

City Of Hart

407 S. State St

Hart, Mi 49420

Planning Commission

Thursday, August 4th, 2022

Minutes

MEMBERS PRESENT: Betty Root, Jim Cunningham, Gale Goldberg, Diane LaPorte, Jack Wittman, and Peggy Wittman

ABSENT: Jim Evans

OTHERS PRESENT: City Manager – Rob Splane, and City Clerk – Karla Swihart

B. Root called the meeting to order at 4:00 pm.

APPROVAL OF AGENDA: D. Laporte moved to approve the agenda and supported by J. Wittman

Ayes: 6 Nays: 0 Absent: 1

APPROVAL OF MINUTES: J. Cunningham moved to approve minutes from May 5th, 2022, and supported by G. Goldberg

Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS: None

ACTION ITEMS: None

DISCUSSION ITEMS:

- Review Horizon Community Planning memo regarding Mobile Food Units

Overview

The topic of mobile food unit regulation has recently arisen. Sometimes known as “food trucks,” a mobile food unit is defined as a motor vehicle, such as a van or truck, or trailer that can be attached to a motor vehicle, which is used for the preparation, sales, and service of food and beverages. Food preparation and service occur within the motor vehicle or alongside or inside the trailer.

In general, there are three placement scenarios for mobile food truck sales. Mobile food units can be placed in a single location permanently or seasonally, placed temporarily in a parking lot, or placed temporarily within the public right-of-way. In any of these scenarios, it is important to consider the pros and cons and potential implications.

It should be noted that owners of established restaurants are sometimes resistant to mobile food units as they create competition to serve a limited number of patrons in the market area. Other criticism sometimes relates to property taxes that are not paid by mobile food unit owners. However, mobile food units can serve as an incubator for new businesses and can even supplement the operations of existing restaurant owners.

Regulation

The three scenarios mentioned earlier in this report should be discussed by the Planning Commission.

1. Mobile food units as a permanent fixture on a site. In this case, the mobile food unit would essentially be comparable to a principal or accessory building, and all development regulations would remain applicable (lighting, landscaping, signs, utilities, parking, setbacks, etc.)

2. Mobile food unit as an accessory use in a parking lot or yard area. Where mobile food units are an accessory use, typical regulations include the following topics:
 - a) Zoning District/location
 - b) Timeframe and hours of operation
 - c) Number of mobile food units
 - d) Corner sight clearance
 - e) Maintenance of required parking spaces for principal use
 - f) Setbacks
 - g) Temporary displays and signs
 - h) Maintaining clear areas for pedestrian and vehicle travel
 - i) Waste management
3. Mobile food units in the public right-of-way. In some cities, mobile food units are allowed to park in the public right-of-way, adjacent to sidewalks, for example. This scenario typically accommodates pedestrians in a downtown atmosphere. Since zoning does not regulate the public right-of-way, a separate ordinance would need to address this scenario.

Next Steps

The Planning Commission should discuss whether mobile food units are a desirable option for food service in the City of Hart.

- City Manager R. Splane reached out to local business owners regarding the presence of food trucks. What I found was almost 50/50. Several restaurant owners are versed to the idea of food trucks, but with that being said, I also had business owners with the same concern regarding mobile food trucks competing with local businesses who pay taxes and buy City services. That seemed to be the biggest concern.

Depending on how the planning commission and City Council feels, Maybe the Planning Commission should draft up an ordinance and write some language allowing for temporary food trucks with verbiage in place saying it's just for specific events that way it gives the City the ability to have a food truck rally, and also allow mobile food trucks when there are events and parades.

At one point the City was approached by a food truck owner who wants to buy a lot on Comfort drive for placement of food trucks which would be on a permeant installation which would have City services and pay taxes.

D. Laporte asked if that would be considered vacant property and they would be paying taxes on a vacant land, or would it be considered improvement property? City Manager Splane, once there are City services connected that would be considered improved property.

J. Wittman asked if it doesn't have a building on it would that be considered seasonal? Splane answered once it's an improved property, the property would be assessed as, and property taxes would be based on property improvements.

G. Goldberg, if an existing business wanted to bring in a Mobile Food Unit would that be handled differently? Splane answered, in a different Village they have mobile food units, and, in that case, each mobile food unit would have its own certification from the Health Department, but the Village does have verbiage in their ordinance that allows that use.

Would the City like to allow Mobile Food Units? And if so what kind and where? Suggestion from the Planning Commission is draft up a proposed ordinance to review at September's meeting.

