

HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED MEETING MINUTES

April 14, 2022– 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 Fox, Grissim, Mayer, McMullen, Mitchell, Murphy

Absent – Commissioner LaRose

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

A Motion to approve the April 14, 2022 Planning Commission Meeting Agenda was made by Commissioner Grissim and seconded by Commissioner McMullen. Motion carried unanimously.

5. **Approval of Meeting Minutes:**

a. Planning Commission Special Meeting Minutes of March 17, 2022

A Motion to approve the Special Meeting Minutes of March 17, 2022 was made by Commissioner Mitchell and seconded by Commissioner Murphy. Motion carried unanimously.

6. **Call to the Public:**

None

7. **Old and New Business:**

a. **Site Plan/PD Application #22-004**, Planned Development Concept Plan – Hartland Senior Community, a Single-Family Residential Planned Development (PD)

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

- Located just past Arena Drive on the north side of M-59 behind Bella Vita.
- Zoned CA Conservation Agriculture.
- Future Land Use Map (FLUM) designation is Multiple Family Residential.
- Residential Planned Development which requires a three-step process: Concept, Preliminary, and Final before both the Planning Commission and Township Board at each step.
- Concept Plan for a single-family residential Planned Development with thirty (30) detached condominium units.

The Applicant, Khurram Baig, of Baig Development, introduced himself stating he is working with Steve Peck of Epcon Communities out of Ohio.

- Project is geared towards the 55 and older market.
- Lock and leave, exterior is maintained by the Homeowner's/Condo Association.
- Units' outdoor area focuses more on the side yard courtyard rather than front or rear.
- Company is based in the Midwest but also has franchises.
- Constructed over 400 communities with over 30,000 houses.
- Offer a lifestyle of no mowing, no snow removal.

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- Looking at adding trails or possibly a pavilion.
- Single-story living, two bedrooms, two baths standard with an option to add a third loft bedroom.
- Reduced traffic, no impact on schools.
- Upscale building materials.
- Side yard is the focal point for outdoor space which makes them unique from other products.
- Attached two-car garages. Twenty feet for driveways.
- Wetlands are being delineated. Gathering site information.
- More lots may be added if conditions allow but will still be under the allowed density.
- Sidewalks and a walkable accessible route to every unit.

Chair Fox referred to the staff memorandum dated April 7, 2022.

Proposed Concept Plan

General

- Parcel is 9.38 acres; typically, a Planned Development PD must be 20 acres. Waiver is requested which is not uncommon.
- Requesting thirty (30) detached condominium units which will be owner occupied.
- Setbacks
 - Front: 15 feet
 - Corner: 15 feet
 - Side: 5 feet
 - Rear: 10 feet

Commissioner Grissim asked what the setbacks for multiple family are.

Director Langer replied in multiple family developments, which may have many units, setbacks are typically twenty (20) feet between buildings but on several single-family residential parcels, a detached structure can be ten (10) feet from another structure which acts as a fire separation.

Chair Fox stated with a PD the Planning Commission has the option to vary from some of those setbacks.

Commissioner Murphy mentioned there is a letter from the Fire Department that mentions setbacks.

Director Langer confirmed the Fire Department has expressed concern over the buildings being ten (10) feet apart and has suggested each of these units have a fire suppression sprinkler system which would add considerable expense to the project. He believes they may be open to building materials that are higher quality with a more fire retardant aspect, which some may be, but they would not commit until they see the actual products being proposed.

Chair Fox stated in the past, Township Board members have not been in favor of requiring single-family residential home fire suppression, but there are new Board members now; however, requiring fire suppression in this type of housing will chase this and every other proposed single-family residential development out of the Township.

Commissioner Mayer mentioned in a development where occupants are likely to lower the heat and leave for a time during the winter months, the risk of water pipes freezing and breaking could be increased.

Proposed Density

Chair Fox stated the density here could be eight (8) units per acre, this request is approximately 3.13 per acre.

