



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**Special
Planning Commission
Hamburg Township
10405 Merrill Rd., P.O. Box 157
Hamburg Township, Michigan 48139
February 28, 2019
7:00p.m.**

1. CALL TO ORDER:

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

Absent: Hamlin

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

2. PLEDGE TO THE FLAG:

APPROVAL OF THE AGENDA:

Motion by Koeble, supported by Muir

To approve the agenda as presented

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

3. APPROVAL OF MINUTES: None

4. 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.

5. OLD BUSINESS:

6. NEW BUSINESS:

- a. COPUD 19-001: Public hearing for preliminary 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.

Mr. Scott Bell of Lapham Associates stated that they are the Planning and Environmental Engineering firm for the developer on the proposed senior housing development at the end of Veteran's Memorial Drive. They have the project divided into two separate phases. Phase 1 would be assisted living with a variety of types of units to meet various types of needs with 16 memory care units as part of the first phase, which is the western portion of the site. Phase 2 would consist of 16 smaller cottage type independent living homes. There is parking available and

accessible to the units as well. There is a retention basin in the middle. He presented and explained the renderings of the buildings. There is a similar development in Brighton with a slightly different configuration. He described the different elevations and architectural features. He stated that as an assisted living facility, it is licensed through the State. They are licensed typically in increments of 20 units. Each one is required to have its own dining and kitchen facilities, nurse stations, etc. There are also a salon, exercise room, theatre room, etc. scattered throughout. The entire facility would be sprinkled. He discussed the water and sewer connections. He discussed the storm water and retention basin. He discussed the proposed landscaping. He stated that they have distributed the parking throughout the site and stated that they will be looking at the number of spaces to meet the requirements. He discussed the parking needs for this type of facility. He further stated that there are sidewalks proposed to allow residents to walk to nearby businesses. They have met the setbacks for the underlying zoning district, but have pushed the front of the building right out to the street as the ordinance looks for in the Village corridor.

Scott Pacheco, Planning & Zoning Director, stated that we are here tonight to consider the preliminary site plan. The architecture, material & design will all have to be taken care of through final site plan review as well as the final engineering, fire district, landscaping, etc. He gave a brief history of the project. He stated that this property was purchased in 2016 by Hamburg Township so this project is in conjunction with the Township through an RFP. We did a Phase 1 and 2 Environmental Site Assessment, a Baseline Environmental Assessments and an initial senior housing market feasibility study. The feasibility study showed that there is a market for 110 market rate assisted living units, 70 market rate independent living units, and 20-40 market rate memory care units. After we received that study, the Township decided to put out a proposal to garner interest in building a senior housing facility on this site. This developer came in with a proposal, and the Township Board directed staff to move forward with site plan review. Their plans are preliminary, and depending on how the Commission decides, they can make suggestions to the plans etc. He has outlined a number of concerns in his staff report on the preliminary plans, and he has not seen the architectural plans before tonight. We will look at that between preliminary and final site plan review.

Pacheco stated that this property is located within the Village Center Master Plan area with the north portion of the site in the Village Core District, which is a higher use type area. The rear of the property is designated as Village Residential-10, which is a higher density residential. A senior housing facility is not truly a residential facility and it is not a true medical facility. It is a mixture of the two. It goes well with the Village Center Core, and as you move back on the site, it becomes more residential. They are proposing a 55,000 square foot main structure broken down into four separate portions. There will be four quadplexes each with four 950 square foot units. Originally, they proposed that every other unit had a garage. As it has been indicated, the project will be broken down into two phases. With our RFP, one of the things that we requested was the extension of Village Center Drive not only for the water and sewer connections but also because it will make a better connection for transportation purposes. You will be able to access the site by either the stop light at Village Center Drive or Veterans Memorial Drive. Assisted living seniors and memory care seniors very rarely have vehicles of their own and the independent living will have less cars than typical residential. This is going through a Commercial PUD process. In our Village Center district we have a maximum building size of 30,000 square feet. This building will be 55,580 square feet, so they are asking for a waiver. They are also asking for a waiver to the front setback from Village Center Drive. In this district, we have a requirement that buildings shall be placed no more than 20 feet from the front property line to create a more "downtown" type appearance. The independent living units are close to the roadway, however because of the location of the parking lot and their design, they could not meet that requirement. This type of use does not lend well to be put that close to the roadway because it is so large. He stated that we do not have an exact parking requirement for senior living facility but we do list convalescent care in our ordinance. They are asking for a waiver to that requirement as well.

Pacheco stated that after the Township Board reviewed the applications for the RFP, they directed staff to work with these developers to go through this process. He discussed the process for review of a commercial PUD. The Planning Commission must conduct a public hearing on the preliminary CPUD, which is what we are doing tonight, and review the plans and make a decision to determine if the project meets the eligibility requirements for a CPUD. Pacheco provided a table outlining the zoning requirements and staff analysis. He did provide an exhibit to help guide the developer in the final site plan review, which was all of the requirements including landscaping, lighting requirements, signage, etc. both from the zoning regulations as well as the Village Center Master Plan. He has also

included the discretionary standards. Once we get the plans, we will want to meet with the developer to talk about what we are looking for to meet those discretionary standards.

