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Memorandum

To: Township Board of Trustees

From: Scott Pacheco

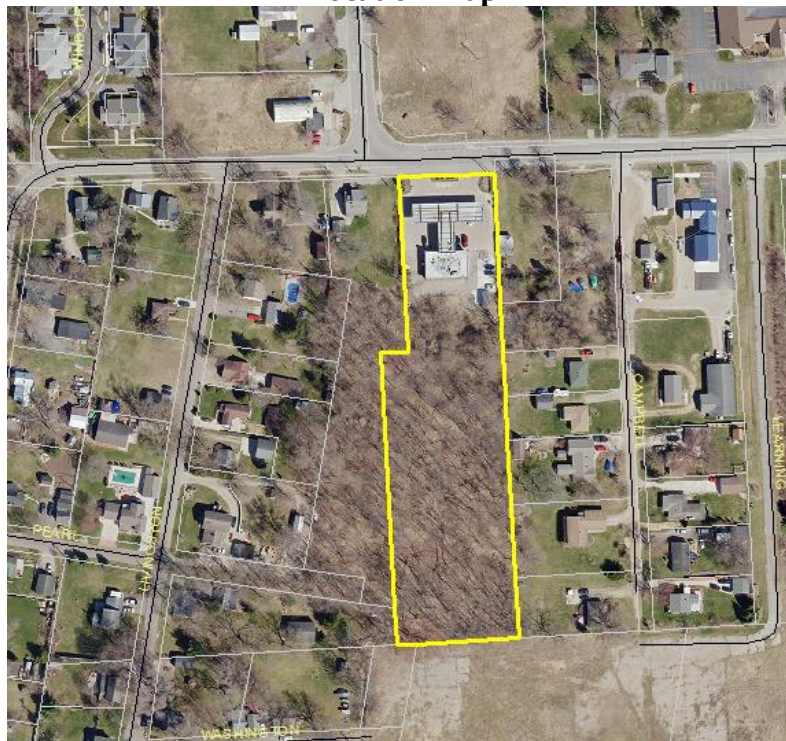
Date: August 2, 2022

Re: General Planned Unit Development (GPUD21-008) and Preliminary Site Plan Application (SPA21-008) at 7760 E. M-36 and 10303 Hamburg Road.

LOCATION:

The project is located on two sites at the south side of the Hamburg Road and M-36 intersection; parcel 15-25-200-025 at 7760 East M-36 (3 acres) and parcel 15-25-101-078 at 10303 Hamburg Road (1.57 acres). A boundary adjustment will need to be processed as a part of this project if approved. The boundary adjustment will allow the proposed townhome project to be on one site and the mobile gas station to be on a separate site; increasing the site where the proposed development will be located to 4.02 acres and decreasing the Mobil gas station site to .8 acres.

Location Map



PROJECT DESCRIPTION:

The proposed project will utilize the General Planned Unit Development (GPUD) regulations (Section 36-439). The proposed project includes 28 for-rent Townhomes in eight buildings with between 2-5 units in each building and a 1,400 square foot community center/office management building. The project will extend the utilities, roadways and pedestrian trails/sidewalk systems from the M-36 intersection with Hamburg Road to the intersection of Pearl Street and Livingston Street. The project also includes a community open space area with a centralized gazebo.

The project is proposed as a General Planned Unit Development to allow more flexibility with the zoning code requirements, specifically in regards to the required landscaping buffers.

The project will also require a boundary adjustment be approved between the two subject sites. This adjustment will make the parcel with the proposed for rent townhomes 4.02 acres and the site with the gas station .8 acres.

The proposed development is reviewed by staff against the zoning regulations in the July 20, 2022 Planning Commission staff report (Attachment A).

PROJECT HISTORY:

In February 2021 the applicant submitted a preapplication plan for a conceptual meeting with the Township and other interested agencies on a proposed apartment project on the subject site. The Township held a conceptual meeting and provided comments to the development team.

After this meet the developer took the comments received and work with staff to revise the project to better comply with the Townships development regulations.

On December 2021 the applicant submitted the applications and project plans for a General Planned Unit Development and Preliminary Site Plan review.

Staff reviewed the submitted plans and met with the applicant to discuss comments and necessary requirements or changes needed to the submitted project plans.

On May 31, 2022 the applicant resubmitted the updated plan for preliminary site plan review for the GPUD.

Planning Staff sent the submitted information and plans to the Hamburg Township Public Works and Fire Departments, The Hamburg Township Engineer, the Livingston County Public Health Department (LCHD) and Road Commission(LCRC) and the Michigan Department of Environment Great Lakes and Energy (EGLE) and Transportation (MDOT) and received initial comments that have been attached to the June 20, 2022 Planning Commission report.

