. The Applicant shall provide the Township with the proposed restrictions for review and approval as part of the Final Site Plan submission for the first Phase of the Project.

6. Phasing. The Project shall be completed in no more than 5 phases as shown on the phasing schedule depicted on Sheet 22 of the Amended Area Plan and the Updated Phase Plans referred to in Section 6.2 below and described as follows:

Phase	Description	Construction Time	Schedule
I	156 independent living units in main building, and the clubhouse. Site improvements would include most of the perimeter road system, parking, utilities, landscaped open spaces, stormwater system, and exterior trails.	18 mo.	Spring 2017 to Fall 2018
Phase	Description	Construction Time	Schedule
II	23 ranch units toward Dixboro Road, perimeter road	15 mo.	Summer –

			Fall, 2018
III	Remaining 21 ranch units along internal perimeter road	12 mo.	Fall 2019 to fall 2020
IV	50 assisted living units in two-story multi-family building	15 mo.	Summer 2020 to Fall 2021
V	30 memory care units in single-story building	12 mo.	Spring 2022 to Spring 2023

6.1. Any change in ownership or land division as a result of development of a phase must comply with Section A.5 of the Planning Commission Resolution.

6.2. As recommended by the Planning Commission, prior to Township Board consideration of the PUD, Applicant has provided a more detailed Phase I Plan dated June 15, 2016 and an enlarged and more detailed Project Phase Plan dated June 20, 2016 showing the infrastructure, roads, drives, sewer, water, landscaping screen, storm drainage, detention basin, Conservation Easement areas, common areas, pedestrian amenities, retaining walls, farm house improvements and sewer/water connection, to be constructed and installed as part of each Phase, copies of which are on file with the Township and attached as Exhibit C (“Updated Phase Plans”). As part of the first Phase of the Project, such phase plan shall show, and Applicant shall install or provide (a) the entire loop road for the Project shall be constructed as part of the first Phase, (b) looped water main and sanitary sewer main utilities for the Project, (c) the detention basins and storm water management system for the Project, (d) farm house improvements, and (e) Conservations Easements for the Project.

6.3. A phase shall not be dependent upon subsequent phases for safe and convenient vehicular and pedestrian access, adequate utility services, and open spaces and recreation facilities, and shall be capable of substantial occupancy, operation, and maintenance upon completion of construction and development of that phase.

6.4. Applicant acknowledges that the Township ordinances contain time limits on Final Site Plan approval for all phases of the Project, and such time limits are not consistent with the schedule provided by Applicant above. Timing of phasing shall be governed by Township ordinances and the Township does not grant any exception from the timing of Phases by this Resolution.

7. Unit Mix. The number of dwelling units in each building of the Project shall meet the following minimum and maximum numbers:

	Preliminary	Minimum to Maximum Range
Independent Living Cottages	44	40 – 44
Independent Living Apartments	156	150 – 160
Assisted Living Apartments	50	40 – 60
Memory Care Units	30	0 – 30

TOTALS	280	Maximum Total = 280
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The number of total units in the Project shall not exceed 280 and each Unit type cannot exceed the maximum range described above. All Units shall be used only by residents of the Project consistent with Section A.5 of the Planning Commission Resolution. There will be no health care units or guest rooms. The Project façade shall be substantially the same as the building elevations, design and architectural renderings presented by the Applicant as part of the Amended Area Plan review.

If the Unit mix selected by Applicant requires changes to the building footprints shown on the Amended Area Plan, then the Applicant must process an amendment to the Area Plan prior to proceeding with Final Site Plan approval for the affected Phase, and shall address any required changes in parking and other Area Plan matters resulting from such change in Unit mix.

8. Conservation Easements. As part of the final site plan submission for the first Phase of the Project, the Applicant shall provide a proposed Conservation Easement for the conservation parcels shown on the Amended Area Plan. The Conservation Easement shall be a grant to the Township and shall provide for perpetual preservation of the Conservation Easement areas in a manner that ensures proper stewardship and preservation of the wetlands, natural features, seeps, steep slopes and other sensitive land forms and characteristics of the Project. The Planning Commission, Township attorney and Township Board must review, approve and accept the form of the Conservation Easement as part of the final site plan approval for the first Phase of the Project. The Conservation Easement shall be signed by the Applicant, and if different, the then current owner of the Property and the Township, and recorded by the Township Attorney prior to issuance of any permits for construction at the Property.

9. Common Area Maintenance. As part of the final site plan submission for the first Phase of the Project, the Applicant shall provide a proposed plan for maintenance, repair and replacement of the common areas, private drives, storm sewer system, landscape areas, sidewalks, wetlands, natural features, visual screens, walking trails, exterior lighting, common utilities, parking areas, and any other Site Improvements for the Project as defined in Section 74-176(e) of the Township Code, including the landscape screen described in Section 13 below and the County Parks Improvements described in Section A.5.2.3 of the Planning Commission Resolution (“Common Areas”), and including an enforcement mechanism for the Township. Such enforcement mechanism shall authorize the Township to enter the Property to inspect the Common Areas. If the Common Areas are in need of maintenance, repair or replacement the Township shall notify the Applicant or, if different, the then current owner of the Property, and the Applicant or the then current owner of the Property shall perform such work within a reasonable period of time. If such work is not properly performed by the Applicant or, if different, the then current owner of the Property within the time required, the Township shall be authorized to perform such work and bill the Applicant or, if different, the then current owner of the Property for the cost incurred plus an administrative fee of 15%, plus interest on unpaid amounts after 30 days of 15%. If such invoice is not paid within 30 days, the amount invoiced shall be a lien on the land and may be collected by the Township in a collection suit or as delinquent taxes, and foreclosed upon in the same manner as delinquent taxes. In addition, the Applicant or, if different, the then current owner of the Property shall enter into a storm water system maintenance agreement with the Township and/or establish a special assessment district

on the Property for purposes of maintenance, repair or replacement of the storm water system. The form of the foregoing Common Areas maintenance enforcement agreement and storm water system maintenance agreement must be reviewed, approved and accepted by the Township Board, Township Planning Commission, Township Attorney and Township Engineer as part of final site plan approval for Phase 1. Such agreements shall be signed by the Township, the Applicant and, if different, the then current owner of the Property prior to issuance of any permits for construction at the Project.

10. Common Ownership. The Project will be owned and operated by a single entity except as otherwise described in Section A.5.2.4 of the Planning Commission Resolution. The Board approves the variances recommended by the Planning Commission for a road right of way width less than 66 ft. and a horizontal curve radii less than 230 feet.

11. Storm Sewer Maintenance. As part of the final site plan submission, the Applicant shall prepare for review and approval by the Township Planning Commission and Township Board a storm sewer maintenance plan with enforcement provisions consistent with those described in Section 9 above.

12. No Construction Prior to Final Site Plan Approval. No construction, tree removal, grading, earth changes or other modifications to the Property shall occur prior to Final Site Plan approval for the first Phase of the Project, except for installation of a landscaping screen described in Section 13 below.

13. Landscaping Screen Installation. As part of the final site plan submission for Phase 1, Applicant shall provide the Planning Commission with a plan for installation of the proposed landscape screen between the County Parks parking area and the independent living building of the Project as shown on Sheet 23 of the Amended Area Plan ("Landscape Screen") including a time table for installation of landscaping during the next growing season ("Landscape Plan") or as part of the initial site preparation work, whichever is earlier, and an agreement from County Parks as described in Section 14 below for such work. Upon approval of the Final Site Plan and the Landscape Plan by the Planning Commission, the Applicant shall (i) apply for necessary permits from the Township and applicable governmental authorities including a Soil Erosion and Sedimentation Control Permit, (ii) provide an escrow deposit or letter of credit in favor of the Township to ensure timely installation of the Landscape Screen, and (iii) install the Landscape Screen in accordance with the Landscape Plan. Upon completion of installation of the Landscape Screen in accordance with the approved Landscape Plan and the County Parks Agreement, and establishment of a Common Areas maintenance plan and enforcement mechanism as described in Section 9 above and Section 14 below, the escrow deposit or letter of credit shall be released except for such portion as necessary to ensure replacement of those portions of the Landscape Screen that fail to survive for a three (3) year period.

14. County Parks Agreement.

14.1. At the time of submission of the Landscape Plan described in Section 13 above, the Applicant shall provide an agreement from County Parks authorizing installation and maintenance of the Landscape Screen in a form acceptable to the

Planning Commission and approval by the Township Board, Township Attorney and Township Engineer.

14.2. At the time of final site plan submission, Applicant shall provide an agreement from County Parks for all other County Parks Improvements as described in Section A.5 of the Planning Commission Resolution (“County Agreement”). The Applicant shall provide an escrow deposit or letter of credit in favor of the Township to ensure timely installation of the County Park’s Improvements as described in Section 13 and 9 above. The form of the County Agreement shall be reviewed and approved by the Township Board, Township Planning Commission, Township Engineer and Township Attorney as part of Final Site Plan approval for the first Phase of the Project.

15. Private Drives. The Project shall be served by private drives which shall be constructed in accordance with final design standards approved by the Township as part of the Final Site Plan and in accordance with Section A.5 of the Planning Commission Resolution. The private drives shall be maintained in a manner consistent with the drives’ approved design, construction and applicable permits. The private drives shall be open to and useable by emergency vehicles at all times.

16. Lighting; Relocation of Above Ground Utilities. The location and type of exterior lighting shall be determined as part of the final site plan approval. Such lighting shall be designed to minimize adverse effects on adjacent properties. Lighting shall be non-intrusive to neighboring residences and the adjacent County Park and kept to the minimum necessary for safe operation as determined by the Township Planning Commission. The following applies to relocation of above ground utilities at the Property:

The DTE Lines are located along the Huron River in an area containing numerous wetlands, steep slopes and other natural features. Relocating the DTE Lines may have significant adverse effects on the natural features in the area. The DTE Lines are outside of the developed area of the Property in an area that is lower than the developed area. This limits the visibility of the DTE Lines. The DTE Lines are some of the highest voltage lines in the Township, and the cost of relocating the lines underground is at least three times as much as the cost of relocating typical overhead electric lines. Based on the foregoing unique characteristics of the DTE Lines, the Applicant shall not be required to relocate the DTE Lines underground.

