

3191 Hartland 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 Hill
Secretary

Alex Rataj

Keith Voight

PLANNING COMMISSION - REGULAR MEETING

NOVEMBER 9, 2006 at 7:00 PM

AGENDA

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF NOVEMBER 9, 2006 PLANNING COMMISSION AGENDA**
5. **APPROVAL OF OCTOBER 26, 2006 PLANNING COMMISSION 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.

3-MINUTE TIME LIMIT

PUBLIC HEARING

7. **ZONING AMENDMENT #332**
APPLICANT: HARTLAND TOWNSHIP
Proposed standards for outdoor seating and dining areas and permitting personal fitness centers

OLD AND NEW BUSINESS

8. **METES & BOUNDS APPLICATION #765**
APPLICANT: PAUL MORAND
Re-approval of expired Metes & Bounds Application # 726
9. **SITE PLAN APPLICATION #428**
APPLICANT: JOSEPH SORANO
Major / Minor change determination to site plan for parking lot paving located at 3540 Avon
10. **SITE PLAN APPLICATION # 426**
APPLICANT: WILLIAM ENGLAND
Proposed commercial / office buildings "England Commercial Center" located at 12316 Highland Road
11. **COST ESTIMATE FOR PLANNED DEVELOPMENT ORDINANCE AMENDMENTS**
12. **CALL TO PUBLIC**
3-MINUTE TIME LIMIT
13. **PLANNER'S REPORT**
14. **COMMITTEE REPORT**
15. **ADJOURNMENT**

NEXT MEETINGS

NOVEMBER 16, 2006	@7:00 PM
DECEMBER 7, 2006	@7:00 PM
DECEMBER 14, 2006	@7:00 PM

HARTLAND TOWNSHIP PLANNING COMMISSION
NOVEMBER 9, 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 9, 2006 PLANNING COMMISSION AGENDA**
Move to approve the Planning Commission Meeting Agenda for November 9, 2006.
Motion Hill. Second Newsom. Voice Vote. Motion Carried. 7-0-0.
5. **APPROVAL OF OCTOBER 26, 2006 PLANNING COMMISSION MEETING MINUTES**
Move to approve the Planning Commission Meeting Minutes for October 26, 2006.
Motion Hill. Second Rataj. Voice Vote. Motion Carried. 7-0-0.
6. **CALL TO PUBLIC:** *No one came forward.*

PUBLIC HEARING

7. **ZONING AMENDMENT #332**

APPLICANT: HARTLAND TOWNSHIP

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

PUBLIC HEARING OPENED AT 7:03 P.M.

For Applicant Hartland Township Planning Commission, Zoning Amendment Application #332, amending Hartland Township Zoning Ordinance #37, Articles 10, 21, 22, 23, 24, 26 and 27 by creating development standards for outdoor seating and dining along with permitting details of personal fitness centers.

For the record, at the Planning Commission meeting on October 12, 2006 a Public Hearing was scheduled for today, November 9, 2006. All Public notice requirements for this Public Hearing have been met and copies of the proposed ordinance amendments have been available at the Hartland Township Hall.

Ms. Chesnut: Summarized the McKenna Review letter dated October 24, 2006.

PUBLIC COMMENTS: *No one came forward.*

PUBLIC HEARING CLOSED AT 7:08 P.M.

PLANNING COMMISSIONER QUESTION & COMMENTS:

Commissioner Newsom: Suggested revising the title of paragraph #3b from "Time of Operation" to "Season of Operation."

The PC agreed with the language and Ms. Chesnut will make the change.

Commissioner Hopkins: Questioned paragraph #2a, and asked if there is a possibility of misinterpretation regarding the sidewalk leading to an entrance and not necessarily the sidewalk in front of an establishment. Suggested language should state that the seating area can not infringe on any required sidewalk.

Chairman Fox: Asked if the following language would be appropriate; "minimum of five (5) feet of sidewalk shall be maintained free of tables and other encumbrances."

The PC agreed with the proposed language and Ms. Chesnut will make the appropriate changes.

Commissioner Hopkins: Questioned the language in paragraph #2e, stating that the wording is awkward.

The PC agreed to eliminate the word "all" and add the word "the" in its place to clarify the provision.

Commissioner Hopkins: Suggested at a future date the PC modify Article #33.02.K.5 (Minor Change). If we include the addition of outdoor seating and dining as a minor change it will encourage existing establishments to offer this type of service and not make it too expensive and difficult to obtain. He suggested this could be done along with a future amendment to the Zoning Ordinance.

Move to set a date of November 16, 2006 for action on Application #332 for Hartland Township Planning Commission amending Zoning Ordinance #37, Articles 10, 21, 22, 23, 24, 26 and 27 for outdoor seating/dining and personal fitness centers.

