

HARTLAND TOWNSHIP PLANNING COMMISSION

AT THE TOWNSHIP HALL

APRIL 28, 2005

7:30 PM

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF APRIL 28, 2005 PLANNING COMMISSION AGENDA
5. APPROVAL OF APRIL 14, 2005 PLANNING COMMISSION MINUTES
6. CALL TO PUBLIC PLEASE APPROACH FRONT CENTER MICROPHONE

PUBLIC HEARING

OLD AND NEW BUSINESS

7. APPLICANT: M59-CLARK DEVELOPMENT LLC / ISAM YALDO METES & BOUNDS APPLICATION
#728 SECTION 22 GC (GENERAL COMMERCIAL)
8. APPLICANT: MIKE HORAN / WAYNE PERRY-DESINE REZONING APPLICATION #315
SECTION 28 REZONING I (INDUSTRIAL) TO LI (LIGHT INDUSTRIAL)
1/27/05 PC AGENDA SET A DATE FOR A PUBLIC HEARING ON FEBRUARY 24, 2005
2/10/05 PC AGENDA Public Hearing was canceled
3/17/05 PC AGENDA RESET A DATE FOR A PUBLIC HEARING ON APRIL 14, 2005
9. APPLICANT: JOE ROTONDO SITE PLAN APPLICATION #387 SECTION 21 ZONED GC (GENERAL
COMMERCIAL) GRADING
10. APPLICANT: ANDY GIOVANNETTI / PREMIER PROPERTY "CONCEPTUAL" PLANNED DEVELOPMENT
/ SITE PLAN APPLICATION #386 SECTION 26 ZONING CA (CONSERVATION AGRICULTURE)
SPECIAL PLANNING / MIX USE DEVELOPMENT "NEWBERRY PLACE WEST"
11. CALL TO PUBLIC
12. COMMITTEE REPORT
13. ADJOURNMENT

SPECIAL JOINT MEETING OF PLANNING COMMISSION AND TOWNSHIP BOARD MAY 5, 2005 @ 7:30 PM
NEXT SCHEDULED MAY 12, 2005 @ 7:30 PM

**HARTLAND TOWNSHIP PLANNING COMMISSION WORK SESSION
APRIL 28, 2005**

DRAFT VERSION

1. **CALL TO ORDER** – Chairman Fox called the meeting to order at 7:33 PM.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL** – Members present:

Chairman Fox

Vice-Chairman Bickel

Secretary Germane

Commissioner Kalenauskas

Commissioner Rataj

Commissioner Hopkins

Commissioner Newsom arrived at 7:35 PM

Members absent:

None

7. **APPROVAL OF APRIL 28, 2005 REGULAR MEETING AGENDA**

Move to approve the April 28, 2005 agenda as presented with the addition of approval of April 7, 2005 minutes as Item 5(a) and scheduling a rezoning for Application #314 for Mike Boohora as Item 10a. Motion by Hopkins, supported by Rataj. Motion carried by voice vote 6-0-0.

8. **APPROVAL OF APRIL 14, 2005 REGULAR MEETING MINUTES**

Move to approve the April 14, 2005 regular meeting minutes with the following corrections: On page 1, the meeting time was at 7:30 PM, not 7:00 PM as shown; On page 4 under Item #9, Applicant Philip Heck, Site Plan Application #385, the reference in the motion should be Section 33.02.K.4(3), not Section 33.02.K.48; and on page 6, Item #10, Applicant Republic Bank, Site Plan Application #379, the reference in the first motion should be Section 33.10.J, not Section 33.1.0.J. Motion by Hopkins, supported by Germane. Motion carried by voice vote 7-0-0.

5a. **APPROVAL OF APRIL 7, 2005 WORK SESSION MINUTES**

Move to approve the April 7, 2005 work session minutes as presented. Motion by Hopkins, supported by Bickel. Motion carried by voice vote 7-0-0.

6. **CALL TO THE PUBLIC**

None.

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**7. APPLICANT: M59-CLARK DEVELOPMENT LLC/ISAM YALDO
METES & BOUNDS APPLICATION #728, SECTION 22**

Property is situated along north side of M-59 between Clark and the medical offices near the ice rink access drive. The applicant's desire is to create two parcels from a single larger parcel. Trustee Hopkins questioned why an existing building is shown on the site drawing. It was explained by Mr. Yaldo that this small building is a former well house for the public well used to supply water to his residential development to the north. When the Hartland Township municipal water supply became available, the well was decommissioned and property closed (using bentonite grout). The building will be razed when construction at the sites occurs in the future. The expected long-term use of the property will be commercial, but no specific uses are known yet. The property is currently zoned as such.

