

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING
AT THE TOWNSHIP HALL

MAY 25, 2006

7:00 PM

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MAY 25, 2006 PLANNING COMMISSION AGENDA
- ✓ 5. APPROVAL OF MAY 11, 2006 PLANNING COMMISSION MINUTES
6. CALL TO PUBLIC PLEASE APPROACH FRONT CENTER MICROPHONE
5-MINUTE TIME LIMIT

PUBLIC HEARING

OLD AND NEW BUSINESS

- ✓ 7. APPLICANT: MEADOW VIEW ESTATES II / WAYNE PERRY-DESINE SECTION 32 ZONED SR (SUBURBAN RESIDENTIAL) MASTER DEED **SITE PLAN APPLICATION #414** AMENDMENT TO THEIR
- ✓ 8. APPLICANT: HARTLAND ESTATES SITE PLAN # 223 SECTION 19 STREET LIGHTING **SITE PLAN APPLICATION #418** MAJOR/MINOR CHANGE TO ZONED PDSR (PLANNED DEVELOPMENT SUBURBAN RESIDENTIAL)
- ✓ 9. APPLICANT: COLAUR DEVELOPMENT (GENERAL COMMERCIAL) **SIGN PERMIT APPLICATION # 566** SECTION 22 ZONED GC MONUMENT SIGN (HARTLAND POINTE PLAZA) "SHERWIN WILLIAM
10. APPLICANT: COLAUR DEVELOPMENT TO SITE PLAN APPLICATION #400 "MAJOR/MINOR" **SITE PLAN APPLICATION #415** (CHANGE SECTION 22 ZONED GC (GENERAL COMMERCIAL)
11. APPLICANT: JOE ROTONDO **REZONING APPLICATION #323** REZONING LI (LIGHT INDUSTRIAL) TO GC (GENERAL COMMERCIAL SECTION 28 ZONED LI (LIGHT INDUSTRIAL) * **REQUESTING A CONDITIONAL REZONING***
PUBLIC HEARING 3/23, 2006 PC AGENDA PLACE ON 3/27/06 PC AGENDA
3/27/06 APPLICANT REQUESTS TO BE TABLED
5/11/06 Requested to be Tabled until May 25, 2006

12. CALL TO PUBLIC
5-MINUTE TIME LIMIT
13. COMMITTEE REPORT
14. ADJOURNMENT

NEXT MEETINGS

JUNE 8, 2006 @7:00 PM
JUNE 22, 2006 @7:00 PM

HARTLAND TOWNSHIP PLANNING COMMISSION MEETING

MAY 25, 2006

7:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL: Present: Commissioner Voight, Commissioner Rataj, Commissioner Hill, Chairman Fox, Commissioner Hopkins, Commissioner Crouse and Commissioner Newsom
4. APPROVAL OF MAY 25, 2006 PLANNING COMMISSION MEETING AGENDA
Move to approve the Planning Commission Meeting Agenda for May 25, 2006 as amended. Motion Hill. Second Newsom. Voice Vote. Motion Carried. 7-0-0. Corrections: Added Item #11A, Discussion on Land Division.
5. APPROVAL OF MAY 11, 2006 PLANNING COMMISSION MEETING MINUTES
Move to approve the Minutes of the May 11, 2006 Planning Commission Meeting. Motion Hill. Second Rataj. Voice Vote. Motion Carried. 7-0-0.
6. CALL TO PUBLIC
Tammy Abbotts, 2166 Wilson Lane: Addressed the Commission regarding the baseball field at the Lutheran Church on M59. The baseball field is not in compliance with the site plan and they are now planning to add a football field. There are problems with noise on the field and stray balls. She states that the ordinance officers have been trying to address this. She was instructed to provide her contact information to McKenna Associates before she leaves tonight so follow up with staff may be done.

OLD AND NEW BUSINESS

7. APPLICANT: MEADOW VIEW ESTATES/WAYNE PERRY-DESINE, INC.
SITE PLAN APPLICATION #414 AMENDMENT TO MASTER DEED

Present: Wayne Perry of Desine, Inc., representing Berhart Land Company
Mike Homier of Foster, Swift, Collins & Smith, P.C.
Amy Chesnut of McKenna Associates

Wayne Perry: Requested an amendment to add one (1) unit to the existing site condominium of Meadow View Estates, now labeled unit #64 on the site plan. It is part of the convertible element of the approved site plan.

Amy Chesnut: Summarized the May 18, 2006 McKenna review letter. Recommended approval.

Mike Homier: Stated his letter of May 15, 2006 explains his position on this application. Recommended approval.

Commissioner Hill: Asked Wayne Perry to explain the decrease in open space.