17. Permits. The Applicant and, if different, the then current owner of the Property shall obtain all building, grading, soil erosion control, MDEQ and other permits and approvals required by Township Ordinances and by other applicable governmental authorities prior to commencement of any construction, grading, landscaping, tree removal or other changes to the Property.

18. Financial Guaranty. The Project, including Common Areas, shall be constructed and maintained by the Applicant and, if different, the then current owner of the Property or their successors and assigns in a manner consistent with the original design. At the time of final site plan approval and prior to issuance of any permits for construction at the Property, Applicant

shall provide a financial guaranty to assure completion of construction of the Common Areas in accordance with the original design as required by Section 74-542(m) and Section 74-178 of the Township Code. The guaranty shall be in an amount and in a form approved by the Township Engineer in consultation with the Township Zoning Official. Any letter of credit must provide for automatic renewal.

19. Fire Department Requirements. The Applicant shall comply with all Fire Department requirements including those listed in the Township Engineer's Memorandum dated June 2, 2016.

20. Height. Building height shall not exceed the height set forth in Section A.2.2.2 of the Planning Commission Resolution.

21. Preservation of Natural Features. In addition to the current final site plan standards, Applicant acknowledges and agrees that because natural features preservation has not been fully addressed in the Amended Area Plan, final site plan review will include a review of the natural features in accordance with the Township Site Plan Review Ordinance.

22. Tree Removal Permit: Applicant must obtain a tree removal permit consistent with this Resolution as part of the Final Site Plan for Phase 1.

23. Resident Services Uses. Resident services that are of a personal or retail service nature ("Resident Services Uses") shall be for the exclusive use of residents and their guests (in accordance with state licensing guidelines related to liquor licenses) and shall be ancillary to the residential nature of the Project with no outside advertising of such services.

24. Traffic. Normal business hours for Project employees and staff shall be established in a manner so as to minimize traffic congestion during peak traffic times, to the extent reasonably feasible given the needs of residents at the Project. At the time of final site plan submission for the first Phase of the Project, Applicant shall provide information on hours of employees and staff providing services at the Project.

25. Emergency Services; Taxation. As part of the final site plan submission for the first Phase of the Project, the Applicant shall provide a detailed plan for serving the emergency needs of the Project residents including fire, police and emergency services. As part of the PUD Agreement, Applicant acknowledges and agrees that if any portion of the Property becomes exempt from real estate or personal property taxes and assessments, then Applicant shall enter into a Fire Services Agreement with the Township in a form reasonably acceptable to the Township.

26. Farmhouse. Use of the existing farmhouse on the Property shall be for either one single family residence in accordance with applicable laws and ordinances, or as an ancillary administrative office for the management of the Project. The Project Owner shall be responsible for maintenance of the farmhouse in accordance with applicable laws and ordinances and shall maintain the façade of the farmhouse and surrounding grounds, in substantially the same condition as currently existing, and in accordance with U.S. Secretary of the Interior standards related to homes listed on the National Historic Register. If the farmhouse shall cease to be occupied for single family residential purposes or administrative office as described above for

more than 365 consecutive days the Applicant and, if different, the Owner shall notify the County Sheriff and Township, secure the farmhouse in accordance with applicable laws and regulations, and continue to maintain the façade and exterior grounds in substantially the same condition as currently existing and in accordance with U.S. Secretary of the Interior standards related to homes on the National Historic Register. The farmhouse shall be connected to public water and sanitary sewer system serving the Project as part of the Phase I Site Improvements. The Applicant shall conduct further study and suggest modifications to the landscaping and parking adjacent to the farmhouse to minimize disturbance of the grounds and the area surrounding the farmhouse for consideration by the Planning Commission as part of the Final Site Plan review for the first Phase of the Project.

27. Time Limit for Construction; Rezoning. The Applicant and Owner acknowledge the requirements of Zoning Code Section 74-542(i)(j) and (k) as amended pertaining to expiration of plan approvals, dates for submission of site plans, extensions, and authorization of the Township to revoke the right to develop under the PUD and Area Plan and to initiate a zoning amendment to return the Property to its original zoning if such time limits are not met. As part of the Amended PUD Agreement, Applicant and Owner shall agree that they will not object to the exercise by the Township of the rights set forth in Zoning Code Section 74-542(i)(j) or (k). Owner and Applicant shall acknowledge and agree in the Amended PUD Agreement that the Property must be restored to the condition existing at the time the Amended PUD Agreement is signed if the Project does not proceed as required by the approved Amended Area Plan and Amended Petition. The terms and conditions of the Amended PUD Agreement and Amended Petition shall run with the land described on Exhibit A and shall be binding on the parties and their respective transferees, successors and assigns unless otherwise revoked and terminated in accordance with the provisions of this section 27. Upon the sale, transfer or conveyance of the Property by Owner to Applicant or other transferee (“Transferee”), and the written and recorded assignment by Owner of Owner’s rights and obligations under the Amended PUD Agreement and Amended Petition to Transferee and assumption by Transferee of Owner’s duties, liabilities and obligations under the Amended PUD Agreement and Amended Petition in a form satisfactory to Township, Owner shall be relieved of liability or obligation under the Amended PUD Agreement and Amended Petition arising from and after the date of such transfer, assignment and assumption.

28. Road Improvement Agreement. As set forth in Section 10.2.1 of the Planning Commission Resolution, the Applicant must provide approval from WCRC of the left turn lane on Geddes Road as part of the Final Site Plan submission for the first Phase of the Project. If such WCRC approval requires a Road Improvement Agreement for construction of the left turn lane by Applicant, Applicant must provide the proposed form of Road Improvement Agreement to the Township for review and approval, as part of the Final Site Plan submission for the first Phase of the Project. The Road Improvement Agreement shall be signed by the Applicant, and, if different, the then current owner of the Property, WCRC and the Township, and other necessary WCRC permits and approvals shall be obtained prior to issuance of any permits for construction at the Property.

AYES: Rena Basch; Claudia Sedmak, John Allison, Della DiPietro, Michael Moran,
Randy Perry, Ken Kohrs

NAYES: NONE

ABSTAIN: NONE

RESOLUTION DECLARED ADOPTED.

Michael Moran
Township Supervisor

I certify that the foregoing is a true and complete copy of a resolution adopted by the Ann Arbor Charter Township Board, County of Washtenaw, State of Michigan, at a regular meeting held on June 20, 2016, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Rena Basch, Township Clerk

Dated: _____

Rezoning Effective _____
(7 days after publication)

EXHIBIT A TO TOWNSHIP BOARD RESOLUTION

LEGAL DESCRIPTION OF PROPERTY

DESCRIPTION OF A 31.66 ACRE PARCEL OF LAND LOCATED IN THE SE ¼ OF SECTION 25 AND THE NE ¼ OF SECTION 36, T2S, R6E, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN

Commencing at the South 1/4 corner of Section 25, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N00°49'40"E 261.81 feet along the North-South 1/4 line of said Section 25 for a PLACE OF BEGINNING; thence continuing along said North-South 1/4 line N00°49'40"E 33.05 feet; thence along the centerline of Geddes Road (86 feet wide) the following three courses: S85°55'54"E 339.78 feet, 240.60 feet along the arc of a 1912.15 foot radius circular curve to the right, having a chord bearing S82°19'37"E 240.44 feet, and S78°43'20"E 15.05 feet; thence S08°05'25"W 200.00 feet; thence S78°34'30"E 330.01 feet; thence N67°35'50"E 113.83 feet; thence S57°20'15"E 79.55 feet; thence S68°31'35"E 262.84 feet; thence S50°16'30"E 810.14 feet; thence S07°40'00"E 155.70 feet; thence S82°20'37"W 840.78 feet; thence N86°42'00"W 623.60 feet to Intermediate Traverse Point No. 1; thence N86°42'00"W 145 feet, more or less, to the water's edge of the Huron River; thence Northwesterly along said water's edge 59 feet, more or less, to a point which measures S01°06'40"W 26 feet, more or less, from Intermediate Traverse Point No. 2, said Traverse Point No. 2 being N78°10'34"W 207.23 feet from Intermediate Traverse Point No. 1; thence N01°06'40"E 159.43 feet; thence N01°02'18"W 144.11 feet; thence S89°10'33"W 108.85 feet; thence the following two courses along the Easterly Right-of-Way of Dixboro Road (Variable Width): 744.58 feet along the arc of a 6501.68 foot radius circular curve to the right, having a chord bearing N07°28'52"W 744.17 feet, and N44°04'19"E 58.84 feet; thence N85°55'54"W 125.71 feet to the Place of Beginning, being a part of the Southeast 1/4 of said Section 25, T2S, R6E, and a part of the Northeast 1/4 of Section 36, T2S, R6E, containing 31.66 acres of land more or less, being subject to the rights of the public over the Northerly 33.00 feet thereof as occupied by Geddes Road, also being subject to easements and restrictions of record, if any.

NEW PARCEL ID: I-09-36-100-016

EXHIBIT B TO TOWNSHIP BOARD RESOLUTION

(see attached Planning Commission Resolution)

**PLANNING COMMISSION
CHARTER TOWNSHIP OF ANN ARBOR
WASHTENAW COUNTY, MICHIGAN
RESOLUTION OF FINDINGS AND
RECOMMENDATION OF APPROVAL OF AMENDED
PUD REZONING PETITION, AND AMENDED AREA PLAN,
ALL SEASONS OF ANN ARBOR
(FORMERLY TRADITIONS AND FORMERLY VERDURA)**

June 6, 2016

SP 07-15 (PUD)

Resolution adopted at a regular meeting of the Planning Commission of the Charter Township of Ann Arbor, (“Planning Commission”) Washtenaw County, Michigan, held at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, on June 6, 2016.

PRESENT: David Gidley, Kris Olsson, Lee Gorman, Diane O’Connel, Peter Kotila, Karen Mendelson

ABSENT: John Allison

Motion by Commissioner: Olsson; supported by Commissioner: Gorman.