Move to recommend approval of Metes & Bounds Application #728 for M59-Clark Development LLC for Tax ID # 08-22-300-034. Motion by Hopkins, supported by Newsom. Motion carried by voice vote 7-0-0.

**8. APPLICANT: MIKE HORAN
REZONING APPLICATION #315, SECTION 28 FROM INDUSTRIAL TO
LIGHT INDUSTRIAL**

The applicant was represented by Wayne Perry of Desine. He said the parcel is 4.6 acres in size and the long-term goal of the applicant is to construct a building for leasing tenant space. Planning Commissioners had no further questions.

A public hearing was held for this applicant on April 14, 2005. It was noted then that the change in zoning from Industrial (I) to Light Industrial (LI) will bring less intense zoning uses.

A written resolution was read by Secretary Germane. A copy of the resolution follows:

The resolution was offered by Germane and supported by Kalenauskas. It carried unanimously on a roll call vote.

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HARTLAND TOWNSHIP PLANNING COMMISSION

RESOLUTION TO RECOMMEND APPROVAL

OF PETITION FOR ZONING AMENDMENT

Rezoning Application No. 315

At a regular meeting of the Planning Commission of the Hartland Township, Livingston County, Michigan ("Township"), held at the Hartland Township Hall, 3191 Hartland Road, Hartland, MI 48353, at a meeting held on April 28, 2005, beginning at 7:30 PM Eastern Daylight Time:

PRESENT: Commissioners Fox, Bickel, Germane, Hopkins, Newsom, Rataj and Kalenauskas.

ABSENT: None

The following resolution was offered by Commissioner Germane and supported by Commissioner Kalenauskas:

WHEREAS, a petition has been made to amend to the Zoning District Map of Hartland Township, pursuant to Section 33.05 of Ordinance No. 37, the Hartland Township Zoning Ordinance ("Zoning Ordinance") for the property described by the legal description attached as "Exhibit A" from the I Industrial District designation to the LI Light Industrial District designation, identified as Rezoning Application No. 315; and

WHEREAS, the Planning Commission reviewed the petition and held a public hearing on April 14, 2005; and

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WHEREAS, the Planning Commission reviewed the petition in accordance with the procedures and criteria for consideration of an amendment to the Zoning Map, pursuant to Section 33.05 of the Zoning Ordinance; and

WHEREAS, the Planning Commission found that the petition substantially complies with said procedures and criteria for amendment in that:

- (1) The LI Light Industrial District is generally consistent with the Comprehensive Plan;
- (2) The subject site can comply with the dimensional requirements of the LI Light Industrial District; and
- (3) The LI Light Industrial District is more appropriate for the site and surrounding area than the existing I Industrial District because it will create fewer negative off-site impacts.

THEREFORE, the Hartland Township Planning Commission recommends that Rezoning Application #315 be approved because it is in the best interest of the health, safety and general welfare of the Township's residents and substantially complies with the criteria for a zoning map amendment as delineated in the Hartland Township Zoning Ordinance.

ADOPTED:

YEAS: Commissioners Fox, Bickel, Germane, Hopkins, Newsom, Ratai and Kalenaukas

NAYS: None

STATE OF MICHIGAN)
) ss
COUNTY OF LIVINGSTON)

I, the undersigned, the duly qualified and acting Recording Secretary and of the Planning Commission of Hartland Township, Livingston County, Michigan, DO HEREBY

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CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Planning Commission of said Township at a meeting held on the 28th day of April, 2005.

Recording Secretary

**9. APPLICANT: JOE ROTONDO
SITE PLAN APPLICATION #387 FOR GRADING IN SECTION 21 ZONED
GENERAL COMMERCIAL**

The applicant was in the audience and answered some questions but was primarily represented by Wayne Perry of Desine. Additional comments were provided Dan Callen, the applicant's realtor.

The property in question is located on the east side of Hartland Road immediately south of the Fawn Ridge Condominiums and directly west of the existing Hartland Township Wastewater Treatment Plant. The property is currently zoned General Commercial; this zoning is not in agreement with the Comprehensive Plan which suggest long-term use as multiple family residential. No tenants are current planned and there is no knowledge of potential building locations, number or size. The first step to making the property marketable is to remove the existing trees and re-contour the ground so that future buyers will be better able to visualize what they are purchasing. The current application is for tree removal and land balancing activities only.

Several commissioners had visited the site and questioned how stormwater runoff would be handled. Mr. Perry indicated that the site has an existing pot-hole that currently collects the majority of runoff from the site. After the regarding is completed, the stormwater will still be routed to the same location. The commissioners felt the low area was a wetland, although not large enough to be regulated.

