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To: Planning Commissioners
From: David Rohr
Hamburg Township
Township Planner
Date: May 15, 2024
Agenda Item:
Project Number: Preliminary Site Plan Application for General Planned Unit
Development (PCPUD24-0001)
Project Location: Learning Ln. (15-25-400-048)
Owner: Michael Parliament/Alan Gottlieb
Applicant: Elevate Land Holdings, LLC

LOCATION:

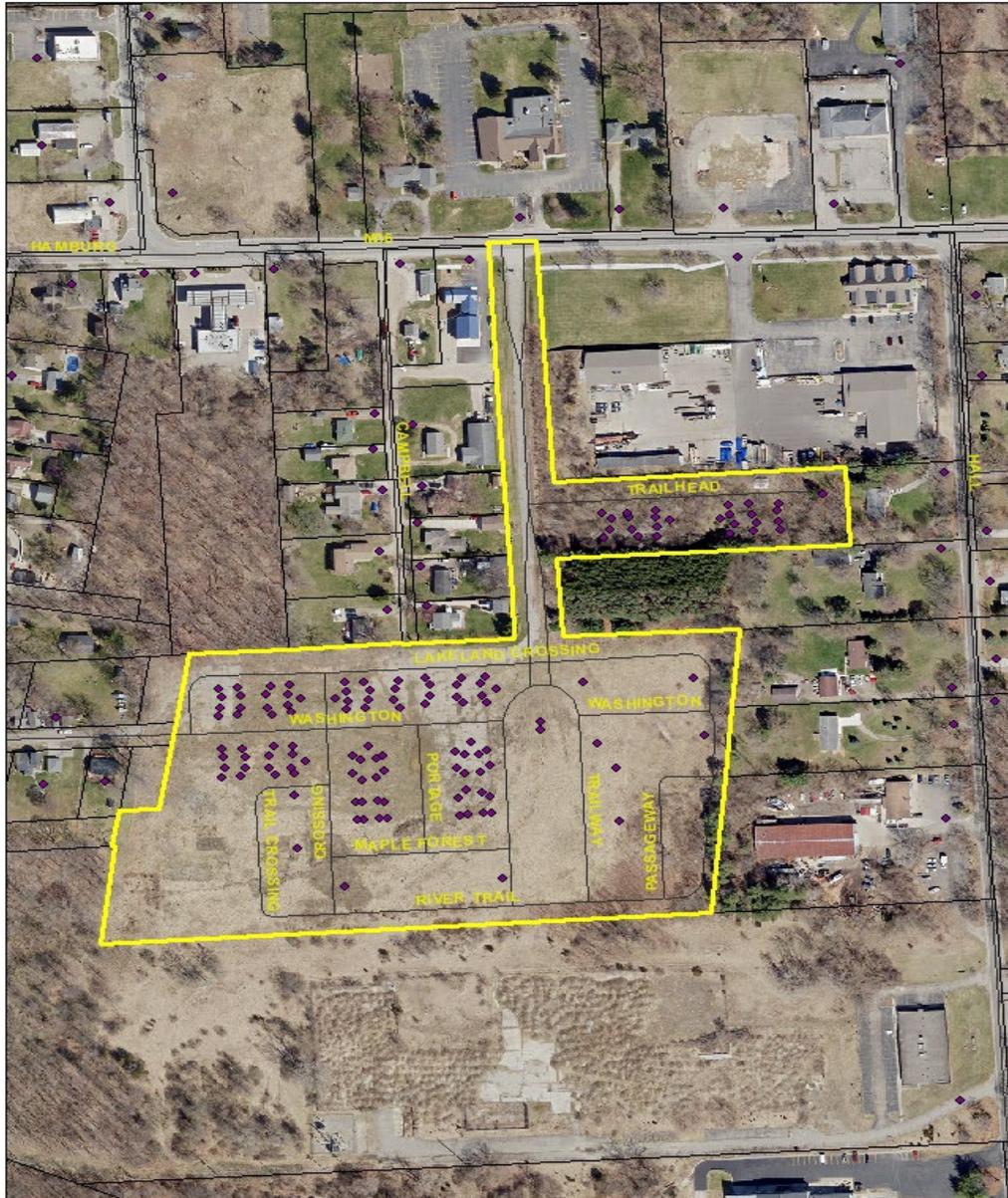
The project is located on a 15-acre site south of E. M-36. The site is accessed by Learning Lane. The site is currently vacant.