RECITALS

A. 4540 LLC, a Michigan limited liability company (“Owner”) is the Owner of 31.66 acres of land located at the Southeast corner of the intersection of Geddes Road and Dixboro Road in Ann Arbor Charter Township (“Township”) being Parcel ID No. I 09-36-100-016 (“Property”) and described on attached Exhibit A.

B. Owner has authorized Beztak Land Company, a Michigan corporation (“Applicant”) to file a petition with the Township for amendment to the PUD Zoning and Area Plan of the Property approved by the Township Board on May 19, 2008 (“Traditions”) and amended December 21, 2009 (Verdura) (“PUD Zoning”) pursuant to Section 74-542 of the Township Zoning Code (“Amended Petition”), and amendments to the Area Plan and related permits and approvals.

C. Applicant filed an Amended Petition and Amended Area Plan (SP-07-15 PUD) on or about January 11, 2016 and subsequently revised with last revision dated May 16, 2016 and received by the Township on May 17, 2016 (“Project”).

D. The Planning Commission held a public hearing on the Amended Petition and Amended Area Plan on April 4, 2016.

E. The Planning Commission reviewed the proposed last revised Amended Area Plan consisting of 29 sheets dated May 16, 2016 and received by the Township on May 17, 2016 (“Amended Area Plan”).

F. The Planning Commission reviewed the reports on the Amended Petition, and the Amended Area Plan from its consultants and others including:

- Township Planner’s Reports including the last revision dated May 25, 2016.
- Township Engineer’s Reports including the last revision dated June 2, 2016.
- Washtenaw County Road Commission (“WCRC”) letters dated March 3, 2016 and June 2, 2016 approving the entrance drives and traffic impact assessment.
- Washtenaw County Water Resources Commissioner’s (“WCWRC”) conceptual approval report dated March 3, 2016.
- Letter from Washtenaw County Parks and Recreation Commission (“County Parks”) dated March 11, 2016 and letter to County Parks from Applicant dated May 18, 2016.
- Fleming Creek Advisory Council letter dated February 8, 2016.

H. The Township has adopted a 2015 Master Plan, amended Site Plan Review Ordinance and a new Stormwater Management Ordinance since the prior PUD Rezoning, and the Amended Petition and Amended Area Plan have been reviewed under the 2015 Master Plan, amended Site Plan Review Ordinance, new Stormwater Ordinance, and other Township ordinances as amended.

RESOLUTION

Now, therefore, it is resolved:

Based on the foregoing recitals, which are incorporated by reference, the Amended Petition, Amended Area Plan, and other submissions by Applicant, the comments of the public, reports and recommendation of the Township consultants and others, and information and recommendations pertaining to the Amended Petition and Amended Area Plan gathered by the Township, the Planning Commission adopts the following findings, recommendations and conditions:

A. FINDINGS AND STANDARDS FOR PUD ELIGIBILITY

1. Master Plan.

1.1 Standard. The proposed development shall conform to the adopted Master Plan or any part thereof, or represents land use policy that, in the Planning Commission’s opinion, is a logical and acceptable change in the adopted Master Plan. 74-542(d)(3)a

1.2 Findings. The Planning Commission adopts the analysis of the Township Planning Consultant related to the Master Plan as set forth in her May 25, 2016 report including the following:

“The master plan identifies this site as planned for Senior Housing. This parcel is located in “sub-area E” of the 2015 master plan, which states the following on page 46: “...the parcels at the southeast corner of the intersection [Geddes and Dixboro] may be suitable for senior housing developed as a planned unit development with a density of up to 9 dwelling units per acre under certain circumstances, including reduced traffic impact, substantial environmental mitigation, significant limitations on impervious surfaces to help protect existing groundwater recharge areas, wetland and watersheds, and other protections of natural features.”

The Planning Commission also adopts the analysis of the traffic patterns, traffic impact study, building height, location/size of detention basin, tree preservation and Prairie Fen, minimizing impervious surfaces, and related conditions and finds that the Applicant must as part of the Phase 1 Final Site Plan approval provide the following:

- (a) Information on signal timing at the Geddes/Dixboro intersection.
- (b) Approval of installation of left turn passing lane on Geddes Road after approval by the WCRC.
- (c) Heavy buffering to mitigate the impact of the 3 story building on the adjacent County Parks Parcel.
- (d) Investigate and where possible provide additional infiltration techniques to further reduce the size of the detention basin.
- (e) Investigate and where possible provide additional grade adjustments and retaining walls to further preserve landmark and other trees.
- (f) Investigate and where possible provide further reduction in impervious surfaces.

Subject to the foregoing, the Planning Commission finds that the Project meets this standard.

2. Conformity to Regulations and Standards

2.1 Standard. The proposed development shall conform to the intent and to all regulations and standards of the PUD district and of the Zoning Code. 74-542(d)(3)b

2.2 Findings. Based on the Amended Petition and Amended Area Plan information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission adopts the findings of the Township Planning Consultant set forth in her May 25, 2016 report including the following:

2.2.1 The dimensional requirements of the ordinance and as proposed for the Project are summarized as follows:

	Required:	Provided:
Lot Area	20 acres	31.66 acres
Lot Frontage	NA	Approx. 735 feet
Lot Depth	NA	Approx. 1,110 feet minimum
Density	Up to 9 units per acre	9 units per acre
Ground Floor Coverage (GFC)	20%	15.25%
Floor Area Ratio (FAR)	0.35	0.26

	Required:	Provided:
Setbacks		
Dixboro Frontage	50 feet	50 feet
Geddes Frontage	50 feet	50 feet
PUD Perimeter/ Greenbelt	20 feet	20 feet minimum
Unit Setbacks:		
Front	35 feet	More than 35 feet along Dixboro and Geddes Roads.
Side	10 feet minimum between buildings	10 feet minimum for the ranch buildings; main buildings are attached or are more than 10 feet apart.
Rear	35 feet	More than 35 feet
Building Height	None, but any exceeding 2.5 stories or 35 feet must be approved at a specific height as part of the PUD approval	3 stories/ 36 feet midpoint / 42 feet ridgeline

2.2.2 The Planning Commission recommends approval by the Township Board of the maximum building height of 36 feet (42 feet at ridge) for the 3 story building near Parker Mill Park.

2.2.3 The Applicant proposes 287 parking spaces as follows:

	Required	Proposed
Dwellings – Senior Citizen Units (One (1) space per two (2) dwelling units And One (1) space per employee)	Independent Living Multi-family = 103 spaces (156 units x 0.5 + 25)	Main building: 110 spaces
Nursing homes (One (1) space per four (4) beds And One (1) space per two (2) employees)	Assisted Living Multi-Family = 18 (50 units x 0.25) + (10 employees x 0.5)	Main building: 41 spaces
	Memory Care = 12 (30 beds x 0.25) + (9 employees x 0.5)	19 spaces
Dwellings – Two family and Multiple-Family (Two (2) spaces for each dwelling unit)	Ranches – Independent Living = 88 spaces (44 units x 2)	96 spaces* (64 garage; 32 street spaces in front of units) And 18 guest spaces
Dwellings – Single Family (Two (2) spaces per unit)	2	3
Total	223	287

The Planning Consultant recommends the following as to parking:

“a. We commend the applicant for working to reduce the number of parking spaces. We would agree with the configuration and number of guest parking spaces.

“b. We consider dedicated parking spaces in front the ranch-style units unnecessary. We believe this creates excessive pavement, even with permeable pavement. Driveways spaces will accommodate loading/unloading, and the parking clusters will be sufficient, in our opinion, for visitors.”

“c. The Project Information document states that the final count of unit types may vary to meet market demand, but will not exceed 280 units. The Applicant should describe the extent of anticipated change that could be expected given market demands. We wouldn’t expect this to be an issue for parking if the changes were only internal to the main building, but could be an issue if the number of cottages increased dramatically or the footprint of the main building were to increase.”

As a condition of the PUD approval, and as part of Final Site Plan approval for each Phase, the Applicant shall provide the following related to possible reduction in parking spaces and anticipated parking changes if the Unit mix changes: Consideration of reduced parking with each Phase at the time of Final Site Plan submission.

2.2.4 The site is arranged with a cluster of two- and three-story buildings in the center of the site, connected by a single-story clubhouse/commons building housing the dining room, offices, and other resident facilities. A single-story memory care building is located to the east of this building, and the single-story ranch units are located adjacent to the loop road at the boundary of the development with a maximum height of the 3 story building as 36 feet (42 feet at the ridge) subject to Township Board approval of the maximum height.

2.2.5 Subject to compliance with the Conditions set forth in the Resolution below, including specific height variance approval, the Project meets this standard.

3. Service by Public Facilities

3.1 Standard. The proposed development shall be adequately served by public facilities and services such as: highways, streets, police and fire protection, drainage courses including storm water facilities, water and sanitary sewer facilities, refuse disposal, or that the persons or agencies responsible for the proposed development shall be able to provide in a manner acceptable to the Township Board, any such facilities and services. 74-542(d)(3)c

3.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

3.2.1 The Project will be served by municipal sanitary sewer and water. A series of storm sewers and a detention basin are proposed to manage stormwater. The Applicant also intends to use two infiltration basins and pervious pavement along the edge of part of the roadway system. The Planning Commission finds that as part of the Final Site Plan submission for any Phase, the Applicant must investigate and where possible, provide increased infiltration techniques to further minimize the size of the basin. Township Engineer indicates that the proposed development will have a stormwater impact surface of greater than 20% of the site. In the stormwater calculations, the Applicant's engineer has calculated the special mitigation volume required by the Township "20% Rule" as conservatively as possible and has demonstrated satisfactorily that this volume will be infiltrated on site via pervious pavement and infiltration basins. The Planning Commission finds that the Project design and implementation must comply with Consultant's reports to ensure proper use of these services and facilities.

3.2.2 The Township Planning Consultant has provided a June 2, 2016 analysis of the EMS Call Estimate based on information provided by the Applicant. Based on this analysis, the Planning Commission finds that if any portion of the Property becomes exempt from real estate and personal property taxes and assessments for any reason, the Owner shall enter into a fire services agreement with the Township in a form reasonably acceptable to the Township.