Wayne Perry: Explained the original site plan provided a chart defining five areas of land use within Meadow View Estates. They are: units, roads, useable open space, wetland open space and convertible area. The new plan only has four areas. The new plan inadvertently removed the convertible area from the open space area. We should not have done this. We should have removed the line item value from the convertible area and added it to the net unit area within the chart. We will provide corrected plans before going to the Board.

Move to determine Site Plan Application #414 for Berhart Land Company, Tax ID #4708-32-401-064 to be a major change per Hartland Township Zoning Ordinance #37, Article 33.02.K.4.d and h. Motion Hopkins. Second Hill. Voice Vote. Motion Carried. 7-0-0.

Move to recommend approval of Site Plan Application #414 for Berhart Land Company, Tax ID #4708-32-401-064 per recommendations set forth in the McKenna letter dated May 18, 2006 and Mike Homier letter dated May 15, 2006 as the 5th amendment to the Master Deed in re-plat #3. Motion Hopkins. Second Crouse. Voice Vote. Motion Carried. 7-0-0.

**8. APPLICANT: HARTLAND ESTATES SITE PLAN APPLICATION #418
MAJOR/MINOR CHANGE TO SITE PLAN #223 STREET LIGHTING**

Commissioner Newsom: Inquired if a major/minor change determination is required for adding streetlights.

Amy Chesnut: Indicated that a major/minor change determination is required since this is an amendment to their approved plan. There were no streetlights on the approved plan, and this is a major change.

Move to table Site Plan Application #418 for Hartland Estates per the applicant's request in a letter dated May 24, 2006. Motion Hopkins. Second Rataj. Voice Vote. Motion Carried. 7-0-0.

**9. APPLICANT: COLAUR DEVELOPMENT SIGN PERMIT APPLICATION #566
GROUND SIGN FOR "HARTLAND POINTE PLAZA"**

Present: Andy Donato, Project Manager, representing Colaur Development

Commissioner Rataj: Indicated he reviewed the application and recommends approval.

Commissioner Newsom: Asked if the sign contains limestone.

Andy Donato: Stated that the sill on the sign is concrete which gives the appearance of limestone.

Commissioner Hill: Inquired about an address on the sign.

Andy Donato: Stated that addresses have not yet been assigned to individual tenants. Agreed to include individual tenant addresses, or the range of addresses, on the sign as they are assigned, as required by the Ordinance.

Move to approve Sign Application #566 subject to applicant placing addresses on the sign. Motion Rataj. Second Voight. Voice Vote. Motion Carried. 7-0-0.

**10. APPLICANT: COLAUR DEVELOPMENT SITE PLAN APPLICATION #415
MAJOR/MINOR CHANGE TO SITE PLAN #400**

*Present: Andy Donato, Project Manager, representing Colaur Development
Alexis Marcarello of McKenna Associates*

Andy Donato: Reviewed changes that are being proposed and presented on the prints submitted with this application.

Commissioner Hopkins: Stated his preference is to see the bike path in this proposal be changed to remove the angled return of the bike path to the emergency path immediately adjacent to M-59. He would like to see the bike path continue in a straight westerly direction, ending at the west property line of the site. Therefore, the bike path will not connect to the emergency path.

Alexis Marcarello: Stated that what should be approved is the original plan without a return to the emergency path. The MDOT plan does not supersede the required bike path.

Move to determine Site Plan Application #415 to be a minor change with the condition that the bike path be continued to the west property line as originally approved, rather than returning to the MDOT emergency path. This will be subject to verification by Township staff.

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

**11. APPLICANT: OLD US 23 LLC REZONING APPLICATION #323
REZONING LI (LIGHT INDUSTRIAL) TO GC (GENERAL COMMERCIAL)**

Present: *Wayne Perry of Desine, Inc., representing Old US 23 LLC*

Alexis Marcarello of McKenna Associates

Mike Homier of Foster, Swift, Collins & Smith, P.C.

Wayne Perry: This is a request for a Conditional Rezoning. He distributed an amended list of conditions to the Planning Commission. The only change is an additional condition now shown as Condition #1, which added specific uses to the proposal. All other portions of the document remain unchanged.

Alexis Marcarello: Summarized McKenna review letter dated April 7, 2006. Recommended approval.

Mike Homier: Reviewed highlights of Section 125.286.i of the Township Planning Act - Conditional Rezoning. The conditions are a recordable document that if approved by the Board will ultimately be executed between the Township and the Applicant. Legally there are no issues with the conditions submitted. Fundamentally, the PC needs to decide if they agree with the conditions.

Alexis Marcarello: Reviewed Permitted Uses and Special Uses with Approval in the GC District.

Commissioner Newsom: Asked for clarification on the total number of wall signs being proposed.

