

To: Township Board

From: Amy Steffens, AICP

Date: April 4, 2023

RE: Preliminary site plan application 22-003 9704 Kress Road

PROJECT HISTORY:

On December 15, 2022, the applicant submitted a special use permit application to consider a request to construct two 1, 152-square foot residential units in a proposed second-story addition on an existing commercial structure, and the companion site review application. On January 18, 2023 the Commission held a public hearing for the special use permit. A motion to approve the special use permit application failed on a 3-1 vote, thereby tabling the special use application and the site plan review.

At their March 15, 2023 meeting, the Commission approved the special use permit application and subsequently reviewed and considered the site plan review application. The applicant requested waivers to the landscaping standards (Sections 36-281 and 36-283), parking space requirements (Section 36-334), and paving requirement for off-street parking areas (Section 36-330(h)).

The two residents immediately adjacent to the subject site spoke in favor of the project but raised questions about the height of the proposed fence along the south and west property boundaries and run-off from the parking lot. The township engineer recommended approval of the site plan.

The Planning Commission did not grant the waiver to the paving requirement for off-street parking areas, thereby requiring the entire parking area to be hard surfaced, but did grant the waiver to the parking space requirement to permit 20 parking spaces to be provided instead of the required 24 parking spaces.

The waivers to the landscaping were not granted but rather the Commission directed the applicant to work with staff to create a landscaping plan for consideration at final site plan approval.

The Commission recommended approval of the preliminary site plan (22-003) to the Township Board with the following conditions because as conditioned and with approval

1. 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.
2. 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. Lighting used for security between 11:00 pm and sunrise shall be controlled by a motion sensor.

3. Four parking spaces shall be delineated on the site plan and on-site using permanent signage as dedicated to the residents of the second-story dwelling units.
4. Prior to issuance of a land use permit *for either site improvements or construction of the residential units* 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, Livingston County Road Commission, and Health Department.
5. All signage shall conform to Article XIII, Signs, and land use permits shall be issued prior to installation of signage.
6. Trash bin enclosure details shall be submitted prior to final site plan approval.

RECOMMENDATION:

Staff suggests that the Township Board discuss and review the March 15, 2023 Planning Commission Staff report, the recommendations by the Hamburg Township Planning Commission and the proposed project plans and application materials. The Board should make a determination on the preliminary site plan in terms of its own judgment on particular factors related to the individual proposal. They should make a determination if the project meets the site plan review standards A-L in section 36-73 (7).

Example Approval Motion

The Township Board approves the preliminary site plan (SPA22-003) at 9704 Kress Road with the conditions recommended by the Township Planning Commission, because as conditioned, with the submittal of a landscaping plan to be approved at final site plan, and with the waiver to the parking space requirements the project does meet the site plan review standards A through L of Section 36-73(7) of the Zoning Ordinance as discussed at the March 21, 2023 Township Board meeting, at the March 15, 2023 Planning Commission meeting, and as presented in the staff report.

ATTACHMENTS:

- Attachment A: Draft March 15, 2023 Planning Commission meeting minutes
- Attachment B: March 15, 2023 Planning Commission Staff Report and Exhibits



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PLANNING COMMISSION MEETING

Wednesday, March 15 at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Commissioner Muck called the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD:

1) PRESENT:

John Hamlin
Patricia Hughes
Victor Leabu Jr
Deborah Mariani
Ron Muir
Jeff Muck, Chair
Joyce Priebe

2) ABSENT:

APPROVAL OF MEETING AGENDA for tonight.

Motion made by Commissioner Mariani, supported by Commissioner Priebe, to approve the agenda as presented.

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES

Motion made by Commissioner Muir, supported by Commissioner Hughes, to approve January 18, 2023, Planning Commission Meeting Minutes as amended by Commissioner Hamlin to remove Chris Madigan and add Amy Steffens as zoning administrator.