- J. Cunningham motioned to allow City Manager to further investigate allowing Mobile Food Units and supported by D. Laporte
 - Ayes: 5 Nays: 1 Absent: 1

- Creeks Subdivision development status and discussion.
City Council awarded Coldwell Banker Woodland Schmidt as realtor for the Creeks Subdivision and there was only one developer (MWH Investments LLC) who submitted to develop the Creeks site, whom the City entered into a contract with. In working with the developer on the site plan, they identified the fact that the original site plan from the deed, also concerns

regarding the market for multifamily homes (triplex, and quadplex) are not as marketable nowadays as they were 20 years ago when the plan was developed. What the developer would like to do is continue to develop condos inside of creeks drive which there is currently three duplexes, so the developer would continue to build duplexes per the original site plan, but then he would like to amend the PUD (Planned Unit Development) and put single family homes on the outside of creeks drive.

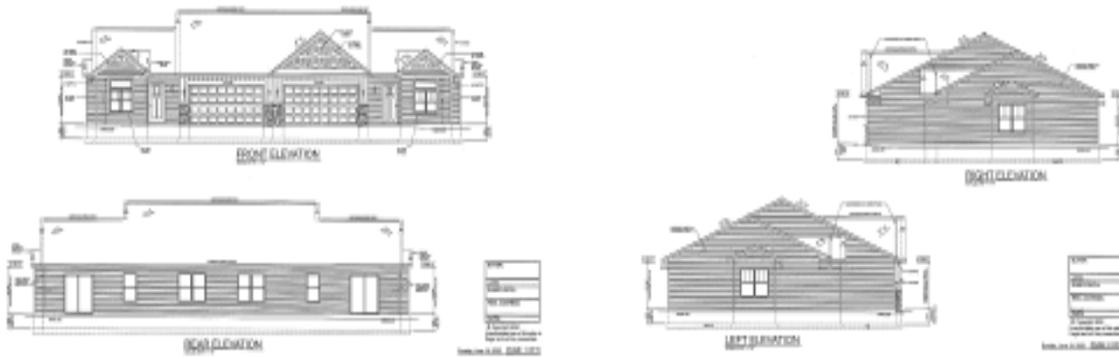
THE CREEKS CONDOMINIUMS

■ SINGLE FAMILY RESIDENTIAL BUILDING SITES
 ■ PROPOSED DEVELOPMENT

- 10 Duplex Sites
- 5 Triplex Sites
- 3 Quadplex Sites
- Opportunity for 47 units yet to be built

COLDWELL BANKER WOODLAND SCHMIDT **231-873-5600**
202 W. WASHINGTON, HOUSTON, TX 77002-1100

Duplex building plan, front, rear elevation and right, left elevation



This is in front of Planning Commission today simply to review the PUD site plan as there is a zoning code Ordinance which states what a PUD will allow and not allow. This will help the Planning Commission on amending the existing PUD (Planned Unit Development).

■ Planning Consultant Services RFP



The City of Hart last bid out Planning Services 8 years ago. It is best practice to get bids every few years and also currently there is no contract with existing consultant. City Manager R.

Splane is looking for approval from the Planning Commission to send out an RFP proposal for Planning Consultant Services.

- G. Goldberg motioned to send out RFP for Planning Consultant Services and supported by J. Cunningham.
 - Ayes: 6 Nays: 0 Absent: 1

OTHER BUSINESS AND COMMUNICATIONS FROM THE COMMISSION MEMBERS:

- J. Cunningham asked what is going on with the Ceres Property? As of right now they are still using it. Also, the TIFA board has entered into negotiations with them to purchase the property. TIFA has an interest in the property because there is potential environmental contamination on site. Which governmental entities have resources for redevelopment or site remediation if there is contamination which with TIFA can help get it cleaned up as well as work with a developer to envision a site plan/redevelopment of the property.
Jim also asked if there has been any discussion on the old funeral home that recently had a fire. There has been a “rumor” that there has been an offer made on the building from a local men’s group who renovate the building and turn it into a men’s community center.
- D. Laporte wanted to let everyone know there is a Young Eagle’s Program being offered at the Shelby Airport on September 10th, at 9am where the kids get to go and fly for free. It is being offered to kids ages 7-17

ADJOURN:

- There being no further business to come before the Planning Commission, the meeting adjourned at 4:44 pm upon a motion by D. Laporte and supported by J. Cunningham, the next scheduled meeting will be held on September 1st,2022

Karla Swihart

Karla Swihart
City Clerk