3.2.3 Subject to compliance with the foregoing and other Conditions set forth in this Resolution, the Planning Commission finds that the Project meets this standard.

4. **Unified System of Common Open Space**

4.1 Standard. The common open space, any other common properties, individual properties, and all other elements of the PUD 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 the surrounding land. 75-542(d)(3)d

4.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant and the Township Consultant Reports and other information, the Planning Commission finds:

4.2.1 The Project includes two landscaped open areas, a small park, preserved natural areas around the perimeter, and a pathway system that connects to the trail in Parker Mill County Park and sidewalks along Dixboro Road. The Project will also be benefitted by a significant area placed within a Conservation Easement for protection of open space areas and other natural features and woodlands.

4.2.2 The Planning Commission finds that, prior to final site plan approval for any Phase, the Applicant must investigate and where possible, provide additional grading/retaining walls to assist in preservation of trees, obtain a Township Tree Removal Permit, and provide the exact description and terms of the Conservation Easement to be granted to the Township.

4.2.3 Subject to compliance with the foregoing and the Conditions set forth below, the Planning Commission finds that the type of open space is appropriate for a Project of this nature, and the Project meets this standard.

5. **Perpetual Maintenance of Common Open Space**

5.1 Standard. The applicant shall have made provision, satisfactory to the Board, to assure that those areas shown on the plan for use by the public or by occupants of the development will be or have been irrevocably committed for that purpose. Provision, satisfactory to the Board, shall have been made to provide for the financing of

any improvements shown on the plan for open space areas, and common use areas which are to be included within the development, and that maintenance of such improvements is assured by a means satisfactory to the Board. 74-542(d)(3)e

5.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

5.2.1 The PUD agreement shall include a requirement that prior to any construction at the Project, the Applicant and, if different, the then current owner of the Property shall provide a mechanism for perpetual maintenance and repair of the common open areas, including the private drives, parking areas, natural areas, landscape areas both on-site and off-site, wetland areas, stormwater areas and conservation areas in the event the Applicant and, if different, the then current owner of the Property fails to do so, including a storm water system maintenance agreement and/or establishing a special assessment district for such purpose, and authorizing the Township to undertake maintenance and repair.

5.2.2 Prior to any construction at the Project, the Applicant and, if different, the then current owner of the Property shall grant a conservation easement to the Township pertaining to the portions of the Project designated as Conservation Areas as described in the Conditions and shown on a clarifying revision to an update of the Amended Area Plan to be submitted to the Township.

5.2.3 In a letter dated May 18, 2016, the Applicant has agreed to install certain improvements, and install and maintain for 3 years replacement trees on the County Parks property and other matters set forth on Exhibit B, including dense plantings and a berm in the 20 foot wide buffer on the Property adjacent to the County Parks parcel ("County Parks Improvements"). Prior to Township Board action on the PUD Amendment, the Applicant shall provide evidence that County Parks has approved in concept the County Park Improvements, with easements and agreements to be submitted as part of the Final Site Plan application for the first Phase of the Project. As part of development of the first Phase of the Project, all of the County Parks Improvements shall be installed as provided in recorded easements and an agreement in a form acceptable to the Township providing for installation and maintenance of all County Parks Improvements as set forth in the Conditions.

5.2.4 The Applicant has represented that the Project will initially be under one ownership, with Applicant as the owner. The Applicant has indicated that as part of the phased development of the Project, one or more phases may be divided pursuant to a land division, and owned by a related entity for purposes of financing, and that the entire Project shall always remain under the management of one company, initially Applicant. As a condition of PUD approval, as part of any land division of the Property, the Applicant must provide the following in a form satisfactory to the Township:

- (a) A private road maintenance agreement for perpetual maintenance of all portions of private drives and entrances serving the Project.

- (b) A recorded declaration or other recorded document providing for perpetual access to and maintenance of the common areas of the Project for the benefit of all residents, visitors and applicable governmental authorities with management by one company in accordance with the PUD approval.
- (c) Easements for access to, use and maintenance of utilities and storm drainage for all phases of the Project.
- (d) Divisions may only be along Phase lines.

As stated in the Township Engineer's report, in the event of a land division, the private drive would be considered a private road subject to the standards of the Township Private Road Ordinance. Based on the recommendation of the Township Engineer and Township Planner and pursuant to Sections 74-542(b)(8)(c) and (d) of the Township Code, the Planning Commission recommends to the Township Board approval of the following two variances from the Class A private road standards as part of its review and approval of this PUD.

- (a) Right-of-way width less than 66 feet.
- (b) Horizontal curve radii less than 230 feet.

5.2.5 Subject to compliance with the foregoing and other Conditions of this Resolution, the Planning Commission finds that the Project meets this standard.

6. **Traffic and Layout**

6.1 **Standard.** The location of the proposed uses, layout of the site, and its relation to streets giving access to it, shall be such that traffic to, from, and within the site and assembly of persons in connection therewith, will not be hazardous or inconvenient to the project or the neighborhood. In applying this standard the Commission shall consider, among other things, convenient routes for pedestrian traffic, particularly of children, relationship of the proposed project to main thoroughfares and street intersections, and the general character and intensity of the existing and potential development of the neighborhood. 74-542(d)(3)f

6.2 **Findings.** Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

6.2.1 The Washtenaw County Road Commission ("WCRC") has approved the proposed driveway locations for this Project and Applicant's traffic impact study and Applicant has agreed to work with WCRC on timing of the traffic signal at Geddes and Dixboro.

6.2.2 Within the Project, the Applicant provides an internal sidewalk and pedestrian pathway system, but has failed to connect all areas. As part of the first Phase Final Site Plan submission, the Applicant shall provide a complete system of pedestrian circulation.

6.2.3 The Project is intended to use shared access at Geddes Road with County Parks.

6.2.4 Prior to any construction or grading at the Project, the Applicant shall provide easements and an agreement for access and improvements with County Parks and a financial guaranty for completion of such work as described in Section 5 above and the Conditions.

6.2.5 Subject to compliance with the foregoing and other Conditions set forth below including conditions for review and approval of easements for shared access, the Planning Commission finds that this standard is met.

7. Housing Types

7.1 Standard. 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. 74-542(d)(3)g

7.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

7.2.1 The Project will include a range of dwelling unit types for older residents and includes amenities for the use of residents only. The age range of residents will be 55 years of age or older in accordance with the Federal Fair Housing guidelines.

7.2.2 The Applicant has provided a chart setting forth the minimum and maximum unit mix as set forth in Section 12.7 below. The Applicant must comply with the conditions in Section 12.7 if any changes in the Unit mix results in a change to the approved Area Plan.

7.2.3 The Applicant has provided the Township with proposed building elevations, drawings and architectural renderings and has represented that the Project will be constructed in a manner substantially consistent with the quality, design and architectural detail shown in such building elevations, drawings and architectural renderings.

7.2.4 The existing farmhouse at the Project shall be used and maintained for either (a) one single family residence consistent with applicable laws and ordinances, or (b) an administrative office area for the Project as long as the square footage of office space requires no more than 3 parking spaces. The

farmhouse façade and related grounds shall be maintained by the Project Owner in substantially the same condition as currently existing including the building façade, and [in accordance with U.S. Secretary of the Interior standards related to homes on the National Historic Register.] If the farmhouse shall cease to be occupied for the purposes described above for more than 365 consecutive days, the Applicant and, if different, the Owner shall notify the County Sheriff and Township, secure the farmhouse in accordance with applicable laws and regulations, and continue to maintain the façade and exterior grounds in substantially the same condition as currently existing and in accordance with U.S. Secretary of the Interior standards related to homes on the National Historic Register. The farmhouse shall be connected to public water and sanitary sewer system serving the Project as part of the Phase I Site Improvements. The Applicant shall conduct further study and suggest modifications to the landscaping and parking adjacent to the farmhouse to minimize disturbance of the grounds and the area surrounding the farmhouse for consideration by the Planning Commission as part of the Phase 1 Final Site Plan review.

7.2.5 Subject to compliance with the foregoing Conditions of this Resolution, the Planning Commission finds that the Project meets this standard.

8. Nuisances

8.1 Standard. Where applicable, the Commission shall determine that noise, odor, light, or other external effects from any source whatsoever, which is connected with the proposed use, will not adversely affect adjacent and neighboring lands and uses. 74-542(a)(3)h

8.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

8.2.1 The Project is not likely to create a nuisance in the form of noise, odor, light, or other external effects after initial construction, based on the character of Project residents and services to be provided.

8.2.2 The Applicant shall submit a lighting plan as part of the final site plan demonstrating minimal external effects of lighting.

8.2.3 Subject to compliance with the foregoing and the Conditions of this Resolution, including submission of a satisfactory lighting plan as part of the final site plan for Phase 1 of the Project, the Project meets this standard.

9. Natural Features

9.1 Standard. The proposed development shall create a minimum disturbance to natural features and land forms. 74-542(d)(3)h

9.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

9.2.1 The Project design causes no disturbance to existing wetlands or wetland buffers. The utility lines have been adjusted so that there are no wetland buffers being impacted on the County Park property.

9.2.2 A Natural Features Analysis was conducted that identifies various tree groves and three forest patches across the site. The tree survey identified 1,025 trees on site, 111 of them being Landmark Trees. While the assessments of the forest patches and tree groves identify invasive shrub species, the tree canopy does not reflect invasives. The Planning Commission finds that the trees on site are a significant asset.

Of the total tree count (1,025), the plans propose to remove 345 trees that are 6" DBH or greater. Of these trees, 22 are Landmark Trees, and 186 Protected Trees (8" DBH or greater). Total DBH removal of protected trees (including Landmark) equals, 2,448 DBH inches. This represents 12 more trees (and 88 DBH inches) than the previous submission. As part of the Final Site Plan submission for each Phase, Applicant will provide more detail on loss or preservation of trees.

The Applicant has applied for a Tree/Woodland Removal Permit, and has stated that it will continue to try and preserve more trees as the grading is refined. The Planning Commission finds that reducing the number of trees removed would be beneficial to the development, and help it fit into the neighborhood.