VOTE: MOTION CARRIED UNANIMOUSLY

CALL TO THE PUBLIC

None

UNFINISHED BUSINESS:

1. **Special Use Permit (22-003):** to consider a request to construct two residential units in a proposed second-story addition at 9704 Kress Road (15-21-405-016).
- Co-chair Muir **opened the meeting to Amy Steffens**, the Planning and Zoning Director. She reminded everyone that this project was originally heard before the Planning Commission at the January 18, 2023, meeting as a required public hearing to consider the special use permit application to construct two residential units in a proposed second-story addition at 9704 Kress Road. She referred to page 2 on this month's staff report which is taken directly from the minutes of the comments made by the members of the public. After closing the public hearing, the planning commission did hold a hearing, taking additional testimony from staff and the applicant regarding the project. Because there was not a quorum, the motion did not pass because it was a 3 to 1 vote. Therefore, we tabled this project until tonight's meeting to take up the project again given that three of the commissioners were not present at the January meeting. She debriefed everyone again on the important details regarding the comments and staff report.

This site is where the old Blue Front Party Store has been for a number of years on the corner of Rd and Shan-Gri-La Dr, which is zoned as Neighborhood Service and has most recently been used as a convenience and liquor store. The master plan has targeted this area as Neighborhood Commercial. The submitted plans that were revised on January 27, 2023, indicate that interior renovations to the existing single story retail space will create two tenant spaces, with the addition of two 1,152 sq ft, 2-bedroom residential units on a proposed second-story addition. Apartments in the Neighborhood District are permitted with the approval of a special use permit with the list of conditions stipulated in **section 36-235** of the Hamburg Township Ordinance in Municode. On December 14, 2022, the Zoning Board of Appeals granted two dimensional variances for construction of the second story addition and deck. Each residential unit has an exterior deck which required setback variances that were granted by the ZBA. Staff reviewed the report.

Before approval or denial of a special use permit, the discretionary review standards of the ordinance need to be reviewed. 1) Compatibility with the master plan, while being harmonious with the objectives of the master plan. Such mixed-use development types help manage sustainable growth. Providing residential dwelling units above a retail office is not a new mixed-use concept. Hamburg is lacking apartments units and having two units is an attractive option for people who are looking for housing that is not detached single-family residential. We have a model of this option across the street, above the marina. 2) Compatibility with the surrounding area will be designed, constructed, operated, and maintained to be harmonious and appropriate

for the character of the general vicinity. This project will not change the essential character of the area. 3) Improvement to the immediate vicinity will be an improvement in relation to the property in the neighborhood and Township as a whole, which this project would meet these standards. This subject site has been used for years as a convenient store and continues to be zoned for such uses even though it has been vacant for many years. The building has fallen into disrepair which has been partly remediated at various times. Having a viable retail use at this location that is designated for such uses would be an improvement to the immediate vicinity. Providing two low-impact residential uses will keep the retail use viable. 4) Impact on traffic on the street system -because this is an existing small site, no traffic impact study is warranted with the addition of two residential units. Staff expects that the impact of these two units to be negligible with would not impact the traffic of the neighborhood. There is a comment from the Road Commission that mentioned a commercial approach could be approved 40' north of the south property boundary, which is shared with the party store and the home directly to the south. One of staff's suggested conditions in reference to the issuance of a land use permit, the approval of the county road commission will be required. 5) Impact of the overall environment, a use should not have an adverse impact on the quality of the natural environment in comparison to other typical permitted land uses. Staff finds that this subject site is an existing commercial building with an associated parking lot. The proposed additional units will be a vertical addition and will not increase the amount of impervious surface area. Further improvements to the site will be discussed during the site plan review, that if this project is approved will follow immediately. But in terms of the special use request for the two residential units, there will be no adverse effect on the environment. 6) Public services impact will be served adequately by essential public services and facilities. The Township has adequate public services and facility capacity to serve two apartment units and the residential portion will not have an adverse impact on streets, public safety protection, utility systems, schools, or pedestrian and bicycling facilities. 7) Compliance with zoning ordinance standards will be consistent with the intent of the zoning district. The site is already zoning Neighborhood Service. The intent which is to provide retail and personal service establishments which cater to the day to day needs of families residing within immediately assessable neighborhoods. The intent of the Neighborhood Services district envisions commercial development for which this site is zoned and developed. The addition of the residential dwelling units would support the long-term financial viability of the small commercial site. Additionally, it is important to remember that there is no path forward under the current zoning ordinance that would permit the site to be used solely for residential purposes under its current zoning classification.

