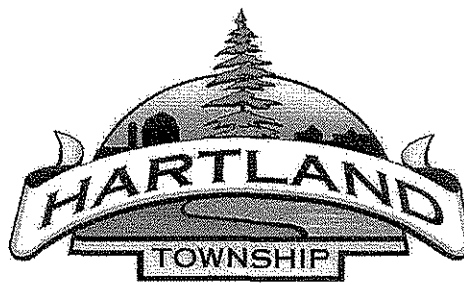


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Larry Fox
Chair

Roger Crouse

Larry Hopkins
Vice-Chair

Jeff Newsom

Laura Hill
Secretary

Alex Rataj

Keith Voight

PLANNING COMMISSION - REGULAR MEETING

NOVEMBER 16, 2006 at 7:00 PM

AGENDA

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF NOVEMBER 16, 2006 PLANNING COMMISSION 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 or 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. **SIGN PERMIT APPLICATION #583**

APPLICANT: PLANET NEON/NANCY NOVELL

Proposed wall sign for "Lynch & Sons Funeral Directors Information & Planning Center" located at 11202 Highland Road

7. **SIGN PERMIT APPLICATION #587**

APPLICANT: BIG RAY'S QUICK LUBE/HASS MACHLAB

Proposed oversize balloon sign located at 10810 Highland Road for November 17, 18, and 19, 2006

8. **SITE PLAN APPLICATION #427**

APPLICANT: M-59 CLARK DEVELOPMENT LLC / SAM YALDO

Proposed retail building "Auto Zone" located North of M-59, East of Clark Road

9. **PLANNED DEVELOPMENT / SITE PLAN APPLICATION #411**

APPLICANT: LANDMARK/MANSOUR PROPERTIES

Proposed retail development "Hartland Crossings" located at the northeast corner of the M-59 and Hartland Road – Discussion

10. **ZONING AMENDMENT #332**

APPLICANT: HARTLAND TOWNSHIP

Proposed standards for outdoor seating and dining areas and permitting personal fitness centers

11. **CALL TO PUBLIC**

3-MINUTE TIME LIMIT

12. **PLANNER'S REPORT**

13. **COMMITTEE REPORT**

14. **ADJOURNMENT**

NEXT MEETINGS

DECEMBER 7, 2006
DECEMBER 14, 2006

@7:00 PM
@7:00 PM

HARTLAND TOWNSHIP PLANNING COMMISSION
NOVEMBER 16, 2006
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 Hill (*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 NOVEMBER 16, 2006 PLANNING COMMISSION AGENDA**
Move to approve the Planning Commission Meeting Agenda for November 16, 2006.
Motion Hill. Second Rataj. Voice Vote. Motion Carried. 7-0-0.
5. **CALL TO THE PUBLIC:** *No one came forward.*
6. **SIGN PERMIT APPLICATION #583**
APPLICANT: PLANET NEON/NANCY NOVELL
Proposed wall sign for "Lynch & Sons Funeral Directors Information & Planning Center" located at 11202 Highland Rd.
Present: Chuck Veres, Planet Neon Sign Company
Move to approve Sign Permit Application #583 for Lynch and Sons Funeral Directors Information & Planning Center, Tax ID #08-22-300-037, with the condition that the Zoning Compliance Certificate is completed and approved prior to the Sign Permit being issued and the sign being installed.
Motion Rataj. Second Voight. Voice Vote. Motion Carried. 7-0-0.
7. **SIGN PERMIT APPLICATION #587**
APPLICANT: BIG RAY'S QUICK LUBE/HASS MACHLAB
Proposed oversized balloon sign located at 10810 Highland Rd. for November 17, 18, 19, 2006.
Present: Hass Machlab, Big Ray's Quick Lube
Commissioner Crouse: Asked for clarification on the dates the sign will be placed on the building for the grand opening.
Ms. Chesnut: The sign will be up for 3 days, November 17, 18 and 19.
Move to approve Sign Permit Application #587 for Big Ray's Quick Lube located at 10810 Highland Rd.
Motion Rataj. Second Hopkins. Voice Vote. Motion Carried. 7-0-0.
8. **SITE PLAN APPLICATION #427**
APPLICANT: M-59 CLARK DEVELOPMENT LLC/SAM YALDO
Proposed retail building "Auto Zone" located on the north side of M-59, east of Clark Rd.
Present: Sam Yaldo, Applicant
J. Brian Devlin, Landscape Architect
John Kello, Landmark Commercial Real Estate Services (Broker)
Mr. Devlin: Presented the proposed development.
Ms. Chesnut: Summarized the McKenna Review letter dated November 1, 2006 not recommending approval at this time but does recommend that the applicant go before the PC for comments.