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

8. METES & BOUNDS APPLICATION #765

APPLICANT: PAUL MORAND

Re-approval of expired Metes & Bounds Application #726.

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

Ms. Chesnut: Explained that the time period had expired for the original approval on Meets & Bounds Application #726, so they have to re-apply. This application is the same as the originally approved application.

Move to approve Metes & Bounds Application #765 Tax ID #08-16-100-007, per Hartland Township Land Division Ordinance #57.

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

9. SITE PLAN APPLICATION #428

APPLICANT: JOSEPH SORANO

Major/Minor change determination to Site Plan for parking lot paving located at 3540 Avon.

Present: *Joe Sorano, Applicant
Bev Alper, Applicant*

Ms. Chesnut: Explained the major/minor change application. The applicant needs the PC to review the request to change the material used on the parking lot from gravel to asphalt. The Township does not have any prior approved plans on record for this site most likely due to the age of the facility. This is an existing non-conforming parking lot and the paving will not change its non-conformity. It should also be noted that the applicant has already completed the paving.

Mr. Sorano: Explained the paving of the parking lot.

Commissioner Crouse: Asked if an engineer had reviewed and verified proper construction and installation of the asphalt? He suggested that an "as-built" drawing be provided to the Township.

Commissioner Hopkins: Agreed with Commissioner Crouse.

Commissioner Rataj: Felt an application should be required.

Mr. Sorano: Asked if he has already applied for a permit?

Ms. Chesnut: The application completed was for the bathroom remodeling and that a permit should have been granted before the parking lot was paved.

Commissioner Newsom: Are any further changes planned?

Mr. Sorano: Indicated that no further changes are anticipated.

Move to rule that Site Plan Application #428 for Joe Sorano Tax ID #08-16-101-053, to be a minor change per Hartland Township Ordinance #37 Section 33.02.K.5.f.

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

Move to approve Site Plan Application #428 for Joe Sorano Tax ID #08-16-101-053, conditioned that they apply and receive all permitting otherwise required, the finished product is inspected and approved to verify compliance with the Ordinance and an "as-built" drawing is submitted to the Township.

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

10. SITE PLAN APPLICATION #426

APPLICANT: WILLIAM ENGLAND

Proposed commercial / office buildings "England Commercial Center" located at 12316 Highland Rd.

Present: William England, Applicant

Wayne Perry, Desine, Inc.

Tony Pucci, Anthony Pucci Associates, pc

Mr. Perry: Summarized the proposal.

Mr. Pucci: Described the architecture of the proposed building.

Ms. Chesnut: Summarized the McKenna Review letter dated November 1, 2006.

Commissioner Hill: Asked why they proposed two (2) buildings versus one (1) building.

Mr. England: One (1) building was not aesthetically pleasing.

Mr. Perry: Explained that two (2) buildings balance the property.

Commissioner Crouse: Felt it would be hard to approve something that violates most setback requirements. Stated there must be a way to comply with some of the setbacks.

Mr. England: Explained that he needs the maximum amount of square footage to make sure the proposed plan works.

Commissioner Crouse: Maybe this site is not able to support this much square footage.

Ms. Chesnut: There was an informal with the applicant. Many of the issues discussed at the informal are still present within this proposal. She asked if a two (2) story building offering office on the second floor and commercial on the first floor was ever considered?

Mr. England: I am only considering commercial use for the space.

Chairman Fox: The most important frontage is along M-59. It would appear the larger building complies with the eighty (80) foot M-59 setback requirement. The smaller building has a setback of approximately forty-seven (47) feet from M-59 in the northeast corner. This is three (3) feet short of the allowable fifty (50) foot requirement because there is no parking in front of the building. We could ask you to move the smaller building back three (3) feet towards Cundy Rd., but that will just take three (3) feet from that setback which is already significantly short of the requirement. On Bullard Rd. you are asking for a modification to the setback because you want a larger building, not because the building is squeezed between two (2) roads like M-59 and Cundy Rd. This modification request seems like you are taking advantage of the situation, particularly when you are asking for many other modifications. This modification is so you can have a larger building. If you cut twenty-two (22) feet off from the length of this building, then you fall within the required setback from Bullard Rd. The twenty-two (22) foot reduction will also mean you do not need the proposed sixty-four (64) parking spaces shown on the plan. This would allow you to rework the parking lot and dumpster sitting on the right-of-way line along Cundy Rd. Also, to request this many modifications and not meet the architectural standards does not work for me.