Additional standards exist in our ordinance for buildings that contain residential uses in our commercial districts of NS, CS, and OH. To be approved, 1) this site cannot consist of a one-family, two-family or a multi-family dwelling. This building will be mixed use, with retail on the first floor and two residential units on the second floor. This condition is met. 2) The gross foot sq footage for apartments within a building shall not exceed the gross square footage available for business occupancy within the building. This condition is met. The sq footage of the retail component is 2,911 with 2,304 sq footage of proposed residential space. 3) All construction within the building shall comply with adopted building and fire codes for mixed use buildings. Livingston County Building Department and the Hamburg Township fire department will work to ensure this condition is met prior to issuance of building permits. Currently, neither of these departments can determine, based on the plans that they have, what codes are going to need to be met as far as suppression goes. It is not up to the Planning Commission to determine this standard. This will be dealt with at the time of permit issuance. We will not issue a permit until

we receive the fire marshal's approval of those building plans. Once the interior layout for the first floor and the second floor residential is submitted, and the types of uses that will be utilized the first-floor area, then the fire marshal can make the determination of what type of fire suppression codes will be required. We are waiting for full building plans and specific uses have not been identified. That will come later. 4) When a building is used for both business and residential occupancy, the uses shall be located as follows: apartments may only occupy spaces above the first story, no business or office shall be located on the same level or a level above a residential floor. This condition is met. 5) Each building that contains a business and a residential use shall provide and maintain an enclosed entrance to the interior for the exclusive use of the occupants of the residential portion of the building. This design is typically seen in a more urban setting for a larger apartment project, and I think we all have seen such a separate access than the business below. This is an existing building. It would be very difficult to provide this and then provide all of the site amenities as well. The intent of the that condition has been met, and both residential units have exterior entrances to their residents from outside. 6) All accessory structures, such as garages and storage sheds related to the apartments shall be so designed on the site plan and subject to approval by the PC. No such structures have been proposed here. If that were proposed in the future, then those structures would need to come back to the P.C. for review. 7) A parking area shall be reserved on the same lot or parcel as the principal building and designated exclusively for the apartment occupants. This condition has been met since all parking is on-site. Staff would recommend that condition be placed on approval that would require 4 parking spaces (two spaces per residential unit) for residential use to be delineated by permanent signage on the site plan. 8) Modification to the building or a site that include residential uses are subject to requirements for site plan review as stated in Article III of this chapter. If future alternations are proposed to the site, we would have to go back through site plan approval. 9) The conversion of an approved apartment to a use permitted for the zoning district in Section 36-36 shall not require special use approval. If applicant wanted to turn the whole building back into a use that is permitted by right in the NS district, there is no additional approval that would be required.

- Chair Muck reminded everyone that we are only discussing the special use permit. Anything to do with the preliminary site plan will be held under the new business. Chair Muck offered the applicant or any of his representatives a chance to address the planning commission board members.
- David Wooley stepped up at the podium and addressed the commissioners. He explained that he was a partner of D & G Real Estate. The current commercial use has not been viable for a number of years, and that is why it has sat empty for a number of years. When I purchased it with my partner, we wanted to find a way to have the commercial use with a viable future use. I felt this design fit well in this neighborhood; making a improvement of what is there currently. The two residential neighbors on either side of this commercial location are present to support this endeavor.
- Chair Muck opened the discussion to the Planning Commissioners. No one spoke up.
- Commissioner Hughes stated that she was probably the only one with issues regarding this development as a special use. Under the criteria, #2 regarding compatibility with the surrounding area, item two under that says vehicular circulation and parking areas. She said she has a concern about this use not being compatible with the home next door. The parking being so far to the

south and installation of a swale would impact the homeowner to the south. Also, under #3, regarding improvement to the immediate vicinity of the area. All of the homes surrounding this commercial site are all single-story. I do not see this as being an improvement to those homes.

