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**To:** Planning Commissioners

**From:** Scott Pacheco, AICP  
Hamburg Township  
Planning

**Date:** November 16, 2022

**Agenda Item:** 7b

**Project address and Description:** **Final Site Plan (SPA 22-003):** Public Meeting to consider the change in use from a residential use to a commercial use at 7878 M-36. This change will also include the conversion of the existing residential home on the site into a commercial facility with a 1,391 square foot showroom and 961 square foot of office space. The project also will include the addition of a new 5,000 square foot pole barn to the rear of the existing structure for storage of products sold from the site.

**Owner:** Brad Haskins

**Applicant:** Carpet Depot: Doug Hill

**Agent:** Greentech Engineering Inc.

**LOCATION:**

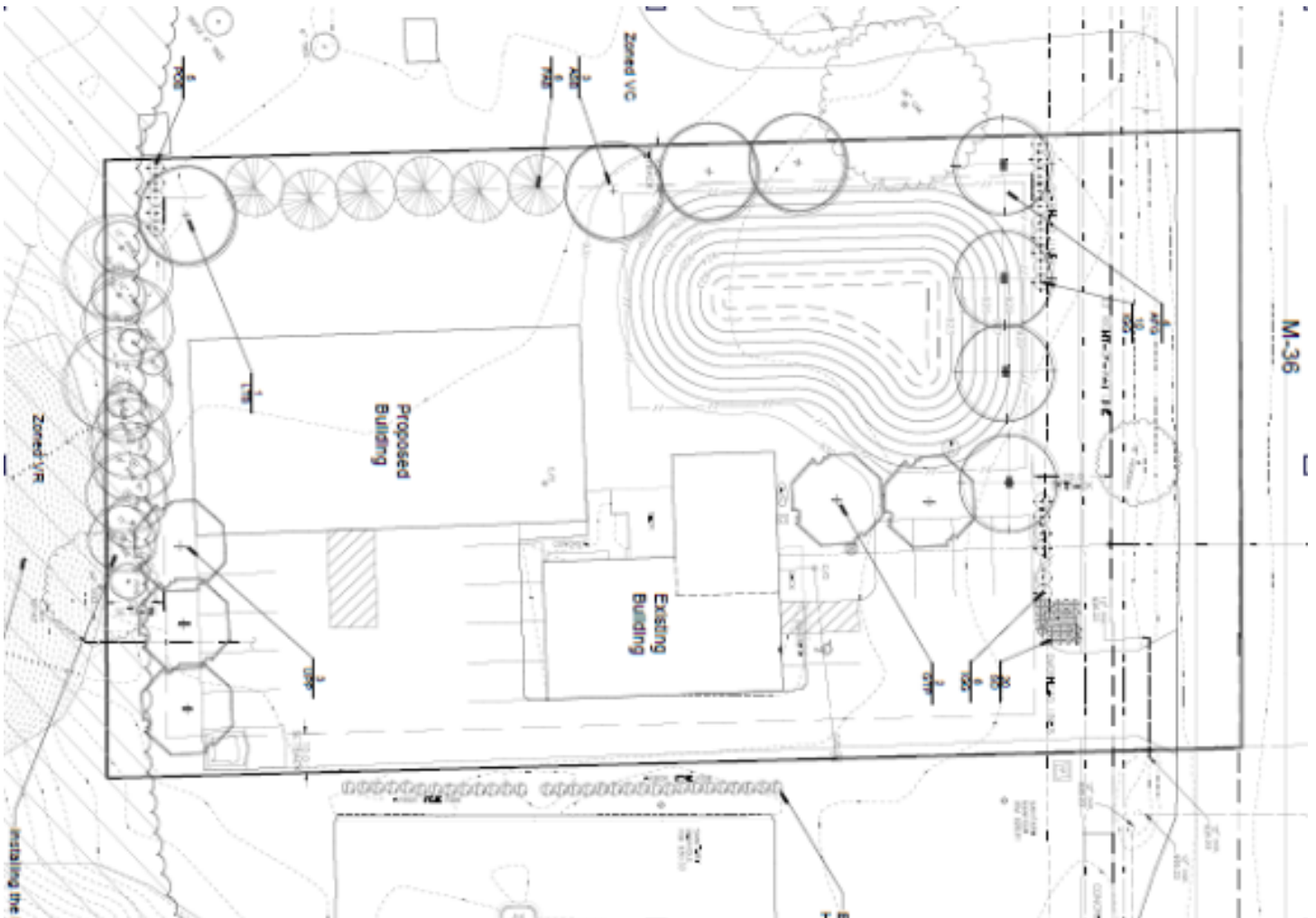
The subject site is a 1 acres site located on the south side of M-36 near the east border of Hamburg Township. The address of the property is 7878 M-36 and the Parcel number is 15-25-200-003. The subject site is zoned Village Center (VC) and is currently developed with a single family home-. The property to the north across M-36 is zoned Genreal Industrial and is develpoed with an industrial use. The properties to the east and west are zoned Village Center and the property to the east is developed with a commercial use while the property to the west is developed with a residnetial use. The property to the south is zoned Village Residential and is developed with a residnetial use.



## **PROJECT DESCRIPTION**

Final site plan application to allow the change in the use of the site at 7878 M-36 from the existing residential use to the proposed commercial use. This change in use will also include the conversion of the existing residential home on the site into a commercial facility with a 1,391 square foot showroom and 961 square foot of office space. The project also include the addition of a new 5,000 square foot pole barn to the rear of the existing structure for storage of products sold from the site, a new paved driveway and parking area with 15 parking spaces (including one loading space), a new paved multi-purpose trail along M-36 and additional landscaping.