Wayne Perry: A total of three (3) wall signs mounted at 20 feet above the grade.

Chairman Fox: Asked if the 20 feet above grade is the grade of the site or the adjacent road, US23.

Wayne Perry: 20 feet above the grade of the site.

Commissioner Hopkins: Asked if the applicant is going to meet Use Group 1A architecture standards for materials only or all other components of Use Group 1A on all buildings on the site.

Wayne Perry: We will meet Use Group 1A standards for materials on all buildings on the site.

Commissioner Rataj: Asked if the Conditional Rezoning is approved, whether that will change the Ordinance.

Mike Homier: Indicated that approval will not change the Ordinance. He reviewed two separate Resolutions recommending Approval or Denial.

Move to adopt the Resolution to Recommend Approval of Conditional Offer to Rezone Property, with substitution of new Exhibit "A" as discussed here this evening. Motion Hopkins. Second Rataj.

Roll call vote:

- Chairperson Fox - Yes
- Commissioner Hopkins - Yes
- Commissioner Newsom - Yes
- Commissioner Crouse - Yes
- Commissioner Hill - Yes
- Commissioner Rataj - Yes
- Commissioner Voight - Yes

Commissioner Hill: Resolution passes 7-0-0.

11A. DISCUSSION ON LAND DIVISION

Chairman Fox: Mike Homier and McKenna representatives are here to have a discussion and clarify any questions we have regarding land divisions. The first question is can we eliminate Article #31 from our Zoning Ordinance yet?

Amy Chesnut: Suggested getting rid of Article #31, but notes there are some references to the Private Road Ordinance.

Commissioner Hopkins: Finds very little value in Article #31 since most of it no longer applies due to the Land Division Act. He believes the access issue is what is necessary to keep. Would like to know if we can better define "approved access" or a better standard of access in Ordinance #57 or in the Private Road Ordinance?

Mike Homier: Article #31 should be removed once we adopt a new Subdivision Control Ordinance. Article 31.11.A. deals with subdivision lots, out lots or lots in a recorded plat and is the only paragraph in Article #31 that needs to be included in a new Subdivision Control Ordinance. Ordinance #57 references access and means compliance with our private road standards in Article #30 and all other Ordinances dealing with access. If you want to define access more, it would be done in Article #30 of the Zoning Ordinance.

Amy Chesnut: If access requirements are necessary, then more information must be provided with the Land Division Application. Believes that it is actually a procedural matter, that any proposed division must have pre-approval or be accompanied by a plan for access – if not, it will be returned to applicant as incomplete.

Attorney Homier: Stated that Article #30 has many tools that allow the PC to deny a land division that does not meet "year round access".

Alexis Marcarello: Procedural changes could provide the type of information necessary for the PC to evaluate a land division that provides the access we desire. Therefore, a private drive or road plan must be submitted with a land division application. It is an incomplete application if no drawing or specifications for a private drive or road are submitted.

Amy Chesnut: Article #3.18 is used for a single residence with single access. If the owner ever splits the land they would need to comply with Article #30 Private Roads and Shared Driveways, depending on the number of lots accessing from the private road or drive.

Mike Homier: Another issue is the 13th lot on a private road that requires paving. We will always have this issue because of the way our Ordinance is written. The PC needs to be aware of this issue until we deal with the number of parcels verses the road standard requirements of the Ordinance.

Chairman Fox: Our proposed Private Road and Shared Driveway Ordinance requires a maintenance agreement which would deal with the regular maintenance and upgrading of a private road.

Mike Homier: Stated he has a model maintenance road/driveway agreement to have owners sign before receiving approval of a land division.

Chairman Fox: Summarized the three areas discussed this evening, 1) the need to get an updated Subdivision Control Ordinance in order to remove Article #31 from the Zoning Ordinance, McKenna will provide a bid to create this document; 2) the need to complete the new Private Road/Shared Driveway Ordinance; 3) procedural changes need to occur for reviewing a land division request. Additional access information will be required. The Application will also need to be re-designed and include the statement that approval of the Land Division does not guarantee that Land Use permits will be issued.

12. CALL TO PUBLIC

No one came forward.

13. COMMITTEE REPORTS

Commissioner Hill: Has updated the Planning Commission By-laws as discussed at the April 27th PC meeting and requests this topic be placed on the next open PC agenda.

Commissioner Hopkins: Reported Amy Chesnut will be at the Township on Wednesday and Thursday from 8am to 12pm weekly. This is due to changes made in the Planning Department during the budgeting process.

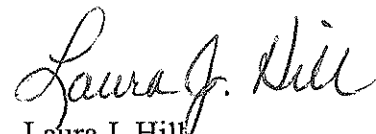
14. ADJOURNMENT

Move to adjourn at 9:01 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