- Commissioner Priebe stated she is in favor of this project. Having the two units above this commercial site will be condo units and not apartments. We would have ownership of those two residential units, encouraging them to take more care of them in retrospect of the community.
- Commissioner Hughes followed up with a question about who will take care of the commercial units on the first floor if the condo owners do not. Commissioner Priebe said the owner of the building would be held responsible for upkeep and maintenance. Commissioner Hamlin said the PC would be approving a site plan which would show the improvement of the commercial space below. The site plan approval would cover all improvements to the whole building.

An Approval Motion made by Commissioner Hamlin, supported by Commissioner Priebe, that the Planning Commission approve the special use permit #22-003 to permit the construction of two residential units in a proposed second story addition at 9704 Kress Rd (15-21-405-016) as presented, because the proposed project will meet the zoning regulations and the special use permit standards under section 36-36 (c) (1-8) as discussed by the Planning Commission with the following conditions:

Condition 1: The Special Use Permit for the apartment use is only valid with approval of a final site plan from Hamburg Township. The site plan submitted for the project on this site shall not increase the size or significantly change the location of the proposed use on the subject site.

Condition 2: The second story decks are for private residential use only and shall not be used in conjunction with a commercial use of the site unless granted by Township Approval.

Condition 3: Prior to issuance of a land use permit the LCRC approval will be required.

Condition 4: The four required residential parking spaces shall be delineated on the site plan and permanent signage be provided prior to certificate of occupancy for the residential use.

Condition 5: The special land use permit for the resident use shall be null and void unless a land use permit for a storage facility use on the site is granted within one year from the date of the approval.

Roll Call Vote: Ayes (6); Muck, Hamlin, Muir, Priebe, Leabu, Mariani Nays (1); Hughes.

Motion carries with (6: 1 Vote).

CURRENT BUSINESS

1. **Site Plan Review (SPA 22-0006):** to consider for a second-story addition over an existing commercial building to accommodate two residential units at 9704 Kress Road (15-21-405-016). Project will include exterior renovations to commercial building, removal of asphalt parking areas

to north and west, and installation of new parking lot to the south. Applicant has requested waivers to the landscaping and parking requirements.

- Commissioner Chair Muck **opened the meeting to Amy Steffens**, the Planning and Zoning Director. This site is located off Kress Rd (east) and Shan-Gri-La Dr (north) and it is a .44 acre sized lot. The parcel is zoned Neighborhood Service district and has most recently been used as a convenience and liquor store. The master plan calls for the future use of this area as neighborhood residential. The ordinance and the master plan are in harmony for this site.

We are now reviewing the site plan application to allow for a two story residential addition above a commercial building. If this developer came in today and tried to pull a permit to improve the interior of the existing commercial building, for a use that is permitted, we wouldn't need to go through site plan review. But because the special use permit was approved, we require that this project go through a site plan review. There is an existing asphalt parking area on the west and north side of parcel that will be removed and replaced with grass. The applicant is requesting a waiver of the paved parking and landscaping standards. The project plans, building elevations, floor plans and site plans are attached to the report for your review. Table 1 in the staff report are the bulk standards from the township ordinance that apply to the neighborhood service district. A 25' setback is required by the ordinance and the proposed project setback is 17.4'. The Zoning Board of Appeals granted a variance in December 2022. A 25' rear yard setback is required by the ordinance but the proposed project's rear setback is 18.6', which a variance was granted for as well. A 20' side yard setback is required, and the proposed project's side yard setbacks are compliant. The ordinance requires 2.5 stories and 35' for the height of structures and the applicant project conforms to this regulation. This site is twice the required lot size for the neighborhood service district. The maximum building lot coverage requirement is 40% of the total lot size is permitted by the ordinance. The regulation standards allow for 75% impervious surface which this project conforms to.