In any event, some protected trees will be removed due to this Project. A tree replacement plan has been provided (Sheet 23). Based on the proposed number of trees to be removed, the ordinance requires that $826, 2.0''$ caliper deciduous trees be planted on site $(2,448 \text{ DBH} \times 140\%) \times 0.5 = 1,713$ caliper inches of replacement trees. Sheet 24 shows calculations that meet this requirement on site. The Applicant is proposing to plant 20 of the replacement trees on the adjacent County Park property. An alternative is also suggested that conducts invasive species removal, maintenance and seeding. The Planning Commission finds that additional details regarding invasive species removal should be provided as part of the first Phase Final Site Plan review and Tree/Woodland Permit submission.

9.2.3 There are five wetlands on site (either wholly or partially), and identified as Wetland A, B, C, D and E. None will be impacted by the Project, and all will remain in the preserved portion of the development, or on County Park's property.

9.2.4 In addition, the Natural Feature Analysis identified a Prairie Fen off site, which is connected to Wetlands B and E to the south. Sheet 17 identifies a 2.65-acre area of the Project that currently drains to these wetlands. The

Applicant's response memo states that the Prairie Fen is fed by groundwater seeps, and will not be impacted by the Project.

9.2.5 Fleming Creek traverses Parker Mill County Park. Installation of the water main, sanitary sewer main, and stormwater basin discharge pipe will impact the floodplain on this site and County Parks property. This area must be restored with like vegetation based on input from County Parks as part of the Final Site Plan for the first Phase of the Project.

9.2.6 The Fleming Creek Advisory Committee provided comments regarding the proposed development calling for additional infiltration, buffering of the County Parks Trail system with vegetation, native plantings around the detention basin, and ecological restoration activities (removal of invasive plants, burning, etc.) in existing wooded areas. The Planning Commission finds that these recommendations shall be addressed as part of the Final Site Plan for the first Phase of the Project.

9.2.7 Subject to compliance with the foregoing and other Conditions of this Resolution, the Planning Commission finds that the Project meets this standard.

10. Streets

10.1 Standard. 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. 74-542(d)(3)i

10.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

10.2.1 The main vehicular access is off of Dixboro Road with a dedicated entrance lane from the south, and dedicated exit lane to the north. An entrance diagram on Sheet 25 shows that the access to Dixboro Road is directly opposite the intersection of Dixboro and Old Dixboro Road. The Geddes Road vehicular entrance allows both left and right turns into and out of the development. This access will be shared with the parking lot for Parker Mill County Park, and is shown on both the Project's site, and the County Park's property. As part of the Final Site Plan submission for the first Phase of the Project, Applicant must provide approval from WCRC of the left turn lane on Geddes Road.

10.2.2 Subject to compliance with the foregoing and the Conditions of this Resolution, the Project meets this standard.

11. Pedestrian Circulation

11.1 Standard. Major pedestrian circulation shall be provided for within the site, and shall interconnect all residential areas, community areas, and commercial and other services where applicable. The pedestrian system shall provide a logical extension of pedestrian ways from outside the site and shall provide pedestrian connections to the edges of the site, where appropriate.

11.2 Findings. Based on the Amended Petition and Amended Area Plan, information submitted by the Applicant, the Township Consultant Reports and other information, the Planning Commission finds:

11.2.1 Sidewalks and pathways are proposed as part of the Project. These pedestrian amenities are designed to take advantage of the proposed common open areas and existing natural features while allowing for full access to every individual unit or building. The Area Plan includes a reference to a proposed AATA bus stop along Dixboro Road. The applicant met with AATA, who stated a bus shelter in this location was not warranted. However, a bench/pad would be. Therefore, the Applicant will include a bench/pad in its Final Site Plan for the first Phase of the Project, subject to AATA and WCRC approval.

The Applicant must address the following Planning Consultant comments as part of the final site plan submission for the first phase of the Project:

(a) The intersection where the internal drive and access boulevard meet is 45-feet wide at this location. This configuration does not direct traffic properly, and could be confusing. The Applicant must install stop/yield signs at this intersection to better control traffic. These signs should be added to the site plan.

(b) Parking is located at the end of the circular drive (near the intersection), forcing an entering car to wait in the intersection if a parked car were exiting the last space. One of the spaces has been eliminated at this location to provide room for a car to wait for exiting cars.

11.2.2 Subject to compliance with the foregoing and the Conditions of this Resolution, the Planning Commission finds that the Project meets this standard.

B. RECOMMENDATIONS AND CONDITIONS Based on the Applicant's submissions, the review by the Planning Commission of the reports, information and materials related to the Amended Petition, Amended Area Plan and the Findings, the Planning Commission recommends that the Township Board approve the Amended Petition, including the Amended Area Plan, subject to the Conditions set forth in this Resolution and Section 12 below ("Conditions").

12. Conditions. The Planning Commission recommends that the Township Board impose the following Conditions on its approval of the Amended Petition and Amended Area Plan:

12.1 Findings. All conditions and requirements set forth in Findings which are incorporated by reference.

12.2 PUD Agreement. In order for the Amended PUD Rezoning to be effective, the Township, the Owner and the Applicant shall enter into an amendment to the existing PUD Agreement as amended and restated, that requires the Applicant and Owner to adhere to all of the Conditions (“Amended PUD Agreement”) and supersedes the existing PUD Agreement as amended and restated.

12.3 Conceptual Approval. The approval of the Amended Area Plan is in concept only with the details of the Project to be provided in (i) the final site plan to be approved by the Planning Commission, (ii) plans and permits to be issued for construction of utilities and private drives including water mains, sanitary sewer mains, storm water management systems, and related easements and dedications, (iii) the Conservation Easement granted pertaining to the Project to be approved by the Township Board, (iv) the agreement pertaining to maintenance and preservation of the Common Areas of the Project, and the County Parks Agreement, all to be approved by the Township Board, (v) Soil Erosion and Sedimentation Control Permits, and (vi) all other permits and approvals from the Township and applicable governmental authorities including MDEQ, WCRC and WCWRC.

12.4 Consultant’s Reports. The Amended Area Plan and Amended Petition must comply with the requirements of all Township Consultant’s reports including those set forth in Recital H above.

12.5 Senior Housing. The Property shall be developed as a continuing care retirement community providing a variety of residential dwelling units for persons 55 years of age and older including independent living duplexes, independent living apartments, assisted living apartment, and memory care units. There shall be limitations on the ages of residents consistent with the Federal Fair Housing Act to ensure that the Project residents are primarily persons 55 years of age and older. The Applicant shall provide the Township with the proposed restrictions for review and approval as part of the Final Site Plan submission for the first Phase of the Project.

12.6 Phasing. The Project shall be completed in no more than 5 phases as shown on the phasing schedule depicted on Sheet 22 of the Amended Area Plan and described as follows:

Phase	Description	Construction Time	Schedule
I	156 independent living units in main building, and the clubhouse. Site improvements would include most of the perimeter road system, parking, utilities, landscaped open spaces, stormwater system, and exterior trails.	18 mo.	Spring 2017 to Fall 2018

Phase	Description	Construction Time	Schedule
II	23 ranch units toward Dixboro Road, perimeter road	15 mo.	Summer – Fall, 2018
III	Remaining 21 ranch units along internal perimeter road	12 mo.	Fall 2019 to fall 2020
IV	50 assisted living units in two-story multi-family building	15 mo.	Summer 2020 to Fall 2021
V	30 memory care units in single-story building	12 mo.	Spring 2022 to Spring 2023

12.6.1 Any change in ownership or land division as a result of development of a phase must comply with Section A.5. above.

12.6.2 Prior to Township Board consideration of the PUD, Applicant shall provide an enlarged and more detailed Phase Plan showing the infrastructure, roads, drives, sewer, water, landscaping screen, storm drainage, detention basin, Conservation Easement areas, common areas, pedestrian amenities, retaining walls, farm house improvements and sewer/water connection, to be constructed and installed as part of each Phase. As part of the first Phase of the Project, such phase plan shall show, and Applicant shall install or provide (a) the entire loop road for the Project, or for the portion of the Project not to be constructed as part of the first Phase, Applicant must provide adequate fire truck turnaround, (b) looped water main and sanitary sewer main utilities for the Project, (c) the detention basins and storm water management system for the Project, (d) farm house improvements, and (e) Conservations Easements for the Project.

12.6.3 A phase shall not be dependent upon subsequent phases for safe and convenient vehicular and pedestrian access, adequate utility services, and open spaces and recreation facilities, and shall be capable of substantial occupancy, operation, and maintenance upon completion of construction and development of that phase.

12.6.4 Applicant acknowledges that the Township ordinances contain time limits on Final Site Plan approval for all phases of the Project, and such time limits are not consistent with the schedule provided by Applicant above. Timing of phasing shall be governed by Township ordinances and the Township does not grant any exception from the timing of Phases by this Resolution.

12.7 Unit Mix. The number of dwelling units in each building of the Project shall meet the following minimum and maximum numbers:

	Preliminary	Minimum to Maximum Range
Independent Living Cottages	44	40 – 50
Independent Living Apartments	156	150 – 160
Assisted Living Apartments	50	40 – 60
Memory Care Units	30	0 – 30
TOTALS	280	Maximum Total = 280

The number of total units in the Project shall not exceed 280 and each Unit type cannot exceed the maximum range described above. All Units shall be used only by residents of the Project consistent with Section 12.5 above. There will be no health care units or guest rooms. The Project façade shall be substantially the same as the building elevations, design and architectural renderings presented by the Applicant as part of the Amended Area Plan review.

If the Unit mix selected by Applicant requires changes to the building footprints shown on the Amended Area Plan, then the Applicant must process an amendment to the Area Plan prior to proceeding with Final Site Plan approval for the affected Phase, and shall address any required changes in parking and other Area Plan matters resulting from such change in Unit mix.