Commissioner Hill: Inquired about the number of parking spaces requested.

Mr. Yaldo: The parking requirement for this site is based on a nation wide prototype requirement of Auto Zone.

Commissioner Hopkins: Does not see the need for so many parking spaces. He is concerned that when a store is built to the east, parking will be forced to be placed in the setback.

Mr. Yaldo: Everything will be out of the eighty (80) foot setback. The next building to the east will not have parking that encroaches upon the setback.

Chairman Fox: Twenty five (25) parking spaces are permitted. He will not support the proposed forty-two (42) parking spaces.

Mr. Yaldo: Asked if the PC would be satisfied if he eliminates ten (10) parking spaces on the north and banks them for future consideration if the applicant can show the need for them.

Commissioner Newsom: He would be in support of the plan removing ten (10) parking spaces.

Commissioner Rataj: Favors eliminating ten (10) parking spots.

Commissioner Crouse: Questioned the lack of screening being provided on the north side of the property that abuts a residential area.

Mr. Yaldo: There are trees in the open space area of the residential development.

Commissioner Hopkins: Does not support using trees for screening that are provided on someone else's property.

Commissioner Rataj: Agreed with Commissioner Hopkins.

Commissioner Hill: Also agreed with Commissioner Hopkins.

Ms. Chesnut: She agreed with the applicant that this is open space. However, she does not remember seeing any evergreens on the property. She recommends the applicant place evergreens on the applicant's property to screen during the winter months.

Commissioner Newsom: The proposed building does not appear to meet the Architectural Ordinance.

Commissioner Hopkins: The building materials do not meet the requirements of the ordinance. The elevation proposed has no character. The Sherwin Williams store has more architectural interest.

Chairman Fox: The architectural design of the building needs to create interest if you want the PC to grant a waiver of the building material requirements of the Ordinance.

Mr. Kello: Compromises have already been made from the company's prototype store. The goal is to work with the Township, developer and tenant. They are trying to stay within the framework of the proposal per Auto Zone's requirements.

Commissioner Fox: The PC has stated they are willing to work with the applicant. However, the PC will require a building with architectural interest in order to consider an architectural waiver for the building materials.

Mr. Kello: We will take it to the architect to see what enhancements can be made.

Mr. Yaldo: Will attempt to have the building redrawn with a corner peaked roof element similar to the sketch shown to the PC and the applicant this evening.

Commissioner Voight: He likes the idea of a corner door because the west and south side of the building will be enhanced.

Commissioner Crouse: The Williams & Works letter needs to be addressed. He asked if there is a shared driveway agreement.

Mr. Yaldo: Yes. They already have a shared driveway agreement recorded with the County. He will provide a copy to the Township.

Commissioner Hopkins: Questioned the Fire Marshall's request to provide sprinklers in the building.

Mr. Yaldo: Sprinklers are not required but recommended. He does not see a need for them and is going to present a convincing case to the Fire Marshall that they are not needed.

Commissioner Hopkins: A concern is the amount of water required if there is a fire and the effect that will have on the wetlands.

Mr. Yaldo: Explained where the water will travel before it hits the wetlands.

Commissioner Voight: Another concern is that water could have contaminants and the effect it could have on the wetlands.

Mr. Yaldo: All precautions will be taken to minimize the possibility of fire.

Commissioner Hopkins: Communications need to continue with the Fire Marshall. The concern is not the square footage of the building so much as the location of the building.

No action by the PC was necessary this evening. The applicant may modify their plan based upon conversation this evening and return for a Site Plan Review at a later date.

