



City of Hart, Michigan
PLANNING COMMISSION
September 3, 2026 @ 4:00 PM
AGENDA

Hart Council Chambers, 407 State Street, Hart, MI 49420

- 1. Call to order / Roll Call:**
 - a. Commissioners: Cunningham, Fout, LaPorte, Mullen, Root, Clark, Evans
- 2. Approval of Agenda**
- 3. Approval of Minutes**
 - a. August 6, 2026 Regular Meeting
- 4. Public Comments** (limit to 3 minutes per speaker)
- 5. Public Hearing**
 - a. Special Land Use Request for a Boarding House at 111 Church Street
 - Open Public Hearing
 - Staff Summary
 - Applicant Comment
 - Public Comment
 - Planning Commission Questions
 - b. • Close Public Hearing
- 6. Action Items**
 - a. Special Land Use Request for a Boarding House at 111 Church St
 - Planning Commission Discussion
 - Review of Special Land Use Standards and Boarding House Requirements
 - Findings of Fact
 - Motion
- 7. Discussion Items**
 - a. 301 S. State Street – Rezoning Discussion / Staff Follow-Up
 - b. Dog Boarding
 - c. Consideration of Recreational Zoned Areas – for further review at October PC meeting
- 8. Other Business and Communications from Commission members**
- 9. Adjourn**
 - a. *Next regular meeting October 1, 2026*

City Of Hart

407 S. State St

Hart, Mi 49420

Planning Commission

Thursday, August 6th, 2026

Minutes, Draft

MEMBERS PRESENT: Lisa Clark, Jim Cunningham, Jim Evans (Left at 6pm), Cynitha Fout, Diane LaPorte, Andrew Mullen(late), and Betty Root

ABSENT: None

OTHERS PRESENT: City Manager Nichole Kleiner, City Clerk/Treasurer Karla Swihart. Mckenna Consultant Remy Clark.

- C. Fout called the meeting to order at 5:00 pm.

APPROVAL OF AGENDA:

- B. Root motioned to approve the agenda and was supported by J. Evans
 - Ayes: 7 Nays: 0 Absent: 0

APPROVAL OF MINUTES:

- B. Root motioned to approve the minutes from June 4th, 2026, and was supported by J. Evans
 - Ayes: 7 Nays: 0 Absent: 0

PUBLIC COMMENTS ON AGENDA ITEMS:

- Several residents spoke in regard to Taco Bell location coming to Comfort Drive.

PUBLIC HEARINGS:

- Special Land Use – Taco Bell, 2306 N Comfort Dr.
Public Hearing to consider a request for a Special Land Use Permit for a restaurant with drive-through services
 - J. Cunningham motioned to open Public Hearing at 5:12pm and was supported by A. Mullen
 - Ayes: 7 Nays: 0 Absent: 0
- G. Goldberg mentioned that the City has already approved 6 drive thru's
- With no other public comments
 - L. Clark motioned to close the Public Hearing at 5:22pm and was supported by D. LaPorte
 - Ayes: 7 Nays: 0 Absent: 0

ACTION ITEMS:

- Consideration of Special Land Use Permit and Site Plan – Taco Bell, 2306 N Comfort Dr.
Consideration of a Special Land Use Permit
Mckenna has reviewed the Special Land Use application for the proposed Taco Bell Drive Thru which was prepared and submitted to the City on July 17th, 2026.
Taco Bell has proposed to construct a new restaurant at 2306 N Comfort Drive. The property is zoned B-2 General Business.
The property in question is currently vacant. The submitted site plan illustrates a new restaurant structure with an associated drive thru, a special land use in the B-2 district, and surface parking. In conjunction with the Site Plan Review Application, the applicant has submitted a Special Land Use application for the drive thru. This letter serves to assess the Special Land Use application for the associated Drive Thru.
The application proposes to construct a new building to house a new restaurant that will offer drive-through service.