12.8 Conservation Easements. As part of the final site plan submission for the first Phase of the Project, the Applicant shall provide a proposed Conservation Easement for the conservation parcels shown on the Amended Area Plan. The Conservation Easement shall be a grant to the Township and shall provide for perpetual preservation of the Conservation Easement areas in a manner that ensures proper stewardship and preservation of the wetlands, natural features, seeps, steep slopes and other sensitive land forms and characteristics of the Project. The Planning Commission, Township attorney and Township Board must review, approve and accept the form of the Conservation Easement as part of the final site plan approval for the first Phase of the Project. The Conservation Easement shall be signed by the Applicant, and if different, the then current owner of the Property and the Township, and recorded by the Township Attorney prior to issuance of any permits for construction at the Property.

12.9 Common Area Maintenance. As part of the final site plan submission for the first Phase of the Project, the Applicant shall provide a proposed plan for maintenance, repair and replacement of the common areas, private drives, storm sewer system, landscape areas, sidewalks, wetlands, natural features, visual screens, walking trails, exterior lighting, common utilities, parking areas, and any other Site Improvements for the Project as defined in Section 74-176(e) of the Township Code, including the landscape screen described in Section 12.13 below and the County Parks Improvements described in Section 5.2.3 above (“Common Areas”), and including an enforcement mechanism for the Township. Such enforcement mechanism shall authorize the Township to enter the Property to inspect the Common Areas. If the Common Areas are in need of maintenance, repair or replacement the Township shall notify the Applicant or, if different, the then current owner of the Property, and the Applicant or the then current owner of the Property shall perform such work within a reasonable period of time. If such work is not properly performed by the Applicant or, if different, the then current

owner of the Property within the time required, the Township shall be authorized to perform such work and bill the Applicant or, if different, the then current owner of the Property for the cost incurred plus an administrative fee of 15%, plus interest on unpaid amounts after 30 days of 15%. If such invoice is not paid within 30 days, the amount invoiced shall be a lien on the land and may be collected by the Township in a collection suit or as delinquent taxes, and foreclosed upon in the same manner as delinquent taxes. In addition, the Applicant or, if different, the then current owner of the Property shall enter into a storm water system maintenance agreement with the Township and/or establish a special assessment district on the Property for purposes of maintenance, repair or replacement of the storm water system. The form of the foregoing Common Areas maintenance enforcement agreement and storm water system maintenance agreement must be reviewed, approved and accepted by the Township Board, Township Planning Commission, Township Attorney and Township Engineer as part of final site plan approval for Phase 1. Such agreements shall be signed by the Township, the Applicant and, if different, the then current owner of the Property prior to issuance of any permits for construction at the Project.

12.10 Common Ownership. The Project will be owned and operated by a single entity except as otherwise described in Section 5.2.4 above.

12.11 Storm Sewer Maintenance. As part of the final site plan submission, the Applicant shall prepare for review and approval by the Township Planning Commission and Board a storm sewer maintenance plan with enforcement provisions consistent with those described in Section 12.9 above.

12.12 No Construction Prior to Final Site Plan Approval. No construction, tree removal, grading, earth changes or other modifications to the Property shall occur prior to Final Site Plan approval for the first Phase of the Project, except for installation of a landscaping screen described in Section 12.13 below.

12.13 Landscaping Screen Installation. As part of the final site plan submission for Phase 1, Applicant shall provide the Planning Commission with a plan for installation of the proposed landscape screen between the County Parks parking area and the independent living building of the Project as shown on Sheet 23 of the Amended Area Plan ("Landscape Screen") including a time table for installation of landscaping during the next growing season ("Landscape Plan") or as part of the initial site preparation work, whichever is earlier, and an agreement from County Parks as described in Section 12.14 below for such work. Upon approval of the Final Site Plan and the Landscape Plan by the Planning Commission, the Applicant shall (i) apply for necessary permits from the Township and applicable governmental authorities including a Soil Erosion and Sedimentation Control Permit, (ii) provide an escrow deposit or letter of credit in favor of the Township to ensure timely installation of the Landscape Screen, and (iii) install the Landscape Screen in accordance with the Landscape Plan. Upon completion of installation of the Landscape Screen in accordance with the approved Landscape Plan and the County Parks Agreement, and establishment of a Common Areas maintenance plan and enforcement mechanism as described in Section 12.9 above and Section 12.14 below, the escrow deposit or letter of credit shall be released except for such portion as

necessary to ensure replacement of those portions of the Landscape Screen that fail to survive for a three (3) year period.

12.14 County Parks Agreement.

12.14.1 At the time of submission of the Landscape Plan described in Section 12.13 above, the Applicant shall provide an agreement from County Parks authorizing installation and maintenance of the Landscape Screen in a form acceptable to the Planning Commission and approval by the Township Board, Township Attorney and Township Engineer.

12.14.2 At the time of final site plan submission, Applicant shall provide an agreement from County Parks for all other County Parks Improvements as described in Section 5 above ("County Agreement"). The Applicant shall provide an escrow deposit or letter of credit in favor of the Township to ensure timely installation of the County Park's Improvements as described in Section 12.13 and 12.9 above. The form of the County Agreement shall be reviewed and approved by the Township Board, Township Planning Commission, Township Engineer and Township Attorney as part of Final Site Plan approval for the first Phase of the Project.

12.15 Private Drives. The Project shall be served by private drives which shall be constructed in accordance with final design standards approved by the Township as part of the Final Site Plan and in accordance with Section 5 above. The private drives shall be maintained in a manner consistent with the drives' approved design, construction and applicable permits. The private drives shall be open to and useable by emergency vehicles at all times.

12.16 Lighting; Relocation of Above Ground Utilities. The location and type of exterior lighting shall be determined as part of the final site plan approval. Such lighting shall be designed to minimize adverse effects on adjacent properties. Lighting shall be non-intrusive to neighboring residences and the adjacent County Park and kept to the minimum necessary for safe operation as determined by the Township Planning Commission. The following applies to relocation of above ground utilities at the Property:

The DTE Lines are located along the Huron River in an area containing numerous wetlands, steep slopes and other natural features. Relocating the DTE Lines may have significant adverse effects on the natural features in the area. The DTE Lines are outside of the developed area of the Property in an area that is lower than the developed area. This limits the visibility of the DTE Lines. The DTE Lines are some of the highest voltage lines in the Township, and the cost of relocating the lines underground is at least three times as much as the cost of relocating typical overhead electric lines. Based on the foregoing unique characteristics of the DTE Lines, the Planning Commission recommends to the Township Board that the Applicant not be required to relocate the DTE Lines underground.

12.17 Permits. The Applicant and, if different, the then current owner of the Property shall obtain all building, grading, soil erosion control, MDEQ and other permits and approvals required by Township Ordinances and by other applicable governmental authorities prior to commencement of any construction, grading, landscaping, tree removal or other changes to the Property.

12.18 Financial Guaranty. The Project, including Common Areas, shall be constructed and maintained by the Applicant and, if different, the then current owner of the Property or their successors and assigns in a manner consistent with the original design. At the time of final site plan approval and prior to issuance of any permits for construction at the Property, Applicant shall provide a financial guaranty to assure completion of construction of the Common Areas in accordance with the original design as required by Section 74-542(m) and Section 74-178 of the Township Code. The guaranty shall be in an amount and in a form approved by the Township Engineer in consultation with the Township Zoning Official. Any letter of credit must provide for automatic renewal.

12.19 Fire Department Requirements. The Applicant shall comply with all Fire Department requirements including those listed in the Township Engineer's Memorandum dated June 2, 2016.

12.20 Height. Building height shall not exceed the height set forth in Section 2.2.2 as approved by the Township Board.

12.21 Preservation of Natural Features. In addition to the current final site plan standards, Applicant acknowledges and agrees that as natural features preservation has not been fully addressed in the PUD Area Plan, final site plan review will include a review of the natural features in accordance with the Township Site Plan Review Ordinance.

12.22 Tree Removal Permit: Applicant must obtain a tree removal permit consistent with this Resolution as part of the Final Site Plan for Phase 1.

12.23 Resident Services Uses. Resident services that are of a personal or retail service nature ("Resident Services Uses") shall be for the exclusive use of residents and their guests and shall be ancillary to the residential nature of the Project with no outside advertising of such services.

12.24 Traffic. Normal business hours for Project employees and staff shall be established in a manner so as to minimize traffic congestion during peak traffic times, to the extent reasonably feasible given the needs of residents at the Project. At the time of final site plan submission for the first Phase of the Project, Applicant shall provide information on hours of employees and staff providing services at the Project.

12.25 Emergency Services; Taxation. As part of the final site plan submission for the first Phase of the Project, the Applicant shall provide a detailed plan for serving

the emergency needs of the Project residents including fire, police and emergency services. As part of the PUD Agreement, Applicant acknowledges and agrees that if any portion of the Property becomes exempt from real estate or personal property taxes and assessments, then Applicant shall enter into a Fire Services Agreement with the Township in a form reasonably acceptable to the Township.

12.26 Farmhouse. Use of the existing farmhouse on the Property shall be for either one single family residence in accordance with applicable laws and ordinances, or as an ancillary administrative office for the management of the Project. The Project Owner shall be responsible for maintenance of the farmhouse in accordance with applicable laws and ordinances and shall maintain the façade of the farmhouse and surrounding grounds, in substantially the same condition as currently existing, and in accordance with U.S. Secretary of the Interior standards related to homes listed on the National Historic Register. If the farmhouse shall cease to be occupied for single family residential purposes or administrative office as described above for more than 365 consecutive days the Applicant and, if different, the Owner shall notify the County Sheriff and Township, secure the farmhouse in accordance with applicable laws and regulations, and continue to maintain the façade and exterior grounds in substantially the same condition as currently existing and in accordance with U.S. Secretary of the Interior standards related to homes on the National Historic Register. The farmhouse shall be connected to public water and sanitary sewer system serving the Project as part of the Phase I Site Improvements. The Applicant shall conduct further study and suggest modifications to the landscaping and parking adjacent to the farmhouse to minimize disturbance of the grounds and the area surrounding the farmhouse for consideration by the Planning Commission as part of the Final Site Plan review for the first Phase of the Project.

