

1. Call to Order - THE MEETING WAS CALLED TO ORDER BY CHAIRMAN LARRY FOX AT 7:00 PM

2. Pledge of Allegiance

3. Roll Call

PRESENT: Joe Colaianne, Thomas Murphy, Larry Fox, Sue Grissim, Michael Mitchell, Keith Voight

ABSENT: Jeff Newsom

4. Approval of Meeting Agenda

Motion to Approve Agenda

A Motion to approve the Meeting Agenda was made by Commissioner Colaianne and seconded by Commissioner Mitchell. Motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell, Voight
ABSENT:	Newsom

5. Approval of Meeting Minutes

a. Planning Commission - Special Meeting - Aug 27, 2018 7:00 PM

A Motion to approve the Meeting Minutes of August 27, 2018, was made by Commissioner Grissim and seconded by Commissioner Voight.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Sue Grissim, Commissioner
SECONDER:	Keith Voight, Secretary
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell, Voight
ABSENT:	Newsom

6. Call to Public

None

7. Old and New Business

a. Use Determination - Kubota-Bobcat Dealership

Director Langer gave an overview of the item stating essentially the Township is the Applicant as this is a determination of a proposed use not otherwise included in a district. This use determination would not just apply to one site; it would apply to any site in that zoning district, but the site that spawned the discussion is the former LaFontaine Used Car Dealership at 9990 Highland Road.

The charge of the Planning Commission is to determine whether the proposed use is compatible with the other uses permitted in the General Commercial (GC) zoning district based on a number of factors. If compatibility is established, the Planning Commission must determine whether the use shall be permitted as a principal permitted use or a special land use, either one of which could be approved with conditions. If the Planning Commission determines that the proposed use can be approved as a special

land use, then that use can only be approved after a public hearing is held consistent with the Michigan Zoning Enabling Act.

The Planning Commission may also find that the proposed use cannot be permitted in the General Commercial (GC) district, but in so doing, shall make a finding of which of the Township's zoning district(s) the use can be permitted in based on a finding of compatibility with the other uses permitted in that district consistent with the criteria outlined in Section 3.6.

The Director outlined some options:

- General Retail Sales Operation but that would mean everything must be displayed inside.
- Automobile Sales which would require a Special Use Permit.
- Leasing of recreational landscaping or moving equipment which would also require a Special Use Permit.

Director Langer stated staff looked at the Automobile Sales and looked at the type of vehicles proposed to be sold thinking that might be the safest approach and has recommended that use category with a Special Use Permit.

Ryan Wurtzel with Carleton Equipment Company introduced himself as the owner of the proposed Kubota-Bobcat Dealership. Mr. Wurtzel stated the following:

- Theirs is a family business.
- They have five locations in the state.
- Agrees with the recommendation as the use is similar to Automotive Sales.
- Theirs is a stable business, would like to be in it for the long-haul.
- They like to be in good communities and be good neighbors.

Chair Fox asked about the other locations and how they operate. Mr. Wurtzel stated two of them have more land area but for this location, it will be more of a satellite location.

Chair Fox reminded the Planning Commission this is not a site plan review but a determination of use. Pictures of the existing businesses were shared in order to aid in the determination of use. The Director identified some items in the photos that would not be allowed such as equipment displayed on an unpaved surface, tires, non-equipment items stored outside, and such items as augers and tractor accessories displayed separately outside on the site; they would need to be displayed indoors in an enclosed building.

Commissioner Colaianne asked if it is a rental store. Mr. Wurtzel stated it is not. He continued the Jackson store is more representative of what they intend to have in Hartland Township.

Chair Fox explained the determination of use is very important when a use is not defined in the ordinance and there is so little documentation to review for what could be there. In looking at the other sites and the photos, he stated it is not automobile or commercial to him. Some of the sites displayed many items that would not be allowed on this site.

Commissioner Colaianne generally explained the commercial outdoor storage portion of the ordinance. The Planning Commission briefly discussed some local businesses and their outdoor storage uses.

Chair Fox commented some of the items stored outside at the other locations are quite large.

Commissioner Colaianne asked if they intend to display the larger excavators. Mr. Wurtzel indicated they will display more compact pieces of equipment at the Hartland location; nothing bigger than a skid-steer, utility vehicle and lawn mower type items.

Commissioner Mitchell stated he was under the impression there would be only smaller items displayed, not an excavator or bulldozer. Mr. Wurtzel stated they intend to have only the smaller items and intend it to be a nice display.