The project plans, building elevations, floorplans and sign plans are attached to this report for the Planning Commissions review. (Exhibit A-Site Plan, Exhibit B-Front Building Elevation, Exhibit C-Office Space Floor Plan and Exhibit D-Sign Plans)



**Table 1**  
**Development Review Compliance Table**

<b>Criteria/Regulation</b>	<b>Required by Regulations</b>	<b>Proposed Project</b>	<b>Status</b>
<b>VC SETBACKS:</b> Front Yard: Rear Yard: Minimum Side:	* 15' 10'	Existing 80' 21' 15'	<b>See below</b> ✓ ✓
<p>*Buildings shall be placed no more than 20 feet from the front lot line. A lesser setback may be required by the planning commission where the established setbacks of adjacent buildings is less than 20 feet. Where the average front yard setbacks for the adjacent buildings on either side of the proposed use is greater than 20 feet the planning commission may permit a front yard setback above 20 feet but not to exceed the average front yard setbacks for the adjacent buildings.</p> <p>Because this building is existing and the front setback is from M-36 and not a neighborhood street the 80' setback appears appropriate. Also Section 36-187 Additional District Regulations, (I) VC and VR Districts, (h) Landscaping requires and 80 foot landscape buffer along M-36 in the VC district. Although this section is under review, and the landscape buffer is proposed to be reduced to 40 feet along M-36 in the Zoning Text Amendment that the Township is currently working on.</p>			
<b>NUMBER OF STORIES/ HEIGHT</b>	2.5 story/ 35 feet	2 story/ 28 feet (Existing)	✓
<b>LOT SIZE:</b>	18,700 square feet	45,738 square feet	✓
<b>LOT COVERAGE:</b> <b>Building:</b> <b>Total Impermeable:</b>	50% of Lot Size 80% of Lot Size	17.0% 38.5%	✓ ✓

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<b>LANDSCAPING:</b> <b>20' Wide Greenbelt</b>	1 canopy tree and 4 shrubs, for 40 linear feet of frontage	4 trees and 16 shrubs required and provided	✓
<b>20' Wide Buffer</b> <b>Com:Res (B)</b> <b>South:</b>	6 foot high continuous wall or berm, and 1 canopy tree, 1 evergreen tree and 4 shrubs per each 30 linear feet along the property line,	6 canopy trees, 6 evergreen trees, and 21 shrubs required 15 existing trees provided	<b>Waiver Requested</b>
<b>10' Wide Buffer</b> <b>Com:Com(C)</b> <b>East:</b> <b>West:</b>	1 canopy or evergreen tree or 4 shrubs per each 20 linear feet along the property line, rounded upward.	East Side: 13 trees and 52 shrubs required. No landscaping proposed. West Side	<b>Waiver Requested</b>
<b>Parking Lot</b>	1 canopy tree for each (2,000) square feet of paved driveway and parking lot surface	13 trees and 52 shrubs required. 10 trees and 0 shrubs provided.	<b>Waiver Requested</b>

**Sec. 36-280. Existing plant material.**

(a) *Consideration of existing elements in the landscape design.* In instances where healthy plant material exists on a site prior to its development, the planning commission may permit substitution of such plant material in place of the requirements set forth in this section.

**Waivers and Modifications.** The Planning Commission may waive or modify the fencing or landscape buffering requirements upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered.

1. Need for security;
2. Abutting district or existing use;
3. Extent that existing natural vegetation provides the desired screening;
4. Topography which would eliminate the benefits of required landscaping;
5. Building heights and views in relation to existing topography and

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>vegetation as well as views from adjacent uses;</p> <p>6. Similar conditions existing such that no good purpose would be served by providing the required landscaping plan.</p> <p><b>Staff Analysis:</b></p> <p><b>South Side:</b> The existing lot to the south is currently developed with a single family home accessed off Kathy Court and located on the west side of the property. The area of this property that is south of the subject site is not developed. The site is zoned VR to allow higher density residential in the future. The 15 existing trees provide good screening of the proposed development from the existing home on the Kathy Court site. However if this site is developed in the future to its highest and best use (higher density residential) additional screening may be required to block the lights from cars utilizing the rear parking and loading area on the proposed project.</p> <p><b>Staff Suggestion Conditions 1:</b></p> <p>The Planning Commission should consider requiring the applicant at a minimum to add a 6-foot-tall solid fence near the south side of the parking lot to lessen the impact from this project on future development of the property to the south.</p> <p><b>East Side:</b></p> <p>The existing home is 15 feet from the east property line and the proposed paved driveway and parking area will be within 2 feet of the east property line. Because of this design there is no space for landscaping along the east property line.</p> <p>The Baker Building is located on the property east of the subject property. There is an existing row of arbovitae planted between the parking area on the Baker Building site and the existing residential home that provides screening in that location.</p> <p>The Planning Commission may wish to consider the storage building be shifted to the west allowing for additional space between the parking area in the rear and the east property line to allow for additional landscape screening.</p> <p><b>Staff Suggestion Condition 2:</b></p> <p>The storage building shall be shifted to the west to allow the paved area south of the existing structure to be shifted to the west allowing for landscape screening between this area and the east property line.</p> <p><b>West:</b></p> <p>Ten trees are proposed along this property line 6 evergreen trees west of the proposed storage facility that will provide good screening of this building from the existing home to the west, 3 sugar maples between the west side of the drainage basin and the west property line provide views to the building while site screening the site, and one tulip tree near the south west corner of the site.</p>			

