

HARTLAND TOWNSHIP PLANNING COMMISSION APPROVED REGULAR MEETING MINUTES

May 27, 2021 – 7:00 p.m.

1. **Call to Order:** Chair Fox called the meeting to order at approximately 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**
Present – Commissioners Fox, Grissim, McMullen, Mitchell, Voight
Absent – Commissioners LaRose, Murphy
4. **Approval of the Agenda:**
A Motion to approve the May 27, 2021 Planning Commission Regular Meeting Agenda was made by Commissioner Grissim and seconded by Commissioner Mitchell. Motion carried unanimously.
5. **Call to Public:**
None
6. **Old and New Business:**
 - a. **Site Plan Application #21-008 (Amendment to Conceptual Master Plan for Shops at Waldenwoods PD)**, a request to amend the previously approved Conceptual Master Plan (Sheet B-1) for the Shops at Waldenwoods Planned Development (PD), as outlined in the staff memorandum dated May 20, 2021.

Director Langer gave an overview of the request and location stating the following:
 - Outlots in front of Target and vacant land to the west.
 - Goal is to amend the original Planned Development Site Plan.
 - Reconfigure the front portion of the property to add more outlots along M-59.
 - Proposed Concept Plan but not specific building designs at this stage. As each project comes forward, they will go through the Site Plan Review process before the Planning Commission.
 - Amending the Planned Development requires Planning Commission approval.
The Applicant, Brian Crouse, stated the following:
 - Developed twenty years ago.
 - West property has been vacant all that time.
 - Solving two problems: MDOT's changes to M-59 will require additional detention basins and this change will allow for more logical outlots along M-59 instead of parking lot.
 - Potential project in mind for part of that space but it is theoretical at this time.

Commissioner Grissim stated she is very positive toward the concept but would like to see the sidewalk connection from the Fox Ridge Condominiums to M-59 shown in the earlier concept plan remain as part of the new concept plan to continue the Township goal of being a walkable community.

The Applicant expressed some concern about the sidewalk in relation to the entrance drive and detention pond but stated they can put the sidewalks wherever they are desired.

Commissioner Grissim offered the following Motion:

Move to approve Site Plan Application #21-008, a request to amend the previously approved Conceptual Master Plan (Sheet B-1) for the Shops at Waldenwoods Planned Development (PD), as outlined in the staff memorandum dated May 20, 2021. Approval is subject to the following conditions:

- 1. Future development projects within the Planned Development shall require a site plan application, which is subject to review and approval by the Planning Commission and the Township Board, as applicable.**
- 2. Applicant complies with any requirements of the Township Engineering Consultant and Hartland Deerfield Fire Authority and all other government agencies, as applicable.**

Seconded by Commissioner Mitchell. Motion carried unanimously.

- b. Site Plan Application #21-004 (Amendment to Hartland Marketplace Planned Development)** a request to amend the Hartland Marketplace Planned Development Agreement, hereby known as the Fifth Amendment, to permit up to three (3) drive-up and service windows, with dedicated drive-in lanes, in the Hartland Marketplace Planned Development

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

- Two areas: Dairy Queen building will be demolished and replaced with two structures each with a drive-through window, the other portion is the former Food Town store which will be renovated to update and match the rest of the development.
- Hope to have in the future another building next to the former Food Town space.
- Amend the Fifth Amendment to the Planned Development Agreement for the number of drive-throughs. Staff has recommended removing the limit from the Agreement entirely to avoid future amendments.

The Applicant, Frank Jarbo, Symmetry Management, stated the following:

- Acquired the site five to six years ago.
- Been through a roller coaster of events recently.
- COVID taught them they need more drive-through options.
- Have tenants lined up for the front spaces.
- Back building needs some attention; new façade, new roof, new HVAC and fire suppression.
- Working hard to fill the space and these improvements will help.

Chair Fox stated the limit on the drive-throughs was proposed by the original developers. As has happened across M-59, the trend seems to be favoring having an option for a drive-through. Removing the limit from the Agreement would help expedite a project that requires a drive-through. The Applicant supported eliminating the limit. The Planning Commission agreed.

Director Langer clarified there would still need to be a Site Plan Approval from the Planning Commission but there would be no limit on the number of drive-throughs.

