

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: Larry Fox, Sue Grissim, Michael Mitchell, Keith Voight

ABSENT: Joe Colaianne, Thomas Murphy, Jeff Newsom

Approval of Meeting Agenda

Motion to approve the agenda

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Michael Mitchell, Commissioner |
| SECONDER: | Sue Grissim, Commissioner |
| AYES: | Fox, Grissim, Mitchell, Voight |
| ABSENT: | Colaianne, Murphy, Newsom |

4. **Approval of Meeting Minutes**

a. Planning Commission - Regular Meeting - Sep 8, 2016 7:00 PM

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| RESULT: | ACCEPTED [UNANIMOUS] |
| MOVER: | Keith Voight, Secretary |
| SECONDER: | Michael Mitchell, Commissioner |
| AYES: | Fox, Grissim, Mitchell, Voight |
| ABSENT: | Colaianne, Murphy, Newsom |

5. **Call to Public**

None

6. **Public Hearing**

None

7. **Old and New Business**

a. Site Plan #543 - Rural King

Planning Director Troy Langer gave an overview of the request.

- Rural King intends to occupy the west portion of the building formerly occupied by Wal-Mart, approximately 114,055 square feet.
- Approximately 75,000 square feet on the east side is noted on the site plan as “proposed tenant.”
- Intend to construct a screen wall for an additional outdoor display area, approximately 15,000 square feet in area, as an extension of the existing outdoor display area on the west side of the building, and eliminate parking/parking islands in this area.
- Provide outdoor display areas along the perimeter pedestrian sidewalk in front of the building (north side); and construct screen walls along those display areas.
- A Land Use Permit has been issued for interior work.
- Fire Department is concerned with the west screen wall; the connection must be accessible. Looking at options.

Chair Fox inquired about a comment in the staff memo “The proposed screen walls on the north and west will be constructed over existing paved areas (pedestrian sidewalk and asphalt parking area).” He asked if there would be a construction review at some point to ensure proper footings for our local temperature gradient as opposed to that of southern Illinois to avoid the previous occurrence of the incorrect joining material being used for our climate causing the stone to fall off and require replacement. Director Langer outlined the process for obtaining a Land Use Permit stating after the Planning Commission has reviewed and given their approval for the site plan, the developer will provide the Township with Stamping Plans which are construction drawings. They are reviewed by the various departments as it is the Township’s responsibility to determine if those plans match the approved site plan. Following that process is a pre-construction meeting where all involved in the project meet and communicate the details of the protocol and process for that particular project, then, a Land Use Permit is approved and issued. Chair Fox stated his concern is there is no mention in the report or indication on the plan of footings for the screen walls. He would like to ensure if footings are required for stability and safety, they are constructed.

Chair Fox asked Director Langer to give an overview of the five (5) Display Areas discussed in the memo.

Director Langer identified the locations of the areas as follows:

- Display Area 1 (Existing) (Outside Seasonal Display Area, located west of entrance) - located on the front (north) side of the building is an existing 4,100 square foot outdoor display area.
- Display Area 2 and 3 (Proposed) (Sidewalk Merchandise Display Areas) - two proposed outdoor display areas are located along the existing pedestrian sidewalk on the north side of the building, essentially along the frontage of the Rural King tenant space. This area is proposed to have a four (4) foot high screen wall with decorative fencing. It is unusual as it is at grade and not particularly wide; some of the space will be taken up with the screen wall but a five (5) foot sidewalk width is required.
 - Chair Fox and Director Langer suggested some conditions:
 - The sidewalk width in front of the building must be five (5) feet.
 - The screen wall must be four (4) feet in height, constructed of a brick material that matches the predominant brick material of the building façade, with decorative fencing up to a total height maximum of 63 inches.
 - The western-most screen wall must be altered to satisfy the Fire Marshal, per his letter. If the section of screen wall is removed, the remaining westerly piece must have the return wall.

Director Langer also mentioned the Fire Marshal has concerns whenever outdoor display of merchandise is proposed, the fire exits must remain clear and accessible, indoors and in the outdoor area.