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>The Planning Commission may wish to consider additional landscaping be provided between the south side of the detention basin and the north site of the new storage building to provide additional screening of this structure from M-36.</p> <p><b>Staff Suggestion Condition 3:</b>  Addition evergreen shrubs, with a minimum height of 6' when fully grown, shall be planted between the south side of the detention basin and the north side of the storage building to provide additional screening from M-36.</p>			
<b>LIGHTING:</b>			
<p><b>Section 9.11.4</b></p> <p><b>1. Exterior lighting shall be fully shielded and directed downward toward the Earths surface, away from residential uses, roads, glass, water or other reflective materials which would create excessive off-site glare or incident rays.</b>  There are three new lights proposed on the east side of the new storage building, two existing wall lights on either side of the existing garage door on the front(north) side of the existing structure, three wall lights on the south side of the existing structure and recessed lighting under the existing awning on the front of the structure. The new wall lights and the recessed lighting are fully shielded and directed toward the ground. The existing wall lights on the front and rear of the existing structure are shielded with a frost glass covering but are not fully shielded. These existing wall lights will provide lighting for the parking areas on the site.</p> <p><b>2. The Zoning Administrator and/or Planning Commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.</b>  The existing wall lights are decorative and are not fully shielded fixtures The Planning Commission may wish to allow the light on the front of the existing structure to remain as is. These lights will provide additional lighting for the customer parking area north of the building.</p> <p>The existing wall lights on the south side of the existing building would be visible from a future residential area.</p> <p><b>Staff Suggested Condition 4:</b>  The existing wall lights on the rear of the structure shall be replaced with fully shielded light fixtures.</p> <p><b>3. Lights on poles shall not be taller than the building whose area they illuminate nor taller than fifteen (15) feet whichever is</b></p>			

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>shorter. Lights on poles may exceed fifteen (15) feet up to twenty (20) feet if the fixtures are located a minimum of seventy-five (75) feet from any planned, zoned or used residential areas. No light poles are proposed.</p> <p>4. <b>Lighting shall not be of a flashing, moving or intermittent type.</b> No flashing lighting is proposed.</p> <p>5. <b>Except where used for security purposes, all outdoor lighting fixtures, existing or hereafter installed and maintained shall be turned off between 11:00 p.m. and sunrise, except when used for commercial and industrial uses, such as in sales, assembly and repair areas, where such use is open for business after 11:00 p.m. but only for so long as such use open for business. Businesses with light fixtures used for security purposes are encouraged to use a motion detection devise which is directed to detect motion within the property.</b> <b>Staff Suggested Condition 5:</b> All lighting shall be turned off between 11:00 PM and Sunrise except when used for commercial and industrial uses, such as in sales, assembly and repair areas, where such use is open for business after 11:00 p.m. but only for so long as such use open for business.</p> <p>6. <b>Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.</b> With suggested condition 4 and 5 this project meets this regulation.</p> <p>7. <b>The intensity of light within a site shall not exceed ten (10) footcandles or one (1) footcandle at any property line, except where it abuts a residentially used or zoned site whereby a maximum of 0.5 footcandles is permitted. The only exception is with gas station canopy and automobile dealership lighting, where a maximum of twenty (20) footcandles is permitted within the site but the above standards shall apply to intensity at the property line.</b> The photometric plan that was submitted in the project plans (Exhibit A) only includes information on the three new lights proposed on the new storage building. None of the existing residential lights or the sign lighting is shown on this photometric plan.</p> <p><b>Staff Suggested Condition 6</b> Prior to issuance of a land use permit the applicant shall submit a photometric plan that shows that the intensity of light within a site does not exceed ten (10) footcandles or one (1) footcandle at any property line, except where it abuts a residentially used or zoned site whereby a maximum of 0.5 footcandles is permitted.</p>			

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<b>Sec. 9.11.5. Sign Lighting Standards.</b> <ol style="list-style-type: none"> <li>1. Indirect illumination of signs, canopies and buildings is permitted provided a maximum 125 watt bulb is utilized and there is no glare.</li> <li>2. The use of laser light source, searchlights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.</li> <li>3. Luminous tube and exposed bulb fluorescent lighting is prohibited as part of a sign provided the proposed luminous tube or exposed bulb fluorescent lighting is determined to be consistent with the architectural character of the building.</li> <li>4. Internally illuminated signs shall have a minimum of 60% of the sign face composed of an opaque surface which allows no light to transmit through.</li> </ol> <b>Staff Suggested Condition 6.</b> The proposed sign will have a maximum of 125 wall bulbs, no laser light sources, search lights or similar high intensity light for outdoor advertisement or entertainment will be permitted, and the proposed signs will have 60% of the sign face composed of an opaque surface which allows no light to transmit through.			
<b>PARKING:</b>			
<b>Regular Parking Stalls</b>	Carpet Store and Office Uses 1 space for every 400 square foot, warehouse uses 1 space for every 800 square foot.	Total parking spaces required is 12 Total parking spaces provided is 14	✓
<b>Loading Spaces</b>	Commercial Buildings over 5000 square feet of gross floor area require 1 truck loading space at least 12 feet X 25 feet with 14 feet in clearance.	1 Loading Space needed 1 Loading Spaces Provided	✓
<b>General Parking Requirements:</b>			
1. Off-street parking for non-residential uses shall be located on the same lot or parcel or within three hundred (300) feet of the building it is intended to serve provided the provisions of Section 10.2.2., Collective Parking, are met.			✓
2. A minimum area of 200 square feet shall be provided for each vehicle parking space and each space shall be designated and reserved for parking.			✓
3. A suitable means of ingress and egress shall be			*See



Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>provided and located to minimize traffic congestion and interference with pedestrian movement. The location of all entrances and exits and directional signs, shall be approved by the Planning Commission, and where required by the Livingston County Road Commission and the Michigan Department of Transportation.</p> <p>4. Parking areas with a capacity of four or more vehicles shall be hard surfaced (either concrete, bituminous asphalt or other stabilized engineered surface) prior to occupancy and shall provide adequate drainage facilities to dispose of all collected surface water. The requirement for paving may be waived by the Planning Commission through paragraph 10.2.1.I.</p> <p>5. Except for single-family residential lots, lighting shall be provided for use when a parking area is in operation. The installation of such lighting shall be so hooded or shielded as to reflect the light away from abutting or neighboring property.</p> <p>6. When required off-street parking in a non-residential district abuts a residential district, there shall be located a landscaped buffer strip fifteen (15) feet wide and parallel to the mutual boundary. The buffer strip shall be composed of trees and/or foliage. In lieu of a buffer strip, the Planning Commission may permit or require a solid fence or wall between six (6) and eight (8) feet in height shall be located along the mutual boundary.</p> <p>7. Federal and State requirements regarding handicapped parking and access shall apply.</p>			<p><b>Suggested Condition 7</b></p> <p>✓</p> <p>✓</p> <p><b>*See suggested condition 1</b></p> <p><b>*See Suggested Condition 7</b></p>
<b>DRIVEWAYS: COMMERCIAL</b>			
<p><b>General Standards:</b></p> <p>A. Driveways shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.</p> <p>B. Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by Livingston County or the Michigan Department of Transportation and upon written certification from the adjacent property owner agreeing to such encroachment.</p> <p><b>Spacing of Driveways:</b> Posted speed limit 45+ minimum commercial driveway spacing is 300 feet.</p> <p><b>Spacing at Intersections:</b></p>			<p><b>*See Suggested Condition 7</b></p> <p><b>See Below</b></p> <p>✓</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
Along Arterial driveways must be 300 feet from intersection			
<p><b>Staff Suggested Condition 7:</b>  Prior to issuance of a land use permit the applicant shall receive approval from all required agencies including, but not limited to, Hamburg Township Fire, Engineering and Public Works Departments, Livingston County Drain Commissioner, and Health Department; Livingston Community Water Authority and the Michigan Department of Transportation.</p> <p><b>Section 36-339 Driveway Spacing Standards</b>  (2) <i>For sites with insufficient street frontage to meet the above criterion, the planning commission may require construction of the driveway along a side street, a shared driveway with an adjacent property, construction of a driveway along the property line farthest from the intersection or require a service/frontage road.</i></p> <p>The project access driveway is only approximately 80 feet from the driveway for the baker building parking area on the lot to the east. The lot is not large enough to provide a driveway access point that is over 300 feet from this neighboring driveway entrance. Because of the proposed design of the project, the drainage basin, sewer and water lines are located so that a driveway located on the west side of the site furthest from the backer building entrance would not be ideal. Also the existing residential driveway is located in the same location and the proposed commercial driveway.</p> <p><b>Staff Suggested Condition 8:</b>  Prior to issuance of a land use permit the applicant will submit and receive approval of a variance to the commercial driveway spacing regulations under section 36-339 (1 and 2). If the variance is not approved prior to the issuance of a land use permit the design of the project shall be altered so the driveway meets the requirements of 36-339 (1 and 2).</p> <p>The applicant is still required to receive MDOT approval for the commercial driveway.</p>			
<b>USES ALLOWED</b>			
Village Center Retail and Offices Uses:	Permit Uses with approval of a Site Plan	Applied for a Final Site Plan	See analysis on pgs. 8-14
<b>SIGNS:</b>			
Freestanding Sign: Monument	Maximum 32 square feet, 6-foot height, 2-	32 square feet, 6-foot high, and 2-foot base	✓