Commissioner Bickel cited a publication from the Livingston County Planning Department that indicates this area is a sensitive area environmental area to be developed with extreme care. It is listed as a Natural Features priority area. She questioned what intentions the applicant had to work with the nature features that the site currently has. The applicant responded that the site is not a regulated wetland and that most of the site's trees are smaller diameter trees because the site had been harvested in the past.

There was concern expressed by other commissioners regarding the close proximity to the adjacent residential area to the north. Commissioner Fox felt that the existing application could be modified to include landscape screening in case construction of the future buildings does not occur for several years.

Commissioner Newsom asked if the site was to be revegetated after the grading was completed. The answer was yes – in accordance to the stormwater plan included with the grading plan.

Commissioner Germane asked if most of the trees on the site are to be removed. The answer was "yes".

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Dan Callen, the applicant's realtor spoke saying they have had lots of interested parties because the location is good for businesses. He feels the zoning is appropriate for the location. The current application is necessary because they need to display the property as it will be for future development so end users have better idea of what they are buying. Wish it was flat corn field, but it isn't. The owner will provide buffers, etc., but the site must be largely razed to provide adequate parking. The property value is high, so future development as multiple density residential would make it difficult to turn a profit.

Commissioner Newsom said that the exposure needed is along US-23 and Hartland Road so questioned why it is necessary to remove trees along the east side.

Trustee Hopkins thought that there may be a way to use "creative contouring" to better retain more of the site's existing natural features, such as the smaller northern wetland area nearest the residential area.

Comment letters from both McKenna and Williams & Works indicated that the application was incomplete.

At the applicant's request, action on this item tonight was tabled.

Motion to table Application #387. Motion by Kalenauskas, support by Newsom.
Motion carried, voice vote, 7-0-0.

**10. APPLICANT: PREMIER PROPERTY/ANDY GIOVANNETTI
"CONCEPTUAL" PLANNED DEVELOPMENT/SITE PLAN APPLICATION
#386, SECTION 26 ZONED CONSERVATION AGRICULTURE**

Chairman Fox stated that "Newberry West" is a different application than "Newberry East", the Special Planning Area (SPA) that was discussed at a special meeting on April 7, 2005. Any comments from previous Newberry East need to be restated tonight.

In addition to Mr. Giovannetti, staff members Deb Copper and Kati Davison, both from Beck & Raider (planning consultants) were present. Mr. Terry Nolsan of "Newberry East" was also present.

Mr. Giovannetti began with an introduction of his portion of the SPA. His property abuts the Hartland Glen golf course on the west end and consists of 39 acres. Both developers in the SPA decided to cooperate together to improve planning along M-59 frontage and to provide quality and consistent street scrapes. Combined, they expect the development to be a positive Township benefit for years to come. The SPC consists of mixed use development as

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opposed to total single family development. In their opinion, the key to long term success of a mixed used development is to deliver a mix of streets, and different portions of the development that can promote and support a wide variety of future uses (since market conditions may change over the life of the development). He indicated that all older "quaint" cities all started small at one time but someone had a vision of what it could become. An ingredient to being successful is that the infrastructure and open space all fit together to make a block that works from planning and aesthetics and supports market driven forces.

Kati said the property is surrounded on the south and east by an existing golf course, a church on the north side (under construction) and the Township's park property. They intend to construct a senior care facility and have two lot sizes for houses. All streets will have sidewalks. The development will also have trails through the natural areas (not shown yet on preliminary prints) thus helping to preserving wetlands and existing vegetation. The overall drainage of the site is toward the southwest.

The zoning ordinance has eligibility requirements for a Planned Unit Development (PUD) which she proceeded to discuss.

- Open space & recreation space – bike trail along M-59. Sidewalks along streets. Several parks and pedestrian-friendly area are included in the design.
- The design has a very efficient use of the land because it mixes so many types of land uses within ¼ mile.
- The design provides harmony between transportation and population density. As proposed, the density is near the Comprehensive Plan's 3-4 units/acre with 40% bonus. Under conventional development standards, a similar end product is not possible.
- Eligibility – recognized benefit to community.
- Parcel size – it exceeds the 20 acre minimum size.
- Parcel ownership – the property is owned by a single entity that can be held accountable in the future.
- Utilities – the development won't result in unnecessary burden on utilities.
- Natural features – the site's natural features are wetland and trees along the edges. Many perimeter trees will remain. Likewise, the regulated wetlands are preserved which is a positive benefit to the community.
- Conflict with Comprehensive Plan – there is no adverse effect on CP.

