

**HARTLAND TOWNSHIP
PLANNING COMMISSION MEETING
AT THE TOWNSHIP HALL
APRIL 24, 2003
7:30 PM**

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF APRIL 24, 2003 PLANNING COMMISSION AGENDA
5. APPROVAL OF APRIL 10, 2003 PLANNING COMMISSION MINUTES
6. APPROVAL OF April 17, 2003 SPECIAL PLANNING COMMISSION MEETING MINUTES
7. CALL TO PUBLIC PLEASE APPROACH FRONT CENTER MICROPHONE

PUBLIC HEARING

8. APPLICANT: LINDHOUT ASSOCIATES/ NICHOLAS PALIZZI SPECIAL USE APPLICATION #344 IN
CONJUNCTION WITH SITE PLAN APPLICATION #344 TO CONSTRUCT "ALL SAINTS LUTHERAN
CHURCH"
9. APPLICANT: HARVEY MEYER SPECIAL USE APPLICATION #218 IN CONJUNCTION WITH SITE
PLAN #343 TO CONSTRUCT A SERVICE STATION

OLD AND NEW BUSINESS

10. APPLICANT: LONNY MORGANROTH / DESINE, WAYNE PERRY SITE PLAN APPLICATION #495
"FOUNTAIN SQUARE" SECTION 28 PDGC (PLANNED DEVELOPMENT GENERAL COMMERCIAL)
TO CONSTRUCT ADDITIONAL RETAIL SPACE AND SITE IMPROVEMENTS
11. CALL TO PUBLIC
12. COMMITTEE REPORT
13. ADJOURNMENT

NEXT REGULAR MEETING MAY 8, 2003

1. CALL TO ORDER – The meeting was called to order by Chairman Fountain.

2 PLEDGE OF ALLEGIANCE

3. ROLL CALL – Secretary Kalenauskas called the roll. Members present: Chairman Fountain, Vice Chairman Douglass, Secretary Kalenauskas, Commissioner Colaianne, Commissioner Petrucci and Commissioner Germane. Commissioner Phillips arrived at 7:40 p.m. Also present: David Nicholson of McKenna Associates and ZA Kuhn. Also present in the audience: Supervisor Rhodes and Trustee Wyland.

4. APPROVAL OF APRIL 24, 2003 PLANNING COMMISSION AGENDA – Move to approve the April 25, 2003 Planning Commission agenda. Motion Germane . Second Colaianne. Voice Vote. Motion Carried. 6-0-1.

5. APPROVAL OF APRIL 10, 2003 PLANNING COMMISSION MINUTES – Move to table. Motion Kalenauskas. Second Germane. Voice Vote. Motion Carried. 6-0-1.

6. APPROVAL OF APRIL 17, 2003 PLANNING COMMISSION SPECIAL MEETING MINUTES – Move to approve the April 17, 2003 Planning Commission Special Meeting minutes as presented. Motion Germane. Second Colaianne. Voice Vote. Motion Carried. 6-0-1.

7. CALL TO THE PUBLIC – Tonya Duluk of Heritage GMAC Real Estate was present with Gary Gerrits representing Shurgard Storage. They were seeking Commission opinion on placing an approx. 60,000 sq. ft. self storage facility at Clark Road and M-59. It is zoned GC. Mr. Nicholson noted that such a use is not specifically permitted in GC but is in HSC, I, and LI. It is defined as warehousing. The Commission could evaluate it as a special use in GC if they felt it is similar to other GC uses per Sec. 24.03.U. Sec. 25.02.H allows mini storage and there is some already existing in LI. ZA Kuhn had advised them to come in at call to the public. The Planning Commission advised them that they had the option to come in for an informal review. Several Commissioners did not feel it was appropriate use of the suggested site.

PUBLIC HEARING

8. APPLICANT: LINDHOUT ASSOCIATES / NICHOLAS PALIZZI SPECIAL USE APPLICATION #219 IN CONJUNCTION WITH SITE PLAN APPLICATION #344 TO CONSTRUCT ALL SAINTS LUTHERAN CHURCH – Nick Palizzi was present. This is phase one of a multiphase plan. The future expansion is indicated on the plan. The existing house will remain as the parish house. There will be 100 parking spaces. Trees will be added for perimeter screening.

A virtual tour of the exterior of the building was presented and was very informative. Brick, shingle and glass were the predominant materials.

Diane Petronio spoke in support of approving the church.

Terry Nosan of M59 / Hartland LLC spoke as one of the adjoining property owners. The parking setback is along the west boundary of his property. He requested as much buffering as possible since his plans were for residential in this area.

