

HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED MEETING MINUTES

January 26, 2023– 7:00 PM

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 January 26, 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 January 12, 2023

A Motion to approve the Planning Commission Meeting Minutes of January 12, 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 #23-001 M-59 Properties Planned Development (PD) Concept Plan, a Concept Plan for a mixed use planned development with commercial and residential uses.

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

- Located at the southwest corner of Old US 23 and M-59.
- Approximately 30 acres.
- Applying for a Planned Development (PD) which is a three step process: Conceptual, Preliminary and Final, all of which are heard at both the Planning Commission and Township Board.
- Preliminary PD will include a Public Hearing with notices sent to property owners within 300 feet.
- Northern portion is loosely planned to be commercial uses, possibly a gas station, apartments in the center, divided by a wetland area, and the southern portion could be a hotel or some other use.
- Internal roundabout will serve as access to the community as well as a second access for the Charyl Stockwell Academy.

The Applicant, Brent LaVanway, P.E. President and CEO of Boss Engineering; Jeff Klatt, A.I.A. of Krieger Klatt Architects, Inc.; and Kevin Banham, Partner in M59 Property Ventures, LLC; introduced themselves to the Planning Commission.

The Applicant stated the following:

- Proposing Mixed Use Development with the northern and southeast portions being commercial, the remainder will be multi-family residential.
- Kevin is the owner of the USA to Go gas station brand, which is one of the partners of the project.
- Proposing a fuel station with a drive-through on the northeast portion of the site with eight (8) pump islands facing M-59,
- Remaining four (4) parcels to the west are conceptually commercial in use with no defined user at this time as is the southeastern portion.
- Proposing a private road that will connect with the Charyl Stockwell Academy; this proposal is designed to alleviate some of the congestion on M-59 from the peak hour school traffic. A significant amenity. A very important component of the project.
- Feel this layout is a good mix of commercial and residential opportunities.
- Included samples of what this project could look like.
- Modern transitional buildings, rooted with high-end materials such as brick and stone.
- Primary entry point for residential will be the private drive with the roundabout and boulevard, creating a large open green feature with a pond in the middle of the site. The seven buildings will radiate around that feature.
- Seven buildings are proposed allowing for green space between the buildings and breaking up the visual impact. Those spaces will include dog runs and picnic areas.
- Requesting 168 units which is allowable with the density bonus. Buildings will be no more than three (3) stories in height. Five of the buildings share the same footprint with twenty-two (22) units each and the ground floor offering some parking. Also planned is a perimeter drive to connect the units. The other building will also house some of the amenities planned and the longer building will have forty (40) units.
- Apartments will be luxury units with ample amenities, including a swimming pool, and ample green space around the site.
[The Applicant referred to the sample floor plan information provided.]
- They are essentially three-story walk ups some with parking at ground level.
- The design and materials has not been determined but they anticipate meeting the ordinance standards.
- Amenities include a large clubhouse space with high end materials, fitness area/gymnasium with state of the art equipment, both open up to the pool deck area. All are well appointed spaces.
- This is the first step of the process, and they are interested in getting a feel and flavor of the Planning Commission's thoughts on the project.

Chair Fox referred to the staff memorandum dated January 19, 2023.

Proposed Density Section 3.1.18.C

Director Langer explained the following:

- Density is calculated using the density designation in the Township's Comprehensive Plan; the subject property is designated Special Planning Area (SPA) on the recently adopted 2021 Comprehensive Plan and Future Land Use Map (FLUM) Amendment.
- Prior to the Amendment, this property was designated as Commercial which does not allow any residential at all.
- Special Planning Area (SPA) designation for this site envisions a base density of up to four (4) dwellings per acre or 120 dwelling units could be permitted.
- Per Section 3.1.18.C.iv., the Planning Commission may agree to recommend up to a forty percent (40%) increase in dwellings on a site in recognition of outstanding attributes as listed in this section.
- The Township Board, in its sole discretion, shall have the ability to approve such density increase up to forty percent (40%) subsequent to an affirmative recommendation from the Planning Commission.
- In this case the PD plan shows 168 dwelling units and thus aligns with the maximum density if the bonus is granted.
- Previous application in 2016 requested over 500 units and did not comply with the Comprehensive Plan at that time probably triggering the Retail Market Analysis which encouraged a SPA for Mixed Use at this location.
- Another application in 2021 requested a density of 15 units per acre that would have required an amendment to the PD standards or amend the FLUM. That project did not move forward.

