

1. **Call to Order** - THE MEETING WAS CALLED TO ORDER BY CHAIRMAN LARRY FOX AT 7:00 PM

2. **Pledge of Allegiance**

3. **Roll Call**

PRESENT: Joe Colaianne, Thomas Murphy, Larry Fox, Jeff Newsom, Sue Grissim, Michael Mitchell, Keith Voight  
ABSENT:

4. **Approval of Meeting Agenda**

a. Motion to approve Meeting Agenda

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Newsom, Vice Chairman
<b>SECONDER:</b>	Sue Grissim, Commissioner
<b>AYES:</b>	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

5. **Approval of Meeting Minutes**

a. Planning Commission - Regular Meeting - Mar 24, 2016 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Mitchell, Commissioner
<b>SECONDER:</b>	Keith Voight, Secretary
<b>AYES:</b>	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

6. **Call to the Public**

No one came forward

7. **Public Hearing**

a. Newberry Preliminary Planned Development #535-P, Mixed Use Development

Chair Fox described the public hearing process, then briefly introduced the project. He said that due to the size, it was unlikely that the Planning Commission would get through the entire project in one evening. He asked the Director for an overview. The Director began by describing the project as a mixed use planned development located at M-59 and Fenton/Pleasant Valley Roads, consisting of properties on both the north (30 acres) and south (78 acres) side of M-59. It is a planned development which requires 6 steps whereby the conceptual, preliminary and final plans are reviewed by both the Planning Commission and the Board of Trustees. This is the preliminary phase. The property is zoned Conservation Agriculture and master-planned as a Special Planning Area. The plan shows commercial on the frontage on the north side, with a senior facility to the west, and residential to the north. The south property also shows commercial on the frontage with residential of various densities further to the south.

The project representative introduced themselves and provided a description of Mayberry Homes, the development company. He also described the overall intent of the project as being a traditional neighborhood development and said that one of Mayberry's projects in East Lansing recently won a national design award. The project representatives went on to say that the project is to be walkable with high quality architecture and gateway elements. In terms of community benefits, 1-2 acres are proposed to be dedicated for a fire station, and a community water system will be built to Township standards.

As far as the plan sets to be considered, the various required pattern elements are incorporated onto the plans for ease of use, and the regulating plan will restrict where different uses can be built. The locations of the single

family residential, cluster homes, and the apartments, as well as the senior care facility, the gas station, the car wash, and other commercial uses on both the north and south sides were pointed out. A comparison of the densities of various uses between what is being presented now and that proposed in 2007 was presented. Street types were described along with building types, landscape standards, screening/buffering approaches, and architecture. Design details associated with the various uses were described. The proposed phasing of both the north and south properties were relayed.

When the project representatives concluded their introductory remarks, Chair Fox asked for comments from the public:

Mr. Rowe on Deer Path Lane asked about the potential for paving Pleasant Valley as he thought this was part of the previous plan for this site. He asked that the Board not forget the reasons why people first moved to Hartland. He said that with a thousand new people in this region, traffic will be an issue and hopefully a traffic light will help. The cluster homes are a concern but he is unclear on exactly what these are - and these will be bordering the north side near his property. He believes that the buffer is an issue and consideration should be given to a brick wall on the north. He also referenced the citizen engagement and priority assessment which showed that residents love the Hartland community, and though the plan very nice, is this really what Hartland wants.

Mr. Gardner on Fenton Road expressed concerns about the water and what assurances he would have that his well will not be affected.

Mr. Johnson on Deer Path Lane said that although he left the city, he is concerned that the city is now coming to him. He would like information on the barrier between this project and Deer Path Lane. He wants something more permanent and stable than evergreen trees. Well water is also a major concern since it already has been a problem. This will impact traffic on Fenton as well and how will this be controlled?

Mr. Norris on Fenton Road is concerned about the screening and suggested a berm with trees. He does not want a brick wall. Traffic will also be an issue, and as was mentioned previously, the community well is a major concern.

Ms. Gardner on Fenton Road said she was a lifetime Hartland person and although this looks nice, she asked where all the people will come from. Police protection is already a problem now. In terms of the traffic increase, she asked if the DOT was involved at this point. She reiterated the concern expressed previously about the water quality and availability. She will be disappointed to lose what she has.

Mr. Haggens on Hyde Road said that his biggest concerns are police and traffic, stating that the intersection is already very risky. He asked if more Livingston County police will be available to patrol the area. He said he is an architect, and is pro-development, but this is a high density development. This will be a lot of people in a small footprint. He commented positively on the architecture.

