

# HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED MEETING MINUTES

March 23, 2023– 7:00 PM

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1. **Call to Order:** Chair Fox called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance:**

3. **Roll Call and Recognition of Visitors:**

Present – Commissioners Eckman, Fox, Grissim, Mayer, McMullen, Mitchell, Murphy

Absent – None

4. **Approval of the Meeting Agenda:**

A Motion to approve the March 23, 2023 Planning Commission Meeting Agenda was made by Commissioner Mitchell and seconded by Commissioner McMullen. Motion carried unanimously.

5. **Approval of Meeting Minutes:**

a. Planning Commission Meeting Minutes of March 9, 2023

A Motion to approve the Planning Commission Meeting Minutes of March 9, 2023 was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried unanimously.

6. **Call to the Public:**

None

7. **Old and New Business**

a. Site Plan/PD Application #23-003, Planned Development (PD) Concept Plan with a detached single-family residential community and commercial area (Highland Reserve Planned Development)

Director Langer gave an overview of the scope and location of the request stating the following:

- Located on the south side of M-59 near Cundy Road.
- Just under forty (40) acres.
- Requesting a Planned Development (PD) for 100 single-family homes, with two (2) acres of commercial use planned in the northwest corner.
- PD process involves three (3) phases: Concept, Preliminary and Final. All three are heard at both the Planning Commission and then the Township Board. Ultimately the Planning Commission makes a recommendation, and the Township Board makes the final decision.
- Conceptual phase tonight, comments only.
- Thirty-five of the units are planned to be rental houses.

The Applicant, Mike West of Green Development Ventures and Allen Edwin Homes, introduced himself and stated the following:

- Two different residential options; one portion is single-family rental houses on one parcel and the other is owner occupied single-family condominium units.

- Rental houses and owner occupied houses are the same product.
- Extremely successful in other developments.
- Rental unit property exteriors and yard is maintained by the management company.
- Boxes represent the building envelopes.
- There are over two dozen house plan options to choose from that will fit into the building envelopes which gives flexibility.
- Setbacks are twenty-five (25) feet for the front, eighty (80) feet from M-59, twenty (20) feet for the rear, five (5) foot side yard setbacks allows for a minimum of ten (10) feet between structures.
- Not all of the planned structures will be five (5) feet from the side yard; there is flexibility within the different plan choices.
- The packet includes a small sample of the home products; ranch, two-story and bi-level are all options.
- Price points, the rental houses are \$2,300 - \$2,500 per month, the single-family condos will be in the upper \$200,000 to lower \$300,000.
- The market is starter homes, move up homes for young families or professionals just starting out.
- Intend to preserve natural features of the sixteen (16) acres planned for open space.
- Sidewalks on both sides of interior streets and natural mowed walking trails meandering around the wetland areas.
- Landscaping will include a berm along M-59 with evergreens to soften the rear yards of the homes along the right of way, street trees on each lot.
- Access is planned from Hartland Glen Lane opposite the Redwood access and on the east side M-59. If Livingston County does not accept the interior streets as public streets, then they will be private but built to the same standards.
- Will be served by public water and sanitary sewer.
- Livingston County Drain Commission requires three (3) stormwater detention basins.

Chair Fox referred to the staff memorandum dated March 16, 2023.

Director Langer stated the current property owner's plan is to split off a 1.9 acre parcel and retain ownership to use it for commercial use; however, it is currently zoned CA Conservation Agriculture which has very few commercial uses permitted. Also, the parcel may not meet CA standards for a split. Staff believes the best option may be to make that commercial component a part of this Planned Development. The two parties will have to work together. They do not need a specific plan for move forward but they will have to determine the architectural standards that will apply to the commercial component for the Preliminary review.

Chair Fox asked if they could just split the two acres off of the parcel and not be part of the PD. Director Langer stated they could and build a house, but he does not think they want to do that; their interest is commercial. Chair Fox stated the Township has not and most likely would not permit a two acre Planned Development, but it is a Board decision. The Applicant mentioned the property owner was in attendance if the Planning Commission had questions. Chair Fox stated as long as the two entities are willing to work together, it was not necessary to bring anyone else into the discussion at this time.

Chair Fox asked why Phase 1 contains twenty-five (25) rental houses and six (6) owner occupied condos.

The Applicant replied the phasing line was determined by the Engineers and utility availability, but this is preliminary plan, those numbers may change. There is a natural transition from the rental houses on the northern and northwestern portion of the property to the owner occupied condos. Also, their maintenance company will be maintaining the lawns on all of those rental units; it will present a uniform well-maintained presentation. The rear yards of the rental units will not contain accessory structures, play structures or boats according to the rental agreement.

Chair Fox asked if the Planning Commission had any thoughts about rentals.

Commissioner McMullen stated she thinks there are too many rentals here in the Township.

Commissioner Eckman stated this is unique as there are not many modern, new construction houses to rent.