Commissioner Mitchell stated he is comfortable with this density.

Commissioner Eckman stated he feels the private drive is a pretty significant amenity if it turns out it will alleviate traffic; this plan does not have a feel of being overcrowded. Chair Fox agreed.

Commissioner Grissim stated the two earlier projects also showed a road connection; is that one of their recognizable benefits? Director Langer stated they did, it was suggested in early meetings that is something the Township is very interested in, which may have been the case with this applicant as well. This one is different as the traffic circle proposed is almost a traffic calming device that will minimize speeds.

Chair Fox agreed and stated it has been highly encouraged. The Old US 23/M-59 intersection is quite congested at certain times of the day and the Township is very aware of the school time traffic issues. He would view this as a substantial community benefit. The connector road is not a requirement; they do not have to have to connect to neighboring properties, but anyone who lives here would know what a benefit that would be.

Commissioner Murphy agreed stating the road connection would be a major improvement and recognizable benefit for the Township, and the roundabout is a great way to slow traffic. It is well positioned and a nice centerpiece for this development.

Chair Fox also stated the boulevard enhances the project substantially, and the roundabout is much better than a service drive four-way stop with an expanse of asphalt. The entry and roundabout create a sense of being inside something.

Commissioner Mitchell inquired if the Applicant had spoken with Charyl Stockwell Academy to get their perspective. The Applicant stated they have not; the Planning Commission is their first stop. Commissioner Mitchell stated he is curious to know if Charyl Stockwell Academy has any concerns about the location of the connection.

Chair Fox redirected the discussion back to the density. He stated he would view this as going above and beyond the regular standard. There is no formal list with boxes to check that earn the density bonus; every development is different. They do look for superior building materials, attractive architecture that fits within the community, a balance between cutting edge and traditional, timeless community; something tastefully high class and well done.

Commissioner Mayer stated he is not opposed to the density bonus, he believes this community is in need of additional residents. He stated he does not feel the increase in density would be taxing to the community infrastructure at all as the Livingston County Road Commission recently shared they are planning road improvements for Old US 23 all the way past Bergin Road. He does not feel apartments would be taxing on the schools either. The rich looking materials give the development a great look and he likes the green space. Most of all, he likes that it is one developer doing the whole project rather than splitting it up into many portions; having one developer is beneficial. He likes the road not only for vehicular traffic but for pedestrians as well.

Public Road Access

Commissioner Grissim asked about the planned entries off Old US 23. The Applicant stated they tried to stay as far south of the M-59 intersection as they could while avoiding the wetland area which is what Michigan Department of Transportation (MDOT) would encourage. The Applicant also feels the spacing will satisfy the County Road Commission.

Internal Vehicular/Pedestrian Circulation

Commissioner Murphy stated he appreciates the attention to walkability in this plan, not only along the road, but also internally from the apartments to the shopping area. It is well thought out.

Design Details

Director Langer stated as part of the PD process, the Applicant will need to establish the requirements for the future buildings; that is accomplished with a Pattern Book listing what percent of the various materials on each elevation will be required. They will have to put together some standards that dictate what the residential buildings will be required to meet and what the commercial buildings will be required to meet. Typically, a Pattern Book has some examples or architectural drawings that will depict what that looks like. When it comes time to actually look at a proposal, not everything will match one-hundred percent the pictures in the Pattern Book so there has to be some standards that can be applied to ensure compliance with the PD requirements. They may follow the Zoning Ordinance, or they may go above and beyond. He would encourage the Applicant, if they decide to move forward with this project to the Preliminary phase, to have another informal meeting to discuss some of those details; when it comes back to the Planning Commission, all of those details will have been worked out.

Chair Fox stated items like superior landscaping and lighting fixtures are additional ways to add recognizable benefits to a project along with the connector road.

Chair Fox asked for the Planning Commission's thoughts on this Concept Plan.

Commissioner Grissim stated the following:

- Thinks it is well laid out, everything is following the Ordinance.
- Set up to continue to the next level.
- Loving the quality, all of it; this proposal is exciting.