Criteria/Regulation	Required by Regulations	Proposed Project	Status
Wall Signs Wall Sign 1 and Wall Sign 2	<p>foot base, and 10-foot setback.</p> <p>.75 square feet for every liner foot of building frontage.</p> <p>The total building frontage is 61 feet allowing for a maximum of 45.75 square foot of wall signage.</p>	<p>setback 10-feet from right-of-way</p> <p>Wall Sign 1: Carpet Depot 20 square feet, Individual Channel Letter Sign</p> <p>Wall Sign 2: Office Tenant This wall sign can be a maximum of 25.45 square feet</p>	<p>✓</p> <p>✓</p>
<p><b>Staff Suggested Condition 9:</b></p> <p>The freestanding monument sign shall have a base no higher than 2' and the sign shall be 10 feet minimum from the front right-of-way/ property line. The unused sign area(white) shown on the right portion of the freestanding sign shall be covered by an opaque surface until which time a sign for the future office use or other use is proposed in this area. At that time the sign shall be designed so that 60% of the sign face is composed of an opaque surface which allows no light to transmit through (meaning the wording and graphics for the business will be translucent and the background will be opaque). The second wall sign for the office use shall be no larger than 25.45 square feet in size.</p>			
<p><b>Additional Standards for VC districts 36-187</b></p>			
<p>A. General: The overall design and mixture of uses shall be consistent with the intent of this district. Compatibility of uses shall be determined by the following:</p> <ol style="list-style-type: none"> <li>The uses shall not create noise, dust, odors, fumes or other nuisances that will have an obnoxious effect on surrounding residences.</li> <li>Traffic volumes generated by the use shall not have a negative impact on surrounding residential character.</li> <li>Architecture shall meet the requirements of Section 4.5.7.</li> <li>Location and use of yards shall contribute to the continuation of open space areas within the immediate vicinity.</li> <li>Location and design of landscaping and pedestrian</li> </ol>			<p>✓</p> <p>See condition 7 and 8</p> <p>✓</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>areas shall be compatible with and enhance the area pedestrian and open space network.</p> <p>6. Location, size and types of architectural projections such as porches or awnings shall be compatible with other structures along the same block.</p> <p>7. Location, scale and design of signs shall be consistent with the character of other signs, street elements structures and uses located along the same street.</p>			<p>✓</p> <p>✓</p> <p>✓</p>
<b>Sidewalks/Pedestrian Circulation</b> <p>1. Site design shall demonstrate a special sensitivity to pedestrian circulation and safety.</p> <p>2. Sidewalks at least five (5) feet wide and at least seven (7) feet wide where abutting parking shall be provided along public streets and private roads; bike paths shall be required in locations designated in the Hamburg Village Master Plan or to provide linkages with existing or planned bike paths.</p> <p>3. All developments shall provide pedestrian linkages between public sidewalks and the building entrances.</p>			<p>✓</p> <p>✓</p> <p>✓</p>
<b>Parking/Loading Areas</b> <p>2. Off street parking lots shall be located behind the front line of the principal building. Where this is not feasible or practical, the Planning Commission may permit off street parking within the front yard. Parking lots must be setback from any front lot line a minimum of twenty (20) feet.</p> <p>3. All off street parking spaces or loading areas must be screened from view of any public road or pedestrian path right-of-way, or private road or pedestrian path easement by an evergreen hedge row or masonry wall, which is consistent with building architecture and site design, at least three (3) feet in height.</p> <p>4. Where parking or loading areas abut a residential use, a six (6) foot tall masonry wall, which is consistent with building architecture and site design, shall be constructed between the parking lot or loading area and the adjacent residential use. The Planning Commission may substitute the masonry wall with one or more rows of six (6) foot tall evergreens.</p>			<p>✓</p> <p>✓</p> <p>*See suggested condition 1</p>
<b>Architecture</b> <p>1. Buildings shall possess architectural variety, but enhance the overall cohesive and historic village character.</p> <p>2. Building architecture shall meet the standards of Section 4.5.7.</p>			<p>Existing Structure</p> <p>See Analysis under Standard L on page 15-</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>3. The first floor of front facades shall include at least thirty percent (30%) windows. The approximate size, shape, orientation and spacing shall match that of buildings on adjacent lots.</p> <p>4. The mass and proportion of structures shall be similar to structures on adjacent lots and on the opposite site of the street. Larger buildings may be broken-up with varying building lines and roof lines to provide a series of smaller scale sections which are individually similar in mass and proportion to surrounding structures.</p>			<p>16</p> <p>✓</p> <p>Existing Structure</p>
<p><b>Staff Analysis:</b> The building being used is an existing structure. The new structure proposed is a storage building and will be to the rear of the existing structure.</p>			
<p><b>Signs:</b> Signs shall be designed to be compatible with the principal building's architecture and materials.</p>			✓
<p><b>Street and Access Design:</b> Streets shall meet the following, with the acknowledgment that for any public streets, any more stringent standards of the Livingston County Road Commission or the Michigan Department of Transportation shall apply.</p> <p>3. The Township may require shared access or connections between adjacent uses as a means to limit conflict points and preserve capacity along M-36.</p>			See condition 7 and 8
<p><b>Landscaping:</b> All landscaping shall meet the minimum requirements of Section 9.4, Landscape Standards. Because of the higher density of development permitted in the VC and VR districts, the following standards shall apply to frontage landscaping in place of the standards contained in Section 9.4:</p> <p>1. At least an eighty (80) foot wide landscaped greenbelt shall be provided along undeveloped areas of M-36, as designated on the Hamburg Village Master Plan, with at least two (2) rows of trees spaced no greater than twenty-five (25) feet on center. Trees shall be a mixture of evergreen and canopy trees meeting the minimum plant size requirements of Section 9.4. Provision of this landscaped greenbelt may be counted towards the common open space requirements of paragraph C above.</p>			See comment below
<p><b>Staff Analysis:</b> The existing house is setback over 80 feet from the M-36 right-of-way. 4 trees and sixteen shrubs are planted between M-36 and the existing building.</p>			
<p><b>Lighting.</b></p> <p>1. A consistent type of pedestrian scale ornamental lighting shall be provided along all sidewalks, within any off-street parking lots and along road frontages.</p> <p>2. Parking lot lighting shall not be greater than twenty</p>			<p>✓</p> <p>✓</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
(20) feet in height.			

## **SITE PLAN REVIEW STANDARDS**

**In the review of all site plans, the Zoning Administrator and the Planning Commission shall endeavor to assure the following:**

**A. The proposed development conforms to all provisions of the Zoning Ordinances.**

Please see the “Table 1 Development Review Compliance Table” on pages 3-14 for analysis on the project compliance and consistency with the intent and purpose of the Township’s Zoning Ordinance.

The applicant has requested the Planning Commission approve a waiver for the landscaping requirements and either a variance approval will be required or the driveway will need to be revised to meet section 36-339 the commercial driveway spacing requirements.

With suggested Conditions 1-9 on pages 5 through 11 of this report staff believe the proposed development will conform to all the provisions of the Zoning Ordinance.

**B. All required information has been provided.**

The information submitted appears to be adequate to allow the Planning Commission to review the final site plan for the subject site.

**C. The movement of vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient.**

As stated on page 10 of the staff report the existing location of the residential driveway would not meet the 300 feet spacing regulations for commercial driveways under section 36-339 of the Township Zoning Ordinance. Either a variance from this spacing standard will need to be granted by the Zoning Board of Appeal or the project will need to be redesigned to meet the regulation of 36-339. In order for the project to meet section 36-339 of the code the driveway on the subject property would need to be shifted to the west property line so the driveway access to the new commercial use is near the property line furthest from the access to the Baker Building site, or shared access from the baker building site or another adjacent site would be required.

The proposed project also includes a new 8-foot-wide multi-purpose trail along the front of the property adjacent to M-36. This trail will attach to and extend the multi-purpose trail on the baker building site to the east. This trail will eventually connect to a future multi-purpose trail and other pedestrian trails that link the Village Center area of Hamburg Township.

The Township Engineer has reviewed the project and has minimal comments, Exhibit F and prior to issuance of a permit on the site MDOT approval of the driveway access will be required. MDOT’s initial comments are attached and Exhibit H. See Condition 8 on page 10.

**D. The proposed development will be harmonious with existing and future uses in the immediate area and the community.**

The proposed development will convert an existing single-family home into a commercial use. The existing home is set back over 80 feet from M-36. The proposed project will include landscaping to better screening the property from M-36, an 8-foot-wide multi-use trail that will tie into the existing 8-foot-wide multi use trail on the property to the east and will eventually tie into trails to the west, and proposes paving the existing gravel drive and a new small parking area at the front of the site. The existing garage door facing m-36 will be removed and a glass store front for the carpet store use will be created in this location.

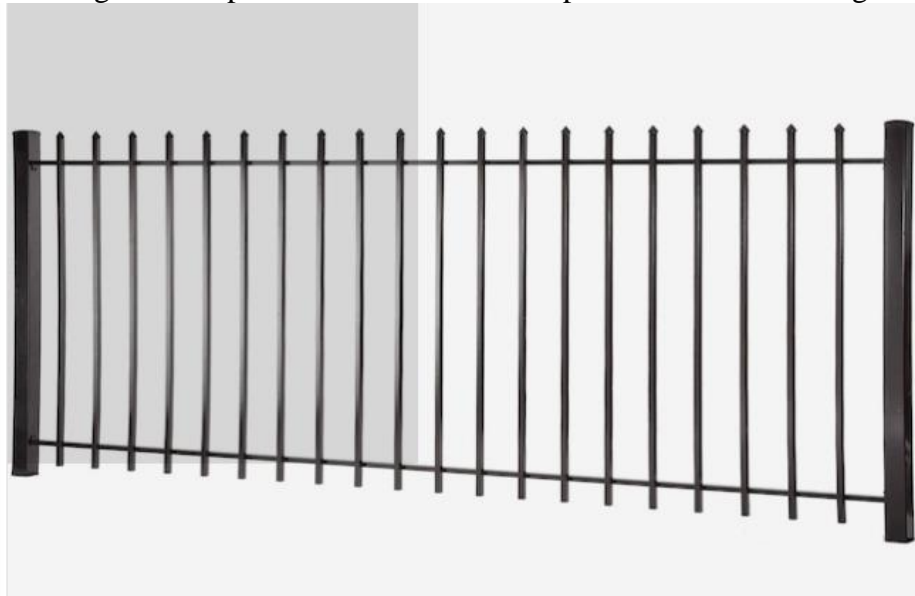
There is a larger commercial office building on the property to the east and a single-family home on the property to the west. The proposed development will provide a good transition between these existing uses and in the future the development is designed to have a nice commercial frontage.

Please review staff analysis of the landscaping and lighting requirements on pages 4 and 8 of this report. With minimal addition landscaping and some small changing to the existing lighting on the structure this proposed development will be more harmonious with the existing and future uses in the immediate area.

Because of the current design of the drainage basin a 4 foot tall chain link fence is proposed at the perimeter of the drainage basin. Because the drainage basin is to the front of the property between the structures and the front property line, the fence will be visible from M-36.

**Staff Suggested Condition 10:**

The applicant shall work with the township engineer to reduce the slope of the drainage basin so no fence is required. If the drainage can not be revised and a fence is required the fencing use shall be decorative and approved by the Zoning Administrator prior to permitting. See the picture below for an example of decorative fencing.



It appears that the design of the proposed development as conditioned will be harmonious with the existing and future uses in the immediate area and the community.

- E. The proposed development provides the necessary infrastructure improvements, such as roads, drainage, pedestrian facilities and utilities, to serve the site, and be adequately coordinated with the current and future use of adjacent properties.**

The existing home is hooked up to public sewer and water, approvals of the LCWA and the Township Utilities department will be required prior to issuance of a Land Use Permit for the new commercial use and new building.

- F. The applicable requirements of Township, County and State agencies are met regarding grading and surface drainage and for the design and construction of storm sewers, storm water holding facilities, water mains, and sanitary sewers.**

The site plan has been forwarded to the Township Engineer, Utilities Department and the Livingston County Water Authority. Prior to issuance of a building permit the applicant will need approvals from all the required local, state, and federal agencies, including the Township Engineer and Utilities, the LCWA, and the Livingston County Drainage Commission.

**Suggested Conditions:**

See Condition 7 on page 10 of this report.

- G. Natural resources will be preserved to the maximum extent possible in the site design by developing in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, and woodlands.**

The lot is relatively flat and there is an existing residential home on the site. Minimal landscaping will be removed to place this development on the site and new landscaping is proposed to make the development blend into the surrounding neighborhood.

- H. The proposed development shall respect the natural topography to the maximum extent possible by minimizing the amount of cutting, filling, and grading required.**

The subject property is mostly flat and minimal grading (outside of the required drainage basin) will be required as a part of this project.

- I. The proposed development will not cause soil erosion or sedimentation.**

The LCDC will need to issuance a soil erosion or sedimentation control permit prior to issuance of a building permit.

- J. Landscaping, including trees, shrubs and other vegetative material is provided to maintain, improve and/or restore the aesthetic quality of the site.**

A Landscape plan has been provided as part of this final site plan (Exhibit A). The plan includes 19 trees, 21 bushes and 20 flowering plants. The applicant has requested a waiver from the landscaping requirements. Staff's analysis of the waivers requested is on pages 4-6 of this report in the development review compliance table.