PROJECT HISTORY:

Project PCPUD24-0001, Site Plan Application for General Planned Unit Development received conceptual site plan review from the Planning Commission on February 21, 2024. No formal action was taken at the meeting and the project was scheduled to be returned to the Planning Commission for formal preliminary site plan review.

The applicant has worked to address the issues raised and the February meeting, including eliminating any three-story building, removing the sports court, expanding the land scaping buffer, and relocating the site pump station.

Location Map



PROJECT DESCRIPTION:

The proposed project will utilize the General Planned Unit Development (GPUD) regulations (Section 36-439). The proposed project proposes a 208-unit apartment complex with a club house. The complex will be located on old Hamburg Elementary Site. The subject property

consist of five existing parcels (15-25-200-056 (VC), 15-25-200-062(GI), 15-25-400-013 (VC), 15-25-400-042 (VC), and 15-25-101-084 (VR)) totaling 15.4 acres. The apartment complex will consist of 22 residential structures, 14 structures with 8 residential units and 15 structures with between 8-16 residential units; a community club house with offices, a gym, a community recreational room, and a pool.

GENERAL PLANNED UNIT DEVELOPMENT REVIEW PROCESS:

The Preliminary GPUD site plan shall contain enough detail to explain the proposed uses, relationship to adjoining parcels, vehicular and pedestrian circulation patterns, open spaces and landscape areas, and building density or intensity.

1. Applicant originally submitted on January 10, 2024, for conceptual site plan review for the GPUD.
2. Applicant received comments from the Planning Commission at their February 14, 2024, meeting. No formal action was taken.
3. Planning Staff sent the submitted information and plans to the Hamburg Township Public Works and Fire Departments, the Hamburg Township Engineer and the Hamburg Township Utilities Department for review and comment. Applicant shall submit information and plans to the Livingston County Public Health Department (LCHD) and Road Commission (LCRC) and the Michigan Department of Environment Great Lakes and Energy (EGLE) and Transpiration (MDOT) for comments.
4. At tonight’s meeting on May 15, 2024, the Planning Commission will conduct the public hearing for this project. At this hearing the Planning Commission will act and recommend approval or denial of the preliminary site plan for the GPUD to the Township Board or table the project if the Planning Commission determines more information is required to make a recommendation. A recommendation of approval can include recommended conditions of project approval.
5. Following the public hearing, the Planning Commission recommendation is forwarded to the Township Board for a final determination on the preliminary site plan for GPUD.
6. If the preliminary site plan for the GPUD is approved by the Township Board the applicant will then start working on the submittal of a final site plan for the GPUD.

ZONING ORDINANCE REGULATIONS:

The subject site is located within the **Village Center (VC)** Zoning District. The zoning district regulations are listed below with the GPUD process allows flexibility to the required regulations. Table 1 summarizes the zoning regulations that apply for the proposed project:

Table 1 (Page 3 Site Plan)

