

1. Call to Order - THE MEETING WAS CALLED TO ORDER BY AT 7:00 PM

2. Pledge of Allegiance

3. Roll Call

PRESENT: Joe Colaianne, Thomas Murphy, Larry Fox, Jeff Newsom, Sue Grissim, Michael Mitchell
ABSENT: Keith Voight

4. Approval of Meeting Agenda

Motion to approve the Agenda

RESULT:	APPROVED [5 TO 0]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell
ABSENT:	Voight
AWAY:	Newsom

5. Approval of Meeting Minutes

a. Planning Commission - Regular Meeting - May 25, 2017 7:00 PM

RESULT:	ACCEPTED [5 TO 0]
MOVER:	Michael Mitchell, Commissioner
SECONDER:	Thomas Murphy, Commissioner
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell
ABSENT:	Voight
AWAY:	Newsom

6. Call to Public

None

7. Old and New Business

a. Rezoning #17-001, Asselin, Former Turnin 2 Site

Director Langer reviewed the request and location. He stated the following:

- The Planning Commission postponed taking action on the request at the last meeting due to several outstanding compliance issues present on the site.
- The applicant has provided a letter to address the concerns brought forth at the last meeting.
- The applicant has also requested a 60-day extension for the building materials to remain on the site. The extension of time on the building materials was discussed by the Township Board at their June 20, 2017 meeting and granted an extension until July 12, 2017.

Kevin Johnson, with Rhoads and Johnson; Ray Embach, of Asselin McLane Architectural Group; and David Kennedy, the property owner were introduced as representing the Applicant.

The Applicant voiced their appreciation for the work the Township has done through all of the ups and downs for this and previous proposals. He stated they are here to be proactive for the future.

Chair Fox referred to the packet materials and asked if there is still escrow money available for the trees. Director Langer stated yes, the property owner elected to leave the escrow money for the

construction of the building in the account for the potential removal of the foundation materials or installation of vegetative screening if needed, around \$41,000.

Commissioner Colaianne stated the Township Board, at the June 20, 2017 meeting, discussed the request for a 60-day extension of time for the removal of the building materials. At that point the Township Board gave them until July 12 to submit a plan or remove the materials.

Commissioner Colaianne asked if the Applicant had discussed the matter with anyone from the Township.

The Applicant stated the following:

- They did speak with the Planning Director following the meeting.
- It is difficult to come up with a plan until the property is rezoned; most prospective buyers do not want to wait a year to proceed with their projects.
- They already lost one opportunity because of the zoning issue.
- They have interested parties but cannot move forward without the rezoning.
- There is a great deal of value in the materials stored on the site; they want to use them for the intended purpose.

Chair Fox stated and briefly discussed the reason the earlier opportunity passed on the site was due to readiness, not zoning. They needed a building ready to move in to and did not have the time to construct something new. Chair Fox stated he was and still is in support of rezoning the property.

Director Langer referred to pictures of the foundation area that was required to be covered. He indicated a footing with steel and stated that portion of the foundation was not supposed to be covered. That is the only portion of the foundation that is not covered which was consistent with the directive of the Township Board in order to release the Performance Bond.

The Planning Commission briefly reviewed the Performance Bond requirements, process, release of funds and the reasoning for leaving the materials on the property.

Commissioner Colaianne asked if they had a site plan going forward. The Applicant stated they do not; at this point any structure would have to be built as approved by the Township. There is \$1,000,000 in materials there that need to be used there.

Commissioner Murphy asked about the time extension granted by the Township Board. Commissioner Colaianne stated July 12, 2017 is the deadline to submit a plan. The Board did not grant a time extension for the materials to remain.

Chair Fox reminded the Planning Commission that even if they did show a site plan, in a rezoning, they are not held to one specific site plan. Commissioner Colaianne stated they want more information about what is planned for the site.

Director Langer stated if there is a decision on the rezoning by the Planning Commission, it would most likely move on to the Township Board for their next meeting scheduled for July 11, 2017. The Board would have an opportunity at that time to discuss with the Applicant their future plans for the site and grant an extension of time if they choose, or not.

Chair Fox stated the Planning Commission is a recommending body for this request; the Board can deal with any open issues.

Commissioner Mitchell stated he is in agreement the Township Board is handling the issues; it is up to the Planning Commission to make a recommendation. The rest of the discussion will happen at the Township Board. He has no further issues with the property other than what was stated previously.

Commissioner Murphy concurred.

There was no further discussion.