PROJECT A- Construct two (2) commercial buildings with one drive-through service window for each building (Unit 1 and Unit 2)

Parking Lot / Driveway / Internal Roads Setbacks (Per Final Plan- Sheet 9.1)

Director Langer stated currently the existing structures do not meet the side setbacks. The front setback to the north along M-59 is a 20-foot setback but 11 feet 6 inches is being request.

Commissioner Grissim expressed concern about the amount of concrete and the safety of the proposed layout.

The Planning Commission compared the current site with the proposed plan.

Commissioner Grissim stated there are over 50 parking spaces on the proposed plan, but it only requires 26; maybe a few could be removed, and some additional landscaping added. She does not feel it is safe for patrons to cross the drive-through lanes to access the store.

Chair Fox asked the Applicant about the number of parking spaces requested.

The Applicant stated the national retailers they work with view this as an outlot to a bigger development. Their concern is for people to be able to park as they come and go. He would ask that the Planning Commission not view this change as an increase in concrete but rather as an updated site with fresh, new landscaping. What is going on now is just greenbelt. The Landscape Plan sent was pretty extensive and they appreciated the comments from staff as to areas where landscaping could be enhanced but they are trying to balance what the tenants want and what the municipality wants. It is a hard balance. They are trying to refresh the whole site.

Chair Fox stated he feels the parking in the front is the parking the customer wants the most and would be the most critical. He supports the parking in the front. They will look at the Landscaping and determine how enhanced it is. If the parking is overdone, it is possible the 12 spaces in the second row of parking in the rear could be eliminated or shown as banked parking depicted with hash marks and added later if it is needed.

The Applicant asked about reducing the square footage of Unit 1 and adding landscaping in the rear.

Commissioner Grissim suggested the buildings be moved back a few feet to allow for additional landscaping and keep the parking in the front with the possibility of eliminating some parking in the rear. The proposed internal access road is very wide, 34.5 feet, which is wider than desired by the Township and will encourage faster speeds. Having parking along that edge could be helpful, narrow the width and slow traffic.

The Applicant stated his retail clients expressed concern about altering the parking in the front and the visibility from M-59 if the full Greenbelt is required. They are dealing with a hardship as it is due to the gas station canopy and McDonald's.

Chair Fox stated on the gas station site, much of the drive coming in is farther out than the nine feet that would be taken away, there is a ton of concrete in front of the gas canopy now, and they are asking for nine feet of the 20-foot Greenbelt. Will some enhanced Landscaping there offset some of that?

Commissioner Grissim stated the Landscaping being proposed in the front is good, much better than what is there today, but the amount of concrete and the circulation is disturbing.

Chair Fox stated he is looking at the site as it is today and there are sidewalks coming from the rear parking to the sides of the building so people would be out of the parking lot.

The Applicant stated they added sidewalks elsewhere on the site to encourage pedestrian access to and from the other businesses.

Commissioner Mitchell stated he also had concerns and does not feel comfortable having pedestrians cross a double entrance lane for two established businesses. With the stacking lanes anyone with children crossing would need to be very careful. The biggest question in his mind is not knowing who the tenant will be for Unit 1 and how much foot traffic it might generate.

The Applicant stated he has a potential user, the cell phone store that currently is in the rear suite of the existing building. That use would not generate much foot traffic. He understands the Planning Commission must consider a worst case scenario where both stacking lanes are full, but he believes with the parking on the side, customers will have safe access. The rear parking will be mostly for employees as discussed earlier.

Commissioner Mitchell stated in his experience he has always seen at least a couple of cars in the stacking lane at Dairy Queen. With Unit 2 being the new Dairy Queen store, at peak periods such as after dinner, it could be very busy.

Chair Fox said he appreciates the comment, but he feels the pedestrians who park on the side will have to walk through the parking lot but those who have parked in the rear will encounter the slower or stopped cars approaching the drive-through which may be safer. Every fast food restaurant in the community has parking on the side of the drive-through. Everyone walks through the parking lot. Typically, the drivers are cautious, and the walkers are cautious.

The Planning Commission briefly discussed parking, safety and uses.

Commissioner McMullen stated she likes the plan, it is an improvement over the current site, and feels it is better to have a space renovated, occupied and maintained rather than empty which is more detrimental than a couple of parking spaces.

Commissioner Mitchell stated he prefers the previous proposal where the building was rotated and contained two units; it was a much cleaner idea. He does not feel comfortable with this plan.