SITE DATA			
EXISTING ZONING: GENERAL PLANNED UNIT DEVELOPMENT (GPUD)			
SITE AREA = 15.478 ACRES			
MAX. DWELLING UNITS PER ACRE (VC): 10 DU/CCRE			
NO. OF BUILDING ON SITE: 16			
NO. OF UNITS PROPOSED: 208			
DWELLING UNITS PER ACRE: 13.44 DU/CCRE (AMEND TO PUD AGREEMENT)			
	REQUIRED	PREVIOUSLY APPROVED	PROPOSED
BUILDING SETBACKS:			
FRONT (FROM PAVEMENT):	20'	15'	N/A
SIDE:	10'	15'	20' MIN.
REAR: TO PROPERTY LINE	25'	30'	20' MIN.
BUILDING TO BUILDING:	35'	N/A	N/A
BUILDING FRONT TO SIDE:	N/A	25'	N/A
BUILDING SIDE TO SIDE:	N/A	15'	N/A
MAXIMUM BUILDING HEIGHT:	35'	35'	35'
MAXIMUM BUILDING STORIES:	2.5 STORIES	2 STORIES	2 STORIES
MINIMUM FLOOR AREA:			
1 BEDROOM	550 S.F.	875 S.F.	600 S.F.
2 BEDROOMS	650 S.F.	1100 S.F.	898 S.F.
3 BEDROOMS		N/A	936 S.F.
BUILDING COVERAGE:	50% MAX.	16%	15.83%
IMPERVIOUS AREA CALCULATION:	N/A	32%	37.85%
OPEN SPACE REQUIRED: 1,500 S.F./ UNIT=1,500 x 208 312,000 S.F. (7.16 AC.)			
	44%	37%	42.56%
OPEN SPACE PROVIDED:			
		6.03 AC.	6.59 AC.
PARKING REQUIRED: (1.5 SPACE/UNIT) 1.5 x 208 = 312 SPACES			
PARKING PROPOSED: 407 SPACES (INCLUDING 10 B.F. SPACES) (1.957 SPACES/UNIT)			
	PREVIOUSLY APPROVED PLANS	CURRENT PLANS	
SITE AREA	16.1 AC.	15.478 AC.	
NO. OF BUILDING ON SITE:	23	16	
NO. OF UNITS PROPOSED:	208	208	
DWELLING UNITS PER ACRE:	12.91 DU/CCRE	13.44 DU/CCRE	
BUILDING COVERAGE:	16%	15.8%	
PAVED SURFACE PARKING AND ROADS CIRCULATION	32%	37.85%	
OPEN SPACE:	37%	42.96%	
PARKING PROVIDED:	406 SPACES (1.952 SPACES/UNIT)	407 SPACES (1.957 SPACES/UNIT)	

Landscaping:

The preliminary plan provides a tree planting plan. L-1, L-2, L-3, and L-4 provide detailed landscaping details for different sections of the development.

The land scaping plan does not note a 20foot buffer and proposes a six-foot vinyl fence on the southern parcel line (L-3).

In the Zoning Regulations the Planning Commission may waive or reduce the buffer zone landscaping requirement if equivalent screening is provided by existing or planned parks, parkways, recreation areas, or by existing woodlands on the lot, and topographic or other natural conditions. Existing quality trees (hickory, oak, maple, ash) with a caliper at least eight inches shall count as two trees toward the above requirements.

1. Where a six-foot-high continuous wall is required, such wall shall be a masonry wall, except that the planning commission may allow the substitution of a six-foot-high pressure-treated wood fence.

Because this project is a General Planned Unit Development the landscape requirements can be set by the Development Agreement as part of the Planned Unit Development process and the Planning Commission does not need to officially waive the landscaping requirements.

Lighting:

The preliminary site plan does not include a lighting plan.

In the Village Center area, A consistent type of pedestrian scale ornamental lighting shall be provided along all sidewalks, within any off-street parking lots and along road frontages.

Suggested Condition 1:

A lighting plan that meets all the regulations for the village center area shall be submitted as a part of the final site plan review. This plan should include pedestrian scale lighting in the park to allow safe pedestrian access to the front doors of the units facing this park.

Signs:

No Sign details were submitted. Proposed signage should be provided as a part of the final site plan review and shall meet the requirements of the zoning regulations.

Suggested Condition 2:

A detailed sign plan should be submitted for final site plan review.