- Display Area 4 (Existing) (Outside Seasonal Display Area, west side of building) - located on the west side of the building formerly used by Wal-Mart as part of the garden center for a drive-thru area for loading bagged and other landscape merchandise related to the garden center. They intend to install a missing gate that would match the existing one and do some maintenance on existing items.
 - Chair Fox stated while the gates were not a Planning Commission requirement, they are required as part of the outdoor storage regulations and must be replaced.
- Display Area 5 (Proposed) (Outside Seasonal Display area, west of building, south of existing Outside Display Area) - the applicant intends to create an additional outdoor display area by extending the existing free-standing wall of Display Area 4 to the south and east.
 - Director Langer stated the following:
 - Three (3) parking spaces would be removed in this area which triggered a review of the parking available on the site. Available parking is more than sufficient for this project.
 - Some curb islands will be removed and are being replaced with asphalt for interior storage display.

- The wall will be extended south.
- Pole lights will remain as part of the display area.
- The existing landscaping will be lost as that area will be within Display Area 5.

Chair Fox gave an overview of what has been covered. Director Langer stated a great deal of work was done to recalculate the parking, not only for this use, but for the entire retail complex. Chair Fox stated, as the staff report indicates, there is no issue with the parking.

Chair Fox asked the Planning Commission if they were comfortable with the project and if they would like to move it along.

Commissioner Grissim stated the following:

- This project has proposed outdoor storage along the whole front façade as well as the entire side of the building with a little opening for the door.
- Not what we want to strive for in the future.
- Does not feel great about giving an endorsement for this proposal.
- The bollards are within the five (5) foot clear sidewalk area and should be addressed.

The Planning Commission discussed the location and necessity of the bollards and the outdoor storage requested.

Chair Fox concurred with Commissioner Grissim's comments and encouraged the Ordinance Review Committee to consider limiting the maximum amount of outdoor storage allowed in front of a business of this kind; this proposed plan has stretched it to the limit. Director Langer stated the original plan proposed included even more outdoor storage without screening so this plan is somewhat of a compromise.

Commissioner Voight expressed concern about what tenant is going to want to share a building with so much visible outdoor storage. Chair Fox stated from his research this applicant typically occupies stand alone stores; this building is much bigger than they normally utilize. In spite of the issues, he is happy such a large commercial property has turned around in such a short period of time.

Commissioner Voight also expressed concern about the screen wall spacing and asked if the applicant is fully aware the gaps cannot be filled with merchandise. Chair Fox inquired if the Township had received anything in writing indicating corporate headquarters understands and will comply with the outdoor storage requirements. Director Langer stated one of the goals of the condition, "*The applicant shall provide a letter from the corporate offices of Rural King stating that outdoor display of merchandise shall only occur in designated areas as approved by the Township.*" is to confirm, in writing, the applicant understands the conditions and reaffirms their willingness to comply with the conditions. Often specific outdoor display conditions are discussed at a meeting but never truly incorporated into the business routine and as managers cycle through the store, the conditions are not shared and subsequently not followed. Hopefully, having a written agreement will avoid future code enforcement issues at the site.

Chair Fox requested the height limitation be added to reinforce no materials may be displayed above the walls, fences and screen walls. Director Langer stated it is pretty clear in the PD agreement but it can certainly be added for emphasis. Chair Fox indicated his concern is always the enforcement issue; the Township cannot be burdened with conditions that will ultimately require the hiring of a full-time Code Enforcement Officer. Commissioner Voight stated he is concerned the applicant will not understand that items must be stored behind the screen wall out of sight, not in the gaps and not just behind in the open perimeter of the wall. Chair Fox encouraged more detail when adding conditions to aid clarification and avoid misunderstandings.

Director Langer stated one of the procedural changes during his tenure is staff sends a site plan approval letter to the applicant following the Planning Commission meeting listing all of the conditions added during the site plan approval process. The letter does not replace the Planning Commission's decision; it is designed to memorialize what was decided. The approved minutes of the meeting are still the official decision for any case.

The Planning Commission discussed whether or not to move forward with the decision at this time.