The Applicant stated they were never able to lease out the middle units. The end was Dairy Queen and other a small fast casual restaurant, but they could not lease the middle spots; they tried for a year and a half then COVID hit.

Commissioner Mitchell replied he agrees, COVID has changed the way we approach stores; there is a greater desire for drive-throughs or pick-up windows to avoid going into a building.

Chair Fox referred back to the staff memo.

Loading (Section 5.9 Township Zoning Ordinance)

Director Langer stated the following:

- Loading is planned for the rear of Unit 1

- Topic has been discussed many times with many developments.
- Common to waive the requirement for a dedicated loading space as delivery vehicles tend to unload where it is convenient to do so often before or after peak hours.
- Staff suggests the loading space be eliminated and the area recaptured for landscaping.

Chair Fox suggested they eliminate the loading space, use the area for grass/landscaping, push the building back five feet, move the sidewalk accordingly, and pick up five feet of landscaping bed across the front of the building to add some greenspace that seems to be lacking and call it good.

Commissioner Grissim stated that would help soften all of the concrete in front of the building, but she knows the Applicant had concerns about site visibility desiring to keep the buildings up close to M-59.

The Applicant stated five feet is fine. He agrees with the Planning Commission and feels it is clever of the Planning Commission to eliminate the loading areas in certain instances such as this.

Chair Fox stated, it eliminates some asphalt, moves the building back five feet, adds some landscaping across the front, and solves ninety-percent of all the issues. The Planning Commission agreed.

Lighting

Director Langer stated they need to submit a revised Photometric Plan that shows the average footcandles for each building entrance, and the maximum illumination level south of Unit 2, on the construction set of plans. The Applicant agreed.

Fixture Type

Chair Fox commented that projects here and elsewhere have been allowed to use more energy efficient designs that were not in existence when the PD was created. Director Langer concurred.

Landscaping (Per Final Plan – Sheet LS-3)

Chair Fox asked Commissioner Grissim if, ignoring the nine feet, the Landscape Plan is a good plan.

Commissioner Grissim stated the following:

- It is a good plan.
- Screens the parking lot with the addition of evergreen shrubs.
- Has shade and trees in the front.

Landscaping - Adjacent to Roads

Commissioner Voight stated compared to BP and McDonald's which both have a concrete heavy entrance to M-59 with a very small, landscaped area, even without the nine feet, we are getting a much better look with this strip of landscaping than either of those sites. Commissioner Grissim agreed.

Commissioner Grissim referring to the parking lot landscaping, asked that the trees in the end cap area be shade trees to provide shade for the parking lot. The Applicant agreed.

Landscaping - Façade

Commissioner Grissim stated the required square footage for façade landscaping complies; however, façade landscaping areas are not located along the main entrance of either building. The earlier suggestion of eliminating of the loading area and trying to get some landscaping added to the front where there is currently only sidewalk shown, will go a long way to soften the façade of the building. The Applicant concurred.

Commissioner McMullen commented she has worked in restaurant businesses for a very long time, 30 years. She feels landscaping around a building produces cover for rodents and pests. She would prefer less especially with a restaurant use for health and safety.

Chair Fox asked if Commissioner McMullen would be comfortable with landscaping on the front but none on the sides as drawn. Commissioner McMullen stated yes, she did not see any negatives as it is now.

Director Langer asked for clarification. It was discussed to move Unit 1 back five feet and add five feet of landscaping along the front. Does the Planning Commission desire the same for Unit 2? Chair Fox replied he was thinking both as they are parallel on the site, but they did only reference Unit 1. Director Langer stated the core of the discussion was only for Unit 1 and he wanted it to be clear to avoid confusion later. The Planning Commission agreed it would apply to both units, as did the Applicant.

Building Materials (Section 6.1.1-PD Agreement)

Chair Fox stated they intend to match the other building existing in the development, which he finds very attractive. The Planning Commission agreed.

Reconfiguration of ramp/sidewalk layout

Commissioner Grissim asked to return to the Landscape discussion briefly to address the location of the ramps. Referring to the hand-drawn sketch in the packet she stated revising the configuration of the ramps in this manner would eliminate some concrete and improve the sidewalk connection. The Applicant stated as long as it meets the ADA requirements, he agrees.

Chair Fox returned to the Parking and reduced Greenbelt discussion.

Commissioner Grissim stated with the compromises made, she is fine now.