With the suggested condition 1, 2, and 3 it appears the landscaping proposed will maintain, improve and/or restore the aesthetic quality of the site

- K. Conformance to the adopted Hamburg Township Engineering and Design Standards.**

The engineer has reviewed the plans for compliance with the Engineering and Design Standard and provided comments (Exhibit E). Prior to the land use permit approval the



Township engineer will require final review of the project to make sure the project is designed to best engineering practices.

- L. All proposed commercial, office, industrial, institutional and multiple family development shall utilize quality architecture to ensure that buildings are compatible with surrounding uses, protect the investment of adjacent landowners, blend harmoniously into the streetscape and meet the objectives the Township Master Plan. New buildings, additions and renovations shall be designed to preserve or complement the design character of existing development provide visual harmony between old and new buildings, and create a positive image for the Township's various commercial shopping nodes. Commercial, office, industrial, institutional and multiple family architecture shall be reviewed by the Planning Commission under the following criteria:**
- 1. Buildings shall front towards and relate to the public street. Buildings shall be located to create a define streetscape through uniform setbacks and proper relationship to adjacent structures. Proper relationship to existing structures in the area shall be maintained through building mass, proportion, scale, roof line shapes and rhythm. Buildings within the area designated on the M-36 Corridor Plan/Master Plan as the "Hamburg Village" shall be compatible with the historic character of the unincorporated place commonly referred to as the "Old Hamburg Village."**
  - 2. Building materials and colors shall relate well and be harmonious with the surrounding area. Roof shape and materials shall be architecturally compatible with adjacent buildings and enhance the predominant streetscape. For any side of a principal building facing a public or private street, at least fifty percent (50%) of the facade shall be constructed of, or covered with, the following materials:**
    - a. Brick;**
    - b. Fluted or scored concrete block;**
    - c. Cut stone;**
    - d. Vinyl siding;**
    - e. Wood siding;**
    - f. Glass; or,**
    - g. Other materials similar to the above as determined by the Planning Commission.**
  - 3. Buildings shall possess architectural variety, but enhance the overall cohesive community character. Buildings shall provide architectural features, details and ornaments such as archways, colonnades, towers, cornices or peaked roof lines.**
  - 4. Building walls over 100 feet in length shall be broken up with a combination of the following: varying building lines, windows, architectural accents and trees.**
  - 5. Building entrances shall utilize windows, canopies and awnings; provide unity of scale, texture, and color; and provide a sense of place.**
  - 6. Where the rear facade of a building will be visible from a residential zoning district, or the rear of the site will be used for public access or parking, such rear facade shall be constructed to a finished quality comparable to the front facade.**
  - 7. Signs, landscaping, lighting and other site elements shall be coordinated and compatible with the building design, as well as harmonious with other nearby**

**developments. Developments shall provide site features such as decorative entry signs, ornamental lighting, pedestrian plazas and/or pedestrian furniture.**

**Staff Analysis:**

The proposed use will utilize the existing structure on the site. The only changes proposed to the existing structure are as follows: The existing garage door will be removed and a glass storefront area will be built in this location for the proposed carpet store showroom, a handicap ramp will also be installed between the proposed parking area and the entrance to the office use, and two new wall signs are proposed on the front façade of the building for the two proposed uses.

It appears that the architecture of the existing structure with the proposed changes will be compatible with the surrounding property and meets the architectural standard 1 -7 above.

**36-187 ADDITIONAL District Standards**

**(i)(2) *Approval standards.*** The following criteria shall be used, in addition to the standards contained in article III of this chapter or the subdivision control ordinance, as a basis upon which site plans or subdivision plats shall be reviewed and approved by the Township:

**A. *Compatibility with adjacent uses.*** The proposal shall be designed, constructed, and maintained to be compatible with permitted uses on surrounding land to the extent that is reasonably feasible, giving consideration to economic and site conditions.

**Consideration may be given to:**

- 1. The location and screening of vehicular circulation and parking areas in relation to surrounding development, to the maximum extent feasible.**
- 2. The location and screening of outdoor storage, outdoor activity and work areas, and mechanical equipment in relation to surrounding development.**
- 3. The bulk, placement, and materials of construction of the proposed use in relation to surrounding development shall be compatible as determined by the general requirements listed in section 36-187(i)(1)a.**
- 4. Proposed site amenities.**
- 5. The site grading and stormwater drainage plan.**

The proposed development will utilize the exiting building on the site. Because of the location of the site with an existing office building to the west, a single-family home to the east and south and the industrial uses across M-36 to the north; the proposed use will act as a buffer between the existing uses until future development of the area is proposed.

The proposed development includes and 80-foot setback from M-36 which will include a small parking area, landscaping, and the drainage basin for the development. The existing architecture, the proposed addition of the glass entrance area to the carpet store showroom in the location of the existing garage door, the small front parking area and the proposed wall signs will give this building a commercial appearance while not overly impacting the adjacent residential properties to the east and south.

**b. *Transportation and access.*** The proposed use shall be designed to minimize the impact of traffic generated by the use to the extent that is reasonably feasible,

giving consideration to economic and site conditions. Consideration may be given to the following:

1. **Relationship between the proposed development and existing and proposed streets.**
2. **Estimated traffic generated by the proposed use.**
3. **Location and access to on-street parking.**
4. **Location and access to off-street parking.**
5. **Provisions for vehicular traffic.**
6. **Continuation of the planned street network for the village.**

**The planning commission may require a traffic impact study for special uses.**

The project proposes changing the use from a single-family home to a commercial property, converting the existing garage into a carpet showroom, converting the existing house into office space, and adding a 5,000 square foot storage building to store the carpet sold at the site. No traffic study was submitted as a part of the final site plan review application.

