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Hamburg, Michigan 48139

**Planning Commission
Special Meeting
Hamburg Township
10405 Merrill Rd., P.O. Box 157
Hamburg Township, Michigan 48139
April 8, 2019
7:00p.m.**

1. CALL TO ORDER:

Present: Goetz, Hamlin, Koeble, Leabu, Muck, Muir & Priebe

Absent: None

Also Present: Amy Steffens, Planning & Zoning Administrator and Scott Pacheco, Planning & Zoning Director

2. PLEDGE TO THE FLAG:

3. APPROVAL OF THE AGENDA:

Motion by Muir, supported by Koeble

To approve the agenda as presented

Voice vote: Ayes: 7 Nays: 0 Absent: 0 MOTION CARRIED

4. APPROVAL OF MINUTES:

- a. February 20, 2019 regular meeting minutes

Motion by Koeble, supported by Hamlin

To approve the February 20, 2019 regular meeting minutes as presented

Voice vote: Ayes: 7 Nays: 0 Absent: 0 MOTION CARRIED

- b. February 27, 2019 special meeting minutes

Motion by Priebe, supported by Koeble

To approve the February 27, 2019 special meeting minutes as presented

Voice vote: Ayes: 7 Nays: 0 Absent: 0 MOTION CARRIED

- c. February 28, 2019 special meeting minutes

Motion by Hamlin, supported by Priebe

To approve the February 28, 2019 special meeting minutes as presented

Voice vote: Ayes: 7 Nays: 0 Absent: 0 MOTION CARRIED

5. CALL TO THE PUBLIC:

Chairman Goetz opened the call to the public for any item not on the agenda. Hearing no public comment, the call was closed.

6. OLD BUSINESS: None

7. NEW BUSINESS:

COPUD 19-001: Final site plan review for a commercial planned unit development to allow a senior housing development of the property at 4715-25-100-105 (6.5 Acres). The property is currently accessed off the end of Veterans Memorial Drive on the east side of the roadway. This senior housing development proposes a mix of independent living, assisted living, and memory care units.

Scott Bell of Lapham Associates representing the developer, stated that the site plan is similar to the plan presented on February 28th with some minor modifications. The plan includes a more in-depth design including the engineering of the storm water, grading, utilities, etc. They have been working with the Township's engineer. They have been talking with the property owners to the south and east regarding access to the site and extension of Village Center Parkway. They have provided some architectural renderings. He presented a materials board to show the Commission what they are proposing and stated that they would be happy to work through that with staff and members of the Commission. There have been several notes added to the plans based on previous discussions including dedication of the roads, curb-to-curb easements and utility dedication. They have amended the building elevations, however after additional discussions, there may still be some things that the Commission would like to see added.

Scott Pacheco, township planner, gave a history of the project. On February 28, 2019 the Planning Commission recommended the Preliminary CPUD site plan waiving three requirements of the Zoning Ordinance and an additional seven conditions. In his report, he has included staff comments so that the Commission can see what they have done since that preliminary approval. What is in front of the Commission tonight is Phase 1 of the Final site plan. Phase 1 includes Village Center Parkway, Hampton Street, which use to be called Side Street, as well as the detention basin and the portion of the property where the 55,000 square foot Assisted Living and Memory Care facility will be located. Phase 2 will be Independent Street and the 16 independent living units or 4 quadplexes. We are looking at the zoning regulations of the main building. We have the architecture and landscape plans. They have also provided a sign plan, which was given to us at the last minute.

Pacheco stated that the project meets all of the zoning regulations with the exception of the waivers. There are also some Planning Commission waivers under the landscape plan. The waiver section of the ordinance allows the Commission to waive requirements based on project specifics. He reviewed the required items by regulations and the proposed. He stated that because this is such a large project, it is bordered on three sides by private roadways. He discussed the buffer zones between zoning districts. He discussed the parking lot landscaping requirements. He has made some suggested changes and additional trees and has suggested two conditions of approval. The question was asked if the Commission agrees with the suggested conditions, does it still require a waiver. Pacheco stated that it would. It is still significantly under what we would require. Discussion was held on the waivers and modifications. Provided the Commission approves the waiver, the landscape plan with conditions would meet the requirements.

Pacheco discussed the lighting plan and regulations of the zoning district. He stated that we would have to include a condition that they would shut off the lights between 11 p.m. and sunrise unless needed for security purposes. It does meet the rest of the requirements. In addition, they do have street lighting proposed, however street lighting is

treated differently because it is over the property line on right-of-way and will shine on all neighboring properties. He reviewed the number and type of lights. Discussion was held on wall light cut-off.

Pacheco stated that we just received the sign plan today. We may want to make the approval conditioned upon them meeting the zoning requirements or coming back to the Planning Commission for review of the signage. Discussion was held on the signage plan. Pacheco stated that the monument sign does not meet the 10 foot required setback. We would not be able to approve it in that location, and we did not notice a waiver under the CPUD for the sign setback requirements. There is not a Planning Commission waiver allowed for it. Further discussion was held the process for getting the signage approved.

