

TYRONE TOWNSHIP PLANNING COMMISSION

APPROVED PUBLIC HEARING MINUTES

Article 4.03.A - Agri-Business Special Land Use Steve and Kathleen Mathews for Heavenly Scent

October 24, 2006

8:05 p. m.

PRESENT: Robert Byerly, Sally Eastman, Joseph Fumich, Dave Hanoute, Steve Hasbrouck, Mark Meisel, Laurie Radcliffe

ABSENT:

CALL TO ORDER: 8:05 p.m. by Chairman Hasbrouck

READING OF THE PUBLIC NOTICE:

The notice was read aloud by Secretary Radcliffe

PURPOSE OF THE HEARING:

The purpose of the hearing is to receive comments regarding Steven and Kathleen Mathews' request to use the basement of the Heavenly Scent Herb Farm barn to provide food service for visitors to the herb farm located at 13730 White Lake Road, Section 13, Tyrone Township.

CORRESPONDENCE:

COMMENTS FROM THE APPLICANT:

Mr. Mathews told the Planning Commission that Heavenly Scent Herb Farm has been in business for 18 years and they want to expand their business by adding Savory Thyme's Cafe. The seating capacity of the location has been set at 62 occupants by their architect and the building is completely handicapped accessible. There will be no visible physical changes to the existing buildings or site. The cafe will be located in space that is already there.

The cafe will be related to the business by adding herbs grown in the greenhouses to dishes prepared at the cafe as a learning experience for visitors. There will be upgrades to equipment in the kitchen facility and the plan will be reviewed by the Michigan Department of Public Health based on the number of dishes and type of food being prepared and the number of meals served per day or week. They evaluate the septic system, the ventilation system, the air exchange system and the refrigeration capacity. Once the state approves them, the construction plans go to the Livingston County Building Department and they review the plans before they issue a building permit.

The Livingston County Road Commission has made a driveway sight distance review and feels the entrance can meet their requirements. They will also review the parking lot plans to determine if it is large enough for the number of people using the facilities. In regard to fire inspections, the Fenton Fire Department no longer does them, and the County Building department does them at the time a building permit is issued.

There will be no change to the rural atmosphere of the neighborhood. All of the neighbors have signed a petition in favor of it and another list shows the names of people interested in a cafe who have traveled quite a distance to get there. Heavenly Scent does a lot of bus tours, so being able to have food is important. It would be similar to the pies and donuts at an apple orchard or similar to a winery. It isn't an everyday kind of use.

COMMENTS FROM THE PLANNER:

Mr. Milliken explained that one of the problems to be dealt with as the project moves forward is that the requested use does not fit into the zoning ordinance. It would not be a permitted use in the FR - Farming Residential Zoning District because it doesn't meet the current agri-business definition. The options are to amend the agri-business definition to include a restaurant type of use or to create a new ordinance for agri-tourism---an apple orchard, a pumpkin patch, or a corn maze suited for rural tourists. Another option is rezoning the Mathews property to a commercial zoning district, but would be contrary to the Master Plan.

As far as the proposed plan goes, it isn't that far off from an apple orchard and it is located on a major road. Questions regarding parking and special events should be considered as the plan moves forward. Parking should meet the zoning ordinance requirements and he asked for more specific information about the special events that might be held there. Problems with this type of use are usually related to special events.

Ms. Mathews commented that they had been doing their herb festival for about 18 years. They averaged 2800 people over two days. There is an adjacent 8 acre field they use for extra parking. The event runs from 10:00 a.m. to 5:00 p.m. and there are crafters who bring things to the event. The township is notified before each festival.

COMMENTS FROM THE PUBLIC:

Aisha Logan, 11503 Hartland Road, a Heavenly Scent employee, said all of the property owners close to the operation are Steve's sisters. People come from Detroit and Ohio daily. Relatives use it as a place to meet. It would be nice to have some food there because people travel from far away to get there. It is defiantly a unique location and people who come are interested in eating there. This is a destination area, but there is enough space around the business that traffic wouldn't be congested. No one she has talked to has had a negative comment about the request.

Jan Titterington, a resident of Highland who works for the Mathews, said there has been a huge positive interest in food service at the store. The Mathews are very careful about the area where they live. When they have the festival, you barely know it is there. They employ extra people for parking because they are conscious of the neighbors who live around them. They don't allow parking on the road so local traffic won't be disrupted.

Linda Kerr a neighbor on Tipsico Lake Road said they enjoyed living there and even with the festival, the area is still like the country. She had no concerns at all about what they are proposing.

Glory Adams, another Tipsico Lake Road neighbor, said they had checked out the herb farm and when they hold a festival, you aren't aware of it. They have never had any traffic problems at the intersection even with all of the people there. It is set up quickly and taken down quickly. There is no garbage around and there is no noise problem. It is a pleasure to have the business just down the street.

Barb Barden, Livingston County Convention and Visitors Bureau Executive Director, said the herb farm was one of the county's most popular destination establishments. It isn't a place, it is an attraction, one of twenty listed in their brochure and one of the top ten on their list of attractions. The majority of the traffic coming to the site is from out of the area. She encouraged the Planning Commission to support agricultural attractions which seem to be disappearing from the county.

COMMENTS FROM THE PLANNING COMMISSION:

Mr. Byerly asked if alcohol would be served. Mr. Mathews said there would be none. They planned to serve tea and coffee.

Mr. Hasbrouck said he had visited the site and could understand how people would enjoy going there. As far as he is aware, there have been no negative comments about this request.

Mr. Mathews told Mr. Hanoute that the cafe would run during the same hours as the sales office, but more like 11:00 a.m. to 4:30 p.m. and all food would be prepared on site. Mr. Hanoute asked about the frequency of bus tours and the number of buses. Mr. Barden said the County usually arranged the bus tours. Traditionally during week days from 10:00 to 4:00 on a regular basis, rarely on the weekends. Mr. Mathews estimated that there were six or seven buses a week, and there was parking on the site. He thought that one tour bus was minimal when compared with ten school buses. Ms. Barden estimated that the average customer spent a minimum of two hours touring the facility.

Mr. Mathews said they planned to continue their festival which was always the weekend preceding Labor Day. It was held entirely on their property. They used directional signs in the parking lot and had people to direct cars to parking spaces when they arrived.

Ms. Eastman said she knew many of the neighbors on the other side of White Lake Road who had signed the neighborhood petition. Ms. Barden said she had been to many of the rural tourist attractions in the state, and this was one of the best.

CLOSING PLANNING COMMISSION REMARKS:

Mr. Milliken recommended tabling the special land use application until the zoning ordinance could be revised.

There being no further comments, the hearing was closed by Chairman Hasbrouck at 8:30 p.m.



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission