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Larry Fox  
Chair

Roger Crouse

Larry Hopkins  
Vice-Chair

Jeff Newsom

Laura Killinger  
Secretary

Alex Rataj

Keith Voight

**PLANNING COMMISSION - REGULAR MEETING  
APRIL 26, 2007 at 7:00 PM  
AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF APRIL 26, 2007 AGENDA**
- 5. CALL TO PUBLIC**

Call to the public participants should proceed to the front desk when addressing the Commission. The Commission will not debate nor respond at this time. Please clearly state your name and address for the public record.

**3-MINUTE TIME LIMIT**

**PUBLIC HEARING**

**OLD AND NEW BUSINESS**

- 6. SITE PLAN APPLICATION #436 WITH SPECIAL USE APPLICATION #232**  
APPLICANT: OUR SAVIOR EVANGELICAL LUTHERAN CHURCH / DENNIS GOERS  
*Construction of a school for Our Savior Evangelical Lutheran Church located at 3375 Highland Road. Set date for public hearing: May 24, 2007*
- 7. SITE PLAN APPLICATION #434 WITH SPECIAL USE APPLICATION #233**  
APPLICANT: PNN, LLC / PAUL NAWROCKI  
*Construction of an office building "Nawrocki Office Center For Elder & Family Law" located on the east side of Hartland Road, north of Crouse Road. Set date for public hearing: May 24, 2007*
- 8. SIGN APPLICATION #605 & #606**  
APPLICANT: APEX SIGN / TONY POLLOCK  
*Proposed monument and wall sign for "Citizens Bank" located at 8402 Highland Road.*
- 9. SIGN APPLICATION # 610 & #611**  
APPLICANT: ISAM YALDO  
*Proposed ground sign and wall sign for "Auto Zone" located on north side of Highland Road, east of Clark Road.*

10. **SIGN APPLICATION #612**

APPLICANT: LIVINGSTON SIGNS / ROBERT DEMERAST

*Proposed wall sign for "Pet Barn" located at 1812 Old US 23 in the Hartland Town Center.*

11. **SITE PLAN APPLICATION #419**

APPLICANT: LEO'S CONEY ISLAND / LEO STASSINOPOULOS

*Construction of a restaurant located south side of Highland Road between National City Bank and Bogie's Car Wash.*

12. **PLANNED DEVELOPMENT APPLICATION #383P**

APPLICANT: M-59 LLC / TERRY NOSAN

*Construction of a mixed use development "Newberry Place" including retail, office, single and multiple family housing located on the north and southwest corners of the Highland Road and Pleasant Valley Road/Fenton Road intersection. – Preliminary Review*

13. **PLANNED DEVELOPMENT APPLICATION #386P**

APPLICANT: PREMIER PROPERTIES – HARTLAND I LLC / ANDREW GIOVANNETTI

*Construction of a mixed use development "Newberry Place West" including retail, office, single and multiple family housing, and a senior living facility located on the south side of the Highland Road, west of Pleasant Valley Road. - Preliminary Review*

14. **CALL TO PUBLIC**

**3-MINUTE TIME LIMIT**

15. **PLANNER'S REPORT**

16. **COMMITTEE REPORTS**

17. **ADJOURNMENT**

NEXT MEETINGS    MAY 10, 2007  
                              MAY 24, 2007

@ 7:00 PM  
@ 7:00 PM

**HARTLAND TOWNSHIP PLANNING COMMISSION MEETING**

**APRIL 26, 2007**

**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 Killinger (*Secretary*), Commissioner Newsom, Commissioner Crouse, Commissioner Voight and Commissioner Rataj.

*Also Present: Amy Chesnut & Heather McPhail, McKenna Associates  
Denise Lutz, Deputy Zoning Administrator  
Leslie Sauerbrey, Recording Secretary*

**4. APPROVAL OF APRIL 26, 2007 PLANNING COMMISSION MEETING AGENDA**

Move to approve the Planning Commission Meeting Agenda for April 26, 2007.

Motion Killinger. Second Rataj Voice Vote. Motion Carried. 7-0-0.