1. The proposed Special Land Use is in accordance with the Standards of Approval as outlined in Section 1256.04 of the City of Hart's Zoning Ordinance. The use would not be detrimental to the City, its residents, or the surrounding commercial area. It is the recommendation of McKenna that final approval be granted for this Special Land Use request.
 - o B. Root motioned to approve Special Land Use Drive Thru for Taco Bell and was supported by A. Mullen
 - o Ayes: 6 Nays: 1 Absent: 0

▪ **Consideration of Final Site Plan approval**

McKenna has reviewed the Site Plan for the proposed Taco Bell commercial building which was prepared and submitted to the City on July 17th, 2026. The commercial building will be located at 2306 N Comfort Drive as a new building on an existing vacant parcel, and we offer the following review analysis comments.

Taco Bell has proposed to construct a new restaurant at 2306 N Comfort Drive. The property is zoned B-2 General Business.

The property in question is currently vacant. The submitted site plan illustrates a new restaurant structure with an associated drive thru, a special land use in the B-2 district, and surface parking. In conjunction with the Site Plan Review Application, the applicant has submitted a Special Land Use application for a drive thru. This request will be reviewed in a separate review letter.

The applicant proposes to construct a new building to house a new restaurant that will offer drive-thru service.

1. A restaurant is permitted land use in the B2-General Business District subject to Site Plan Review. The drive-thru portion of the proposed development is a special land use in the B-2 District and is subject to Special Land Use.
2. Is subject to additional reviews by the City of Hart Department of Public Works, City Engineer, and Fire Marshall. Further, the development may need to be reviewed by Oceana County Drain Commissioner regarding stormwater management.
3. The following outstanding items must be provided by the applicant to allow for the granting of final approval: lighting plan, landscape plan, and confirmation of location of existing sewer main.
 - o A. Mullen motioned to approve Site Plan with conditional Landscape Drawings be submitted and CM Kleiner can approve them and was supported by J. Evans
 - o Ayes: 7 Nays: 0 Absent: 0

DISCUSSION ITEMS:

- Introduction of re-zoning request 111 Church St and 301 S. State
111 Church be a special land use as a Boarding House. Will hold a Public Hearing, will publish in the paper and mail out letters to resident's living within 300 ft.
301 S. State St it is the recommendation to Rezone as B-2 but CM Kleiner will look into proper uses and bring back to the next Planning Commission Meeting in September.
- 109 Union St – Dangerous Building Update – Letter was mailed, their response was they have no means to have it cleaned up. So according to the Ordinance they have to be offered a hearing Infront of hearing officer and Council. I reached out the building inspector, but I have not heard back.
- Consideration of Recreational Zoned Areas – The Fair Grounds is Zoned A Residential, New Zoning would be zoned recreational.

OTHER BUSINESS and COMMUNICATION FROM COMMISSION MEMBERS:

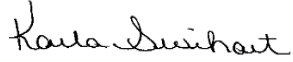
- J. Cunningham any citizen of the City of Hart should be able to have public comments on the agenda items at the time the Commission is discussing the item.

PUBLIC COMMENTS GENERAL:

- NONE

ADJOURN:

- There being no further business to come before the Planning Commission, the meeting adjourned upon a motion by L. Clark and supported by D. LaPorte. The next meeting scheduled will be held on September 3rd, 2026

A handwritten signature in cursive script, reading "Karla Swihart".

Karla Swihart
City Clerk



MEMORANDUM

To: Hart Planning Commission

From: Nichole Kleiner, City Manager / Zoning Administrator

Subject: Action – Special Land Use Request, 111 Church Street – Boarding House

Following the public hearing, the Planning Commission is asked to consider the Special Land Use request for **111 Church Street to operate as a boarding house.**

In considering the request, the Planning Commission should determine whether the application satisfies the general Special Land Use standards of Chapter 1256 and the specific boarding house requirements of Section 1256.15.

Findings of Fact in Accordance with Section 1256.15:

Ordinance Requirement	Finding of Fact
Site/floor plan	Applicant submitted a floor plan identifying the use and square footage of each room. Condition required
Cooking facilities	No separate cooking facilities are proposed within individual bedrooms.
Parking	_____ rooms are proposed for rent, requiring _____ (=) off-street parking spaces. The site provides _____.
Residential appearance	The existing structure maintains the appearance of a single-family residence. Condition met
On-site management	Applicant proposes that _____ will reside on-site as the required manager/owner.
500-foot separation	Staff determined that the property does meet the required 500-foot separation from another approved boarding house.
Rental Code	Approval shall be conditioned upon compliance with the City's Housing Rental Code. Condition required

Action Requested

Following review of the application, staff report, public comments and applicable ordinance standards, the Planning Commission may **approve, approve with conditions, or deny** the Special Land Use request. The ordinance authorizes the Commission to impose appropriate conditions and safeguards.