12.27 Time Limit for Construction; Rezoning. The Applicant and Owner acknowledge the requirements of Zoning Code Section 74-542(i)(j) and (k) as amended pertaining to expiration of plan approvals, dates for submission of site plans, extensions, and authorization of the Township to revoke the right to develop under the PUD and Area Plan and to initiate a zoning amendment to return the Property to its original zoning if such time limits are not met. As part of the Amended PUD Agreement, Applicant and Owner shall agree that they will not object to the exercise by the Township of the rights set forth in Zoning Code Section 74-542(i)(j) or (k). Owner and Applicant shall acknowledge and agree in the Amended PUD Agreement that the Property must be restored to the condition existing at the time the Amended PUD Agreement is signed if the Project does not proceed as required by the approved Amended Area Plan and Amended Petition. The terms and conditions of the Amended PUD Agreement and Amended Petition shall run with the land described on Exhibit A and shall be binding on the parties and their respective transferees, successors and assigns unless otherwise revoked and terminated in accordance with the provisions of this section 12.28. Upon the sale, transfer or conveyance of the Property by Owner to Applicant or other transferee (“Transferee”), and the written and recorded assignment by Owner of Owner’s rights and obligations under the Amended PUD Agreement and Amended Petition to Transferee and assumption by Transferee of Owner’s duties, liabilities and obligations under the Amended PUD Agreement and Amended Petition in a form satisfactory to Township,

Owner shall be relieved of liability or obligation under the Amended PUD Agreement and Amended Petition arising from and after the date of such transfer, assignment and assumption.

RESOLUTION DECLARED ADOPTED.

E X H I B I T

Diane O'Connell, Chair
Ann Arbor Charter Township Planning
Commission

I certify that the foregoing is a true and complete copy of a resolution adopted by the Ann Arbor Charter Township Planning Commission, County of Washtenaw, State of Michigan, at a regular meeting held on June 6, 2016, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Lee Gorman, Secretary
Ann Arbor Charter Township Planning
Commissioner

Dated: _____

EXHIBIT A TO PLANNING COMMISSION RESOLUTION

LEGAL DESCRIPTION OF PROPERTY

DESCRIPTION OF A 31.66 ACRE PARCEL OF LAND LOCATED IN THE SE ¼ OF SECTION 25 AND THE NE ¼ OF SECTION 36, T2S, R6E, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN

Commencing at the South 1/4 corner of Section 25, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N00°49'40"E 261.81 feet along the North-South 1/4 line of said Section 25 for a PLACE OF BEGINNING; thence continuing along said North-South 1/4 line N00°49'40"E 33.05 feet; thence along the centerline of Geddes Road (86 feet wide) the following three courses: S85°55'54"E 339.78 feet, 240.60 feet along the arc of a 1912.15 foot radius circular curve to the right, having a chord bearing S82°19'37"E 240.44 feet, and S78°43'20"E 15.05 feet; thence S08°05'25"W 200.00 feet; thence S78°34'30"E 330.01 feet; thence N67°35'50"E 113.83 feet; thence S57°20'15"E 79.55 feet; thence S68°31'35"E 262.84 feet; thence S50°16'30"E 810.14 feet; thence S07°40'00"E 155.70 feet; thence S82°20'37"W 840.78 feet; thence N86°42'00"W 623.60 feet to Intermediate Traverse Point No. 1; thence N86°42'00"W 145 feet, more or less, to the water's edge of the Huron River; thence Northwesterly along said water's edge 59 feet, more or less, to a point which measures S01°06'40"W 26 feet, more or less, from Intermediate Traverse Point No. 2, said Traverse Point No. 2 being N78°10'34"W 207.23 feet from Intermediate Traverse Point No. 1; thence N01°06'40"E 159.43 feet; thence N01°02'18"W 144.11 feet; thence S89°10'33"W 108.85 feet; thence the following two courses along the Easterly Right-of-Way of Dixboro Road (Variable Width): 744.58 feet along the arc of a 6501.68 foot radius circular curve to the right, having a chord bearing N07°28'52"W 744.17 feet, and N44°04'19"E 58.84 feet; thence N85°55'54"W 125.71 feet to the Place of Beginning, being a part of the Southeast 1/4 of said Section 25, T2S, R6E, and a part of the Northeast 1/4 of Section 36, T2S, R6E, containing 31.66 acres of land more or less, being subject to the rights of the public over the Northerly 33.00 feet thereof as occupied by Geddes Road, also being subject to easements and restrictions of record, if any.

NEW PARCEL ID: I-09-36-100-016

EXHIBIT B TO PLANNING COMMISSION RESOLUTION

(see attached)



Beztak Properties / Beztak Land Company

31731 Northwestern Highway, Suite 250W, Farmington Hills, MI 48334

05-18-16

Mr. Jeff Dehring, Washtenaw County Parks & Recreation Commission
(Via email)

Re: Proposed Agreement Points between All Seasons of Ann Arbor and the Washtenaw County Parks & Recreation Commission for work on the Parker Mill Park Property

Dear Mr. Dehring,

As part of our proposed All Seasons of Ann Arbor senior housing development, we are required to install a shared entrance for All Seasons and Parker Mill Park, install utility connections and outlets in Parker Mill Park property, and provide a walk connection to the Park pathway. During our meetings with you and Mr. Vaughn, we have discussed many issues related to the required work and possible mitigation measures. The following is a list of the proposed work and mitigation measures we all have agreed to in general terms. Please review the list and attached plans for completeness and present it to the Commissioners for their input and general approval.

1. Install the shared driveway within the existing easement
2. Install a new paved, curbed Parker Mill entrance drive from the shared driveway to the existing parking lot.
3. Relocate the existing gate to the new driveway location (or replace it in kind).
4. Regrade the area of the original entrance and install topsoil and seed/mulch.
5. Replace in kind any existing parking spaces lost due to the new Park entrance.
6. Incorporate appropriate erosion and sediment control measures in Geddes Road ditch.
7. Install edge treatments along new edges of the parking lot, similar to existing treatments.
8. Remove the existing Park sign and a portion of the existing fence.
9. Contribute the "in kind" replacement cost for the sign and Fence (up to \$5000).
10. Connect a new sanitary sewer to the manhole in the parking lot and extend it into the All Seasons site, and if feasible due to existing manhole materials/construction method, lower the rim of the existing manhole and adjust the parking/driveway configuration in that area.
11. Install dense plantings in the 20' wide buffer between our site and the Park's parking lot, and include berms where grades allow. The plantings will be primarily evergreens.

12. Install a private walk connection to the Park Pathway system. The exact location of the connection can be adjusted (if needed) upon recommendation of Park staff. Appropriate "private property" signage will be provided at the shared property line.
13. Install a storm water outlet into the park, in the location of the existing easement. Its final outlet point and drainage route can be adjusted (if needed) upon recommendation of Park staff.
14. Install a sanitary sewer connection to an existing manhole in the park, in the location of the existing easement, and extend the sewer into the All Seasons site.
15. Install a water main connection in the park, in the location of the existing easement. Its final connection point and pipe route can be adjusted (if needed) upon recommendation of Park staff.
16. Install 20 trees from the All Seasons Tree removal mitigation on Park Property at a location to be determined by Park staff. The locations of the 20 trees must be reasonably accessible from the pathway or parking lot.
17. Perform invasive species removal in those park areas between the path and the common property line.
18. In all cases and for all items, repair/restore areas damaged by the work described above.

The final agreement terms, exact location and layout of work items, construction details and easement descriptions shall be identified during the detailed engineering of the All Seasons project, and all of it shall be subject to the approval of the Washtenaw County Parks & Recreation Commission.

Thank you for your consideration of our project. If you have any questions regarding our plans, feel free to contact me. I am also available to meet with you or your staff to answer questions or work out any details.

Sincerely,



Mark Highlen – Land Development Project Manager
All Seasons of Ann Arbor (The Beztak Companies)
248-737-6175 (direct), 248-506-9398 (mobile), mhighlen@beztak.com (email)

Attachments: Invasive Species Removal Plan, All Seasons Utility Plan, Parking Lot Improvement Sketch

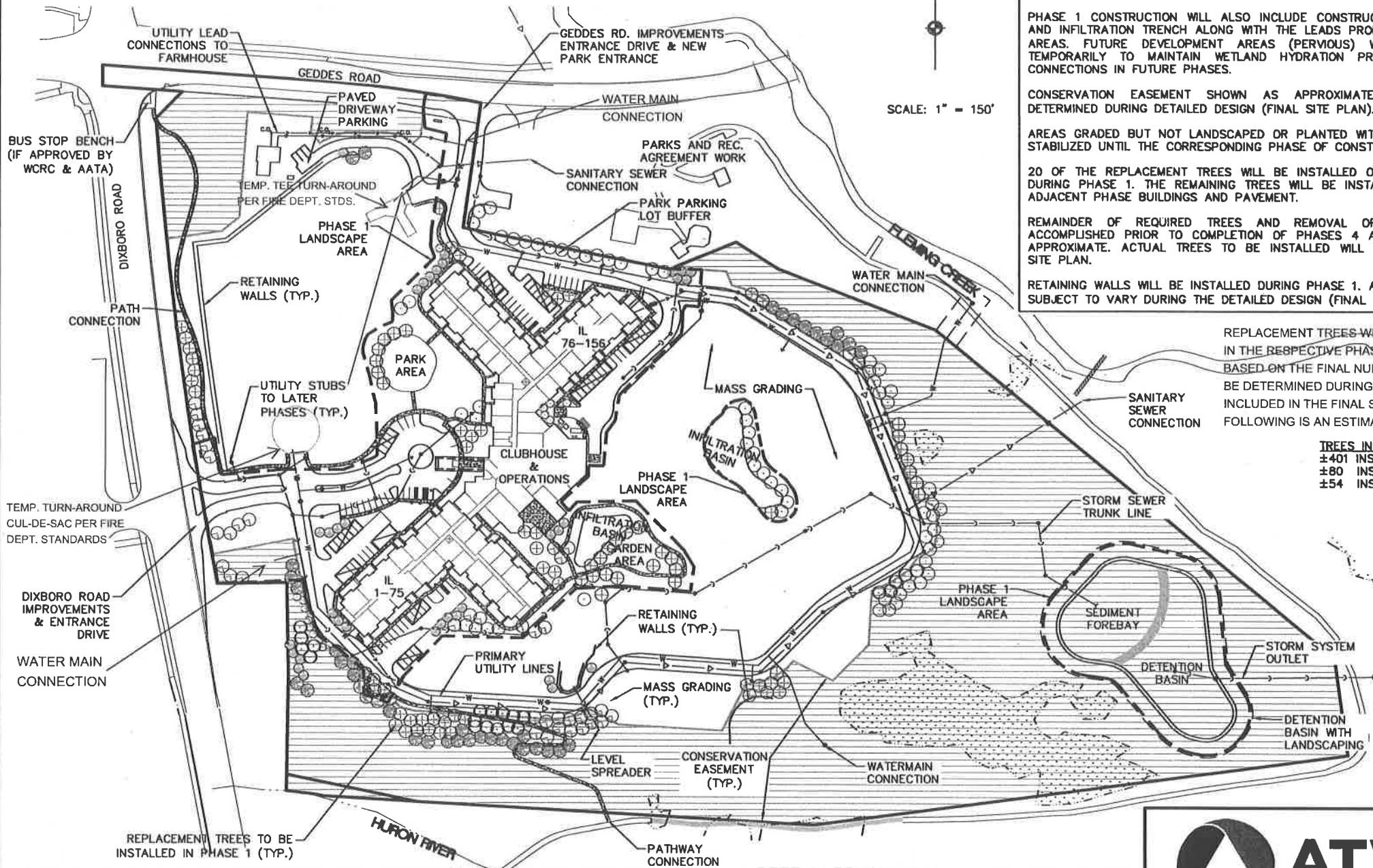
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EXHIBIT C TO TOWNSHIP BOARD RESOLUTION