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

**6. SITE PLAN APPLICATION #436 WITH SPECIAL USE APPLICATION #232**

**APPLICANT:** OUR SAVIOR EVANGELICAL LUTHERAN CHURCH / DENNIS GOERS

*Construction of a school for Our Savior Evangelical Lutheran Church located at 3375 Highland Rd.*

*Set date for Public Hearing: May 24, 2007.*

Move to schedule a Public Hearing on May 24, 2007 for Our Savior Evangelical Lutheran Church, Site Plan Application #436 with Special Use Application #232.

Motion Killinger. Second Newsom. Voice Vote. Motion Carried. 7-0-0.

**7. SITE PLAN APPLICATION #434 WITH SPECIAL USE APPLICATION #233**

**APPLICANT:** PNN, LLC. / PAUL NAWROCKI

*Construction of an office building "Nawrocki Office Center for Elder & Family Law" located on the east side of Hartland Rd., north of Crouse Rd.*

*Set date for Public Hearing: May 24, 2007.*

Move to schedule a Public Hearing on May 24, 2007 for PNN LLC., Paul Nawrocki,

Site Plan Application #434 with Special Use Application #233.

Motion Killinger. Second Newsom. Voice Vote. Motion Carried. 7-0-0.

**8. SIGN PERMIT APPLICATIONS #605 & #606**

**APPLICANT:** APEX SIGN / TONY POLLICK

*Proposed monument and wall sign for "Citizens Bank" located at 8402 Highland Rd.*

**Present:** *Jonathon Lakin, Citizens Bank*

*Denny O'Reilly, APEX Signs*

Move to approve Sign Permit Applications #605 & #606 for APEX Sign, for Citizens Bank, Tax ID #08-29-100-016.

Motion Rataj. Second. Newsom. Voice Vote. Motion Carried. 7-0-0.

9. **SIGN PERMIT APPLICATIONS #610 & #611**

APPLICANT: ISAM YALDO

*Proposed ground sign and wall sign for "Auto Zone" located on north side of Highland Rd., east of Clark Rd.*

*Present: Brian Devlin, Landscape Architect*

**Commissioner Rataj:** Raised issues regarding the overall size of the monument sign.

**Commissioner Hopkins:** This sign is larger than what is allowed under the Ordinance. He thinks this should be sized down.

**Commissioner Rataj:** The support system is included in the overall square footage. It was his understanding that the sign had to be a certain size not including the support system.

**Ms. Chesnut:** Provides an overview of the Sign Ordinance and explains the areas that are presently in dispute.

**Commissioner Killinger:** Reminds applicant that the address needs to be included on the sign

**Commissioner Crouse:** This sign application raises issues regarding the Township's Sign Ordinance that should be addressed in the next few weeks.

**Commissioner Rataj:** Indicated the wall sign should be approved.

Move to approve Sign Permit Applications #610 & #611 for Auto Zone, Tax ID #08-22-300-049.  
Motion Rataj. Second Voight. Voice Vote. Motion Carried. 6-1-0. (Nay-Hopkins).

**Ms. Chesnut:** The applicant has brought samples of the new proposed brick because they have had difficulty obtaining the brick specified on the approved plan. The Ordinance allows the Zoning Administrator to approve the change since it is a change in material with no significant difference.

10. **SIGN PERMIT APPLICATION #612**

APPLICANT: LIVINGSTON SIGNS / ROBERT DEMERAST

*Proposed wall sign for "Pet Barn" located at 1812 Old US 23 in the Hartland Town Center.*

*Present: No one representing the applicant was present.*

**Commissioner Rataj:** Reviewed the sign application and recommends approval.

Move to approve Sign Permit Application #612 for Pet Barn, Tax ID #08-28-100-127.  
Motion Rataj. Second Newsom. Voice Vote. Motion Carried. 7-0-0.

11. **SITE PLAN APPLICATION #419**

APPLICANT: LEO'S CONEY ISLAND / LEO STASSINOPOULOS

*Construction of a restaurant located south side of Highland Rd. between National City Bank and Bogie's Car Wash.*

*Present: Ole Anderson, Johnson & Anderson, Inc.*

*Bob Zafarana, RMZ Construction Management*

**Mr. Zafarana:** We have returned to the PC because we were unable to secure an easement for this site from the east and west side neighbors. Mr. Anderson, the applicant's attorney and the Township attorney have exhausted all possible avenues. Therefore, we contacted MDOT and have received approval for a curb cut along M-59.