Pacheco discussed the zoning regulations that apply to the proposed project. He discussed his suggested conditions of approval. He has not seen where the road right-of-ways are going to be, how the roads are going to be, etc. We are going to want to have some sort of right-of-way agreement with the developer so that those right-of-ways can be used into the future. There has also been discussion with the Road Commission to see if there is opportunity for them to receive these as public roads. Our Water and Sewer Departments will also need easements around the lines that will be installed. This will all be discussed through the final site plan review as well as landscaping, signage, lighting, etc. He stated that parking is an item that could have needed a CPUD or we could say that this is similar to convalescent homes, orphanage or other similar uses. If it was a similar use, it would require one parking space for four beds plus one parking space for every two employees, which would be a total of 34 spaces. This development is proposing 45 spaces. This developer has other facilities and they looked at what they have at those facilities and how many get used. They came up with one space for every 2.5 beds plus one parking space for every employee. Then for the independent units, they have 29 spaces with 50% of those having a garage and the others would have to share the on-street parking spaces. It does sound like that would be way more than adequate. These types of uses usually have some type of ride-sharing facilities. The developer indicated that they do not provide that type of service, but he has suggested that they look into it. There are a lot of things we want to connect these people to such as the senior center, grocery, etc. and be as mobile as possible. There are some services that the facility does provide as well as transportation to other events. When we have a final site plan, federal and state requirements regarding handicap parking and access shall be applied. The final site plan shall also include all information required by Section 4.4.2 of the Township Zoning Ordinance and approvals from all appropriate township, county, state and federal agencies. There are some CPUD requirements that have to be met, and this project meets all of those. He reviewed the discretionary review criteria and eligibility criteria in order to qualify as a CPUD including to promote the goals and objectives of the Master Plan, Village Plan and M-36 Corridor Plan. The only item of the Village Center Master Plan that the project could have done better was the open space criteria requirements. Most of the open space they are proposing is the private space in the court yards. The only public open space is along the sidewalks and roadways. He has made a suggestion that the east wing of the structure could be reduced and a neighborhood park could be added to the south side of the large main building. It would break up the long elevation along Side Street and allow the residents to have some outdoor space and allow for a larger buffer between future residential properties to the south. He stated that there is a large need for senior housing. Our population is aging rapidly and will continue until 2045. This development would help to fill that need. The facility loads on utilities for senior living are much less than normal residential development or commercial development. This will also lessen trip generation and reduced impact on the roadways. This project establishes land use patterns compatible with existing or planned uses by creating the larger building to the north of the property and more residential structures to the south. The front portion is future designated as a more commercial type use and the rear a more residential use. The property to the south is also Village Residential-10. This use is allowed in the Village Center zoning district so they are not looking to go against the use. They are looking for a waiver to make it better and make it a more effective senior housing facility. This is not a purely residential project so you cannot say that the density is a specific number because it does not equate to a single family residential unit. Again, we do not have a lot of landscaping information at this time. The independent living side of the project will blend well with the future residential and with some work, he feels that the large building could blend well with the surrounding community also. Through final site plan review, we will be looking at all of those items to make sure they have a high quality design.

Chairman Goetz opened the call to the public. Hearing no public comment, the call was closed.

Commissioner Leabu stated that he had the opportunity to look at the developer's Ricket Road facility. It would be fine with him if this site looked similar. We do have architectural guidelines for the Village Center. He discussed the re-design that would be required to accommodate a pocket park. He stated that he can live without that park. Because the courtyards are open, he feels that it is open and would like to see more landscape in those areas. He further discussed the use of rolled curbing that would allow for additional parking along the road in the event of a large party, etc.

Commissioner Priebe stated that she would like to see the garages put back. She is also wondering if there is something different that can be done rather than the parallel parking. Pacheco stated that they originally did have regular parking, but it does push the buildings back. Mr. Bell stated that there is not a lot of room now that they have the size of the basin. He further discussed the need to widen the road if you put in perpendicular spaces. He stated that he can look at other configurations.

Commissioner Priebe stated that she agrees that she does not care much about the pocket park given the nature of the facility.

Commissioner Muck stated that he also would like to see the garages come back. He would go either way with the pocket park. He is not in agreement with requiring the developer to make connections with the transportation companies. With the increase in ride-share opportunities such as Uber and future transportation that may come to the county, he does not feel that it is necessary to require this. He asked if the canopy in front is drive-through. It was stated that it is for drop-off and pick up. Commissioner Muck asked if there is an emergency generator for the entire complex or just the main building. Mr. Bell stated that it will be for the whole facility.