The Applicant stated they have found in their research there is a tremendous desire for newly constructed single-family detached rental homes. He referenced a development in Three Rivers Michigan, south of Kalamazoo, where all of the units were rented before they were completed. The income levels of many of those renting were high enough to buy but for whatever reason, renting was their preference due to a variety of situations. Commissioner Murphy asked if it was the same product. The Applicant stated it is; there is another near South Bend, Indiana and several others in process.

Commissioner Eckman commented that as one drives through the community, one would not know that some are rented, and some are owner occupied. The Applicant concurred continuing that the rental yards may even be more consistently maintained than the owner occupied condo yards.

Chair Fox asked if the building envelopes will contain all of the accessory items such as a deck or a swimming pool. The Applicant replied there may be some instances where a patio or deck might be permitted to extend outside of the envelopes but that is the general idea. Director Langer stated for the Preliminary PD phase they would like to see example of house footprints with a deck shown on the site plan to get an idea of how that will fit.

Director Langer pointed out that both the rentals and the condos will be a minimum of ten (10) feet apart. The rental homes along M-59 will be no closer than eighty (80) feet in the rear from the road right-of-way. The rental homes are not properties so there is no true setback from a property line for each because they are all on one parcel. The Applicant pointed out they will be more than 80 feet from M-59, probably more like 100 or 110 feet from the right-of-way.

Commissioner Murphy asked about the Fire Authority's concerns with the ten (10) foot separation between houses.

The Planning Commission discussed the ten (10) foot separation and the Fire Authority's letter stating the following:

- Ordinance No. 76 does specify a ten (10) foot setback between structures, usually a single - family residential home and a detached accessory structure, but it does not specify the purpose.
- An attached garage may be constructed if the appropriate fire rated materials are used for the common wall between the garage and the dwelling.
- Other projects have been reviewed by the Fire Authority in the past with a ten (10) foot separation (Mayberry) and approved with no additional materials requirement.
- Other communities have permitted the ten (10) foot separation.
- As there is no Ordinance to address this issue, the Planning Commission Chair asked the Applicant to provide information from the other similar communities where it is permitted and their requirements, then the Planning Commission Chair would be willing to accept the ten (10) foot separation.
- Would like to see a picture of the largest product shown on the building envelope to gain better understanding of how it will look when constructed.
- Would like to see satellite images of the other developments.

The Applicant stated the following:

- He believe it is the Building Code that requires the ten (10) foot minimum separation between homes.
- The Fire Department would rather have more for fire safety reasons.
- Only portions of the homes, garages, decks will be ten (10) feet apart, typically not the whole length of the structure; it varies.
- They could increase the setback but that would reduce the number of home products available.

#### **Public Road Access/Traffic Generation**

Director Langer stated the following:

- Hartland Glen Lane is a private road and will need authorization for this connection.
- The future connections to the east and the south will need to be documented in such a way to ensure the connections will occur and cannot be blocked by future Home Owners Associations.
- Will need a permit from Michigan Department of Transportation (MDOT) for the M-59 access.
- Preliminary review will include submission of a Traffic Report that will outline the impact this development will have on M-59 and any improvements that will have to be made.

Commissioner Mitchell asked if the commercial parcel, from a preliminary standpoint, will need to show access to M-59. Director Langer replied it will be part of the Traffic Report, but they are not required to have access off M-59, they may want to do that which will require MDOT approval as well, they may have an access off Hartland Glen Lane. There is no mandate by the Township that they have a connection to M-59, nor would a Traffic Study mandate that either.

Commissioner Mitchell asked if they would need to know the use. Director Langer stated there are options in the ITE Manual for General Commercial uses.

Commissioner Mitchell expressed concern about the amount of traffic at the corner of Hartland Glen, Cundy and M-59 with the Redwood complex being constructed and this new unknown use being proposed. Director Langer stated the Traffic Study would list improvements that would need to be made. In the past, commercial buildings were built without knowing who any of the tenants

would be, now things have changed, and most commercial developers have one or two tenants lined up ahead of time in order to secure funding.

Commissioner Murphy asked if the Road Commission would permit the commercial use to be accessed off of the residential road. Director Langer stated he does not know why the Road Commission would have concerns about it being connected to the proposed internal roadway; the residents might not want commercial traffic there. The Applicant stated he imagines the access would be off of Hartland Glen and maybe M-59 in a loop system if it is a fuel station but MDOT controls access on M-59 and may not allow another driveway at that location.

### **Design Details**

Director Langer stated in a Pattern Book what they are looking for is building materials, colors, architecture planned and standards for the commercial use, street light details, general design standards, maybe landscaping if there will be common area landscaping, plant materials; the Pattern Book essentially becomes the zoning ordinance for that development.

### **Open Space**

Chair Fox mentioned Open Space required is twenty-five (25) percent with ten (10) percent usable; the Applicant has forty (40) percent planned. The staff is looking for accountability as to how they arrived at those numbers.

### **Landscaping**

Chair Fox encouraged the Applicant to be sure to watch the tree height and caliper size.