Suggested Motion:

Motion to [approve/approve with conditions/deny] the Special Land Use request for a boarding house at 111 Church Street, based upon the Planning Commission's findings regarding the applicable requirements of Chapter 1256 and Section 1256.15.



MEMORANDUM

To: Hart Planning Commission

From: Nichole Kleiner, City Manager / Zoning Administrator

Subject: 301 S. State Street – Short-Term Rental Research

At the August meeting, the Planning Commission asked staff to look further into whether the proposed use at 301 S. State Street (former funeral home) could be considered a short-term rental rather than rezoning residential property to B-2 (Business District).

The City's Zoning Ordinance does not specifically define or regulate “short-term rentals.” Instead, it distinguishes between lodging for **transient guests** and lodging for people who are **not transient**.

A hotel/motel is lodging offered to the public for **transient guests**, while a boarding house provides lodging to two or more people who are **not transients**.

For 301 S. State Street, the key question is therefore **how the property will actually operate**—particularly who will stay there, how long they will typically stay, and whether it operates like a traditional short-term rental or more like a residence/boarding house.

For reference, **315 S. State Street was rezoned to B-2 and classified as a hotel/motel in 2020 and has since been used as transitional lodging for women.** However, that decision does not necessarily require the city to classify 301 S. State Street the same way.

Summary of Applicant's Proposed Use:

Elevate Oceana proposes to use 301 S. State Street as part of its structured and supervised recovery housing program. The property would provide housing and serve as a central hub with shared meeting, recreation, and gathering areas, and a commercial kitchen. The program utilizes house managers and provides transportation primarily through two program vans, as most residents do not have personal vehicles. The house would provide rooms for up to _____ occupants.

Planning Commission Discussion:

Based on the proposed operation of 301 S. State Street, does the Commission believe additional information is needed before determining how the property should be classified and whether rezoning is appropriate?



MEMORANDUM

To: Hart Planning Commission

From: Nichole Kleiner, City Manager / Zoning Administrator

Date: September 3, 2026

Subject: *Discussion – Zoning Amendment for Animal Boarding/Kennels*

Staff received a request from an existing dog grooming business to add **dog boarding**. Grooming has been operating as a permitted personal service establishment; however, the Zoning Ordinance does not permit kennels or animal boarding in any zoning district. Therefore, there is currently no mechanism to approve the requested use.

The ordinance currently defines a kennel as “*any premises on which three or more dogs or cats four months old or older are kept.*” Staff recommends updating this overly broad definition and considering the following:

Ordinance Amendment Suggestions

1. Animal Grooming Establishment

An establishment primarily engaged in grooming or similar care of household pets, where animals are not boarded overnight.

Continue to allow as a **personal service establishment** where applicable.

2. Animal Boarding/Kennel

A commercial establishment where dogs or cats belonging to others are kept or cared for for compensation, including overnight boarding and animal daycare. Does not include grooming, veterinary services, or personal household pets.

3. Consider Animal Boarding/Kennels as a Special Land Use in appropriate commercial and/or industrial districts, subject to standards including:

- Maximum number of animals, established through Special Land Use approval based on the site and surrounding uses;
- Minimum **25-foot building setback** and **50-foot outdoor animal-area setback** from residential property;
- Outdoor runs completely fenced and prohibited in front yards;

- Animals boarded overnight kept indoors between **9 p.m. and 7 a.m.**;
- Compliance with noise/nuisance requirements;
- Proper waste disposal, odor control and drainage;
- Adequate ventilation, parking and drop-off areas; and
- Planning Commission authority to impose additional conditions necessary to protect neighboring properties.

Requested Direction

Does the Planning Commission wish to initiate an ordinance amendment to:

1. Update the definitions of animal grooming and boarding/kennels;
2. Determine the zoning districts where these uses should be allowed; and
3. Establish animal boarding/kennels as a Special Land Use subject to appropriate standards?

If directed, staff will prepare a draft ordinance amendment for public hearing and Planning Commission consideration.