Commissioner Voight offered the following Motion to approve. Seconded by Commissioner Grissim:

Motion to approve Site Plan Application #543, a request to amend the previously approved plans for the Hartland Marketplace Planned Development, as part of the request for Rural King to renovate an existing building, with the following conditions:

1. The applicant shall provide a letter from the corporate offices of Rural King stating that outdoor display of merchandise shall only occur in designated areas as approved by the Township.
2. Applicant complies with any requirements of the DPW Director, Township Engineer, and Fire Marshal.
3. Complying with the PD agreement to increase the screen wall height to four (4) feet with at least a 15 inch ornamental fence not to exceed a total height of 63 inches.
4. Minimum of a five (5) foot sidewalk with a clear path between the parking lot curb and the outside edge of the screen wall.
5. Screening of products must ensure the understanding that would include no merchandise protruding into the vacant areas of the wall or exceeding the height of the wall.

Motion carried unanimously.

Chair Fox closed the review by stating the Planning Commission welcomes Rural King to Hartland, wishes them good luck, and is looking forward to the Grand Opening in the spring.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Keith Voight, Secretary |
| SECONDER: | Sue Grissim, Commissioner |
| AYES: | Fox, Grissim, Mitchell, Voight |
| ABSENT: | Colaianne, Murphy, Newsom |

b. Sign Code - Code Enforcement

Director Langer referenced a survey already seen by the Planning Commission regarding code enforcement of signs of various types, donation boxes, donation bins, flags, roadside stands, etc.

- The survey was taken by the Planning Commission and Township Board members.
- It is a tremendous guide to staff indicating what issues are important for enforcement purposes here at the Township.
- It also can reveal any possible weaknesses in the ordinance that should be addressed.
- Referenced a Supreme Court case addressing some of those items.
- Did a brief survey of other communities as to how those communities deal with similar issues.
- Would like to have some discussion on this topic.
- Would like to initiate the Ordinance Review Committee (ORC); there are a few items to bring before the committee.
- ORC might be a better place to discuss some of those items and then present the Committee’s findings to the Planning Commission.
- Would like to have the input of all the Planning Commissioners; some are not in attendance this evening so it might be best to refer this item to the ORC or discuss at another meeting when all are in attendance.

Chair Fox commented there are three people missing, he would suggest either send it to the ORC or bring it back for discussion when at least six members are in attendance.

Commissioner Mitchell stated he agreed and would like the ORC to begin the process.

Commissioner Voight stated the following:

- Sending it to the ORC would be wise.
- In his experience, although some of the items do not look like much, they can take hours or even days of discussion.
- The ORC process would help to find out where the concerns lie.
- Much of the discussion would be redundant.
- Has been on the ORC and can give the history and/or explain why the changes were made initially.

Chair Fox stated the Planning Commission is very confident in the Ordinance Review Committee members.

Director Langer indicated he was unsure of the procedural process to have the ORC meet and review ordinance items.

Chair Fox stated historically the Planning Commission has been made aware of the convening of the Committee and know generally which items will be discussed; it is a general awareness factor which has been accomplished here. Chair Fox requested at some point in the future during a Planner's Report, the Planning Commission would like an update indicating what is being discussed.

Commissioner Voight stated sometimes the ORC gets locked and is unsure of which direction to go. In those cases the topic would be brought back to the Planning Commission for more input and guidance so the Planning Commission will be involved, just not for the full review.

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| RESULT: | INFORMATIONAL |
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8. Call to Public

None

9. Planner's Report

Ordinance Review Committee

Director Langer gave an outline of the items the Ordinance Review Committee would be discussing:

- Special Event Ordinance
 - Farmers Market - the Farmers Market has learned visibility and location are important for the success of the event so they are asking for some changes to the Special Event Ordinance to accommodate the market.
 - Winterfest - this is a new event not specifically mentioned in the Special Event Ordinance but has grown over the last few years to the point where it deserves some recognition in the Ordinance.
- Private Road Ordinance - this item came to light during a series of meetings with developers, staff and the assigned committee. It appears this Ordinance could possibly be tweaked and may aid in addressing some of their concerns without lessening the standards and review of the Township.
- Engineering Design Standards - it has been eight years since they were adopted and it was suggested we take a look at them, not to necessarily change anything, but to do our due diligence.
- Strategic Plan - established by the Township Board, part of the plan is to amend some of the ordinances and he would like the ORC to take a look and decide how to proceed.