On June 20, 2022 the Planning Commission held a public hearing for the project. At this public hearing 4 citizen's spoke during the public comment period. The citizen provided comments on their concerns with the project. Some of the concerns presented included the proximity of the new apartment to the shared property lines, changing the character of the area, and allowing rental units on this site. During this meeting the Planning Commission allowed the applicant to present their project and reviewed the staff report and submitted materials (Attachment A). The Planning Commission made the determination to approve the Preliminary site plan for the

General Planned Unit Development 21-008 . The Planning Commission recommended approval (with a 6-1 vote) of the GPUD preliminary site plan (21-008) as proposed in the project plan (Attachment A, Exhibit A), to the Township Board because the project as conditioned (below) is consistent with and should be able to meet the site plan review standards under article III and the general planned unit development standards under article VII of the zoning ordinance as discussed at the meeting and presented in the staff report and with the following conditioned of approval:

Condition 1: A boundary adjustment application will need to be processed as a part of the approvals of this project.

Condition 2: The applicant shall revise the landscape plan to provide screening between the development and the homes to the west. This screening should utilize a wood fence and other possible landscaping. A masonry wall or a wood fence shall be extended further along the west property line where the alley is located to block the car headlights along the east property line of parcel and landscaping along at the southeast and northeast corners of the site on the east side of both drainage basins to provide additional screening of the development from the rear of the homes along Campbell Court.

Condition 3: A lighting plan that meets all of the regulations for the village center area shall be submitted as a part of the final site plan review. This plan should include less street lighting in the portion of the street between M-36 and the curve to pearl street, street lights along the entirety of the main street and pedestrian scale lighting in the gazebo park to allow safe pedestrian access to the front doors of the ten units facing this park.

Condition 4: A sign plan for the proposed project signs shall be included as a part of the final site plan submittal.

Condition 5: Prior to the review of the final site plan or the issuance of a land use permit as needed all appropriate 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.

Condition 6: As a part of the final site plans the multiuse trail along M-36 shall be extended across the gas station site and a pedestrian access route shall be created to the convenience store building from the sidewalk on the west side of the main street within the development.

Condition 7: As a part of the final site plan review the side elevations of the residential units shall be submitted and windows should be utilized as appropriate to break up the mass of the side elevations.

Condition 8: A development agreement including master deeds and bylaws will be submitted for this project. This agreement will be reviewed by the Township Attorney.

During the review of this project the Planning Commission also discussed lowering the front porches to make the units accessible for seniors, moving the sidewalk on the west side of the main roadway so they would be adjacent to the roadway allowing for parking between the garage and the west edge of the sidewalks, and widening the landscape buffer on the west side of the development. No additional conditions were made to the preliminary site plan.

While these suggested changes are not terrible they have pros and cons when considering the design of the project.

Although lower the homes so there are no steps to the main floor of the site allows the home to be more associable to seniors, providing the three steps and the elevation changes on the front elevations of these home would delineate the public realm along the sidewalks from the private realm on the porch and within the house. This elevation changes also provides more privacy within the home itself from the sidewalk and street.

Although moving the sidewalk on the west side of the main roadway so it is adjacent to the street with allow approximately 20 feet between the front of the garage and the west side of the sidewalk for parking in these 14 units; the solid concert transition from the roadway to the sidewalk does not allow for landscape strip to soften the appearance of the area. Also allowing for parking in front of the garages on these units will provide a greater incentive for the residence of the unit to park their cars in the driveway also detracting for the appearance of the neighborhood.

A larger landscape buffer along the west property line would provide an additional 5 feet of space but it was determined by the Planning Commission that a solid wood privacy fence and landscaping would better address any impacts on the homes along Livingston street that have their rear yards adjacent to the subject site. Also it was discussed that the zoning code only requires a rear yard setback of 15 feet and requiring a larger setback would not be appropriate as the residential use is similar in nature to the residential use of the existing homes along Livingston Street.

RECOMMENDATION:

Township Board should review the July 20, 2022 Planning Commission staff report, consider the Planning Commission recommendation and the public hearing comments and take action to approve, deny or remand the General Planned Unit Development Preliminary Site Plan (GPUD21-008/PSPA21-008) for the 28-unit townhome apartment development back to the Planning Commission for further review.

Example Approval Motion:

Motion to approve of the general planned unit development preliminary site plan (GPUD21-008/PSPA21-008) for the 28-unit townhome apartment development with the 8 conditions stated in this staff memo (page 3) and recommended by the Planning Commission because the project will be able to meet the site plan review standers in the Township zoning ordinance.

PROCESS NEXT STEPS:

If the Township Board approves the preliminary site plan for the MPUD:

The applicant shall submit a final PUD site plan which contains all information required for site plan review under section 36-73(6) and approvals from all appropriate county, state and federal agencies, including, but not limited to, the county road commission, county drain commissioner, county health department and the Michigan Department of Transportation.

The planning commission shall review the submitted final PUD site plan to ensure compliance with all standards and criteria of the Hamburg Township zoning ordinance, the master plan, village center master plan, and the Southeast Livingston County Greenways Plan where applicable. The planning commission then shall take action to recommend approval or denial of the final PUD 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 work with the application and 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.

ATTACHMENTS:

Attachment A: July 20, 2022 Planning Commission Staff Report and Exhibits

Attachment B: July 20, 2022 Planning Commission Meeting Minutes