Commissioner Grissim added they would like to see street trees between the sidewalk and the curb as they are much more effective in that area. The current plan shows them on the far side of the sidewalk. Director Langer stated engineers typically do not want the street trees in the same area as the underground utilities which creates a conflict. The trees need to be between the sidewalk and the curb.

Commissioner Murphy asked about the length of the driveways. The Applicant replied they are twenty-five (25) feet, plenty of room for a car or truck with no overhang onto the sidewalk.

### **Recognizable Benefits**

Director Langer stated the following:

- The Township is sacrificing its Zoning Ordinance regulations for this Planned Development.
- In exchange, Planned Developments are required to provide recognizable benefits for the community.
- These benefits should go above and beyond standard amenities.
- Architectural Standards could be one.
- At the Preliminary phase, the Applicant should be sure to call out and list the recognizable benefits for their proposed development.

Commissioner Murphy asked about sidewalks and mentioned this development may one day be connected to the Mayberry development to the east which has a sidewalk along M-59. Director Langer indicated the location of the proposed sidewalk shown as a gray line on the site plan stating that it should be shown along the entire M-59 road frontage.

Commissioner Grissim supports the project and likes the clustered housing approach used.

Commissioner Mayer stated he welcomes this new development; Hartland needs more rooftops. He assumes the Hartland Glen access lines up with the Redwood access points. The Applicant stated, there are two and the northernmost does line up with the Redwood access.

Commissioner Mayer asked if the connecting road to the east lines up with an approved project. Director Langer stated there is a development to the east that has received Preliminary Planned Development approval but not specific enough to show the exact road network. This Applicant would get first choice over the location, and when the other develops, they will have to tie into this existing roadway.

Commissioner Mayer suggested the berm along M-59 be higher using the spoils from the site which works for everybody.

Commissioner Mayer asked about the natural walking trails. The Applicant explained they tried to stay away from concrete or asphalt as it takes away from the natural setting. In other communities, they have transitioned from a sidewalk stub with split rail fencing on each side to a mowed path. A mulch path is difficult to maintain so typically it is mowed grass. They will have more details on the Preliminary site plan that will define the path.

Commissioner Mayer asked if the Fire Marshal has to approve the plan. Chair Fox stated no, they are not a voting body.

Commissioner Mitchell stated he is in favor of the overall concept but does have some concerns with a five (5) foot setback ten (10) feet separation and is very interested to see visually what that looks like. He also has concerns about the commercial corner but feels it is worth moving to the next phase.

Commissioner Murphy stated he agrees with what has been said, the idea of the rental houses is new and different, with family members that are trying to buy or rent houses, he can see there is a market for this product. It is just different. He approves of the concept.

Commissioner Murphy asked about the maintenance of the rental properties and the walking path. The Applicant explained they are still working some of that out with the attorneys. The intent is to have a management company maintain all of the exteriors of the rental properties; the owner occupied condominiums will eventually have a Home Owners Association (HOA) that will be in charge of certain site issues. In the beginning, they will be the same entity. This is a little different as the two entities share amenities. They will be sure to do what needs to be done by drafting something in the Master Deed or By Laws that addresses this issue, but he expects since the management company will be there already mowing one-third of the properties, they will probably mow the trail too.

The Planning Commission briefly discussed the location of the walking trails.

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Commissioner Eckman stated he likes the concept and can see in this day and age where there is a demand for a rental house. He feels the open space is great and likes the lower density than required. He also stated he thinks the distance between structures should be determined by the Building Code.

Commissioner McMullen states she likes the concept but does not like the rental components even if they are homes. She would rather see it all condominiums owner occupied. She feels there are too many rentals in the Township.

Chair Fox supports the project. He would like to see the list of communities in which these have been built with these distances and how they are similar.

The Applicant stated he appreciates the pre-application meeting and the Concept review process allowing the ability to get feedback before all the engineering begins.

- b. Zoning Amendment #22-001** – Ordinance Amendment to Landscape Requirements to Section 5.7 (Dumpster Enclosure); Section 5.11 (Landscaping and Screening); and Section 5.26 (Signs)

Director Langer explained the previous version included was not the most recent version. The differences are shown in yellow.

**Commissioner Grissim offered the following Motion:**

**Move to recommend approval of Zoning Amendment #22-001, Ordinance Amendment to Landscape Requirements in Section 5.7 (Dumpster Enclosure); Section 5.11 (Landscaping and Screening); and Section 5.26 (Signs)**

**Seconded by Commissioner Mitchell. Motion carried unanimously.**

**8. Call to the Public:**

None

**9. Planner Report:**

Director Langer reported the Ordinance Review Committee will be meeting April 13, 2023 to discuss a draft Solar Ordinance which may lead to other discussion items. Those will all be brought back to the Planning Commission.

**10. Committee Reports:**


None

**11. Adjournment:**

**A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner Murphy. Motion carried unanimously. The meeting was adjourned at approximately 8:11 PM.**

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Submitted by.

A handwritten signature in blue ink, appearing to read "Tom A. Murphy", is written above the printed name.

Tom Murphy  
Planning Commission Secretary