Commissioner Mayer stated the following:

- Little to add other than the community could use the additional residents to support the local business community.
- Hartland needs to move forward not backward.
- This is a good addition.

Commissioner Mitchell stated the following:

- The Township had held on to this corner hoping a large-scale retail business would move in.
- As mentioned earlier, the days of large-scale retail business has gone beyond us.
- Parcel was proposed to be a PD.
- Applicant has done a terrific job with this proposal.
- Planning Commission has seen others with much higher density than what is here, which he respects.
- Encouraged by this development and is looking forward to the next step.

Commissioner Murphy stated the following:

- Agrees with what has been said.
- Thinks this is an important piece of property at this corner.
- This is so well thought out with the retail, multi-family, the road, and open space; lots of benefits the community will see.
- Looking forward to seeing what comes next and is excited about the plan.

Commissioner Eckman stated the following:

- Sad to see the last corner going away but believes this project is one any community would be proud of.
- Good use of space.
- Likes that the buildings are three stories and not two which accomplishes the density in a reasonable manner.
- It is a very nice looking development, and he concurs it is going in the right direction.

Commissioner McMullen stated the following:

- Agrees with most of the comments.
- It does look nice.

Chair Fox stated he agrees with the other members of the Planning Commission. It is a pretty impressive Concept Plan.. It will be exciting to see, after the meeting with the Township Board, how this moves forward. He would look for it to be equally as great or greater when we finally get into the details, that is the exciting part as it would truly be an asset to the community.

The Applicant stated they appreciate the comments and look forward to moving the project ahead.

- b. Site Plan with Special Land Use Application #22-007 (Automobile wash within completely enclosed building at 10382 Highland Road) – REVISED PLANS dated November 9, 2022 (Architectural plans) and December 20, 2022 (Site and Landscape plans).

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

- Located east of US 23/Blaine Road and south of M-59.
- Formerly a Burger King restaurant.
- Public Hearing was in 2022.
- Revised layout, originally 160 foot tunnel, now 130 feet; also, the vacuums have been relocated to the rear of the site with a different traffic flow pattern that complies with the Zoning Ordinance.

The Applicant, Evanthia Bardwell, Project Manager with Mister Car Wash; Arik Lokensgard with the Engineering firm Kimley-Horn and Frank Jarbou, property owner and developer, introduced themselves.

Chair Fox touched on items that were covered in previous meetings such as Special Land Use Review – General Standards and Special Land Use Review – Applicable Site Standards noting that the site plan has been revised and now meets the Ordinance.

The Planning Commission briefly discussed the term Truck Wash.

SITE PLAN REVIEW – Applicable Site Standards

Traffic Generation

Commissioner Mitchell stated when Walmart established this development, they did an overall traffic impact, and the Planning Commission feels that traffic generation would be applicable to a car wash; no other traffic study is required.

Chair Fox added that this development was zoned GC General Commercial and car washes are permitted in GC.

Director Langer stated since the previous use of this property was a fast food restaurant with a drive-through, staff asked the Applicant to put together data from the Institute of Traffic Engineer's Manual (ITE) to compare the previous use with the proposed use of a car wash. The data showed the car wash use would generate less traffic during peak hours than a fast food restaurant.

The Planning Commission briefly discussed the ITE Manual, how trip numbers are calculated, and confirmed the curb cuts are in the same locations.

Off-Street Parking (Sec. 5.8.4.H – Auto Wash – fully automatic car wash)

Director Langer stated the following:

- Previously discussed whether the vacuum spaces could count as part of the required employee parking.
- The Applicant has added parking spaces for employees.

Landscaping and Screening (Sec. 5.11)

Commissioner Grissim stated the following:

- Requested one of the canopy trees on the west side of the driveway be moved closer to keep it out of the clear sight triangle area.
- Shrubs used for required screening must be a minimum height of 30 inches to properly screen the cars.
- Employee parking area trees are too close, one could be eliminated.

Detention/Retention Area Landscaping (Sec. 5.11.2.H.)

Director Langer stated the following:

- Per older plans for this site, a detention area exists in the open area between Blaine Road and the western edge of the proposed parking lot.
- Additional details on the stormwater plans may be forthcoming on the Construction Plan set.

