

PLANNING COMMISSION

Hartland Township
2655 Clark Road
Hartland, MI 48353
(810) 632-7498
FAX (810) 632-6950
www.hartlandtwp.com



PLANNING COMMISSION AGENDA MARCH 26, 2009 7:00 p.m.

Chairperson
Larry Fox

Vice-Chairperson
Larry Hopkins

Secretary
Laura Killinger

Roger Crouse
Jeff Newsom
Alex Rataj
Keith Voight

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Recognition of Visitors
4. Approval of Meeting Agenda
5. Approval of Minutes
 - A. February 12, 2009 Regular Meeting
 - B. February 26, 2009 Joint Work Session with Township Board
6. Call to Public
7. Public Hearing
8. Old and New Business
 - A. Sign Permit Application #702
Applicant: David Pardun
Owner: Hartland Town Center/Michael Yurick
Proposed wall sign for "Kahuna Coffee" located at 1836 Old US 23 (Parcel ID#08-28-100-027).
 - B. Sign Permit Application #704
Applicant: Signs and Promos
Owner: Fountain Square/Lonny Morganroth
Proposed wall signs on the west & east building façades for "Karate" located at 9998 Highland Road (Parcel ID#08-28-100-036).
 - C. Site Plan Application #479C
Applicant: The Kroger Co. of Michigan
Owner: Walden & Associates/Jeff Thompson
Proposed amendment to Shops at Waldenwoods Planned Development to allow a fuel station/kiosk and other outdoor sales/display areas 10059 E. Highland Rd. (Parcel ID#08-21-300-026).
 - D. Land Division Application #798
Applicant: Hartland Township
Proposed land division to create 2 parcels for transfer to the Livingston County Drain Commission located at 10495 McCartney Lane (Parcel ID#08-21-200-017).
9. Call to Public
10. Planner's Report
11. Committee Reports
12. Adjournment

Agenda Last Updated: March 18, 2009
Next Meeting: April 9, 2009

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING
MARCH 26, 2009
7:00 P.M.

1. **CALL TO ORDER:** *Chairman Fox called the meeting to order at 7:00 p.m.*
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL AND RECOGNITION OF VISITORS:**
Present: Chairman Fox, Commissioner Hopkins, Commissioner Killinger, Commissioner Crouse, Commissioner Voight and Commissioner Rataj.
Absent: Commissioner Newsom.
Also Present: Mardy Stirling, Township Planning Director
Leslie Sauerbrey, Recording Secretary
4. **APPROVAL OF MEETING AGENDA:**
Move to approve the March 26, 2009 Planning Commission Meeting Agenda.
Motion Killinger. Second Rataj. Voice Vote. Motion Carried. 6-0-1.
5. **APPROVAL OF THE MINUTES:**
 - A. **February 12, 2009 Regular Meeting**
Move to approve the February 12, 2009 Planning Commission Meeting Minutes.
Motion Killinger. Second Rataj. Voice Vote. Motion Carried. 6-0-1.
 - B. **February 26, 2009 Joint Work Session with Township Board**
Move to approve the February 26, 2009 Planning Commission & Township Board Joint Work Session Meeting Minutes.
Motion Killinger. Second Hopkins. Voice Vote. Motion Carried. 6-0-1.
6. **CALL TO THE PUBLIC:** *No one came forward.*
7. **PUBLIC HEARING:** *No Public Hearings were held this evening.*
8. **OLD AND NEW BUSINESS:**
 - A. **SIGN PERMIT APPLICATION #702**
APPLICANT: DAVID PARDUN
OWNER: HARTLAND TOWN CENTER / MICHAEL YURICK
Proposed wall sign for "Kahuna Coffee" located at 1836 Old US 23 (Parcel ID #08-28-100-027).
Move to approve the request for sign permit #702, to permit the installation of the wall mounted sign for "Kahuna Coffee" located at 1836 S. Old US 23, Howell. Tax ID #08-28-100-027, including Exhibits A, B, C, & D.
Motion Rataj. Second Voight. Voice Vote. Motion Carried. 6-0-1.
 - B. **SIGN PERMIT APPLICATION #704**
APPLICANT: SIGNS & PROMOS
OWNER: FOUNTAIN SQUARE / LONNY MORGANROTH
Proposed wall signs on the east and west side of building façade for "Karate" located at 9998 Hartland Road (Parcel ID #08-28-100-036).
Move to approve the request for sign permit #704, to permit the installation of the two (2) wall mounted signs for "Karate" located at 9998 Highland Road, Hartland. Tax ID #09-28-100-036, including Exhibits A, B, C, D, E & F.
Motion Rataj. Second Crouse. Voice Vote. Motion Carried. 6-0-1.