**Mr. Anderson:** The National City corporate offices turned us down with no specific reason. The car wash access also has issues. Leo's will be able to meet most of the requirements pursuant to McKenna's letter including landscaping and engineering issues. However, it is a problem to extend the sidewalk and driveway to the bank because of grading issues. The bank will not allow us to be on their property.

**Ms. Chesnut:** Described the access management standards contained within the Ordinance. The proposed drive will need a modification from the Ordinance. The PC has the authority to grant a modification as long as MDOT approves the modification. There has been no indication that MDOT will not approve this modification.

**Mr. Zafarana:** The applicants have tried to work in good faith to get the cross access agreement that both the Township and the applicant wanted. Therefore, we would like to not be required to abandon the curb cut on M-59 if the bank or carwash ever permit us to connect. The Township will have the power to require the connection from both sides when those businesses come to the Township with a site plan change.

**Chairman Fox:** After speaking with the Township attorney he believes the applicant has done everything they can do to access the site without adding a curb cut on M-59. They should not be held hostage by their inability to do so.

**Commissioner Newsom:** Questioned the easement on the plan.

**Mr. Anderson:** We have included the new appropriate easement on our plan so when the day comes that the Township can require connection to the bank or the car wash everything will already be done on our end. The old easement will be extinguished.

**Commissioner Hopkins:** Is your drive connecting to the car wash drive?

**Mr. Anderson:** We will make the connection to the carwash but they will not allow our customers to drive in front of the carwash. We will install concrete bumpers to prohibit customers from accessing each others site until the carwash needs a site plan change and the Township requires the connection.

Move to recommend approval of Site Plan Application #419 for Leo's Coney Island, Tax ID #08-22-300-010, with the conditions that the applicant comply with recommendations of the McKenna Review letter dated April 17, 2007, specifically recommendation #1, #2 and #4 and require the applicant to be in compliance with the Williams & Works letter dated April 17, 2007. Further, the PC approves the modification of the driveway spacing standards as approved by MDOT. Motion Hopkins. Second Newsom. Voice Vote. Motion Carried. 7-0-0.

## **12. PLANNED DEVELOPMENT APPLICATION #383**

**APPLICANT: HARTLAND M-59 LLC. / TERRY NOSAN**

*Construction of a mixed-use development "Newberry Place" including retail, office, single and multiple family housing located on the north and south side of the Highland Rd., west of Pleasant Valley Rd. Preliminary Review.*

**Present: Terry Nosan, Hartland M-59 LLC.**

*Dave Prueter, Agree Realty*

**Ms. Chesnut:** Summarized the McKenna Review letter dated April 7, 2007 recommending conditional approval; the later phases must come forward for final approval or submittal of a revised plan.

**Mr. Nosan:** Explained the recognizable benefits and the overall development.

**Mr. Prueter:** Explained the materials proposed to be used on the Kroger store, under thirty thousand (30,000) square foot commercial, the gas kiosk and the monument signs.

**Chairman Fox:** The Township does not approve of L.E.D signs.

**Ms. Chesnut:** Described the requirements for architecture with conventional site plan applications versus accepting less from this PD application as currently proposed.

**Chairman Fox:** He is not happy with the brick material shown this evening.

**Mr. Nosan:** We will leave the under thirty thousand (30,000) square foot commercial as clay brick and remove the option of cast brick. He will continue to work with the PC, closer to final site plan approval, regarding color and texture of the actual brick material they will use. As long as Kroger can use cast brick, they will bring in more samples with better color and texture more closely resembling natural clay brick.

**Mr. Prueter:** Explained how they came up with the design of the gas kiosk. The peaked roof was taken away to reduce the visibility of the kiosk.

*It is a consensus of the PC that the inclusion of a gas kiosk in this project in the location shown is acceptable.*

**Ms. Chesnut:** Previous discussions have occurred regarding the multiple family buildings and the amount of vinyl siding that would be permitted. As proposed, fifty percent (50%) vinyl on the elevations would be a modification from our standards.

