

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



Larry Fox Chair	Roger Crouse
Larry Hopkins Vice-Chair	Jeff Newsom
Laura Killinger Secretary	Alex Rataj
	Keith Voight

**PLANNING COMMISSION - REGULAR MEETING
NOVEMBER 20, 2008 at 7:00 PM
AGENDA**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF NOVEMBER 20, 2008 MEETING AGENDA**
5. **APPROVAL OF NOVEMBER 6, 2008 MEETING MINUTES**
6. **CALL TO PUBLIC**

Call to the public participants should proceed to the front desk when addressing the Commission. The Commission will not debate or respond at this time. Please clearly state your name and address for the public record. **(Note: 3-MINUTE TIME LIMIT)**

PUBLIC HEARING

7. **SPECIAL LAND USE AND SITE PLAN APPLICATION #473**
APPLICANT: Lawrence Rybo/Kentucky Fried Chicken (Under Purchase Agreement)
OWNER: M-59-Clark Development, LLC, Isam Yaldo
Public hearing on the application for a special land use and associated site plan to permit a restaurant with drive-through facility located on the north side of M-59 and east of Clark Road a portion of parcel 08-22-300-033.

NEW BUSINESS

8. **SIGN PERMIT APPLICATION #686**
APPLICANT: Brownie's Sign Company
OWNER: TTS II, Inc.
Proposed wall sign for Grille 23 Restaurant & Tavern located at 1535 N. Old US 23.
9. **SIGN PERMIT APPLICATION #687**
APPLICANT: Brownie's Sign Company
OWNER: TTS II, Inc.
Proposed modification to an existing pole sign located at 1535 N. Old US 23
10. **SIGN PERMIT APPLICATION #690**
APPLICANT: Sign Studio Onsite
OWNER: Fellowship Bible Church
Proposed monument sign for Fellowship Bible Church located at 2500 Hartland Road

11. SITE PLAN APPLICATION #474

APPLICANT/OWNER: Nancy Posey

Proposed 24' by 32.16' addition to an existing adult foster care facility group home located at 5978 Cullen Road.

12. LAND DIVISION APPLICATION #795

APPLICANT: Rick Elkow

OWNER: Lillian Gill

Proposed land division of a 32 acre parcel into a 22.84 acre parcel and a 9.16 acre parcel located north of Clyde Road between Hartland Road and Bullard Road.

13. CALL TO PUBLIC (Note: 3-MINUTE TIME LIMIT)

14. PLANNER'S REPORT

15. COMMITTEE REPORTS

16. ADJOURNMENT

**NEXT MEETINGS: DECEMBER 4, 2008 @ 7:00 PM
DECEMBER 18, 2008 @ 7:00 PM
JANUARY 8, 2009 @ 7:00 PM**

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING
NOVEMBER 20, 2008
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:** **Present:** Chairman Fox, Commissioner Hopkins (*Vice-Chair*), Commissioner Newsom, Commissioner Crouse, Commissioner Voight and Commissioner Rataj.
Absent: Commissioner Killinger.

*Also Present: Mardy Stirling, Township Planning Director
Leslie Sauerbrey, Recording Secretary*

4. **APPROVAL OF NOVEMBER 20, 2008 PLANNING COMMISSION MEETING AGENDA**
Move to approve the Planning Commission Meeting Agenda for November 20, 2008.
Motion Crouse. Second Rataj. Voice Vote. Motion Carried. 6-0-1.

5. **APPROVAL OF NOVEMBER 6, 2008 PLANNING COMMISSION MEETING MINUTES**
Move to approve the Planning Commission Meeting Minutes for November 6, 2008 as amended.
Correction: Item #7-Strike the last sentence on page 1 and replace with, "The entire lumberyard is enclosed with a fourteen (14) foot high wood fence constructed with two (2) by eight (8) treated lumber."
Motion Crouse. Second Hopkins. Voice Vote. Motion Carried. 6-0-1.

6. **CALL TO THE PUBLIC:** *No one came forward.*

PUBLIC HEARING:

7. **SPECIAL USE APPLICATION AND SITE PLAN APPLICATION #473**
APPLICANT: LAWRENCE RYBO / KENTUCKY FRIED CHICKEN (*Under Purchase Agreement*)
OWNER: M-59 CLARK DEVELOPMENT, LLC. / SAM YALDO
Public Hearing on the application for a special land use and associated site plan to permit a restaurant with drive-through facility located on the north side of M-59 and east of Clark Road.
Present: *Thomas Dumond, Boss Engineering, Landscape Architect
Matt Ray, F. Matthew Ray, Architect
Glenn Flewelling, Developer / Owner
Sam Yaldo, M-59 Clark Development, LLC.*

PUBLIC HEARING OPENED AT 7:04 P.M.