Chair Fox stated he is trying to figure out the use; he is seeing more of an Industrial look rather than GC. Mr. Wurtzel asked if pictures of the Jackson store might be helpful since that is the intended standard for the Hartland store. Chair Fox stated this site is in the area of other commercial stores like Kroger and Target; there are more Industrial locations just around the corner. He also stated he looked on Google Maps at some of the other store sites and noted they seem to be very industrial in rural areas and not in commercial districts with lots of space around them or in a commercial/industrial park, not a GC area. Mr. Wurtzel responded the Kubota component is a rather new addition to their product line and more residential in nature. They will now have equipment geared toward maintaining larger residential properties of two acres or more and need a location that would give them greater access to residential buyers. The display has been big for his company in Jackson; the presentation is everything, it is what sells the customer who is trying to maintain his property or who wants to buy a skid-steer.

Commissioner Murphy stated the items Mr. Wurtzel is describing are comparable in size to automobiles; a gentleman's tractor for doing the smaller lots, no excavators, no power lifts nothing tall. Mr. Wurtzel concurred; they are the small skid-steers, mini utility vehicles or RTVs, and a wide array of lawnmowers. The implements that go on the skid-steers or tractors are typically displayed with the item.

Chair Fox asked where the inventory would be stored. Mr. Wurtzel stated they would have to be stored inside. They do not keep a great deal of inventory which is why it is good to have larger stores in the area too.

Chair Fox asked about the service part of the business. Mr. Wurtzel stated they will not do tires at the Hartland location but they will do oil and lubricant changes. Most of the new Bobcat and Kubota products come pre-assembled and do not require a great deal of space for inventory preparations. Many Bobcat customers ask for on-site service in the field; they have trucks they can send out to do those kinds of service calls.

Commissioner Murphy asked if the asphalt topcoat on the parking lot will be sufficient for their use. Mr. Wurtzel stated everything at this location would be less than 10,000 pounds and on rubber tires or tracks, so yes, it will be sufficient.

The Planning Commission viewed the Google Map street view of the Jackson store.

The Planning Commission mentioned several of the prohibited activities and uses at the site.

- Parking on the grass. Parking is allowed on paved surfaces only.
- Fencing. Certain types of fencing not allowed.
- Items in the process of being repaired outside on the site. No outdoor storage of machinery being repaired is allowed.

Commissioner Murphy asked about the maximum horsepower for their equipment. Mr. Wurtzel replied they have some that are upward of 70 horsepower, those would be a little taller than a Bobcat but the length is about the same. The market at this location is not for big agriculture products.

Commissioner Mitchell stated if he saw a Kubota dealership, like the one in Jackson, with equipment parked in the front, as was done with the used car dealership, it would not bother him at all. Chair Fox stated the Saginaw store does not look like the Jackson store. Commissioner Mitchell expressed concern about how the use could be approved but still prevent the use from becoming something like the Saginaw store. Chair Fox stated this is a determination, if the Planning Commission determines the sale of this type of equipment is allowed in the GC zoning district, Saginaw is permitted. The special use is an option to help keep it under control, but what is at the Jackson store is not what is being approved; it is the use, the sale of this type of equipment in GC.

Chair Fox stated the Jackson store is very nice and if that could be guaranteed, that would be one thing, but if they leave and John Deere comes in with a different look, what controls are in place to ensure it remains a nice looking store. Chair Fox stated he does not have an issue with the equipment lined up as shown, it is all of the other items that seem very industrial, and he cannot imagine those parked next to the Imagine Theatre. This part is fine; it is the oil changes, the creep outside of the pavement, and certain materials in the parking lot that could be an issue.

The Planning Commission briefly discussed the option of having the use added as a special use.

Director Langer explained care should be taken for the following reasons:

- Not drafting a new ordinance.
- Deciding if it is the same use as retail sales.
- There is no ability to add language at this stage.
- Staff recommended the use be considered the same as Automobile Sales that has specific standards already in place (not a complete list):
 - All outdoor sales on paved area.
 - Standards in place for the parking area and driveway.
 - Vehicle service would have to occur inside the structure - no evidence of service outside of the building.
 - Regulations for broadcasting devices.

Director Langer also stated if the Planning Commission decides it is not a General Commercial use, it could decide the Industrial district would be appropriate as it listed the following standard: Recreational vehicles and sales permitted by Special Use, with a reference back to the previous section discussed. The Planning Commission must decide which use category is the most similar to the proposed use.

Chair Fox mentioned there is no rear yard on this site, it could not be utilized the way other stores use them. He has grave concerns about the business plan aligning with the Hartland Township Zoning Ordinance. The display of tractors is fine; it is the other occurrences on other store properties that could be a problem. He continued stating we want the business to come to Hartland; he just wants to be sure it is located in the right place.

Commissioner Voight stated he thinks it should be a Special Use under Automotive Sales, since most seem to think that would be appropriate, which would allow the restriction of some of the activities. It would have to be a Special Use.

Commissioner Colaianne concurred.

Chair Fox asked Mr. Wurtzel if he is comfortable with the restrictions in the GC Zoning District. Mr. Wurtzel stated he is and he understands this dealership will have to look different than others.