The Director stated this is not an exhaustive list; discussion is not limited to these items. Others may be brought forward by any Planning Commission member as the Committee convenes.

Land Use Permits and other Permit Numbering System

Director Langer stated the numbering system used for Land Use Permits is getting ready to roll over into five (5) digits. While staff was exploring various options, it was proposed to begin a numbering system for all permits that is year based (i.e. PLU 17-001) to allow for better tracking in the future. Director Langer did not want to proceed without giving the Planning Commission an opportunity to share their thoughts.

Newberry Mixed Use Planning Development

Director Langer reminded the Planning Commission the last time they discussed this project was in April 2016 for three consecutive meetings. It is a big project and there are lots of issues that must be addressed. One issue previously unresolved was the approval from Michigan Department of Transportation (MDOT) and Livingston County Road Commission (LCRC). The applicant has made great strides with MDOT & LCRC toward obtaining their approvals and getting those permits but there are still some hurdles to overcome. Director Langer stated he expects before long they will be back before the Planning Commission with a revised site plan reflecting the changes desired by the Planning Commission, based on the comments shared in the meetings and summarized in a letter, as well as those of MDOT and LCRC; although he has not yet seen a revised site plan. The project is still moving forward.

Director Langer also stated the Township sold the north 30 acres of the proposed development to Mayberry Homes or one of its LLCs and there was a division of a two-acre piece of land on the north side for the gentleman who is interested in building a gas station on either the north or south side of M59.

Chair Fox clarified the gentlemen's investment in the property does not mean the project is approved, just that he now owns a nice two-acre parcel on the corner.

Director Langer confirmed both Mayberry Homes and the gentleman took a risk by purchasing the property without any approvals in place.

Development Review Committee (DRC)

Director Langer gave an overview of the staff process involved in a site plan review before the Planning Commission sees the project. Director Langer stated he would like to incorporate a meeting where the reviewing agencies, such as Fire, Engineering, DPW and the Planning staff, meet together to discuss the project for greater clarity of purpose and to hopefully catch any potential issues that should be addressed early in the planning phase before the proposal goes before the Planning Commission.

2017 Planning Commission Meeting Schedule

The Planning Commission briefly discussed the draft 2017 Planning Commission Meeting Schedule anticipated to be approved in December or a Special Meeting will be called for January 12, 2017.

10. Committee Reports

Commissioner Voight suggested the ORC look at Canopy Lighting and he thought Chair Fox wanted to review Industrial Architectural Standards. He also suggested staff be prepared to provide some information, research and recommendations in advance of ORC discussions.

Commissioner Voight stated he saw MDOT doing traffic counts at Pleasant Valley and M-59 so they must be getting more serious.

Commissioner Voight asked if the new DRC process would lengthen the time an applicant would have to wait for a Site Plan Review. Director Langer gave an overview of the staff procedure prior to bringing a request to the Planning Commission and stated it would not make the process longer. Commissioner Voight expressed concern about the difficulty in trying to get several people together for a meeting. Director Langer stated it would be in-house staff; the goal is to include the Township Engineer but it may not always be possible. Director Langer expressed the hope all would continue to complete their reviews prior to that meeting and come prepared.

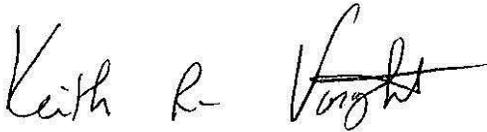
11. Adjournment

Motion to adjourn

The meeting was adjourned at approximately 8:08 PM.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Michael Mitchell, Commissioner |
| SECONDER: | Keith Voight, Secretary |
| AYES: | Fox, Grissim, Mitchell, Voight |
| ABSENT: | Colaianne, Murphy, Newsom |

Submitted by,



Keith Voight
Planning Commission Secretary