<p>Sidewalks/pedestrian circulation.</p> <ol style="list-style-type: none"> 1. Site design shall demonstrate a special sensitivity to pedestrian circulation and safety. 2. Sidewalks at least five feet wide and at least seven 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 bikepaths. 3. All developments shall provide pedestrian linkages between public sidewalks and the building entrances. <p>Staff Analysis: The sidewalk system within the development has been designed to provide good pedestrian access within the site and to Hamburg Rd.</p>	<p>✓ ✓ ✓</p>
<p>Architecture.</p> <ol style="list-style-type: none"> 1. Buildings shall possess architectural variety but enhance the overall cohesive and historic village character. 2. Building architecture shall meet the standards of section 36-73(7). 3. The first floor of front facades shall include at least 30 percent windows. The approximate size, shape, orientation and spacing shall match that of buildings on adjacent lots. 4. The mass and proportion of structures shall be similar to structures on adjacent lots and on the opposite side of the street. Larger buildings may be broken-up with varying building lines and rooflines to provide a series of smaller scale sections which are individually similar in mass and proportion to surrounding structures. 5. Buildings located on corner lots shall provide distinct and prominent architectural features or site elements which reflect the importance of the building's corner location and creates a positive visual landmark. An entry feature or site landmark shall be required at corners designated for such a feature in the Hamburg Village master plan. The architectural feature or site element shall be subject to planning commission approval. 	<p>✓ ✓ ✓ ✓ ✓ ✓</p>
<p>GPUD Requirements:</p> <ol style="list-style-type: none"> A. Location. A GPUD shall only be created on development sites within the Township which have a portion of the property located within the Neighborhood Service (NS), Community Service (CS), Mixed Use 	<p>✓</p>

<p>Development (MD), Village Residential (VR), or Village Center (VC) zoning districts.</p> <p>B. Size. A GPUD shall only be created on development sites one (1) acre in area or greater.</p> <p>C. Permitted Uses.</p> <p>1. Uses that are listed as Permitted Uses or Special Uses in the underlying zoning district or uses identified in the underlying future land use category of the Township Master Plans may be permitted in a GPUD development.</p>	✓

DISCRETIONARY REVIEW CRITERIA

The following are the applicable discretionary standards for preliminary GPUD site plan review within the Township’s Zoning Ordinance in **bold**, followed by staff analysis of the project as it applies to each standard. Because this project is a GPUD it requires compliance to the Planned Unit Development Standards (Section 36-442) and the Site Plan Review Standards (Section 36-73). When the Planning Commission is reviewing the project for compliance to Section 36-442 and 36-73 it should remember that tonight’s meeting is for the preliminary site plan review and that additional information may need to be submitted with the final site plan application for the Planning Commission to verify that the project meet the standards in section 36-442 and 36-73(7). The Planning Commission should review the project and determine if the project meet each of the following standards:

Planned Unit Development Project Standards (Section 36-442)

In considering any application for approval of any Planned Unit Development community site plan, the Planning Commission shall make their determinations on the basis of the standards for site plan approval set forth in Article 3 of this chapter, as well as the following standards and requirements:

(1)

A GPUD shall promote the goals and objectives of the Township master plan, and village center master plan. Including the intent and guidelines related to site design as stated in the transportation section of the master plan, and the village design chapter of the Hamburg Township village center master plan, where applicable. Along with other appropriate site design standards, guidelines, and principles, the following site development elements shall also be reviewed for consistency with the applicable guidelines of the master plan and the village center master plan:

- a. Sidewalks/pedestrian circulation.
- b. Parking/loading areas.
- c. Architecture.
- d. Signs.
- e. Street and access design.
- f. Lighting.
- g. Landscaping.

This project has been designed to comply with the Village Center Master Plan. The future land use designation of the subject site is Village Core along M-36.

(2)

A GPUD shall result in a higher quality of development than could be achieved under conventional zoning.

The common open space areas, private amenities and the extensive sidewalk connections will make this development a very desirable location for area residents and will result in a higher quality of development than could be achieved otherwise.

(3)

A GPUD shall not be created in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards without the need for variances.

The developer is requesting an increase in density.

(4)

A GPUD may be created only when the proposed land use will not add public service and facility loads beyond those contemplated in the master plan or other applicable plans or policies of the Township unless the applicant can demonstrate to the sole satisfaction of the Township Board that such added loads will be accommodated or mitigated by the proponent as part of the GPUD or by some other means deemed acceptable to the Township Board.