**Mr. Nosan:** We only want this for the multiple family units on the north side of M-59. This is not for the buildings that face Main Street or the town home buildings. We will still use a minimum thirty percent (30%) brick on the multiple family buildings.

*It is a consensus of the PC to accept the materials for the multiple family buildings as presented.*

**Commissioner Crouse:** Since this is now two separate PD's, should the recognizable benefits be modified to be specific to each development? Both are not providing exactly the same benefits.

**Mr. Nosan:** We will modify the list to accurately reflect each PD's specific recognizable benefits.

**Commissioner Hopkins:** Questioned the materials on the under thirty thousand (30,000) square foot commercial on page 44 of the Pattern Book.

**Mr. Nosan:** The material will be clay brick. If we find a cast brick that the PC likes we will ask for a change at that time.

Move to recommend preliminary approval of Plan Development Application #383P, commonly known as "Newberry Place" for Hartland M-59 LLC., Tax ID #08-23-400-016 and #08-26-200-005, with the following conditions:

- Final approval for Phase 2 will be withheld until such time as final approval for Application #386 (Newberry Place West) has been obtained and construction has commenced on at least one phase or submission of a revised plan has been submitted and approved by the Township that modifies the setbacks, access, and general layout along the west property line consistent with Ordinance requirements.
- The applicant complies with his letter dated April 23, 2007.
- The sign submitted tonight is without the LED read out.
- The Pattern Book is adjusted to reflect only clay brick for the under thirty thousand (30,000) square foot commercial buildings.
- The PC agrees to postpone final engineering until final PD approval.

Motion Hopkins. Second Voight. Motion Carried. 7-0-0.

### **13. PLANED DEVELOPMENT APPLICATION #386P**

**APPLICANT: PREMIER PROPERTY - HARTLAND I, LLC. / ANDREW GIOVANNETTI**

*Construction of a mixed use development "Newberry Place West" including retail, office, single and multiple family housing, and a senior living facility located on the south side of Highland Rd., west of Pleasant Valley Rd. Preliminary Review.*

***Present: Andrew Giovannetti, Premier Property - Hartland I, LLC.***

**Ms. Chesnut:** Submission of the revised benefits will be applicable to this site. This will be referred to as "Newberry Place West" in the Pattern Book.

**Mr. Giovannetti:** The senior center or other use built in its place will be subject to Group 1A Architectural Standards if it is over thirty thousand (30,000) square feet. Any use less than thirty thousand (30,000) square feet will be subject to Group 1 Architectural Standards.

Move to recommend preliminary approval of Plan Development Application #386P, commonly known as "Newberry Place West" for Premier Property - Hartland I LLC., Tax ID #08-26-200-002, with the following conditions:

- Final approval for Phase 2 and 3 will be withheld until such time as the final approval for Application #383 (Newberry Place) has been obtained and construction has commenced on at least one phase or submission of a revised plan has been submitted and approved by the Township that modifies the setbacks, access, and general layout along the east property line consistent with Ordinance requirements.
  - The applicant complies with his letter dated April 23, 2007.
  - Adjustments are made to more accurately reflect the recognizable benefits.
  - "Newberry Place West" is added on the cover and throughout the Pattern Book where applicable.
- Motion Hopkins. Second Newsom. Voice Vote. Motion Carried. 7-0-0.

14. **CALL TO PUBLIC:** *No one came forward.*

15. **PLANNER'S REPORT:**

Ms. Chesnut: The letter from Tyrone Township is just notification that they plan on working on their Master Plan within the next year.

16. **COMITTE REPORTS:**

Chairman Fox: There is a Planning Commission Work Session scheduled for May 2, 2007.

17. **ADJOURNMENT**

Move to adjourn the Planning Commission Meeting at 8:47 p.m.

Motion Hopkins. Second Crouse. Voice Vote. Motion Carried. 7-0-0.

**This is a Draft until Final Approval.**

Submitted by,

Leslie M. Sauerbrey  
Recording Secretary

Laura J. Killinger  
Planning Commission Secretary