For Applicant: Lawrence Rybo / Kentucky Fried Chicken, Tax ID #08-22-300-033. The applicant is requesting "Special Use" approval to construct a restaurant with a drive-through facility.

All public notice requirements for this Public Hearing have been met.

Mr. Dumond: Reviewed the proposal.

Ms. Stirling: Explained why the applicant is requesting "Special Use" and refers to her letter dated November 11, 2008. The applicant will need to go to the ZBA for a reduction in stacking spaces, from the fifteen (15) required by Ordinance to ten (10) and a reduced setback on the west side of the site.

PUBLIC COMMENTS: *No one came forward.*

PUBLIC HEARING CLOSED AT 7:15 P.M.

PLANNING COMMISSION QUESTIONS & COMMENTS:

The Planning Director's Special Use and Site Plan review letters of November 11, 2008 were used as an outline. Item numbering below corresponds with the corresponding review letter. Any item number not included in these minutes indicates that no additional comment was necessary from the PC or the applicant.

SPECIAL USE REVIEW:

• **Item 3. Control of Sound:**

Mr. Flewelling: There is an easily controlled volume control for the menu board.

• **Item 4. Stacking:**

Mr. Dumond: He felt the PC had the discretion to modify the number of stacking spaces required per Hartland Township's Zoning Ordinance Section 5.01.E.11 (page 5-13).

Ms. Stirling: Suggested that if the PC wants to modify the number of stacking spaces required that this be done as part of the Special Use permit requirements and that KFC be required to provide background information that would make this a unique situation.

It is a consensus of the PC that if the applicant can provide documentation showing the requirements for stacking spaces for a KFC drive-through, consideration will be given to allowing a reduced number of stacking spaces.

SITE PLAN REVIEW:

• **Item 7. Building and Site Layout:**

Commissioner Hopkins: Supports the variance on the west side of the property because he does not believe the Ordinance was looking at this type of situation when addressing a typical front yard setback.

Commissioner Voight: Agrees with Commissioner Hopkins.

Commissioner Hopkins: Questioned the delivery times.

Mr. Flewelling: They are done in the middle of the night to avoid conflict with customer traffic.

Item 8. Architectural Characteristics:

Chairman Fox: Asked if the brick is clay.

Mr. Ray: Yes.

Chairman Fox: Asked if color renderings could be provided for the next meeting.

Commissioner Hopkins: In keeping with the more traditional building architecture currently in Hartland, he would like to see the top cornice revised to a crown-molding look.

Mr. Flewelling: Does not know if KFC will permit that change.

Commissioner Hopkins: Asked the applicant to check and let the PC know with the next submittal.

Chairman Fox: Asked to see samples of the mortar color.

Mr. Ray: There are four (4) mortar colors.

Commissioner Hopkins: Does not support the use of colored mortar because it mutes the affect of using brick.

Commissioner Voight: Agreed and would like to see color renderings.

Chairman Fox: Please check on using standard grey mortar. Asked what the white ceramic material on the sample board is and where it is being used.

Mr. Ray: We are not using that material. We have replaced it with spandrel glass and aluminum grid over the entry door.

Chairman Fox: Please label the color of the flashing on the next submittal.

Ms. Stirling: Would like to see color samples of each of the proposed paint colors.

Commissioner Hopkins: Would like to see all of the notes and materials that are not being used on this project removed from the plans.

Ms. Stirling: Would like clarification of the material being used on the southeast corner of the building.

Mr. Ray: Believes it may be a metal corner that is used on the KFC prototype buildings. It will not be used on this building and will be corrected on the next submittal.

Chairman Fox: Requested verification that the parking lot lighting will be downward-directed and fully shielded. The proposed fixture does not appear to be so.

• **Item 9. Landscaping and Screening:**

Commissioner Hopkins: Would like to see verification that the quantity of plants shown on the site plan agrees with the list of plant material shown in the "Landscape Requirements" chart. He would also like to see more evergreen shrubs along the west property line between the parking lot and the access drive. He felt that evergreens provide better screening throughout the year.

Mr. Dumond: That can be done.

Chairman Fox: Would like more evergreen shrubs in the landscaped planter along the south side of the building to provide more interest in the winter months.

Mr. Dumond: We can do that.

Chairman Fox: Asked for more details on the traffic island at the M-59 entrance.

Mr. Yaldo: His engineer designed the area to MDOT specifications.

Chairman Fox: Would like to see the design more similar to the Chase and Walgreens site.

Mr. Yaldo: Will advise his engineer and see if MDOT will approve that design.

Commissioner Newsom: Asked how many parcels this access drive will serve?

Mr. Yaldo: Three (3) to four (4) parcels.

Commissioner Hopkins: Offered the Township's assistance with MDOT if there is resistance to getting the design changed. He would also like to see the sidewalk installed at time of building construction.

Ms. Stirling: Proposed establishing an escrow account and building all of the sidewalks in the area at a later date.