Commissioner Murphy stated it is different for us. The largest vehicle one might see in a standard automotive sales lot is a Suburban or Crew Cab Pickup Truck. With tractors it is different; should the size or horsepower be limited in some way?

Director Langer reminded the Planning Commission they were not at a legislative function at this stage; ordinance language or conditions cannot be added. Those items would be addressed at the Public Hearing for the Special Use Permit.

The Planning Commission briefly discussed the process and options.

Chair Fox stated the Planning Commission is making a determination, not just for this business, but for any future business of this type, that it would be appropriate in the General Commercial Zoning District.

The Planning Commission briefly discussed the surrounding location and future development possibilities.

Commissioner Colaianne explained the reason for the extent of this discussion is because this use is not listed in the ordinance, and due to the Open Meetings Act, they cannot discuss it beforehand so all of the discussion must happen in a public meeting.

Director Langer stated the Planning Commission is charged with determining if this use is similar to one of the uses already listed in the General Commercial standards, such as Automobile Sales and Repair. He is concerned about discussion of a legislative function inserting a use into the GC standards that is not listed. There is a specific procedure in order to amend the ordinance. He would encourage the Planning Commission to point to something in the existing ordinance and state this use is similar to that one. Legislative functions follow a different procedure, which can be done, but that is not what is being done at this time.

Commissioner Voight offered the following Motion:

Move to determine the Kubota-Bobcat Dealership deemed similar to Automobile Sales and will qualify under the Automobile Sales portion of the Special Land Uses in the General Commercial District.

Seconded by Commissioner Mitchell. Motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Keith Voight, Secretary
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell, Voight
ABSENT:	Newsom

b. Future Land Use Map Amendment - 2015 Comp. Plan - Initiate Multiple Family

Director Langer gave an overview of the history and nature of this proposal. In light of recent requests, a Planning Commission subcommittee, consisting of the Planning Commission Chair and the Planning Director, met and identified four areas on the Future Land Use Map currently depicted in a multi-family land use category to be considered for a proposed amendment.

- Area #1 -South of Clyde Road, East of US-23. Recommendation - Estate Residential
- Area #2 - Along Hartland Road, South of Dunham Road (not the Woodcliff Development). Recommendation - Medium Suburban Density Residential
- Area #3 - North of M-59, near Arena Drive. Recommendation - Commercial (properties along Arena Drive) and Low Suburban Density Residential or Medium Suburban Density Residential
- Area #4 - South of M-59, East of Pleasant Valley Road. Recommendation - Lot Suburban Density Residential

The Director stated the first step would be for the Planning Commission to initiate a Future Land Use Amendment.

The Planning Commission discussed their options and reviewed the map areas.

The Planning Commission decided to wait until the Retail Market Analysis is finished to initiate any changes to the Future Land Use Map. **No action was taken.**

RESULT:	DEFERRED
----------------	-----------------

c. 2019 Planning Commission Schedule

The Planning Commission discussed the calendar and chose to adjust the dates in November and December of the first meetings to November 7, 2019 and December 5, 2019.

Commissioner Colaianne offered a Motion to approve the 2019 Planning Commission Calendar as amended. Seconded by Commissioner Mitchell. Motion carried unanimously.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell, Voight
ABSENT:	Newsom

8. Call to Public

A member of the public asked about the meeting calendar(s). The Planning Commission gave an overview of the process.

A member of the public asked for a definition of the GC Zoning District.

A member of the public asked about the different roles of the Planning Commission and staff and the general process.

9. Planner's Report

Director Langer reported the following:

- Emagine Theatre has slightly amended their signage request but still meets the requirement of the Amended PD.
- Attended a Brown Bag Lunch regarding the Right to Farm Act and recent decisions that could impact the application of local zoning. In spite of the changes, no concerns are anticipated at this time.
- Ordinance Review Committee is examining the Industrial and Light Industrial Architectural Standards.
- Reviewing potential amendments to the Fee Schedule. Some fees related to land use projects may be revised in the near future.

10. Committee Reports

Chair Fox mentioned Emagine Theater has scheduled their opening for December 15, 2018. They will be the first theater in Michigan with heated seats.

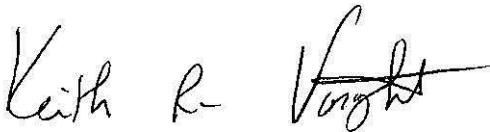
11. Adjournment

Motion to Adjourn

A Motion to adjourn was made by Commissioner Colaianne and seconded by Commissioner Murphy. Motion carried unanimously. The meeting was adjourned at approximately 8:25 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Thomas Murphy, Commissioner
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell, Voight
ABSENT:	Newsom

Submitted by,



Keith Voight
Planning Commission Secretary