Public Road Access

Chair Fox stated access is planned via Bella Vita Drive connecting to M-59.

Director Langer stated Bella Vita came back to the Planning Commission to have it dedicated as a private road and it meets those standards.

Traffic Generation

Chair Fox stated this information will be provided at the next level.

Internal Vehicular/Pedestrian Circulation

Chair Fox stated a five-foot sidewalk is planned for both sides of the road.

Commissioner Murphy stated Hartland is a walkable community, and he likes the sidewalks planned out to M-59.

The Applicant stated there is no sidewalk along M-59 in front of Bella Vita so the connecting sidewalk could be eliminated so there would not be a sidewalk going to nowhere. Their goal was to connect the interior units.

Commissioner Murphy continued if there is a second egress to the west to Arena Drive, he would like to see a sidewalk connect there as well.

Utilities

Chair Fox stated water and sewer are there which would be required for a development this density.

Design Details

Chair Fox stated he does not believe a Pattern Book will be required as the brochure contains much of what is needed, what the units will look like and the materials that will be used.

Open Space

The Applicant stated the wetland area in the northeast corner provides much of the open space. As mentioned previously they hope to add walking paths to aid residential enjoyment of this smaller wetland area.

Commissioner Mitchell asked if in the next phase, ten-percent (10%) of the twenty-five-percent (25%) open space must be usable open space, he is interested in how that will be achieved.

The Applicant stated they hope to add a trail system for residents, but that is something they will have to look into before the next level of review.

Chair Fox suggested they provide an Open Space Plan and show the open space in green, the usable open space in a different color with the percentages of both listed.

Landscaping

Chair Fox stated there are no requirements at this time, but the Township likes good looking landscaping.

Commissioner Grissim stated she likes the location of the sidewalks that will allow for street trees between the curb and the sidewalk which have been a challenge lately. It really helps.

Exterior Lighting

Chair Fox stated exterior lighting and streetlights should be shown on the next plan.

Director Langer stated historically, the Lighting Ordinance has not been applied to single-family residential developments; in a commercial setting, all of the lighting has to be down shielded with the source of illumination not directly visible. He continued, here the lights on the garages will probably be visible as would any potential streetlights. He would enjoy getting comments from the Planning Commission on these items as they are not required.

Commissioner Grissim asked if streetlights are typically included.

The Applicant stated they might have some at the intersections, in this case that is probably all that would be done; otherwise, lighting is provided by the coach lights on the houses. It varies.

Chair Fox stated there is no requirement so it is up to the Applicant and what they would like to propose.

Recognizable Benefits

Chair Fox stated they are required to provide some kind of recognizable benefit to the community to allow this type of development to come in. They are working on it.

The Applicant stated they are providing a type of housing most communities need, otherwise people who need single-story living have to go somewhere else. This is a luxury product. The people who live here will be able to stay here and not go to another municipality.

Hartland Deerfield Fire Authority Review

Commissioner Murphy stated he is interested in the secondary means of egress.

Director Langer stated the proposed northernmost east-west drive is basically across from part of the Sports Arena parking lot. The Fire Department desires an emergency access, possibly gated, to the parking area but the property owners will need to discuss that possibility.

Chair Fox stated Bella Vita has a much higher population and one that might not be able to exit the building quickly in an emergency and they do not have a secondary access. He would like to have a conversation with the Fire Department.

Commissioner Grissim stated Arena Drive does not have a secondary access and the sports arena can have many people during events. An access would benefit both.

Chair Fox mentioned the sports arena would lose several parking spaces if this were required. This is something that will have to be discussed. He has concerns about requiring one.

Commissioner Grissim stated it was something looked at when the Arena Drive project was approved.

Chair Fox stated if the access agreement cannot be achieved, he would not want that issue to be a death blow to this project.

Commissioner Murphy mentioned fire trucks have a turning radius which may impact which road section could be used.