Commissioner Newsom: Agreed with Chairman Fox. Supports adhering to the M-59 and Bullard Rd. setbacks but can work with the applicant on the Cundy Rd. setback. However, he felt the required fifteen (15) foot greenbelt for screening along Cundy Rd. should be required. He supports the use of under ground detention and following the architecture standards.

Mr. Pucci: Asked if glass is included in the calculation of architectural materials permitted? The vinyl siding was used on the backside of the building due to its light weight. He felt that he could vary the brick pattern on the building to create more interest.

Ms. Chesnut: Explained the Group 1 Architectural Standards. Glass is a permitted material and is included in the calculations. Also, vinyl siding has not been accepted on other commercial buildings in the Township. An alternative material is advised.

Commissioner Hopkins: Agreed with the comments of Commissioner Newsom and Chairman Fox. Stated the Bullard Rd. setback modification is only requested to accommodate a nineteen thousand (19,000) square foot building. He can work with the applicant on the Cundy Rd. setback but we should keep in mind that if Cundy Rd. were not there, this proposal would not meet the required rear setback. The dumpster and parking area on the Cundy Rd. right-of-way line is unacceptable. He can work with the applicant on the placement of landscaping materials around the site varying from the required location but not the total required quantity of plants. He suggested taking some of the square footage off the building to create more possibilities with the land. The Township has made great strides in improving the aesthetics of the community. This building needs to be brought up to Group 1 Architectural Standards. He is very concerned with vinyl on the back. He offered a possible revision to the roof line to accommodate screening of the mechanical equipment installed on the roof.

Commissioner Hill: Agreed with fellow Commissioners regarding the concerns with the site plan. The Bullard Rd. setback must be met.

Commissioner Rataj: He also agreed with fellow Commissioners. He likes the underground detention.

Mr. Pucci: Asked if panel brick is acceptable to the PC. This material will match the clay brick but is one half (½) inch thick. Therefore, it is lighter in weight and could be used on the second story in place of the proposed vinyl siding.

Commissioner Newsom: In some areas, such as the back of the building, the panel brick may be acceptable, but he does not want to see it on the front of the building columns just to save money.

It was the consensus of the PC that the use of matching clay panel brick is acceptable on the rear second story of the building.

Commissioner Voight: Felt the applicant was trying to put too much building on the site. He is nervous about giving up some of the setbacks.

Chairman Fox: Is willing to work with the applicant on this proposal but felt that they should go back and consider the PC comments given this evening.

Commissioner Newsom: The Cundy Rd. setback may allow for modification. The setback requirements for Bullard Rd. and M-59 should not be modified.

Commissioner Crouse: He would like to see what the applicant could come up with regarding the setbacks.

The applicant will take the comments given this evening and modify their proposal. They may return for a Site Plan Review with the PC after the revised plans are submitted and reviewed.

11. COST ESTIMATE FOR PLANNED DEVELOPMENT ORDINANCE AMENDMENTS

Ms. Chesnut: Explained the Planned Development Ordinance amendments per the McKenna letter dated November 2, 2006. The major issues identified in this letter are open space and engineering requirements for larger PD's, when the PD contract should be required/approved and requirements for developments over one thousand (1,000) acres verses under one thousand (1,000) acres. We concluded that there is a difference between the over and under one thousand (1,000) acre development and that the current PD Ordinance language should remain unchanged.

Commissioner Newsom: Asked if any other municipalities deal with PD engineering requirements in a similar way as being proposed.

Ms. Chesnut: Stated that Plymouth Township uses a process that is similar to the one we are proposing. Many other townships do not require the amount of detail as early in the PD process as Hartland Township. Eventually the required work gets completed, just not at the Preliminary Phase.

Commissioner Hopkins: Asked if the Committee sees these issues as a deficiency in the Ordinance.

Chairman Fox: Stated the current engineering requirements do not work for the larger phased in PD. To expect a developer to complete final engineering on a multi-phase, multi-year project does not seem reasonable. In many cases we do not know exactly what will be built that far into the future. In regards to open space, why not allow the flexibility for the developer to move the open space around the development as long as at each approved phase the total required open space for the project is being met.

Move to recommend the acceptance of McKenna Associates cost estimate for the Planned Development Ordinance amendment per McKenna's letter dated November 2, 2006.

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

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

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

14. COMMITTEE REPORT

Commissioner Rataj: Why did the Sign Application for Sorano's not have to go the PC for approval?

Ms. Chesnut: Explained it didn't have to come to the PC because it is not a new sign. It is a replacement of the face on the sign, the location and size remained unchanged.

15. ADJOURNMENT

Move to adjourn the Planning Commission Meeting at 8:51 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. Hill
Planning Commission Secretary