Updated Phase I Plan and Overall Phase Plan

(see attached)

K:\1400787 - BEZTAK (ALL SEASONS)\DWG\WORKSHEETS\1400787 PHASING PLAN_DWG 6/15/2016 2:46 PM JAC.VN LEVANGIE



PHASING NARRATIVE:
PHASE 1 CONSTRUCTION CONSISTS OF DEVELOPMENT OF ALL AREAS SHOWN INCLUDING ROAD RIGHT-OF-WAY IMPROVEMENTS, MASS GRADING FOR FUTURE PHASES, OFFSITE WATER MAIN AND SANITARY SEWER CONNECTIONS, RETAINING WALLS, DETENTION BASIN INFLOW AND OUTFLOW SYSTEMS AND UTILITY LEAD STUBS FROM WATER AND SEWER MAINS WITHIN RING ROAD.

PHASE 1 CONSTRUCTION WILL ALSO INCLUDE CONSTRUCTION OF THE LEVEL SPREADER AND INFILTRATION TRENCH ALONG WITH THE LEADS PROPOSED TO DISCHARGE TO THESE AREAS. FUTURE DEVELOPMENT AREAS (PERVIOUS) WILL DRAIN TO THESE LEADS TEMPORARILY TO MAINTAIN WETLAND HYDRATION PRIOR TO BUILDING ROOF LEAD CONNECTIONS IN FUTURE PHASES.

CONSERVATION EASEMENT SHOWN AS APPROXIMATE. EXACT BOUNDARY TO BE DETERMINED DURING DETAILED DESIGN (FINAL SITE PLAN).

AREAS GRADED BUT NOT LANDSCAPED OR PLANTED WITH REPLACEMENT TREES WILL BE STABILIZED UNTIL THE CORRESPONDING PHASE OF CONSTRUCTION BEGINS.

20 OF THE REPLACEMENT TREES WILL BE INSTALLED ON PARKER MILLPARK PROPERTY DURING PHASE 1. THE REMAINING TREES WILL BE INSTALLED IN CONJUNCTION WITH THE ADJACENT PHASE BUILDINGS AND PAVEMENT.

REMAINDER OF REQUIRED TREES AND REMOVAL OF INVASIVE SPECIES WILL BE ACCOMPLISHED PRIOR TO COMPLETION OF PHASES 4 AND 5. NUMBER OF TREES ARE APPROXIMATE. ACTUAL TREES TO BE INSTALLED WILL BE DETERMINED DURING FINAL SITE PLAN.

RETAINING WALLS WILL BE INSTALLED DURING PHASE 1. ACTUAL LOCATIONS OF THE WALL SUBJECT TO VARY DURING THE DETAILED DESIGN (FINAL SITE PLAN).

REPLACEMENT TREES WILL GENERALLY BE INSTALLED IN THE RESPECTIVE PHASE. THE COUNTS MAY VARY BASED ON THE FINAL NUMBER OF TREES REMOVED, TO BE DETERMINED DURING DETAILED ENGINEERING AND INCLUDED IN THE FINAL SITE PLAN SUBMITTAL. THE FOLLOWING IS AN ESTIMATE FOR THE FIRST 3 PHASES:

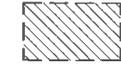
TREES INSTALLED NARRATIVE:
±401 INSTALLED PHASE 1
±80 INSTALLED PHASE 2
±54 INSTALLED PHASE 3

THIS PLAN REPRESENTS THE ITEMS INTENDED FOR INSTALLATION WITH PHASE 1. ALL ITEMS INSTALLED WITH PHASE 1, AND WITH ALL OTHER PHASES, SHALL CONFORM TO THE SPECIFICATIONS IDENTIFIED ON THE PRELIMINARY SITE PLAN, FINAL SITE PLAN AND/OR APPROVED CONSTRUCTION PLANS

BEZTAK PROPERTIES DATE: JUNE 15TH, 2016
ALL SEASONS OF ANN ARBOR
DEVELOPMENT PHASING PLAN - PHASE 1

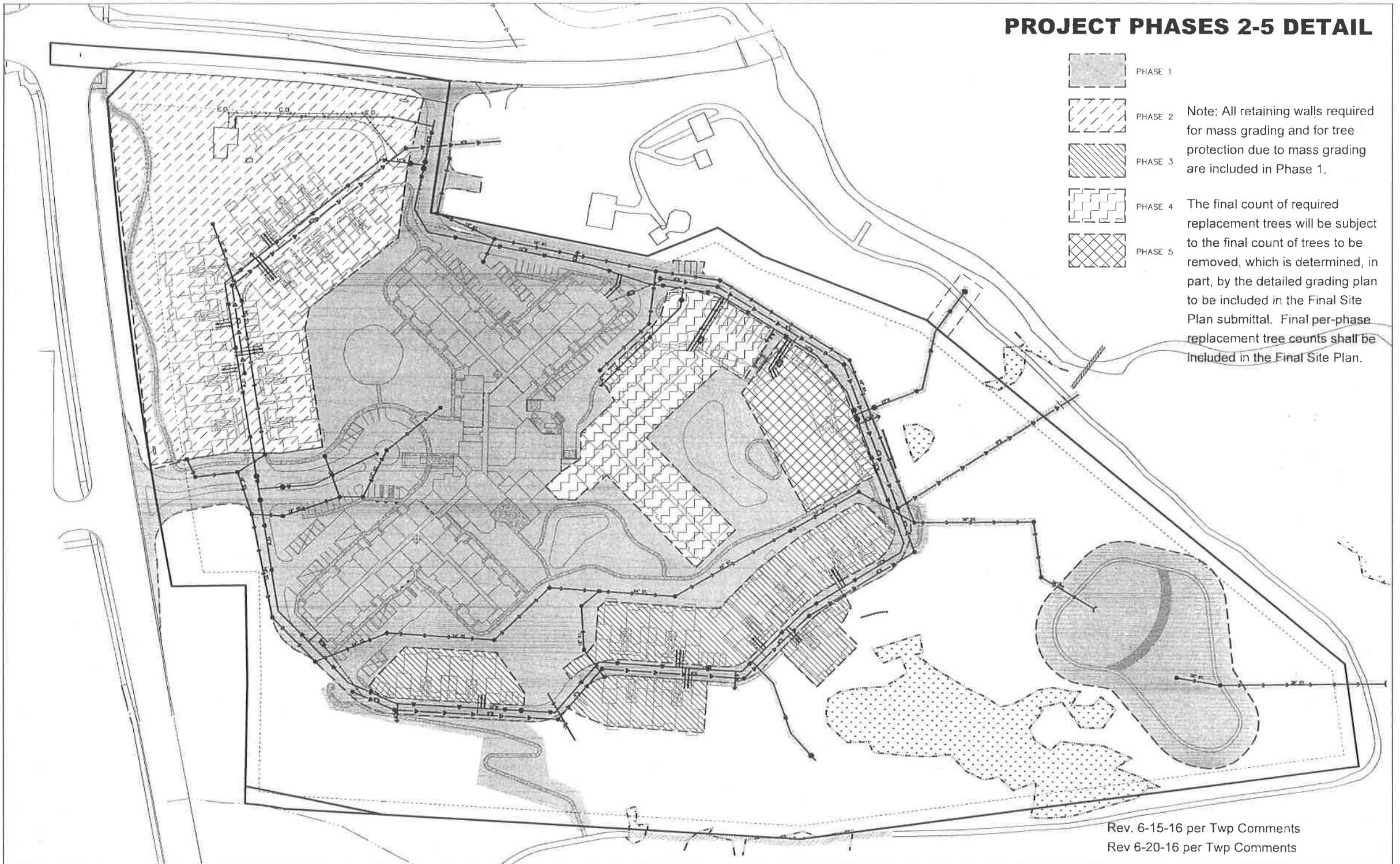
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PROJECT PHASES 2-5 DETAIL

-  PHASE 1
-  PHASE 2
-  PHASE 3
-  PHASE 4
-  PHASE 5

Note: All retaining walls required for mass grading and for tree protection due to mass grading are included in Phase 1.

The final count of required replacement trees will be subject to the final count of trees to be removed, which is determined, in part, by the detailed grading plan to be included in the Final Site Plan submittal. Final per-phase replacement tree counts shall be included in the Final Site Plan.



Rev. 6-15-16 per Twp Comments
Rev 6-20-16 per Twp Comments

11401871