Mr. Nosan also stated that he had discussions with the church concerning state statute that allowed a church or school to object to liquor sales within 500 ft. of their property line. This could impact future uses at the M59/ Pleasant Valley proposed mixed use site. Restaurants, wine shops and even grocery stores could be impacted by this. He will continue discussions with the church to seek an agreement.

Commissioner Douglass – Pedestrian access between the church and the adjoining residential would be beneficial. A landscaping buffer would be preferable to any kind of fence.

The public hearing closed at 8:05 p.m.

9. APPLICANT: HARVEY MEYER SPECIAL USE APPLICATION #218 IN CONJUNCTION WITH SITE PLAN APPLICATION #343 TO CONSTRUCT A SERVICE STATION – Mr. Meyer was present with Michael Beydoun. They are planning a restaurant and a gas station.

Robert Bulloch – Dunham Road – Is a noise buffer planned on the north boundary? Mr. Beydoun had no answer for this. They are planning to use the front of the property for the station.

Mr. Beydoun felt that they had addressed most of the issues raised in the review.

Mr. Nicholson noted that this a special use in GC.

Rob Warthman – Will the restaurant be fast food and if so what company? It will be fast food but no decision has been made on which company.

Mr. Beydoun stated that most of the building will be brick.

Commissioner Colaianne expressed concerns about traffic at this corner with the new school coming into operation since this is currently the site of traffic backups on M59.

Commissioner Kalenaskas – Will diesel fuel be sold? Possibly. Mr. Meyer would like to sell racing fuel.

Mr. Nicholson has submitted site plan and special use reviews dated April 10, 2003. One issue noted is that the proposed access drives do not meet local requirements.

The Commission did not have the most recent plan that the applicant was using for the public hearing.

Commissioner Phillips noted that the M59 Corridor Committee should also receive a copy of the plans.

Commissioner Petrucci had concerns about the proximity to residential on the north and north east.

Mr. Nicholson – Pollution incident plans will be required, double wall tanks and other environmental safety items are required. A spill would be the major cause for concern. Mr. Beydoun agreed that extensive safety equipment will be installed. The soils will be tested for stability.

Location is a major concern. There are already many stations in a short distance. This will just add to that issue. This would be the sixth station in approximately one half mile.

Lonny Morganroth agreed this was quite a few stations but two of the current five were not in operation.

Robert Bulloch – Businesses like to be grouped for better sales.

The public hearing closed at 8:35 p.m.

OLD AND NEW BUSINESS

10. HARTLAND SPORTS CENTER PRIVATE ROAD WAIVER OF UTILITY

EASEMENT - Chairman Fountain requested clarification as to the ability of the PC to grant such a waiver.

Mr. Nicholson has had discussions with ZA Kuhn. The Ordinance addresses this issue in Sec. 30.13 Minimum Width requirements and page 30-12 paragraph 7, Utilities. The Commission had the authority to determine if a waiver should be granted. Some of the ordinance language refers to a residential easement of 42 feet with additional easement for utilities. The easement in this case is 66 ft. and has room for the utilities without additional easement needed. The April 18, 2003 Tetra Tech MPS review letter did not object to the easements as stated.

Move to waive the utility easement requirement for Private Road Application #122 per Sec. 30.13.C.7 Utilities per the Tetra Tech MPS letter dated April 18, 2003 and the fax transmission from McKenna dated April 11, 2003 advising on this same easement issue. Motion Phillips. Second Colaianne. Voice Vote. Motion Carried. 7-0-0.

11. APPLICANT: LONNY MORGANROTH / DESINE INC., WAYNE PERRY SITE PLAN APPLICATION #495 FOUNTAIN SQUARE SECTION 28 GC TO CONSTRUCT ADDITIONAL RETAIL SPACE AND SITE IMPROVEMENTS – Lonny Morganroth, Anthony Pucci and Christopher Grzenkowicz were present.

McKenna has reviewed the complete site plan in the April 16, 2003 letter. The review included the prominent location of the new building on Old 23, screening, pedestrian access, parking, storage, orientation of parking aisles, lighting and signage among other items.

Discontinue the use of the PD designation with this property since it is not applicable.

The archway cannot be in the front yard setback and is could be determined to be a self created hardship.

ZA Kuhn pointed out that the research requested on the past sign approvals for the site has been distributed to the PC.

Commissioner Phillips – on page 33-18 of the ordinance it states that ZBA approval runs with the land so the tall sign can remain as approved with a variance. There are tenants on the sign that are still in the center.