Commissioner Mitchell offered the following motion:

Move to recommend approval of Rezoning Application #17-001, a request to rezone approximately 74.5 acres that includes the property addressed at the southwest corner of Clyde Road and Old US 23 (Parcel ID #4708-08-200-027), from CA (Conservation Agricultural) and GC (General Commercial) to LI (Light Industrial), based on the following findings:

1. **The requested LI zoning is consistent with the Comprehensive Plan.**
2. **The requested LI zoning is intended to serve as a transition from US 23, located to the east; and residential, located farther to the west.**
3. **Potential uses allowed in the requested LI zoning are compatible with surrounding uses and zoning, when developed in compliance with the Township Zoning regulations.**
4. **The subject property can comply with the dimensional requirements of the LI district.**

Seconded by Commissioner Grissim. Motion carried unanimously.

RESULT:	RECOMMENDED TO APPROVE [5 TO 0]	Next: 7/11/2017 7:00 PM
MOVER:	Michael Mitchell, Commissioner	
SECONDER:	Sue Grissim, Commissioner	
AYES:	Colaianne, Murphy, Fox, Grissim, Mitchell	
ABSENT:	Voight	
AWAY:	Newsom	

b. Site Plan #17-008, Emagine Theater Amend Site Plan

Director Langer summarized the request as follows:

- The applicant, CH Hartland LLC, is requesting approval to amend the previously approved site plans for the Emagine Theatre.
- The current request is to reduce the square footage of the building from 64,600 square feet to approximately 55,132 square feet.
- Other modifications include:
 - Reduction of the number of auditoriums from ten (10) to nine (9).
 - Reduction in the number of theater seats.
 - Revised building elevations to accommodate the reduced building size.
 - Changes to the parking area and landscaping around the building.
 - The submitted plans provide information on Phase II, with an expansion of the building footprint and number of auditoriums; however, the current request is only related to Phase I.
 - The Planning Commission approved the original site plan so it must decide any modification to the approved site plan.

- If approved, the Applicant will move on to the pre-construction phase.

(Commissioner Newsom entered the meeting at approximately 7:25 PM)

The Applicant, Michael Southen of Signature Associates, introduced himself and stated the following:

- Compared the original floor plan to the revised floor plan.
- Stated the size has been reconfigured for the local market and if the market calls for a larger theater, there is a Phase 2 that could be constructed.
- Requested both phases be approved at this time.
- Revised parking is a better design.
- Facades have remained virtually the same with the same products.

Chair Fox referred to the staff report.

The Planning Commission briefly discussed the Photometric Plan. Director Langer stated although a Photometric Plan was not submitted at this time, the previous plan was in compliance and he does not foresee any problems.

Commissioner Grissim asked for clarification of the landscaping around the building. The Applicant stated they concentrated the landscaping in the islands to create a nice entry. Around the foundation near the exits there are some small plants; the area in the front has changed due to the altered size of the building. Commissioner Grissim stated it is difficult to see on the plan and asked for additional detail on the final set of plans. The Applicant agreed.

Commissioner Grissim offered the following motion:

Move to approve Site Plan Application #17-008, a request to amend the previously approved plans for Emagine Theatre in Hartland Towne Square Planned Development, and construct an approximate 55,132 square foot Emagine Theatre with the following conditions:

- 1. The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated June 15, 2017, on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.**
- 2. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant, and Hartland Deerfield Fire Authority Fire Marshal.**
- 3. All previous conditions from prior approvals shall remain in effect.**
- 4. Turn in a Photometric Plan.**

Seconded by Commissioner Newsom. Motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sue Grissim, Commissioner
SECONDER:	Jeff Newsom, Vice Chairman
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell
ABSENT:	Voight

c. Site Plan Application #17-006, Culvers Restaurant

Director Langer summarized the request. The applicant, LRKR, Inc., is requesting approval to amend the previously approved site plans for Hartland Towne Square Planned Development (PD) and construct an approximate 4,100 square foot Culver’s restaurant with one drive-through window located in the Hartland Towne Square development next to the existing Tim Horton’s. He also stated the following:

- The PD allows for a drive-through window without a Special Use Permit; however, it limits the number of restaurants with a drive-through to two (2); Taco Bell is the first and this would be the second and the last.
- Tim Horton's is considered a drive-through coffee shop and one (1) is permitted.
- This project was discussed by the Site Plan Review Committee on a couple of occasions, worked through a number of issues and is now requesting Site Plan Approval.

The Applicants, Lloyd Rayburn, with LRKR Inc; Cameron Horvath, and Brent LaVanway, with Boss Engineering; introduced themselves.

Chair Fox referred to the staff memorandum.

Requirements

Director Langer stated there is no minimum lot size set forth for the PD. General commercial lot size minimum is 20,000 square feet. This lot is 1.26 acres.

Off-Street Parking

Director Langer stated the parking planned meets both the Zoning Ordinance and the PD Pattern Book requirements.

Loading

Director Langer stated a separate loading area is not provided but a loading area is shown on the plans in a drive aisle, similar to others in the development. The Planning Commission must decide if that location is acceptable.

The Planning Commission had no objections.