Commissioner Grissim asked why the Ordinance has a size minimum of twenty (20) acres for a PD.

Director Langer stated he was not at Hartland when this Ordinance was drafted but generally speaking, when a Planned Development is proposed, there are many benefits for a development project. The regular zoning standards do not apply, and some normal standards are waived in situations where the community gets a project they would not be able to have. A Township does not want to run the risk of every lot requesting to be a PD allowing that property to not comply with the normal standards. There has to be some kind of parameter to limit the use of the PD.

Commissioner Mayer asked if this project is requesting a five (5) foot setback, what the normal side setback would be.

Director Langer stated in the CA Conservation Agriculture zoning district, the side setback is fifteen (15) feet, with a two (2) acre minimum lot size, and two hundred feet of road frontage. If it were rezoned to multi-family, the side setback is either fifteen (15) or twenty (20) feet between buildings, he cannot recall exactly.

Commissioner Mayer asked about the information from the Fire Department relating to fire safety and the five (5) foot setback.

Director Langer replied the email stated their desire to see structures built with a fire suppression system, sprinkled.

Commissioner Mayer stated he would suggest the discussions with the Fire Department happen early in the design process so these concerns can be managed without costly redesigns.

Chair Fox asked the Applicant if they do many projects with five (5) foot setbacks.

The Applicant stated they do them everywhere and even less in Texas, some with three (3) foot setbacks there.

The Planning Commission briefly discussed options for fire safety.

Commissioner Mayer asked what is planned for an entry feature.

The Applicant stated it will be minimal as there is no visual to M-59, but it will be landscaped.

Commissioner Mayer asked about the front setback.

The Applicant stated the sidewalk was moved closer to the road, so it is fifteen (15) feet to the edge of the right-of-way but twenty (20) feet to the garage.

Director Langer clarified the sidewalk is within the right-of-way, so the twenty (20) feet is to the edge of the sidewalk.

The Applicant stated sidewalks are typically about one (1) foot into the road right-of-way, instead of one (1) foot these are five (5) feet.

Commissioner Mayer asked what that leaves between the sidewalk and the curb.

The Applicant stated it is approximately eight (8) or nine (9) feet where typically it is twelve (12) or thirteen (13) feet.

The Applicant stated there is still enough greenbelt between the road and sidewalk to have street trees. They are balancing the spatial requirements with the road right-of-way being so wide.

Commissioner Murphy stated the following:

- Good discussion with several good points.
- Good looking product if they feel there is a demand.
- Likes the layout.
- Interested to see what is to come.
- He is in favor of what he is seeing right now.

Commissioner Mitchell stated the following:

- Supportive of the plan.
- Envisions this to be similar to Fiddler Grove which sold out very quickly so obviously there is a demand for the product being offered.
- Homes look very nice.
- No reason to object.

Commissioner Grissim stated she has the same comments and asked if parking would be allowed on the street.

The Applicant stated on-street parking will be allowed, on-street parking graphics could be provided to demonstrate the number of spaces and the available distance to pass through.

The Planning Commission briefly discussed parking, other developments, and additional parking options.

Commissioner Mayer stated he loves the floor plan and that it is a proven product.

Commissioner McMullen stated she likes it too and asked where their development site was located up north.

The Applicant stated there are other developments in Michigan, but they may not be single-family detached homes as shown here; they have a quad product where the garages are attached in a pinwheel design in other areas.

Chair Fox stated the following:

- He likes the project.
- He likes the product.
- He thinks there is a need for it.
- It is a little different than what is available currently.
- They have heard enough about how the community is aging and there is no place to go.
- Fiddler Grove is close to this and sold out very quickly.
- He supports it and thinks there is a market for it.

Commissioner Murphy added the side terrace is unique and very private. It is something he has not seen before. He asked if there are others like this one around the country.