Ms. Porath on Pleasant Valley came forward and described the various properties that she and her family owned in the vicinity. She said her family has been there since 1923 and that they are the last farmers in Hartland Township. Her main concern was with the buffer between the project, and the farm, and the sand and gravel operation. She is not in favor of a brick wall as a buffer.

Ms. Jennifer on Fenton Road asked why another gas station and car wash was needed. They moved to this area to get away, not to see clustered development. She is also concerned about lights because of her location.

Chair Fox explained that this will not be the only opportunity for the public to speak and that the Commission likes the participation. He closed the public hearing at 7:56. He then stated that there would now be a conversation on the proposal using the review letter provided by the McKenna consultant.

The first topic discussed was that of design standards. He asked the consultant to explain the uses permitted. The consultant stated that a concern related to this is the high number of auto oriented potential uses considering this is to be a pedestrian oriented project. It is important to remember that other types of uses may be

constructed than those currently shown on the plan. Also, the north border should not be permitted to include apartments - more specificity is needed relative to the uses permitted. He stated that Newberry Place will be a gateway, and auto oriented uses may not be appropriate despite the design and architecture identified. Some of the uses are location sensitive and should be more tied down in terms of where they are to be built. He also said that the plan is showing special land uses, which is unusual in a PD. The applicant's representatives responded that they don't have a problem with locking down gateway features and asked for direction from the Commission. They also said that the multi-family may not be located closer than 200 feet to a property line. The consultant said that the uses and the locations in which they are proposed should be decided now.

Newsom then asked if the cluster homes and duplexes would be for-sale as opposed to rental - the response was yes. The apartments are the only rentals. The applicant's representatives stated that each use will have its own association. Newsom does not believe there should be a wall as a barrier - it should be natural buffer. He said he believes the duplexes are too dense. Voight said the applicant should stick to the cluster homes at this location, and then asked for more explanation on the drive-through locations. Chair Fox said he is not concerned with the drive-throughs since this area will need to serve more than the local community to be viable. He did say, however, that the number of drive-throughs should be limited. He reminded all that any issues not specifically addressed in the PD language will fall back to the Zoning Ordinance. Newsom expressed concern about the sound generated by the drive-throughs. Colaianne suggested that the speaker locations and general orientation be identified now. Grissim suggested that establishing a distance provision may help. Murphy raised the issue of headlights and commented that screening will be important.

Chair Fox directed attention to the permitted use chart. He said the lots are small, but detached garages are permitted. He asked if detached garages on small lots was really appropriate - if not, this needs to be clarified. He then commented on accessory buildings, asking whether these should be allowed due to the size of the lots. He is concerned that these will create conflict between neighbors. On the large single family lots they would be okay, but the rest should be reconsidered. Murphy agreed. The applicant's representatives said an architectural control committee would have to approve such uses.

Fox also said that it appears in the use chart that cluster homes can be substituted for single family homes. Mitchell said he did not believe that much flexibility should be permitted. Instead, a revision to the plan could be considered based on market conditions. The applicant's representatives agreed. Chair Fox said it also appeared that the mixed use could be replaced with apartments. He expressed concern about the possible loss of the "mix" of uses. He doesn't want to see more apartments than what is proposed at this time. The applicant's representative said this wasn't the intent - it was about flexibility in the future. Discussion occurred on the appropriateness of the mix of uses in this use category. Voight said that multiple family was never envisioned in the particular area under discussion. Chair Fox suggested another use category be devised allowing a business with a rental above. Murphy commented that he does not want apartments on M-59 or at the entry.

Discussion then ensued on the market for the commercial which is to be 139,000 square feet. Since the commercial buildings will not be over 30,000 square feet, the applicant's representatives emphasized the need for flexibility if there is not demand for commercial uses. Their market analysis showed less market for commercial uses. Chair Fox emphasized that they do not want to see a huge apartment complex at this location. Murphy asked if they had determined a true need for gas stations on both sides of M-59 since this seemed like an overage. The applicant's representatives was explained that the intent was to construct the gas station on the north side with Phase 1. Chair Fox said he sees a need for at least one and Newsom said one is probably enough. The future developers for the gas station were in the audience and generally discussed their plans.