Commissioner Grissim commented that the three White Pine trees shown may need to be switched out with a tree variety that does better in wetter conditions such as a Spruce. Also, the minimum caliper size for a deciduous tree is three (3) inches and the listed size for the Imperial Honeylocust is 2.5 inches.

Sidewalks and Pathways (Sec. 5.12)

Director Langer noted a gap in the pedestrian sidewalk along Blaine Road stating he does not know the full history; however, the Applicants have stated they will add the missing sidewalk to fill the gap.

Commissioner Grissim commented where the barrier-free parking stall is located, the portion of the internal sidewalk where a car would overhang, seems narrower, maybe five (5) feet wide. Anyone needing barrier-free parking may have a difficult time getting past the overhanging car. The Planning Commission would request that the sidewalk be wider to match everywhere else, at least six (6) feet to allow people to get by.

Architecture / Building Materials (Sec. 5.24)

Director Langer displayed the façade drawings and highlighted the location of the proposed Attendant Shelter and Canopy. He stated staff is looking for direction. Currently they are treating this much like a gas station canopy over the fuel pumps. In this case, cars would pass under the canopy to pay or show membership to access the car wash.

Chair Fox asked if these elements are necessary. The Applicant stated they are as the intent is to provide shelter for the employee in inclement weather and where the car washes are purchased.

The Planning Commission briefly discussed how these should be treated, the materials intended to be used, and the purpose. The Planning Commission agreed it is much like a fuel station canopy and will be allowed.

Commissioner Eckman offered the following Motion:

Move to recommend approval of Special Land Use Permit and approve Site Plan Application #22-007, a request to redevelop a commercial site and construct an approximate 5,425 square

foot automobile wash, within a completely enclosed building, at 10382 Highland Road, in Section 28 of the Township (Tax Parcel ID #4708-28-201-061). The recommendation for approval is based on the following findings:

1. The proposed special land use, automobile wash within a completely enclosed building, meets the intent and purposes of the Ordinance as well as the specific standards outlined in Section 6.6 (Special Uses).
2. The proposed special land use is permitted in the GC (General Commercial), as outlined in Section 3.1.14.D.iii, and the proposed use is compatible with the existing uses in the vicinity.
3. The proposed use will be served by public water and sanitary sewer, by existing essential facilities and public services, and the Fire Department has no objection.
4. The proposed use will be served by public roads with direct access to Highland Road and Blaine Road.
5. The proposed use will not create additional requirements at public cost for public facilities as the proposed site will be served by public water and sanitary sewer.

Approval is subject to the following conditions:

1. The proposed special land use, automobile wash within a completely enclosed building, is subject to approval by the Township Board.
2. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandums, dated September 1, 2022, October 13, 2022, and January 19, 2023 on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.
3. A land use permit is required after approval of the Site Plan and Special Use Permit and prior to construction.
4. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant (SDA), Hartland Deerfield Fire Authority, and all other government agencies, as applicable.

Seconded by Commissioner Murphy. Motion carried unanimously.

8. Call to the Public:

Tawny Hall, with M59 Car Wash; still thinks there should be a traffic study, there will be too much traffic, it will spill out onto Blaine Road and create a mess. Also believes the Township will have to build a new well to provide the amount of water needed.

9. Planner Report:

Director Langer reported the following:

January 26, 2023 – 7:00 PM

- Trying to get both items onto the Township Board agenda for their first meeting in February.
- Planning Commissioners who attended the Citizen Planner training requested Hartland Township look at our Ordinance regarding Solar and Wind Power projects as there is currently a controversial proposal in other Livingston County Townships. He has spoken with the Township Attorney who happens to be the attorney for two of the Townships involved and he has shared some information as well as a draft ordinance. One of the things shared was that originally the solar companies were looking at 20 or 40 acre parcels to develop but determined that was not feasible, they are now looking at 1400 or 2000 acres parcels. He stated in Hartland Township, it would be difficult for anyone to amass that much land for a proposal of that nature.

10. Committee Reports:

None

11. Adjournment:

A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner McMullen. Motion carried unanimously. The meeting was adjourned at approximately 8:27 PM.

Submitted by.



Tom Murphy
Planning Commission Secretary