Discussion was held on the parking requirements. They do meet the requirements. There is a requirement for off-street loading. They are suggesting that because of the use of this building, they would not need any off-street loading spaces. He has made a suggested condition dealing with loading space.

Discussion was held on discretionary review criteria. Pacheco stated that Section 17.5 deals with CPUD Design Standards. He reviewed the standards and his suggested conditions. Discussion was held on the Fire Department review which should be forthcoming. It was stated that the developer has been working with the Fire Department and approval can be conditioned upon that review as well as review by others.

Pacheco discussed the site plan review standards in Section 4.5.7. Pacheco stated that the development conforms to all provisions of the Zoning Ordinances and all required information has been provided. He discussed the Review Standards and his analysis.

Mr. Ted Erickson, township engineer, discussed the proposed drainage and grading including the basins that will collect storm water and discharge according to Livingston County standards. There are still some grading details that will need to be worked out. He discussed the water main and sanitary sewer connections. Again, there are a few technical details that will need to be worked out.

Pacheco discussed the limited natural resources on the site. It is not steeply sloped, therefore they will minimize grading. They will be required to meet all of the Livingston County Drain Commission requirements and sediment control. He stated that staff believes that as conditioned, the proposed phase 1 of the project is in substantial compliance with CPUD design standards in section 17.5 and the site plan review standards in section 4.5.7 of the Zoning Ordinance. He has provided a sample approval motion with the proposed conditions. If the Planning Commission recommends approval of this final CPUD, it will go to the Township Board. If they approve the plan, they will instruct the Township Attorney to prepare a contract setting forth conditions and development agreement. To expedite this project, we have started working on the agreement, and it will go to the Township Board at the same meeting they consider the final CPUD. If that is approved, the applicant will file the agreement and CPUD with the County.

Discussion was held on the proposed colors and materials.

Mr. Bell discussed the moving of the sign within the landscape design and making it double-faced. Discussion was held on the color and proposed stone. Discussion was held on the sign lighting. Further discussion was held on lighting of the site.

Mr. Bell discussed the building elevation. He stated that the memory care entrance was intentionally made less prominent because you do not want people to think that is a main entrance. Further discussion was held on the entrance/exits to the memory care facilities. Discussion was held on breaking up that long wall. Pacheco stated that he did include a condition that address the east elevation. Discussion was held on the Architectural Review Board and the applicant working with staff and that Board.

Commissioner Muck discussed the delivery/loading space. He stated that he does not see it as a good plan to use the front space as loading. You will have emergency vehicles that will need that access as well as residents and visitors coming and going. Mr. Bell stated that everyone will enter through the front door including deliveries. Discussion

was held on how deliveries would be made. It was stated that loading/unloading would take approximately 20 minutes approximately once per week and early in the morning during very limited traffic. Discussion was held on the location of the kitchen which requires deliveries. It was stated that deliveries would be limited to kitchen deliveries and residents moving in and out.

Commissioner Leabu discussed the color of the siding and shakes.

Commissioner Hamlin questioned the extension of Village Center Parkway and the sidewalk. Mr. Bell stated that it will be extended to the post office. Veteran's Memorial Drive will be extended with gravel, and the sidewalk will be extended as well. Hamlin asked if the storm basins would have water in them. Mr. Bell stated that they will be dry and will be a mowed lawn. He discussed the slope. He further stated that there is not much room for landscape. He stated that there will be more landscape elements added with phase 2.

The question was asked if there is a requirement when phase 2 will be started. Pacheco stated that will be in the development agreement. He stated that they are proposing five years from when phase 1 begins or the property would have to be sold back to the Township for \$100. We would then work with another developer.

Discussion was held on the ownership. Mr. Sam Martin of Build Senior Living stated that they are in the middle of purchasing the property.

Discussion was held on some of the items needing to be done prior to issuance of a building permit versus a land use permit.

Discussion was held on the wall lighting and the timing of them turning off. It was stated that an additional condition could be added. Leabu stated that if they are residential in nature, he does not have a problem with leaving them on. Pacheco suggested that it be put in under the submittal to the Architectural Review Board. Further discussion was held on the night lighting.

Motion by Priebe, supported by Koebler

The Planning Commission recommends approval of the Phase 1 final CPUD site plan because the project as conditioned below meets the CPUD standard in section 17.5 and the site plan review standards in Section 4.5.7 of the zoning ordinance as discussed at the meeting tonight and as presented in the staff report.

Waivers:

1. Section 7.6.1 (P) (Footnot11) requires that in VC zoning "*No building shall be greater than thirty thousand (30,000) square feet gross floor area except for a group of uses, each with individual pedestrian entrances.*" The proposed main building is 55,580 square feet with 45,672 square foot for the 54 assisted livings unit and 9,908 for the 16 memory care units.
2. Section 7.6.1 (P) (Footnote 12) requires that in the VC zoning district "*Buildings shall be placed no more than twenty (20) feet from the front lot line.*" The main building will be setback between 75 to 80 feet from Village Center Drive and approximately 65 feet from the side street. This distance will allow the parking areas to be located near the entrances for visitors, residence and the general public.
3. The Township Zoning Ordinance does not specifically address senior housing facilities in the parking requirements within the Zoning Ordinance. The proposed project will have 45 parking spaces associated with the main building and 29 parking spaces associated with the 4 independent living quadplexes.