The next step is preliminary submission. At this point, both Newberry East and Newberry West will have one common pattern book to regulate both parcels. This will provide a cohesive unified look. In addition, a fiscal report to be provided at preliminary submission. Utilities will be installed at the site at no cost to Township.

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The planned development at the site includes retail & office along M-59; senior assisted & independent care housing at northwest corner; single homes & townhomes on the interior; pedestrian plazas to access local neighborhood retail places; and three parks (along entry boulevard from M-59, along the townhomes, and a third park at the south end).

Regarding parking – 80% will be shared parking. There will be no individual businesses along M-59, but integrated. On-street parking will also be permitted in the residential areas too. The goal is to mimic a long-standing community like Birmingham. The primary emphasis is on pedestrians so it is designed to pedestrian scale, not vehicle scale. In addition, with plenty of trees it will generate an urban feel, but comfortable. The townhome garages are accessed from the rear alley so there will be no curb cuts along the street.

Both SPA developers want a cohesive blend with each others development. Consequently, the edge treatments along M-59 – landscaping, special entrances, will be coordinated so that the development is inviting and successful.

McKenna provided comments from their April 7, 2005 letter.

- The assisted care facility has the equivalent of 34 residential units.
- They recommend a single "main" street off of M-59. McKenna noted that Newberry Place Road (the main E/W connection street between both developments) is a complement to the other Main Street at Newberry East. The applicant explained Newberry Place Rd. (E/W) is a key road. People will not choose strictly residential roads to move around complex.
- Need an interesting pedestrian pathway to connect to Newberry East.
- Street has a 66 wide basis.
- One street parking helps slow down traffic.
- The design follows the typical progression of retail near the main roads with dense population to lower populated areas further away. The applicant explained that the civic areas are further east so frontage along M-59 would not be lost.
- The original plan had parking bulked together; new plan has it spread out further. Senior car facility will have parking on west end. Alleys have 16 foot width. Roads have two 8-ft. drive lanes and 7.5 ft. parking lanes on both sides in residential areas – functions almost as a one-way road.
- Inclusion of access roads to other nearby properties should be a high priority. The applicant explained that Hartland Glen is open to the idea but their long-range development plans are not as advanced so these connector roads could be installed in the future.
- Parking on all four sides of the Senior Complex is not ideal. The as-proposed compromise is good.

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The applicant provided a table of trips/day in the "conceptual" PD submittal. A family would need access to outside roads 10 times/day while the senior complex is estimated to be only 2.6 trips/day.

Questions from Planning Commissioners:

Newsom – what types of retail establishments to you expect? Along M-59, not as intense as Kroger on the adjoining property. Instead, they expect smaller retail goods/services including medical offices with urgent care services and restaurants. Sites are more intense along M-59; less intense on interior sites. The proposed live-work areas would be on the inside, if market is there. They will be sensitive that the uses blend together nicely with the residential areas. The applicant expects commercial interest will be highest nearest the Kroger store and then slowly transition to the west. Lowest intensity would be on the west, so parking needs may be less. The grade change along M-59 is not an issue through central part of the development but is greatest at east and west ends of the whole SPA along M-59.

McKenna questions the proposed parking area along M-59 believing the revised layout made it worse. The applicant agreed to look at balancing parking further.

The various project phases will be outlined in Conceptual Plan. At the time it is felt the grocery would be first along with other commercial and some residential at the east end of Newberry East. Any work on the north side of M-59 would be later. Mr. Nolsan said construction over time is necessary. All streets and utilities will be installed initially along with all master grading. Some pads (building envelopes) would remain empty but would be seeded and kept up. Over time, occupancy will drive uses. Those open areas that remain initially would be used for civic space until built. At this time they hope for to begin construction in 2006 start and take 2 to 3 years to get 100% built. If the grocery is open in 18 to 24 months, then the remainder should build out pretty good.

Mr. Giovannetti added that if everything is designed properly initially such that they balance well and promote the platform for a wide range of uses, then the installation will go quicker. However, he cautioned that if senior housing is constructed somewhere else in Hartland or Highland first, then the demand for a similar use on his property would diminish. Their goal is to complete a great development for Hartland; Kroger will be a magnet. M-59 has 30,000 cars/day.

Commissioner Kalenauskas commented that the commercial development must be successful, otherwise residential won't grow. This will be the first time a pattern book is used by the Township. He commented on why a fire station or school isn't shown in the prints for either development. It was explained by the applicants that when property is donated for such uses, it is best if it is done as a separate item for tax purposes instead of as part of the development.