Chairman Fox: Sounds like a good idea, but without a sidewalk program and cost estimates he is not sure if this is the time to proceed with the escrow account.

Commissioner Newsom: Sidewalks are a priority in the CIP and the Road Committee.

Commissioner Hopkins: Asked for verification on how the sidewalk is installed in front of the Sherwin Williams center.

It is a consensus of the PC that a decision of when the sidewalk will be installed can be determined at a future date. Ms. Stirling will review the approved sidewalk installation in front of the Sherwin Williams center and report her findings back to the PC.

Commissioner Hopkins: Questioned the comments in the HRC letter pertaining to the access road needing to be approved before approving this site plan.

Ms. Stirling: Believes we only need confirmation from MDOT on their requirements to approve the access road. She considers the access road part of the KFC site plan.

The PC requests clarification of the approval process and timing required for the access road and the KFC site plan.

8. **SIGN PERMIT APPLICATION #686**

APPLICANT: BROWNIE'S SIGN COMPANY

OWNER: TTS, III, INC.

Proposed wall sign for "Grille 23 Restaurant & Tavern" located at 1535 N. Old US23.

Present: Lon Brown, Brownie's Sign Company

Move to approve Sign Permit Application #686, to permit the installation of a wall mounted sign for "Grille 23 Restaurant & Tavern" located at 1535 N. Old US23, with the condition that the present awning is removed and a new one installed without any wording on it.

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

9. SIGN PERMIT APPLICATION #687

APPLICANT: BROWNIE'S SIGN COMPANY

OWNER: TTS, III, INC.

Proposed modification to an existing pole sign located at 1535 N. Old US23.

Present: Lon Brown, Brownie's Sign Company

Move to approve Sign Permit Application #687, to permit the substitution of a panel and reduction of the changeable copy sign pursuant to Section 9.03.I of the Hartland Township Zoning Ordinance for an existing nonconforming pole sign for "Grille 23 Restaurant & Tavern" and "Striking Lanes".

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

10. SIGN PERMIT APPLICATION #690

APPLICANT: SIGN STUDIO ONSITE

OWNER: FELLOWSHIP BIBLE CHURCH

Proposed monument sign for "Fellowship Bible Church" located at 2500 Hartland Road.

Present: Robin Sawyer

Randy Chamberlain

Commissioner Hopkins: Stated his concerns with the internally lit changeable copy portion of the sign as being too bright and not appropriate for a residential area.

Move to approve Sign Permit Application #690, to permit the installation of a monument sign for "Fellowship Bible Church" located at 2500 Hartland Road with the conditions noted in the Planning Director's memo dated November 13, 2008.

Motion Rataj. Second Voight. Voice Vote. Motion Carried. 4-2-1. Nays Hopkins and Fox.

11. SITE PLAN APPLICATION #474

APPLICANT / OWNER: NANCY POSEY

Proposed 24' x 32.16' addition to an existing adult foster care facility group home located at 5978 Cullen Road.

Present: Nancy Posey

Ms. Stirling: Summarized her review letter dated November 11, 2008.

Commissioner Newsom abstained from voting on this agenda item due to his appointment to both the PC and ZBA.

Move to recommend approval of Site Plan Application #474, to permit a 24 foot by 32.16 foot addition to an existing adult foster care facility group home located at 5978 Cullen Road with the condition noted in the Planning Director's memo dated November 11, 2008.

Motion Rataj. Second Voight. Voice Vote. Motion Carried. 5-0-1. Commissioner Newsom abstained from the vote.

12. LAND DIVISION APPLICATION #795

APPLICANT: RICK ELKOW

OWNER: LILLIAN GILL

Proposed land division of a 32-acre parcel into a 22.84-acre parcel and a 9.16-acre parcel located north of Clyde Road between Hartland Road and Bullard Road.

Present: Rick Elkow, Elkow Homes, LLC.

Ms. Stirling: Explained the proposed land division.

Chairman Fox: Let the record show that both the Township Assessor and Treasurer have approved the spilt.

Move to approve Land Division Application #795 per Hartland Township Land Division Ordinance #57 with the condition that the driveway be reviewed and approved by Hartland Township to ensure compliance with Ordinance requirements.

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

13. **CALL TO THE PUBLIC:** *No one came forward.*

14. **PLANNER'S REPORT:**

Ms. Stirling: A Public Hearing has been scheduled for December 4, 2008 regarding the Hidden Creek AFC Foster Care Home located on Hartland Road.

15. **COMMITTEE REPORTS:** *None at this time.*

16. **ADJOURNMENT:**

Move to adjourn the Planning Commission Meeting at 8:50 p.m.

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

This is a Draft until Final Approval.

Submitted by,

Leslie M. Sauerbrey
Recording Secretary

Laura J. Killinger
Planning Commission Secretary