The consultant asked the Commission for their specific opinion on the concept of special land uses in the PD such as townhouses in the single family and drive-throughs in the mixed use and commercial areas. This led to a discussion on eliminating the special use provisions, particularly since the approving body would be the developer, not the Planning Commission. Mitchell said that he does not feel that the use questions should be open-ended - he wants to see a plan that shows specifically what will be build where - essentially what this will look like. Up to this point though, he believes he has only been looking at lines on a paper. He is becoming uncomfortable giving this level of carte blanche. He is also uncomfortable with the Planning Commission giving up the decision making process on some of these uses. This generated discussion on how the site plan

review process for individual uses would occur. Newsom asked the Director about how the site plan approval would work in these circumstances, and the Director stated that the individual phases will come back through the standard site plan process. In terms of the special uses, it was concluded that the special uses should be eliminated and the numbers and types of permitted uses should be specifically defined.

The next topic presented by the consultant was density. He said that the regulating plan would allow for 5.6 units per acre overall. The applicant's representatives believed, though, that the unit counts would be reduced if apartments are not allowed in the mixed use category. Newsom commented that the number of apartments proposed in this development, along with the others proposed in the Township, exceed the the numbers that the Township's market study state as feasible. This number is 380 units over the next 5-6 years. He said he is not comfortable with the number of rental units proposed. Grissim asked for clarification on the additional 55 units noted - the response was that these constituted the senior housing units. The applicant's representatives stated that the total number of rental units proposed is 278. Newsom said if the number of rental units were reduced, it would allow more creativity in the layout. The applicant's representatives expressed concern if the number of units were reduced, it may be difficult to absorb all the REUs associated with the property. Newsom asked for an explanation on the spread of the REUs between residential and commercial uses- the response was that is still being addressed. Grissim said they are all concerned about the density. Newsom urged that they not compare to what was approved previously, but what is appropriate now. Chair Fox said that the number of units is the same as what was proposed previously, but the mix is different now. The applicant's representatives asked for more direction as to where the project should be in terms of density. Chair Fox suggested a conversation with the Township Board and Colaianne agreed that this question should be deferred to the Board.

Newsom commented that the density on the north was more the problem since the project bordered single family homes. He thought that the total number proposed for Phase 1 on the north was closer to his comfort level. Chair Fox again responded that since there was no consensus on the Commission, the Board should discuss the density. Grissim said that it was difficult to visualize the overall density and also believed that the border should be less dense. Voight said he appreciate the reduction in townhomes from the previous plan.

The focus then moved to the amount of open space proposed. The consultant suggested that the Commission discuss whether the open space provided was truly useable, particularly the areas around the Senior Care Facility, the cluster home setbacks, and the well house site. Grissim stated that useable open space as defined, is that available for active recreation, and that it is difficult to envision these areas as useable. Voight and Newsom expressed similar concerns. The applicant's representatives indicated that the specific amount of open space available will be clarified with the individual site plans. Discussion occurred specifically on whether the property line at the back of the cluster homes could be used for a trail. Chair Fox said that if it is to be used for open space, and actual trail would need to be shown. The Director asked the Commission if a wood chip or pea gravel trail surface was acceptable - the response was yes.

Following the concluding comments on open space, Chair Fox indicated to the audience that they would be ending discussion of the review letter at this time, and would pick-up where they left off at the next meeting. Everyone was invited back at that time. He also reviewed the future opportunities for feedback.

<b>RESULT:</b>	<b>INFORMATIONAL</b>
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## 8. Old and New Business

None

## 9. Call to the Public

No one came forward.

## 10. Planner's Report

The Director reported on the following:

The Township Board has selected April 26<sup>th</sup>, a Tuesday night, for a joint meeting between the Planning Commission and the Township Board. An email was sent to the Planning Commission noting the 6:30 start time.

The Planning Department has been functioning the best they can, and will be bringing on a Planning Assistant on April 18<sup>th</sup>. The hiring of a full-time Planner is in process and one will be brought on board shortly.

A brief discussion occurred among the Commission members about the need to update the Comprehensive Plan, particularly relative to commercial and multi-family residential land use designations.

**11. Committee Reports**

None

**12. Motion to Adjourn**

a. Adjourn

Meeting was adjourned at approximately 9:45 PM

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Keith Voight, Secretary
<b>SECONDER:</b>	Joe Colaianne, Trustee
<b>AYES:</b>	Colaianne, Murphy, Fox, Newsom, Grissim, Mitchell, Voight

Submitted by,



Keith Voight  
Planning Commission Secretary