Conditions of Approval (Outstanding Items):

Conditions of Approval:

1. Prior to receipt of a Certificate of Occupancy on the main building, the extension of Village Center and Veterans Memorial Drive shall be complete.
2. Prior to issuance of a building permit for Phase 1 of Hampton Manor or Hamburg approvals from all appropriate township, county, state and federal agencies, including, but not limited to, the Hamburg

Township fire district, engineering and utilities, the Livingston County Road Commission, Drain Commissioner, Health Department and Water Authority and the Michigan Department of Transportation and Environmental Quality shall be obtained.

3. If the street remain private, the final development agreement will include wording that requires a curb to curb easement for all the roadways on the subject site, that all through traffic has open access along these roadways, and that the easement shall be dedicated upon request to any municipality that may now or in the future control the roadways and wishes to except these easements as public roadways.
4. Prior to issuance of a building permit, the developer will either have approvals from the surrounding property for the off-site improvements or will provide the Township with a performance guarantee for the project as required in the development agreement for this project.
5. Additional shrubs shall be planted along the north, east and west building elevation to provide better landscape screen for the future building.
6. Three additional canopy trees shall be planted south of the courtyards to provide a landscape screen from the future development south of the site.
7. All signage shall meet the requirements in Article 18, Section 18.10, and the base of the freestanding sign shall be stone to match that used on the main building.
8. All deliveries shall be made by vehicles no larger than a van if any deliveries are made in vehicles larger than a van the area in the porte-cochere by the front door shall be used as the loading space. Prior to Final Site Plan approval by the Township Board, the applicant shall show the 12' by 25' loading space on the site plan.
9. All sidewalks shall be a minimum of 6 feet wide.
10. Prior to final site plan approval by the Township Board, the applicant shall work with staff and a two person architectural subcommittee made up of two Planning Commissioners and revise the architecture of the building as follows:
 - a. A three or two window area with a gable roof similar to the three areas on the west side of the north elevation shall be added to the east and west elevations;
 - b. Side windows and a small overhang shall be added to the three doorways off of the south elevations, and
 - c. The fixtures that will be used for the wall lights shall be reviewed.
11. Prior to final site plan approval by the Township Board, the applicant shall work with staff and a two person architectural subcommittee made up of two planning commissioners and revise the architecture of the building to revise the hip roofs facing the south elevations to include a gable detail similar to the roofs over the north portion of the east elevation.
12. Three street light fixtures shall be added to the site plan and installed along the east side of the extended Veterans Memorial Drive as a part of this project. The one existing street light may be used by the developer in this location.
13. Prior to issuance of a building permit, the applicant shall record the executed Development Agreement and all attachments in the County records.

Voice vote: Ayes: 7 Nays: 0 Absent: 0 MOTION CARRIED

Mr. Sam Campbell of 7234 E. M-36 stated that Phase 2 will be five feet higher than his property. The bottom of the retention pond is higher than his property, and you just cannot take care of run-off. He stated that those retention ponds are going to hold water. He knows the soils. He further stated that his utilities run from M-36 down the driveway. He was promised an easement, and has not heard anything about it. Pacheco stated that one of the conditions require that if the street remains private, the final development agreement will include wording that requires a curb to curb easement for all the roadways on the subject site, that all through traffic has open access along these roadways, and that the easement shall be dedicated upon request to any municipality that may now or in the future control the roadways and wishes to except these easements as public roadways. He further discussed accesses and easements. Again, that will be addressed in the Development Agreement. It was stated that they are proposing to do some grading on Mr. Campbell's property, and they would have to have permission to do so. Mr. Campbell

stated that nobody has talked to him to let him know what is going on. Mr. Bell stated that they have not gotten the approval to move forward yet. Pacheco stated that they will need all of the permissions from the affected property owners prior to permits. The property owners will need to negotiate with the developer.

8. ZONING ADMINISTRATOR'S REPORT:

Amy Steffens, Planning & Zoning Administrator, stated that the April 17th meeting will be canceled due to lack of business.

Discussion was held on the Village Center zoning district and its separate regulations and Master Plan.

9. ADJOURNMENT:

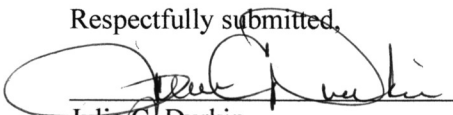
Motion by Leabu, supported by Muir

To adjourn the meeting

Voice vote: Ayes: 7 Nays: 0 Absent: 0 MOTION CARRIED

The Regular Meeting of the Planning Commission was adjourned at 8:39 p.m.

Respectfully submitted,



Julie C. Durkin
Recording Secretary

The minutes were approved as presented/Corrected: _____

Fred Goetz, Chairperson