9. PLANNED DEVELOPMENT/SITE PLAN APPLICATION #411

APPLICANT: LANDMARK/MANSOUR PROPERTIES

Proposed retail development "Hartland Crossings" located at the northeast corner of M-59 and Hartland Rd. - Discussion.

Present: Ed Pilarz, Landmark/Mansour Properties

Ted Wittebort, Attorney for Landmark/Mansour properties

Mr. Pilarz: Explained the process they have been going through the last four (4) months. We have a wetland and mediation issue. It could take up to two (2) years to mediate the wetlands. We have modified the plan to have two (2) phases. There is a reduction in square footage due to the wetlands. It is still our goal to get mediation in place to complete the whole project.

Commissioner Newsom: Questioned the phasing and the total square footage of the project.

Mr. Pilarz: Phase One (1) is approximately five hundred thousand (500,000) square feet. Phase Two (2) is probably two hundred thousand to two hundred twenty-five thousand (200,000-225,000) square feet.

Commissioner Newsom: Is the development east of Clark Rd. off the table?

Mr. Pilarz: Maybe. We have no tenants at this point.

Commissioner Hopkins: In the original plan there was a connection to the park. Is that still part of the project?

Mr. Pilarz: The reduction in the plan due to the wetlands means a loss of square footage. In addition, the cost of moving the cell tower and clean up of the WWTP means there is no connection to the park.

Commissioner Hopkins: What does the notation of "future pump station by others" mean?

Mr. Pilarz: That is us.

Commissioner Hopkins: Was not particularly fond of the changes made to the north/south entrance road off M-59 and how it impacts the feel of the lifestyle center.

Mr. Pilarz: The lifestyle development has not changed drastically. There is one roundabout that he had to eliminate. He explained the constraints imposed by MDOT and how that affects the lifestyle. We have reduced the size of the lifestyle from two hundred seventy thousand (270,000) to one hundred forty thousand (140,000) square feet.

Mr. Hopkins: Recalled the December 2005 meeting where Mr. Pilarz stated that with the lifestyle element they would be creating a downtown feel and that this is the type of development that retailers want. Will there be more lifestyle in Phase Two (2)?

Mr. Pilarz: We are maintaining the standard lifestyle design.

Commissioner Voight: Questioned the areas identified as parking that are without lines.

Mr. Pilarz: This will be parking; however it has not been completely designed yet.

Commissioner Voight: The downtown lifestyle look is parallel parking along the buildings and maybe a street in the middle. He does not get the downtown lifestyle feel from this plan.

Commissioner Newsom: The main north/south entrance traffic pattern from M-59 leading into the big box interferes with the lifestyle feel. The road is opened up through the roundabout. It does not seem pedestrian friendly. Can you find a way to promote the use of the ring road?

Mr. Pilarz: The internal traffic flow issues are a result of other sacrifices we have to make to get the big anchor.

Commissioner Newsom: Asked if the anchor store could move more to the west where they would be more visible and also help promote use of the ring road.

Mr. Pilarz: The anchor store is unwilling to move.

Commissioner Crouse: Are you still committed to the upscale retail shops that you promoted in the beginning?

Mr. Pilarz: We are still committed to the overall vision as previously presented to the PC. The reduced size and phasing is being proposed because of the wetlands.

Mr. Wittebort: Explained the issue with the MDEQ and the relocation of the wetlands. MDEQ stated in a recent court case that they have never relocated more than seven (7) acres of wetland. The applicant is requesting to relocate nine (9) acres.

Commissioner Hopkins: Will you still be retaining your storm water on site?

Mr. Pilarz: The water retention plan has not changed.

Commissioner Hopkins: Questioned the intentions to pave Clark Rd. and Dunham Rd. per the land deal made with the Township.

Mr. Pilarz: We originally agreed to these conditions when we agreed to purchase sixty (60) acres. We now only need forty (40) acres. We will not pave Clark Rd. or Dunham Rd. or provide the road through the park in Phase one (1).