The proposal is designed to utilize the existing driveway for the single-family home. As stated earlier in this report the spacing of this driveway location does not meet the minimum driveway spacing for commercial driveways under section 36-339 of the zoning code.

MDOT approval of the project will be required prior to issuance of a land use permit.

**See Suggested Conditions 7 and 8**

- c. ***Building architecture.* In determining the appropriateness of buildings, design elements shall be evaluated in relation to existing and proposed surrounding buildings and uses. The design shall meet the standards of subsection (i)(1)e of this section**

The project will utilize the existing single-family residential building on the site and proposes very minor changes to the main building. The existing garage door will be removed and a glass storefront area will be built in this location for the proposed carpet store showroom, a handicap ramp will also be installed between the proposed parking area and the entrance to the office use, and two new wall signs are proposed on the front façade of the building for the two proposed uses. The standards of subsection (i)(1)e are discussed on pages 12 and 13 of this report under Architecture.

- d. ***Emergency access.* All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.**

The Hamburg Township Fire District has reviewed the project and the comments are attached (Exhibit F). It does not appear that there are significant concerns over emergency access to the site.

- e. ***Health and safety concerns.* Any use shall comply with applicable federal, state, county, and local health and pollution laws and regulations related to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic; radioactive materials; and toxic and hazardous materials. The planning commission may require an environmental impact study for special uses.**

It does not appear that the proposed use will have health and safety concerns. Also as required in Suggested Condition 7 all state, local, and federal approvals are required as a part of this project.

- f. *Screening.* Off-street parking, outside refuse, storage areas, and mechanical and electrical equipment which are within sight of adjacent residential districts or public roads shall be adequately screened.**

With the suggested conditions the proposed off-street parking and the trash enclosure will be adequately screened from the adjacent residential districts and the public road.

- g. *Appearance.* Signs and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby developments.**

As conditions the signs and other site feature will be designed and tlocated on the site so that the proposed development is aesthetically pleasing and harmonious with nearby developments.

### **RECOMMENDATIONS:**

Staff recommend the Planning Commission review, discuss and make a recommendation to the Township Board to either approval or denial of the Final Site Plan Application (FSPA22-003) or table the application and request any additional information deemed necessary for review.

#### **Final Site Plan 22-003 Draft Approval Motion:**

The Planning Commission recommend approval of the final site plan (SPA22-002) to the Township Board with the following conditions; because as conditioned the project meets the site plan review standards A-L in section 36-73 (7) and the additional approval standards of the Village Center District under section 36-187 (i)(2) (a-g) as discussed at tonight's meeting and as presented in the Staff Report.

**Conditions 1:** The Planning Commission should consider requiring the applicant at a minimum to add a 6-foot-tall solid fence near the south side of the parking lot to lessen the impact from this project on future development of the property to the south.

**Condition 2:** The storage building shall be shifted to the west to allow the paved area south of the existing structure to be shifted to the west allowing for landscape screening between this area and the east property line.

**Condition 3:** Addition evergreen shrubs, with a minimum height of 6' when fully grown, shall be planted between the south side of the detention basin and the north side of the storage building to provide additional screening from M-36.

**Condition 4:** The existing wall lights on the rear of the structure shall be replaced with fully shielded light fixtures.

**Condition 5:** All lighting shall be turned off between 11:00 PM and Sunrise except when used for commercial and industrial uses, such as in sales, assembly and repair areas, where such use is open for business after 11:00 p.m. but only for so long as such use open for business.

**Condition 6:** Prior to issuance of a land use permit the applicant shall submit a photometric plan that shows that the intensity of light within a site does not exceed ten (10) footcandles or one (1) footcandle at any property line, except where it abuts a residentially used or zoned site whereby a

maximum of 0.5 footcandles is permitted.

**Condition 7:** Prior to issuance of a land use permit the applicant shall receive approval from all required agencies including, but not limited to, Hamburg Township Fire, Engineering and Public Works Departments, Livingston County Drain Commissioner, and Health Department; Livingston Community Water Authority and the Michigan Department of Transportation.

**Condition 8:** Prior to issuance of a land use permit the applicant will submit and receive approval of a variance to the commercial driveway spacing regulations under section 36-339 (1 and 2). If the variance is not approved prior to the issuance of a land use permit the design of the project shall be altered so the driveway meets the requirements of 36-339 (1 and 2).

**Condition 9:** The freestanding monument sign shall have a base no higher than 2' and the sign shall be 10 feet minimum from the front right-of-way/ property line. The unused sign area(white) shown on the right portion of the freestanding sign shall be covered by an opaque surface until which time a sign for the future office use or other use is proposed in this area. At that time the sign shall be designed so that 60% of the sign face is composed of an opaque surface which allows no light to transmit through (meaning the wording and graphics for the business will be translucent and the background will be opaque). The second wall sign for the office use shall be no larger than 25.45 square feet in size.

**Condition 10:** The applicant shall work with the township engineer to reduce the slope of the drainage basin so no fence is required. If the drainage cannot be revised and a fence is required the fencing use shall be decorative and approved by the Zoning Administrator prior to permitting. See the picture below for an example of decorative fencing.

## **PROCESS:**

### **EXHIBITS:**

- Exhibit A: Site Plan Project Plans (dated Sept 16, 2022)
- Exhibit B: Front Building Elevation-Main Structure
- Exhibit C: Office Space Floor Plans
- Exhibit D: Sign Plans
- Exhibit E: Site Plan Application
- Exhibit F: Hamburg Township Engineering Comments
- Exhibit G: Hamburg Township Fire Department Comments
- Exhibit H: MDOT Initial Comments