The proposed GPUD will add additional public service and facility loads envisioned by the Village center master plan. The Township Board should confirm this in the final site plan review.

(5)

Creation of a GPUD shall establish land use patterns which are compatible with and protect existing or planned use. The use of the GPUD option shall not be for the purpose of avoiding applicable zoning requirements of the underlying zoning district.

The proposed project is a General Planned Unit Development (GPUD). The proposed project meets most of the regulations of the zoning district.

The Hamburg Township zoning ordinance states that the intent of the GPUD is to

- Permit private development which is substantially in accordance with the goals and objectives of the Township Master Plan which and the Township Village Center Master Plan.

- Permit regulatory flexibility to achieve development that comply with the Township's Master Plans in order to achieve economy and efficiency in the use of land, natural resources, energy and in the provision of public services and utilities; to encourage the creation of useful open space particularly suited to the proposed development and parcel on which it is located; and to provide appropriate housing, employment, services and shopping opportunities to satisfy the needs of residents of the Township of Hamburg.

The GPUD should be laid out so that proposed uses, buildings, and site improvements relate to each other and to adjoining existing and planned uses in such a way that they will be compatible, with no material adverse impact of one use on another.

It appears that the proposed project will meet the intent of the GPUD. By allowing this project some slight regulatory flexibility, the proposed development will be compatible with the Master Plan, provided needed multi-unit housing within the village area, achieve the efficient use of the land, and will provide important pedestrian connections and amenities in the village area.

(6)

A GPUD shall not be allowed solely as a means of increasing the density or intensity of development.

The density of the project will increase slightly.

(7)

A GPUD shall improve the appearance of the Township through quality building design and site development, the provision of trees and landscaping consistent with or beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.

The design of this project will improve the appearance of the Township and will provide needed connection through the site to the surrounding community., The proposed for-rent apartments will provide the Village area with a much-needed housing alternative to the existing single-family housing within the Village.

Standards for Site Plan Review (Section 36-73).

Compliance with the standards of this section are required as a part of the preliminary Site Plan review. Staff has included these standards into the review of the preliminary site plan to make sure that if the preliminary site plan review is approved the applicant is aware that the project will need to meet the requirement of this section once all the required information is submitted for final site plan review. 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 this chapter.

The proposed development has been designed to meet all the required site plan review requirements.

b. All required information has been provided.

The application is for the preliminary site plan for the GPUD. It appears that the applicant has submitted adequate information for the planning commission review of the preliminary site plan for the proposed GPUD project. All required information under section 36-73 and as to address the initial comments from the different agencies and reviewing bodies will be required prior to final site plan review.

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

The Township fire district and township engineer has reviewed the roadway and sidewalk layout of the project.

MDOT approvals will also be required prior to issuance of a zoning permit for this project.

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

The development will be harmonious with existing and future uses.

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 preliminary project plans do not provide enough detail for the Township Engineer to do a full review of the infrastructure proposed. However, an initial review was prepared by the Township Engineer and these comments will need to be addressed as a part of the final site plan review of the project. Attached. The plans submitted for final site plan review will provide greater details on the drainage, roadway construction, and other improvements.

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, stormwater holding facilities, water mains, and sanitary sewers.

See comments in item e above. The plans submitted as a part of the final site plan review will address the Township Engineers initial comments and will provide greater details on the drainage, the design and construction of storm sewers, stormwater holding facilities, water mains, and sanitary sewers.

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.

There are not any lakes, ponds, streams, wetlands, or steep slopes on the site. The site is vacant cleared land.

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

A detailed grading plan has been submitted. The subject property is relatively flat and the location of the improvements on the site have been placed on the areas with the least slope. The grading plan will be reviewed by the Township engineer.

i. The proposed development will not cause soil erosion or sedimentation.

Prior to issuance of a building permit for this project the Livingston County Drainage Commission will require approval of a soil erosion and sedimentation plan that meets the local and state requirements.

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

A detailed landscape plan has been provided as a part of the GPUD preliminary site plan review.

k. Conformance to the adopted Hamburg Township Engineering and design standards.