Commissioner Mitchell stated he is satisfied. That was his top concern.

The Planning Commission agreed.

Commissioner Voight asked Commissioner Grissim to address Commissioner McMullen's concern. Are there certain planting varieties that can be used to mitigate those issues?

Commissioner Grissim stated there are. She too has seen the rodent issue around shopping centers and businesses where there is food. There are pest control measures and certain plantings higher off the ground that can help discourage that.

Commissioner McMullen expressed concern about poison traps as they can get into the food chain with undesired, unintended results.

PROJECT B- Exterior renovations to an existing commercial building (former Food Town)

Landscaping (Per Final Plan – Sheet LS-3, dated July 11, 2008)

Director Langer stated currently there are pockets of landscaping that were part of the original PD; there is no landscaping proposed so the question is should they continue here consistent with the original PD plan?

Chair Fox asked the Applicant if it was an oversight. The Applicant replied it was. They are willing to continue with the existing landscape theme. The Planning Commission agreed.

Building Materials (Section 6.1.1-PD Agreement)

Chair Fox asked about the west wall; would the Applicant be opposed to painting it the same color as the brick, rather than white. The Applicant agreed. Director Langer stated it is unknown how long the wall will be exposed until another building is built, until that time it could be painted to match the brick for a better presentation. Chair Fox continued when the development was approved, the back brick wall was existing, and the Planning Commission asked them to paint the wall to match the brick.

Dumpster Enclosure (Per PD Agreement Section 6.1.6. & Township Zoning Ordinance Section 5.7)

Chair Fox stated it is a unique set up and they are proposing to continue what was already previously approved. He asked if the Planning Commission was comfortable continuing that plan. The Planning Commission agreed.

Commissioner Voight offered the following Motion:

Move to approve Site Plan Application #21-004, a request to amend the previously approved plans for Hartland Marketplace Planned Development (PD), as outlined in the staff memorandum dated May 20, 2021. Approval is subject to the following conditions:

- 1. The request to amend the Hartland Marketplace Planned Development Agreement (Fifth Amendment to the PD Agreement), to eliminate the limitation on drive-through windows, is subject to approval by the Township Board. The Fifth Amendment is subject to the requirements of the Township Attorney.**
- 2. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated May 20, 2021, on the Construction Plan set, subject to an administrative review by the Planning staff prior to the issuance of a land use permit.**
- 3. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant, and Hartland Deerfield Fire Authority.**

Seconded by Commissioner McMullen.

Chair Fox offered a Friendly Amendment to include the following:

- 4. The plans shall be revised to eliminate the loading zone as shown on the south side of Unit 1 and replaced with a curbed, landscaped area.**

5. The plans shall be revised to move Unit 1 and Unit 2, five (5) feet to the south and a five (5) foot wide landscape area shall be established along the frontage of Unit 1 and Unit 2 (north/front side of each building).

The Maker and Secunder agreed. Motion carried unanimously.

Commissioner Grissim offered the following Motion:

Move to recommend approval of the proposed amendment to the Planned Development Agreement, a request to amend the Hartland Marketplace Planned Development Agreement, hereby known as the Fifth Amendment, to eliminate the limitation on drive-up and service windows, with dedicated drive-in lanes, in the Hartland Marketplace Planned Development based on the following findings:

1. The Planning Commission recommends to remove the limitation on drive-up and service windows, with dedicated drive-in lanes, within the Hartland Marketplace Planned Development (PD), would still be consistent with the original intent to remove the limitation of the number of drive-through businesses within this development.
2. The Planning Commission has determined that the proposed amendment will permit an additional restaurant business with a drive-through service window that will be a good fit for the community and will add to the overall appeal of the Planned Development.
3. The proposed Fifth Amendment document shall be revised to address the comments provided by the Township Attorney, including revisions to signature page, to list all current property owners.

Seconded by Commissioner Mitchell. Motion carried unanimously.

7. **Call to Public:**

None

8. **Planner's Report:**

Director Langer stated there is a meeting scheduled for June 10, 2021, but please keep available June 17, 2021 for a Special Planning Commission Meeting to further discuss Newberry, if needed.

9. **Committee Reports:**

10. **Adjournment:**

A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner Voight. Motion carried unanimously. The meeting was adjourned at approximately 8:25 p.m.

Submitted by,



Keith Voight,
Planning Commission Secretary