C. SITE PLAN APPLICATION #479C

APPLICANT: THE KROGER CO. OF MICHIGAN

OWNER: WALDEN & ASSOCIATES / JEFF THOMPSON

Proposed amendment to "Shops at Waldenwoods" Planned Development to allow a fuel station/kiosk and other outdoor sales/display areas located at 10059 E. Hartland Road (Parcel ID #08-21-300-026).

Present: Damon Garrett, SSOE, Inc. (Senior Project Manager)

Ms. Stirling: The application would modify the Shops of Waldenwoods Planned Development Agreement to allow the installation of a fuel station/kiosk and other outdoor sales and display areas. The current tenant, Kroger, is bringing the proposal forth. The site plan is conceptual and has not been reviewed for Ordinance compliance. Prior to developing the required site plan documents; the applicant is seeking input to determine whether the Township is receptive to amending the PD to include the fueling station and/or the outdoor display and sales areas. The conceptual review is first undertaken by the PC and then by the Board. No formal action needs to be taken at this phase. The main areas for discussion are the fuel kiosk and its use for this site and the outdoor sales, storage and display areas.

Mr. Garrett: Summarized some of the items listed in their March 17, 2009 memo titled, "Proposed Kroger Fuel Station".

• **FUEL KIOSK**

Commissioner Rataj: This is a fueling station of convenience only for the Kroger customers. Does not support the addition of a fueling station within the development.

Commissioner Voight: Concerned with the TCF and CVS ingress and egress drive from M-59 and the internal east/west service drive that separates TCF and CVS from the main shopping center. These service drives were not built to handle tanker trucks delivering fuel, they are too narrow. In addition, the intersection of the two drives does not contain a large enough turning radius, contains too many blind spots for oncoming traffic and already gets confusing with the number of vehicles using it. Does not support intermingling customer vehicle traffic with truck traffic within the parking lot. A gas kiosk at the proposed location will push more of the traffic along the front of the shopping center where pedestrians are walking to their cars. Prefers Kroger's proposed location on the east side of the Township if a gas kiosk is needed. He finds it interesting that developers are typically fighting to get all of the parking that they can squeeze on a site and now they are saying it is okay to eliminate sixty-two (62) spaces.

Commissioner Crouse: The proposal presented makes the first two parking isles actually drives. The design is pushing traffic into the main pedestrian crossing across the front of the center and he does not feel that it is a good mix. A use like this needs to be isolated and therefore, does not support it. Prefers the new location on the east side of the Township.

Commissioner Hopkins: Agreed with the comments of the other Commissioners. He has access concerns, radius of the turning movements and clear vision issues with allowing this use and the trucks required to service the use. He has been watching the parking habits of people in this area of the parking lot and feels that customers of the tenants are using it often. Concerned with the proposal and it's elimination of parking spaces. The fueling station pushes customer vehicles to the front of the shopping center and therefore, in front of pedestrians walking from the stores to/from their vehicles. He does not feel the stacking space is adequate and questions the maneuverability of vehicles within the fueling center and believes it has the potential to negatively affect traffic flow within the entire site. The Township does not permit facilities without M-59 frontage to have signs on M-59 and therefore, believes if this moves forward that the requested signage will be an issue. Meijer was not permitted to put a fuel price sign on M-59.

Commissioner Killinger: This use at this location is too intense. It is reducing the landscaping, compromises pedestrian safety and believes it reduces the maneuverability for emergency vehicles within the site.