Commissioner Hopkins: If you aren't going to fulfill the conditions of the land deal with the Township your next step should be to have a conversation with the Hartland Township Board. You need to show that you have control of the land necessary to build this project for it to proceed. He cannot support the proposed twenty-five (25) foot setbacks on M-59 or twenty (20) foot setbacks on Hartland Rd.

Mr. Pilarz: If he goes to eighty (80) feet, he will lose the lifestyle. If he loses his out lots, he will lose his development. He cannot do more than a twenty-five (25) foot setback and make this work.

Chairman Fox: The land deal with the Township increased the acreage sold to the developer with the intention of more creativity and green space in the design.

Mr. Pilarz: Because of mediation, to maintain the project we need these setbacks.

Mr. Wittebort: We only wanted forty (40) acres. The Township wanted to us sell sixty (60) acres to get the deal done even though we only needed forty (40) acres.

Chairman Fox: The setbacks can be negotiated but there is a big difference between twenty-five (25) and eighty (80) feet.

Commissioner Newsom: This is at a conceptual phase. Things could still be worked out regarding setbacks while still being sensitive to the financial concerns of the developer.

Commissioner Rataj: The residents in the northwest corner behind the development are very concerned about this butting up to their property. The proposed forty (40) foot setback is not enough.

Chairman Fox: He can work with the applicant but cannot support the twenty (20) and twenty-five (25) foot setbacks.

Mr. Wittebort: Is the PC is willing to give up the lifestyle for a larger setback?

Chairman Fox: He is not willing to give that up. The developer has to go back to the plan and find space for a larger setback.

Mr. Pilarz: The only major change he is requesting is the setback. The setback is along two (2) highways.

Commissioner Newsom: Finds it hard to believe that they cannot find more space for setbacks.

Mr. Pilarz: He will go back and look at his plan to see what can be done.

Chairman Fox: The PC wants to work with the applicant if the applicant is willing to work with them. They are invited to return for another informal discussion with the PC on a revised plan or they can complete the requirements for a Preliminary Review and move forward that way. The decision is the applicants.

10. ZONING AMENDMENT #332

APPLICANT: HARTLAND TOWNSHIP

Proposed standards for outdoor seating & dining areas and permitting personal fitness centers

Ms. McPhail: Explained the changes made to the proposed amendment from the November 9, 2006 PC meeting.

Move to recommend approval of the Zoning Amendment Application #332 for outdoor seating and dining and addition of personal fitness centers per McKenna's letter dated November 10, 2006.

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

11. CALL TO PUBLIC

Terry Gannon, 2978 Parkway Place: The plan proposed is a major change as to what was originally proposed. He would like the applicant to bring a copy of the plan to show the public.

David Henry, 1439 Division Dr.: The concerns of the PC regarding the Landmark Development are the concerns of the residents and he appreciates the PC addressing those concerns.

Bob Cartwright, 1675 Shoreline Dr.: Suggested the need for two (2) inner roads. He is concerned about the traffic pattern and would like to see some of the traffic taken off M-59.

Neil Harrison, 1407 Division Dr.: Thanked the PC for listening to the concerns of the Hartland residents. He has concerns regarding traffic.

12. PLANNER'S REPORT

Ms. Chesnut: The current "Hartland Crossings" Site Plan is available to the public for viewing at the Township Hall. There was an informal meeting with Speedway. They have some issues to deal with but will be returning in the future.

13. COMMITTEE REPORT

Commissioner Voight: He suggested the PC should work with Williams & Works and the Fire Marshall regarding the request for drive off style curbs.

Ms. Chesnut will contact Frank Patrello and the Fire Marshall for clarification on the issue.

Commissioner Crouse: He agreed with the public comments regarding their traffic concerns. He would like all of the developers to come together to address the traffic for a comprehensive plan.

Chairman Fox stated conversations have already begun with MDOT and the Livingston County Road Commission in regards to the necessity for such a study.

Commissioner Hopkins: Clarified his previous statement regarding the Dairy Queen. His comment was not a reflection on the business but only on the structure.

14. ADJOURNMENT

Move to adjourn Planning Commission Meeting at 9:03 p.m.

Motion Newsom. 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. Hill
Planning Commission Secretary