The landscaping requirement of the ordinance is a 20' wide greenbelt along the east and north, along the two rights-of-way. Trees and shrub ordinance requirements is one canopy tree and four shrubs for 40' linear feet of frontage along the east boundary. The applicant would need to provide 5 canopy trees and 18 shrubs, where none are proposed for this project. Along Shan-Gri-La Dr (on the north), 3 canopy trees and 16 shrubs would be required by our site plan requirements. The applicant is proposing to only use two existing canopy trees that are onsite in this area. Another 20' wide greenbelt buffer is required by our landscaping standards for between commercial and residential districts. The boundaries on the south and west side of this commercial parcel is where two residential dwellings exist. What is required under the landscaping regulations is a 6' high continuous wall or berm. We also require one canopy tree, one evergreen tree, and four shrubs per 30 linear feet along the property line here. Along the west boundary, 7 canopy trees, 7 evergreen trees, and 28 shrubs and a berm or a wall are required by our standards. The applicant is proposing to make use of an existing tree line as well as requesting a waiver from these requirements. Along the south, we would require 4 canopy trees, 4 evergreen trees, 16 shrubs, as well as a continuous berm or a wall would be required by our landscape standards. And again the applicant is requesting a waiver from all of these requirements. The parking lot also has landscaping standards in our ordinance for commercial districts. What is required is one canopy tree for each 2,000 sq ft. of paved driveway and parking lot surface, with no less than 2 trees provided. This project would require 8 canopy trees but none are proposed. The applicant is requesting a waiver from the parking lot standards. The Township Planning Commission can consider existing elements in the landscape design, in instances where healthy plant materials existing on site prior to its development. The planning commission may permit substitution of such materials in place of required landscape elements set forth in this section. The PC can also waive or modify the fencing or landscape buffering requirements upon a determination that a solid fence or landscaping buffer will not be necessary or affective for screening. When making that determination, the planning commission shall consider the following; 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 vegetation as well as views from adjacent uses, and 6) similar conditions existing such that no good purpose would be served by providing the required landscaping plan. Staff believes that not all conditions have been met to warrant a waiver of the landscaping requirements. The existing lot to the south has a single family home. The applicant is proposing a gravel parking lot along this side of the site, with a 16 ½' bioswale with no proposed required berm, or no wall or landscaping. Staff has concerns about the impact of headlights flicker and vehicular sounds becoming a nuisance to this single family homeowner. In the original staff report for the January 2023 PC Meeting, Amy stated that the PC should require, at minimum, the addition of a 6' tall solid fence on the southside of the parking lot to lessen the impact from this project on the property to the south. Put the required shrubs on the outside of the fence to soften the aesthetic appearance of the fence. The applicant is proposing a 6' tall fence along the south property boundary with no additional landscaping. On the west side, an existing home is 58' from the west property line and the proposed paved and gravel parking areas will abut part of the shared property boundary. Staff believes there is adequate room immediately west of the commercial building to provide the required landscaping. Staff suggests that at a minimum, the PC should require a 6' fall fence along the west property line, again to lessen the impact of the project to the property to the west, and install the required landscaping material outside of the fence. With the latest revisions, the applicant is proposing a 6' fence along the west property boundary with no additional required landscaping. Along the east and north right-of-way where the greenbelt is required, there is no landscaping nor the required 20' wide greenbelt proposed on the east front or the north front property boundaries. The existing asphalt parking areas will be removed and replanted with grass, with a 5' strip of grass along the north and east. Staff finds the request to not provide landscaping is not supportable due to the usual characteristics of this site. There is nothing unusual about this site not to warrant this require landscaping requirement. Minimum recommendations for the portion of the east boundary should be landscaped according to the township requirements and on the north property boundary. The proposed asphalt and gravel parking lot does not provide space to require landscaped islands for so many parking spaces. The bioswale that is proposed to the south gravel parking lot, and the additional landscape maybe appropriate there.

- Commissioner Hughes asked for clarification regarding the stated “west parking area” but it appears to be “east and north.” Amy agreed with her statement correction.

Lighting is required to be fully shielded, and directed towards the earth’s surface, and away from residential uses. Staff finds that the lighting plan is not adequate to determine the conformance of the township ordinance requirements. The revised elevations include standard style porch lights for the two residential units but that is not include in the photometric plan. Staff suggests that prior to the issuance of a land use permit, the applicant shall submit a photometric plan that includes all of the proposed lighting. Decorative light fixtures shall be approved by either the Zoning Administrator and/or PC as an alternative to shielded fixtures, when it can be proven that no offsite glare and the proposed fixtures will improve the appearance of the site. The wall packs on the first floor are not decorative; they are just standard wall packs. No lights poles are being proposed here. Lighting shall not be flashy or of an intermittent type. All outdoor lighting fixtures, except where used for security purposes, shall be turned off between 11pm and sunrise. An exception to this would be when the commercial business is open after 11pm. Businesses that use lighting for security purposes are encouraged to use a motion detection device. The lighting needs to meet that time frame. Amy asked if there are any questions on the lighting.