Detailed engineering plans are not required to be submitted as a part of the preliminary site plan review process. The township engineer has done a cursory review of the preliminary plans and project layout. The engineering comments are attached. If the GPUD preliminary site plan is approved the application will address the engineering comments and will be required to comply with all Hamburg Township Engineering and design standards prior to the issuance of a land use permit.

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 defined 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, roofline shapes and rhythm. Buildings within the area designated on the master plan and Village Center 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 50 percent of the facade shall be constructed of, or covered with, the following materials:

- 1. Brick;**
- 2. Fluted or scored concrete block;**
- 3. Cut stone;**
- 4. Vinyl siding;**
- 5. Wood siding;**
- 6. Glass; or**

7. **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 rooflines.**
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.**

The proposed layout and structures on the site have been designed to be compatible with the village character of the ‘Old Hamburg Village’ and to comply with the Village Center Master Plan.

RECOMMENDATIONS:

Staff believe that as conditioned and with final review of the project under the final site plan review requirement the proposed preliminary site plan for the GPUD project is substantially compliance with the required standards under sections 36-442 and 36-73.

The Planning Commission should review and discuss the preliminary GPUD site plan application, the submitted materials including the project plans, the staff report, and any information presented at the public meeting; and either recommend approval or denial of the preliminary site plan for the GPUD to the Township Board.

Example Approval Motion:

The Planning Commission recommends approval of the preliminary GPUD site plan, as shown on project plan (Exhibit A) , to the Township Board because the project as conditioned it is consistent with the requirements of the General Planned Unit Development regulations and will be able to meet site plan review standards of the zoning ordinance as discussed at the meeting tonight and presented in the staff report with the following conditioned of approval:

Suggested Condition 1:

A lighting plan that meets all the regulations for the village center area shall be submitted as a part of the final site plan review. This plan should include pedestrian scale lighting in the park to allow safe pedestrian access.

Suggested Condition 2:

A detailed sign plan should be submitted for final site plan review.

Suggested Condition 3: Prior to the review of the final site plan or the issuance of a land use permit as needed all appropriate approvals from local, county, state, and federal agencies, including, but not limited to, Hamburg Township Fire, Assessor, and Public Works Departments, the Livingston County Road Commission, Drain Commissioner, and Health Department; and the Michigan Department of Environment, Great Lakes and Energy and Transportation shall be received.

Next Steps:

If the Planning Commission recommends approval of the preliminary GPUD site plan, the Township Board shall consider the Planning Commission recommendation and public hearing comments and shall take action to approve, deny or remand the site plan back to the Planning Commission for further review.

If the Township Board approves preliminary GPUD site plan the applicant shall submit a final GPUD site plan which contains all information required by Article 3 of the Township Zoning Ordinance.

The Planning Commission shall review the submitted Final GPUD site plan to insure compliance with all standards and criteria of Article 3 Site Plan Review and Article 12, Planned Unit Development. The Planning Commission then takes action to recommend approval or denial of the Final GPUD site plan to the Township Board based upon compliance with the above referenced standards.

Upon receipt of the report and recommendation of the Planning Commission, the Township Board shall review all findings. If the Township Board determines that approval would be appropriate, it shall instruct the Applicant to work with the Township Attorney to prepare a development agreement setting forth the conditions upon which such approval is based. Such conditions shall include, where appropriate, identification of the phases and timetable for development, and an estimate of the costs of implementing each phase.

After approval by resolution of the Township Board, the Development Agreement shall be executed by the Township and the applicant and recorded in the County records. Approval shall be granted only upon the Township Board determining that all qualification requirements, conditions of approval, and provisions of this and other Township Ordinances have been met, and that the proposed development will not adversely affect the public health, welfare and safety. Approval shall further be subjected to the condition that the contract will be properly recorded.

Exhibits:

Exhibit A: Project Application.

Exhibit B: Preliminary GPUD site plan and other project plans.

Exhibit D: Hamburg Township Fire Department Initial Review

Exhibit E: Hamburg Township Engineering Consultant Initial Review