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Trustee Hopkins asked about the road width near the senior center. It was explained that they choose to make it only 24 feet wide to increase the amount of green space. Hopkins also questioned the intended use of the recreational areas (active or passive) and whether pedestrian areas have any benches. It was explained that some areas are large enough to play and that benches will be placed in the urban plazas. He recommended adding some brick pavers to the pavement instead of all straight asphalt, limiting the grid layout of streets, till very grid formed; curvy roads would be better. Lastly, he indicated the developers should consider assisting in the pavement cost for Pleasant Valley south as it would greatly increase their development's visibility and improve access.

Commissioner Bickel believed there could be a greater mix of uses through & design as the project can be asset to community if done correctly.

Here is a summary list of concerns:

- Parking along M-59, drive entrances, urban plaza importance,
- More green space along M-59,
- More phasing,
- Stub streets to match interior roads,
- Active play areas,
- Alternative paving materials,
- Curving of streets,
- Pleasant Valley Road paving, and
- Superior arch. & design.

Kati Davison inquired about the next step in the process for her client? She was informed by McKenna that the conceptual plan needs to be presented to the Township Board, but that they won't get any approvals. The next formal step is to receive preliminary approval from the Planning Commission.

It was the consensus of the Commissioners that they should continue with the conceptual presentation to the Township Board.

MEETING RECESS

10a. APPLICATION #314: REZONING FOR MIKE BOOHORA

Further action on rezoning application #314 for Mike Boohora will be scheduled as an action item for the Planning Commissions regular meeting on June 23, 2005.

11. CALL TO PUBLIC

Dan Pennoyer, a member of the Board of Woodcliff Village

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Mr. Pennoyer had several questions about the grading plan for Joe Rotondo (Item #9 of tonight's meeting). His questions included what types of buffering and screening are permitted, whether existing screening can remain, whether masonry walls are possible, how closely spaced are the evergreen plantings; what kinds of buildings and businesses are permitted in a commercial zoning; and how best to convey their concerns to the Planning Commission. McKenna informed him that the types of businesses in a commercially zoned area include shops, banks, restaurants, and similar retail stores but Chairman Fox suggested he come to the Township Hall and ask staff for a complete list. It was suggested by Commissioner Kalenaskas that the most effective way to express their concerns is to send a written letter since a formal public hearing is not available on a Site Plan Application.

Jacqueline Cwik – 1560 Shoreline Drive

In regards to Application #387, Ms. Cwik agreed that property razing provides curb appeal. However, she noted that additional activity moving fill dirt is occurring again at Mr. Rotondo's property at the southeast corner of M-59 and US-23 and that the site has not been revegetated yet as per the grading plan and consequently is still causing environmental damage

Katie Schluetter – Round Lake resident

Ms. Schluetter was relieved to hear there is a Section 33.02 in the Zoning Ordinance; however she is concerned that some property damage could occur to the site on Hartland Road (item #9 on tonight's agenda) if an ultimate plan is not known for the site's development activities. Furthermore, she said that MDOT installed a new storm drain across Hartland Road and it drains into the parcel discussed earlier tonight under Item #9. At the present time, the pond is full of water. Trees use the water but without any trees, the pond could actually get larger.

Lastly, she indicated that keeping as many trees as possible will help with noise buffering too.

12. COMMITTEE REPORTS

Natural Features Committee: At this time, we have not moved further to arrange for any evening meetings to educate the public; have received 40 surveys so far and expect to get many more before the deadline of May 15th. The subcommittee will continue to move forward writing a draft. We continue making steady progress reviewing other ordinances.

Informal Committee: On April 27, 2005, a meeting was held with Tow Bridge Echo Wood on Bergin Road. The area is identified as a Cat. 1 high priority area according to the county. The plan is for 170 homes on 100 acres. The developers agreed with more green along road frontage.

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Raparian Rights – got comments from attorney.

Signs: This will be on our agenda for May 12, 2005. Comments from township attorney on the revised sign ordinance are pending

Correspondence: Chairman Fox informed us that Hartland received notice from Tyrone Twp. that they are amending their Comprehensive Plan.

The meeting continued with discussion on the agenda for next week's joint meeting with the Township Board. Want brief discussion on the status of these various issues.

Enforcement – Matt
Easements – Dave
Land Division – Larry H.
Downtown Hartland – Jeff

Each of the subcommittee chairs should be prepared to provide a 5-minute update.

13. ADJOURNMENT

The meeting adjourned at 10:28 PM.

Move to adjourn. Motion by Rataj, supported by Bickel. Motion carried, 7-0-0 by voice vote.

These minutes are a preliminary draft until approved by the Planning Commission at a subsequent meeting.

Submitted by,

Matthew Germane, Secretary