The Applicant stated there are approximately ninety (90) or so. When they return, they will bring additional information on the other communities with courtyards to give a true sense of what they are like.

Commissioner McMullen stated she would be interested in seeing photos of the oldest communities as well.

The Applicant requested a formal letter from the Fire Department so that they can address the issues raised as soon as possible.

Chair Fox suggested setting a meeting with the Fire Department, staff and the Applicant.

The Applicant asked that it be set as soon as possible as the Fire Department is usually the one that is the hardest to please.

Chair Fox reiterated meeting in person might be better than exchanging emails.

Director Langer stated he does not think the Fire Department has any idea of the building materials being proposed; they are looking at this and have those concerns. He too thinks it will be worthwhile and will work to set up that meeting.

Director Langer also stated these are owner occupied units; the owner is responsible for the building and the roof, but the association is responsible for the lawn and landscaping. An owner would not pay an association fee toward a roof they may never replace.

Chair Fox thanked the Applicant for coming and for considering Hartland.

b. Site Plan Application #22-005 – Amend the 7th Amendment to Hartland Towne Square Planned Development Agreement

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

- Hartland Towne Square near the intersection of US 23 and M-59
- Approved as a Planned Development with several ensuing amendments.
- The 7th Amendment was to address a drive-through business.
- When originally created, there was a limit in the PD on the number and type of drive-through businesses allowed.
- Lifestyles have changed, the necessity of drive-through options are a reality.
- The 7th Amendment was done in 2019 to increase the number of potential drive-through businesses, was approved by both the Planning Commission and the Township Board.
- It was discovered there were internal issues with some of the property owners and the developer, and there was some unwillingness to sign the 7th Amendment. It was never officially executed.
- Although those internal issues did not rise to the level of not wanting new development, those property owners were hoping not signing would help bring both parties to the table to work through their issues, none of which involve the Township.
- One of the recent projects was a drive-through coffee shop who wanted to work with the property owners, one of which was Meijer, to execute the 7th Amendment.
- There was some success getting RPT and Meijer to agree; however, Meijer legal counsel offered some slight revisions to the 7th Amendment which now must be reapproved by all parties including the Planning Commission and Township Board.
- The revisions included the drive-through only pertaining to lots 10 and 11, and the allowance for coffee shops being increased by one (1).
- There is an 8th Amendment which totally eliminates the limitations on drive-throughs, but the Township is still waiting and hoping for both Meijer and RPT to come to an agreement and sign off on that amendment.
- In the interim, the Township is effectively ratifying a new version of the 7th Amendment.

Chair Fox stated there is a tremendous amount of history here; rather than going through the review letter, he encouraged the Planning Commission to ask questions.

Director Langer added the 8th Amendment was included in the packet materials.

The Planning Commission discussed the following:

- The original Planned Development agreement requires both Meijer and the developer, now RPT, to both sign any amendments.
- Issues are related to the visibility of signage; Meijer would like to make changes to the existing signage, and RPT, being concerned about the considerable cost in doing so, would like to get more businesses into the development prior to making any changes to the signage.
- A new sign drawn by the two parties was previously approved by the Township, but the two parties still cannot agree.
- Amendment will take care of the recent coffee shop approved.
- Already approved by the Township before.

Commissioner Grissim offered the following Motion:

Move to approve amended language of the 7th Amendment to the Hartland Towne Square Planned Development Agreement, as outlined in the staff memorandum dated April 7, 2022.

Seconded by Commissioner Mitchell. Motion carried unanimously

8. Call to the Public:

None

9. Planner Report:

None

10. Committee Reports:

Director Langer stated the Ordinance Review Committee is close to having a draft of the Landscape Ordinance amendment. A Planning Commission work session might be more appropriate than a regular meeting for this discussion.

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 8:14 PM.

Submitted by,

A handwritten signature in cursive script that reads "Michelle LaRose".

Michelle LaRose
Planning Commission Secretary