Mr. Grzenkowicz stated that he had not received the most recent Tetra Tech MPS letter. There had been verbal approval of the proposed septic system from the health department.

Reconfiguring the parking will cost too many spaces.

Mr. Nicholson noted that the parking calculation for the number of spaces is correct but the number available falls short.

Commissioner Phillips – Page 55 of the ordinance allow the PC to change the numbers for parking.

It was the consensus of the Commission that if the parking aisle orientation remains as it exists, the crosswalks should be kept as is to address a health and safety issue.

Mr. Morganroth stated he would put more trees in to screen the back of the Mobil station to the north.

The lighting manufacturer can provide a photometric grid.

The new gable will not have neon and the Commission would like to see the rest of the neon removed since it is now nonconforming. Mr. Morganroth agreed to place a sidewalk on the east side of the M59 access arrive. The PC cannot waive the requirement that no structure be placed in the front yard setback and the archway is a structure per the ordinance definition.

The applicant was advised to do submit a sign application.

The applicant agreed to the items to be stated in the motion and will make the appropriate changes prior to the application going to the Board for a vote. ZA Kuhn will review the revised plans for compliance.

Move to recommend approval of Site Plan Application #495 of Lonny Morganroth / Desine Inc./ Wayne Perry for Fountain Square to construct additional retail space and site improvements. The following items will be addressed.

1. All setback lines will be corrected and shown on the site plan.
 2. Sidewalks will be installed along the east side of the access drive to M59.
 3. The Planning Commission recognizes a parking space deficiency due to Article 5.01.D.8. The Planning Commission has allowed the minimum number to be modified. Pedestrian crosswalks in the parking lot will be maintained as currently existing.
 4. Arbor Vitae and locust trees will be changed as recommended in the McKenna review dated April 16, 2003.
 5. A photometric grid will be provided for the site plan.
 6. The proposed archway will be omitted from the April 7, 2003 site plan drawings.
 7. Zoning designations for the surrounding sites will be corrected and PD removed from the site zoning designation.
 8. A façade waiver is granted.
 9. The Planning Commission recognizes that the ZBA granted variance #372 in May of 1996 regarding the ground sign will remain in effect.
 10. The neon will be removed from the building.
 11. The Zoning Administrator will review the revised plans prior to Board vote.
 12. This recommendation does not include any sign approvals.
- Motion Phillips. Second Germane. Voice Vote. Motion Carried. 7-0-0.

13. CALL TO THE PUBLIC – There being no response, the call to the public was closed.

14. COMMITTEE REPORTS

ZA Kuhn – Secretary Kalenauskas should update the Planning Commission calendar.

Does the PC want copies of the by-laws distributed? No.

The Hammle property that was recently approved has 3 front yards. Review this for a future meeting.

The attorney will advise on the Cobblestone Preserve setback issue. Commissioner Kalenauskas has researched this and the setback as approved is not cumulative. The 30 ft. setback is within the 50 ft. setback not in addition to it. ZA Kuhn will pursue this.

Petrucci – The single point exchange proposed for M59 / US 23 will be the first in Michigan and will be controlled with computer signals.

Kalenauskas – The meeting with Mr. Nicholson / McKenna Associates went well and both sides communicated well. Future communication should be maintained to work out issues as they come up and not let them accumulate. Chairman Fountain will seek to maintain better communication with the planner and be receptive to concerns from the planner. The Commission and the planner will work together to complete the current outstanding issues.

Mr. Nicholson noted that the billing procedure was modified at the request of former ZA Burkhardt and can be modified again if so requested by the Township to be more detailed. The calendar was discussed. The meetings will remain on the second and fourth Thursdays with allowance for changes for holidays such as Thanksgiving and Christmas. There will be a trial starting with the May 8 meeting to change the time to 7:00 p.m.

Germane – Recommend the Board purchase a copy of the Livingston County Comprehensive Plan.

The Planning Commission would like to see the presentation that the Parks and Recreation Committee will be doing for the Board.

The planner should be at the May 1, 2003 meeting for the comprehensive plan.

Colaianne – Request input from the planner on the process of formulating a capital improvement plan.

Fountain – Review draft of the Planned Development ordinance section and submit changes. The planner will incorporate the Crouse items into the RR district draft.

Colaianne – Property Rights vs. Planning meetings have been held concerning the Governor's Program and have been mostly disappointing and not productive.

14. ADJOURNMENT – The meeting was adjourned at 10:55 p.m.

These minutes are a preliminary draft until final approval.

Submitted by,



Christine A. Polk
Recording Secretary



D. Kalenauskas
Planning Commission Secretary