Outdoor Eating Area - Furniture

Director Langer reminded the Applicant that business names or corporate logos are not allowed on umbrellas or outdoor furnishings.

Lighting - Light Levels at Property Lines & Average Illumination Levels

Director Langer stated the total lighting levels comply but there are a few areas where they do not comply.

The Applicant stated additional lighting is planned at the drive and building entrances for safety purposes.

Commissioner Grissim asked if they had manipulated their plan to try to comply with the standards. The Applicant stated they could go back and change the grid pattern. Commissioner Grissim continued by stating the standard of 5.0 foot-candles is pretty bright; the Township wants it to be safe but light trespass and overage of illumination levels are a cumulative effect as a community.

The Planning Commission briefly discussed Lighting Standards.

Commissioner Murphy asked Commissioner Grissim if she was comfortable with the added lighting along the M-59 and Rovey Road drive entrances. Commissioner Grissim stated she feels those drive entrance lights are reasonable from a safety standpoint but the lighting within the site and at the front door should comply.

The Planning Commission agreed.

Chair Fox mentioned current LED lighting fixtures are more energy efficient than those approved in the Pattern Book for this PD; possibly the Planning Commission should add that revision the next time

the PD is being amended. Director Langer stated lighting fixtures have changed dramatically in the short time since the PD was adopted, thus the Planning Commission must decide if the newer, more efficient fixtures are consistent with the intent of the Pattern Book.

The Planning Commission agreed.

Landscaping - Rovey Drive

Director Langer explained the 20-foot utility easement makes it difficult to provide the required landscaping. The required items have been relocated elsewhere on the site. The Planning Commission must determine if the relocated plant material is acceptable.

The Planning Commission agreed.

Landscaping - Species

Chair Fox referred to the proposed Landscaping Species List and asked if Commissioner Grissim was satisfied with the proposed list.

Commissioner Grissim stated

- Materials on the list look very tough and hardy suitable for a parking lot environment.
- Requested the Applicant review carefully the size of the plants in relation to the mulch area.
- Requirement is 50% of the parking lot islands should be covered by small or medium shrubs and the remaining 50% should be covered by mulch, perennials, ground cover, etc.
- Some of the plants chosen are little; more coverage would help keep the weeds down and be easier to maintain.
- Conversely, others are a little large.
 - The south elevation with a window shows hydrangeas which can be six feet tall.
 - The plants around the monument sign may cover the text at the bottom; if they are heavily pruned, they will never flower.

Chair Fox asked that staff be able to review and approve those minor changes to the Landscape Plan.

The Planning Commission agreed.

Architecture / Building Materials

Chair Fox stated this Applicant has worked extremely hard with Culver's and the architects to pull this together and while some brick to stone formulas may be off, the materials are all very durable. He is advocating the proposed Architecture and Building Materials be accepted as presented.

Chair Fox asked the Applicant to give their reasoning for the Canvas Awning placement. The Applicant stated there are some awnings planned where there are no windows for aesthetics. This proposal is a compromise between the Culver's standard and the PD standard.

The Planning Commission agreed.

The Planning Commission briefly discussed the possibility of a sidewalk connection. One is not planned due to grade and logistics at that location.

Commissioner Murphy offered the following motion.

Move to approve Site Plan Application #17-006 a request to amend the previously approved plans for Hartland Towne Square Planned Development, to construct an approximate 4,100 square foot Culver's restaurant with one drive-through window, including approval of the architectural and lighting waiver requests, with the following conditions:

1. The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated June 15, 2017, on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.
2. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant, and Hartland Deerfield Fire Authority Fire Marshal.

Seconded by Commissioner Colaianne.

Commissioner Grissim offered a friendly amendment as follows:

3. The photometric plan shall comply with all applicable lighting standards as outlined in the Hartland Towne Square Pattern Book and the Hartland Township Zoning Ordinance.

The Maker and Seconder agreed. Motion carried unanimously.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Thomas Murphy, Commissioner
SECONDER:	Joe Colaianne, Trustee
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell
ABSENT:	Voight

8. Call to Public

None

9. Planner's Report

Director Langer reported the following:

- Busy summer, the agendas are filling quickly into August.
- Land Use Permit numbers, such as new house starts, are up.

10. Committee Reports

None

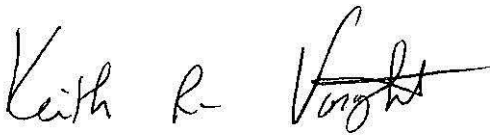
11. Adjournment

Motion to Adjourn

A Motion to adjourn was made by Commissioner Colaianne and seconded by Commissioner Newsom. Motion carried unanimously. The meeting was adjourned at approximately 8:12 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Jeff Newsom, Vice Chairman
AYES:	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell
ABSENT:	Voight

Submitted by,

A handwritten signature in black ink that reads "Keith R. Voight". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Keith Voight
Planning Commission Secretary