Ms. Stirling: Stated the Fire Marshal has concerns with accessibility within the fueling station and the rest of the shopping center. This will just add more congestion to the area that at times has it's own challenges due to traffic volumes and road design.

Chairman Fox: Supported the comments of the other Commissioners. The requirements of the proposed use needing the fueling truck and inadequate access are demonstrated in the fact that landscape islands need to be removed and replaced with painted outlines of landscape islands on the asphalt to accommodate the movements for a semi truck in a parking lot designed for customer vehicle traffic. Retail shopping centers are typically designed to have loading and unloading of semi-trucks in the rear of a shopping center or at least not intermingling with customer traffic. Fueling stations typically function better as an out lot or at least a design that segregates the use from other commercial uses and their associated customer traffic. He is surprised that a developer is willing to give up parking spaces that they insisted they needed in the past.

Ms. Stirling: Adding this use would create an additional amount of traffic that is spilling out into a main access point in the center. The rest of the shopping center is not developed, but when it develops there will be additional traffic exceeding the current volumes. A fuel center will only have detrimental affects to the rest of the shopping center.

• **OUTDOOR STORAGE & DISPLAY**

Commissioner Hopkins: This is prohibited in the other shopping centers within the Township. There are options available to accommodate a limited amount of outdoor sales by using the "Temporary Accessory Endeavor Permit" (TAEP). This situation has been dealt with in the past by use of the TEAP and should be done this way in the future for a limited area in front of the store. Concerned and does not support the proposed sale and storage area on the east side of the building because it is sixty (60) feet into the required eighty (80) foot setback. The Township is currently revising the TAEP and feels the revisions will help steam line the process.

Commissioner Crouse: Questioned how the area on the east side of the building would be used.

Mr. Garrett: The location may move forward. It could include the use of a tent to cover the goods that are for sale.

Commissioner Crouse: Felt using the TAEP process is important and feels that it should be limited to the area around the front door.

Chairman Fox: This type of use is not permitted in other developments unless it is in an approved garden center type structure that includes a four (4) foot high brick wall with black fencing. This option is not available since the building was originally position at the minimum distance from the road. Would support the use of the TAEP for a limited area around the front doors. He did not believe the entire area could be used for outdoor sales because Kroger currently uses a lot of that area for shopping cart storage.

It is a consensus of the Planning Commission that the applicant has completed the "Conceptual Phase" of the Planned Development process with the Planning Commission.

D. LAND DIVISION APPLICATION #798

APPLICANT / OWNER: HARTLAND TOWNSHIP

Proposed land division to create two (2) parcels for transfer to the Livingston County Drain Commission located at 10495 McCartney Lane (Parcel ID #08-21-200-017).

Move to approve the Land Division Application #798 for Hartland Township, in accordance with Ordinance #57, Parcel ID #08-21-200-017.

Motion Hopkins. Second Voight. Voice Vote. Motion Carried. 6-0-1.

9. **CALL TO THE PUBLIC:**

Katie Schlueter, 1575 Shoreline Drive: Asked if it was prudent to have a gas station so close to a municipal water source. Suggested the Township look at a 10-year capture zone around any municipal well. Hartland has had five gas stations and all five have had leaking on-site. Not all contamination is underground. Surface spills are a concern. The surface water from the proposed Kroger gas kiosk site flows to Round Lake. Asked that the PC use due caution and consider the underground and surface water flow.

10. **PLANNER'S REPORT:** *None at this time.*

11. **COMMITTEE REPORTS:**

Commissioner Voight: Suggested a traffic study be completed for the M-59 / Old US 23 intersection. The PC should keep in mind that on-site directional signs might be necessary as future site plans are reviewed. They can help guide residents to safer and alternative routes.

12. **ADJOURNMENT:**

Move to adjourn the Planning Commission Meeting at 8:13 p.m.
Motion Hopkins. Second Crouse. Voice Vote. Motion Carried. 6-0-1.

This is a Draft until Final Approval.

Respectfully submitted by,

Laura J. Killinger
Hartland Township
Planning Commission Secretary

Leslie M. Sauerbrey
Recording Secretary