- Commissioner Leabu asked if the residential lights need to be turned off. Amy stated that residential lights are not required to be turned off during this time frame. Amy clarified that is why we need a photometric plan to prove there will be no impact on the property to the west.

Parking-the applicant is asking for a waiver to the parking lot requirements. Retail store requirements is one parking space for each 150 sq ft of floor area. This requirement would require 20 parking spaces for the commercial use, and 4 are required for the residential use, which totals a requirement of 24 parking spaces for this project but only 20 spaces are being proposed with this project. The applicant is requesting a waiver for the 4 residential parking spaces. Staff believes that this parking lot waiver would be appropriate given the small footprint of the commercial site, as long as the 4 residential spaces were permanently delineated on the site plan and on the site. Amy asked if there were any questions.

General parking requirements- off street parking for nonresidential uses will be located on the same lot or parcel, which it is. A minimum area of 200 sq ft. shall be provided for each vehicular parking space, and shall be designated and reserved for parking. Our engineer looked at that and approved it. Suitable means for ingress and egress shall be provided and located to minimize traffic congestion and interference with pedestrian movement. The Road Commission has reviewed these plans and has agree to the curb cut of 40'. We will require the **road commission** permit before we issue the land use permit. Our regulations require that parking areas with capacity of four or more vehicles must be hard surfaced, with either concrete or asphalt, or another stabilized engineered surface. Prior to occupancy, the parking area shall provide adequate drainage for facilities to dispose of all collected surface water. This requirement may be waived by the planning commission, under the criteria standards found on page 35 of the staff report. Our township engineer reviewed the site plan for this pavement waiver request. The review letter from Ted Erickson, the township engineer is included in the packet. He raised no issues with this site plan regarding the stormwater management system. Amy asked for Mr. Erickson's review of the gravel parking lot and he raised no issue with it being gravel. Amy said she will be asking if the planning commissioners will require a hard surface parking area. In our standards, we include gravel areas in our impervious calculations for maximum lot coverage because of the way it compacts and doesn't allow water to infiltrate through it. Staff does have an issue of the proximity of the gravel parking area to the single-family home to the south. We are requiring the movement of the parking area to the south where currently grass exists due to the use of the commercial business. Staff recommends that the whole parking area be required to be paved.

Commercial driveway standards-driveways shall be located as to minimize interference with the free movement of traffic and provide adequate site distance. Driveways, including the radii, but not including the right turn land and the passing lanes, all of which are administered through Livingston County, and they have reviewed this project. The posted speed limit will be 35-39 mph. The driveway has the minimum spacing of 185' in accordance with our township ordinance. The permit for the driveway will need to be approved by Livingston County Road Commission.

Signs -we have revised plans that show two commercial units in the first floor area. Each tenant can have a wall sign. These sign requirements are listed on page 36 of the staff report. Land use permits are required for signage. We will review the proposed signs at the time they will be installed, or as part of the building application.

- Commissioner Hughes asked for clarification on the parking lot and driveway standards.

Amy moved on to the Site Plan Review Standards on page 37 of the staff report which she quickly covered. The proposed development conforms to all provisions of the township ordinance. Variances have been granted by the ZBA for the reduced north and west yard setbacks for the

second-story addition. Currently, the revisions to the site plan meet the engineering, design standards as well as the stormwater calculations meet our ordinance regulations and have been confirmed with the township engineer.

