

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



P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139-0157

To: Planning Commissioners
From: David Rohr
Hamburg Township
Township Planner
Date: September 18, 2024
Agenda Item:
Project Number: Final 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:

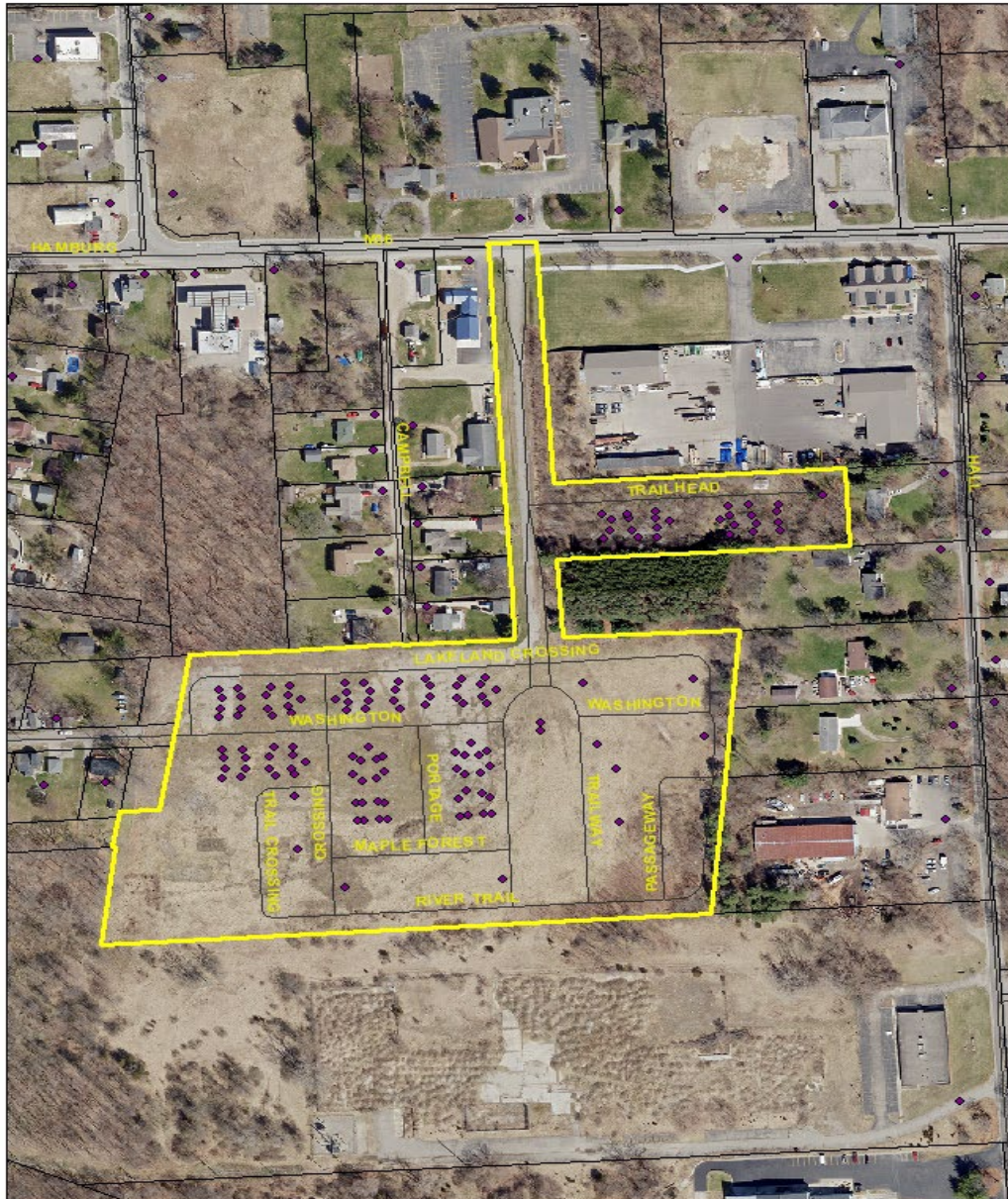
The project is located on a 15-acre site south of E. M-36. The site is accessed by Learning Lane. The site is currently vacant.

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 Planning Commission granted preliminary site plan approval on May 15, 2024. The Hamburg Township Board of Trustees granted preliminary site plan approval on June 4, 2024.

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

consists 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:

Sec. 36-447. - Final PUD site plan review.

(a) 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.

(b) 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.

(c) 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.

(d) 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.

(e) Approval of a PUD site plan shall be effective upon recording the contract and filing proof of recording with the Township Clerk.

(f) Once an area has been included, within the boundaries of an approved PUD, no development may take place in the PUD except in accordance with the Township Board-approved PUD site plan.

(g) Prior to any development within the area involved, an approved PUD site plan may be terminated by the applicant or the applicant's successors or assigns, by filing with the Township

and recording in the county records an affidavit so stating. The approval of the plan shall terminate upon such recording.

(h) No approved plan shall be terminated after development commences except with the approval of the Township Board and of all parties having an equity interest in the land.

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)			
BUILDING SETBACKS:	REQUIRED	PREVIOUSLY APPROVED	PROPOSED
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.	815 S.F.
2 BEDROOMS	650 S.F.	1,100 S.F.	1,106 S.F.
3 BEDROOMS		N/A	1,435 S.F.
BUILDING COVERAGE:	50% MAX.	16%	16.8%
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.	6.41 AC.
PARKING REQUIRED: (1.5 SPACE/UNIT) 1.5 x 208 = 312 SPACES			
PARKING PROPOSED: 409 SPACES (INCLUDING 10 B.F. SPACES) (1.966 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%	35.4%
OPEN SPACE:		37%	41.41%
PARKING PROVIDED:		406 SPACES (1.952 SPACES/UNIT)	409 SPACES (1.966 SPACES/UNIT)

Landscaping:

The final 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 landscaping plan does not note a continuous 20foot buffer and proposes a six-foot vinyl fence in areas abutting residential housing.

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.

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:

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 should include additional pedestrian scale lighting in the common areas between buildings.

Signs:

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.

Sidewalks/pedestrian circulation.

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

✓

✓

<p style="text-align: center;">sidewalks and the building entrances.</p> <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>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 Development (MD), Village Residential (VR), or Village Center (VC) zoning districts. ✓ B. Size. A GPUD shall only be created on development sites one (1) acre in area or greater. ✓ C. Permitted Uses. <ol style="list-style-type: none"> 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. 	

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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. However, the development will provide additional amenities for residents.

(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 final 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 final 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.**
Please see engineering comments attached.
- 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.
- 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 final site plan review.
- k. **Conformance to the adopted Hamburg Township Engineering and design standards.**
 - b. Please see engineering comments attached.
- a. **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:

The Planning Commission should review and discuss the final 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 final 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:

The lighting plan should include pedestrian scale lighting in the park to allow safe pedestrian access.

Suggested Condition 2:

Prior to the issuance of a land use permit, all appropriate approvals from local, county, state, and federal agencies, including, but not limited to, Hamburg Township Fire, Accessor, 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.

Suggested Condition 3:

A development agreement including master deeds and bylaws will be submitted for this project. This agreement will be reviewed by the Township Attorney. This agreement shall include a cross access agreement that allows public use of the private roadways, sidewalks and parks within the project.

Next Steps:

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

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: Final GPUD site plan and other project plans.

Exhibit D: Hamburg Township Fire Department Initial Review

Exhibit E: Hamburg Township Engineering Consultant Initial Review

Exhibit F: Township Board Meeting Minutes