Commissioner Koeble stated that the facility in Brighton is a quite impressive and has very quality items. She agrees that the garages should come back if possible.

Commissioner Muir stated that at some point, there will be residential development to the south and feels that we need to pay attention to the architecture and elevation of the building on the south side. He discussed the sidewalk to the post office. Mr. Bell stated that they have proposed putting the sidewalk to the property line. They are going to be putting in the utilities and road, and he will explore the sidewalk issue more. They do not own that property. It was stated that at some point there will be a sidewalk when that site is developed.

Chairman Goetz stated that he agrees with what has been said by the commissioners. He would concur with the comments about detail on the back of the building because it will eventually be facing residential.

Mr. Bell discussed the issue of the pocket park. He stated that they did look at that, but it did not make sense given that you would lose more units. You also have to look at the 20 bed limit, firewalls, etc. Discussion was held on this being memory care and the need to have the area self-contained, etc.

Mr. Bell stated that he would agree with the right-of-way agreements and shared parking agreements. He further discussed parking availability. He stated that they did receive the cut-sheets on the lighting, and the village street lights will be implemented into the development.

Further discussion was held on the requirement to work with LETS or other service provider for transportation. Commissioner Muir stated that he feels that it is an unfair requirement. Other Commissioner agreed. It was stated that the requirement of the neighborhood park should also be eliminated. Commissioner Priebe stated that she would like to add the requirement that 50% of the independent living units be provided a garage.

Motion by Priebe, supported by Muck

The Planning Commission recommends to the Township Board approval of the preliminary CPUD site plan because the project as conditioned meets the Eligibility Criteria A-H in section 17.3 of the zoning ordinance as discussed at the meeting tonight and as presented in the staff report.

The Planning Commission will allow waivers from the following Zoning Requirements:

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:

1. Prior to review of the final CPUD site plan, the applicant shall submit a final CPUD site plan which contains all information required by Section 4.4.2 of the Township Zoning Ordinance and approvals from all appropriate township, county, state and federal agencies, including, but not limited to, the Hamburg Township fire district, Hamburg Township engineering review, the Livingston County Road Commission, Livingston County Drain Commissioner, Livingston County Health Department and the Michigan Department of Transportation. The process described in section 17.6.4 shall be followed.
2. As a part of the final CPUD site plan review, the project plan shall contemplate the location of the road right-of-ways and how the property will be split under the proposed use.
3. The following note shall be included on the final CPUD site plan: "As future development occurs adjacent to the subject site and utilities, pedestrian and vehicle connections are deemed appropriate by the Planning Commission, the opportunity for these connections shall be provided."
4. Prior to a decision on the final CPUD site plan, the developer shall work with the Livingston County Road Commission on making the roadways within the project public. If the roadways remain private, the required Development Agreement (DA) between the Township and the Developer shall include a requirement that creates any easements, curb to curb, that include Village Center Drive, the north/south side street, and the one way circular street that accesses the independent living units, and that all through traffic on the site has open access along these roadway from current developments or future developments. This 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.
5. Prior to construction of the project, the applicant shall have an agreement with the surrounding property owners to extend the improvements to Veterans Memorial Drive and Village Center Drive on the properties to the west and east as shown on the CPUD site plan.
6. A note shall be added to the final CPUD plan that states the parking spaces associated with the main building shall be open to use by the future residence of the entire project including the residents and guest of the independent living units.
7. 50% of the independent units shall have garages as originally shown

It was stated that these are the conditions of the preliminary approval. Pacheco stated that we will have engineering, etc. for final approval. If there are any conditions at that time, they will be addressed at final. We are not considering landscaping, lighting, etc. at this time.

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

Pacheco stated that it is likely that they will come back for final site plan review just for Phase 1 then come back later for Phase 2.

Discussion was held on timing of the project. Mr. Bell stated that 75% of the engineering has been done. He is anticipating final site plan submittal for review next week. They are hoping to break ground in the spring.

7. **ZONING ADMINISTRATOR'S REPORT:** None

8. **ADJOURNMENT:**

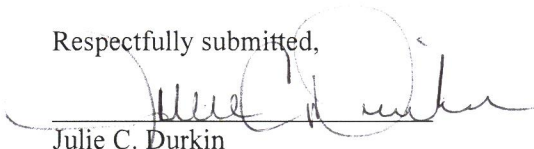
Motion by Koeble, supported by Priebe

To adjourn the meeting

Voice vote: Ayes: 6 Nays: 0 Absent: 1 MOTION CARRIED

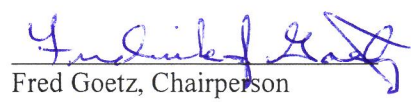
The Regular Meeting of the Planning Commission was adjourned at 8:21 p.m.

Respectfully submitted,



Julie C. Durkin
Recording Secretary

The minutes were approved as presented/~~Corrected~~: 4/5/19



Fred Goetz, Chairperson