- Commissioner Chair Muck asked David Wooley if he wanted to address the commissioners on any items.
- David stated that the gravel proposal was the idea from the Livingston County Drain Commission and the engineer. David explained that he had no issue with paving the parking area. Commissioner Leabu expressed concern about winter plowing with a gravel drive would fill in the bioswale to the south with gravel. David admitted that the maintenance of a paved parking area would be less expensive than a gravel area. David asked for clarification regarding the landscaping. He explained that the homeowner to the south already had a line of arborvitae to the north of his home. He wanted to know if those shrubs would be appropriate as a substitute for the proposed landscape to the outside of the fence. David also stated that he could ensure to put in the required landscaping in the right-of-way but that he doesn't want to be held liable if someone gets hit due to limited sight distances. David explained that he was concerned that would be a safety issue. He expressed frustration with his past dealings with each Zoning Administrator/Planner regarding his development of this project. Commissioner Chair Muck asked David to stand by for questions of the Commissioners. He directed the Commissioners to start their discussion.
- Commissioner Leabu started with agreement with the asphalt pavement of the parking area. He also said that the row of arborvitae would be approval on the outside of the fence. He also stated that he would keep lower height landscaping towards Kress Rd.
- Commissioner Hughes asked if sidewalks were required in the Neighborhood Services District. Amy let her know that our ordinance standards do not require sidewalks in that district. Commissioner Hughes asked if our ordinance would allow the two residential units to have some area for a yard to enjoy being outdoors. Amy let her know that she had considered that and that there is a significant size yard onsite, in the front and rear of the building. Landscaping along Kress Rd, the township has visibility requirements that could be applied here so that would alleviate any safety concerns with pulling out of the driveway at this location.
- Commissioner Priebe mentioned that she was concerned with landscaping on Shan-Gri-La Dr and coming out of the Post Office. She stated that we would want to require any large trees and bushes to be set back from the road right-of-way. Amy said that we could apply these same visibility requirements to that area as well.
- Commissioner Muir stated that the landscaping should be around the decks. David reminded the commissioners that the decks were on the side and in the rear of the building.
- Commissioner Priebe asked if these residential units were condos, and those units had two parking spaces per unit, what else would they own? Would they really own anything at ground level that would require landscaping? Commissioner Leabu reminded the commissioners that there are many legal documents regarding what the condo purchases would entail regarding ownership and repairs. Commissioner Leabu said that the developer might be required to put in landscaping on the inside of the fence so that the residential owners could enjoy an area that is landscaped and enjoyable.

- David Wooley explained that on the west side of the parcel were a whole line of lilac bushes between Dennis Down's home and his commercial property.
- Dennis Down, 4710 Shan-Gri-La Dr (west of the development) came up to the microphone with recommendation of the commissioners. He asked for clarification of where landscaping for this project would be required, inside or outside of the fence. The commissioners stated inside the fence. Dennis was good with that information, so he walked back to his seat.
- Commissioner Leabu stated that he was fine with leaving the rest of the landscaping requirements to staff since this was just the preliminary site plan review. He said that the applicant had many hurdles to overcome before the final site plan.
- Commissioner Hughes stated that she wasn't expecting landscaping right up against the right-of-way off Shan-Gri-La but she had some concerns about the parking. She explained that she would be hesitant to not require 24 parking spaces here so that there would be 4 parking spaces dedicated to the two residential units onsite. Commissioner Muir replied that there is only space enough on the site to allow for 20 parking spaces.
- Commissioner Leabu stated that the party store off Chilson Rd. only has never had more than 4-5 customers at a time in their parking area.
- Commissioner Hamlin asked for clarification if this was a preliminary or a final site plan. He asked if this is a preliminary site plan, would we require that they come back for a Final Site Plan.? Amy stated that an applicant can request either. She stated that the PC could give final site plan approval and condition it on, no permits issued until the applicant meets these conditions, whatever the PC wants. A Final Site Plan still has to go to the Township Board for approval. Hamlin stated that lighting should be required for the stairway since that is how the residents will access their units. Low lying landscaping along Shan-Gri-La should not impact the visibility along that right-of-way.
- Commissioner Muir stated that the landscape could be placed in the grassy area to avoid losing more parking spaces on the west side of the parcel. Amy agreed with his recommendation there.
- Commissioner Hughes asked why we must waive our site plan standards on this site due to space constraints. She said she is having difficulty with understanding why we are allowing this development to occur on this 4.4-acre parcel even though there isn't enough space to meet the required parking spaces or the bioswale for the site. She agreed that the building plan is beautiful.
- Commissioner Chair Muck asked if there were any other questions.
- Rodney Marlow 9732 Kress Rd (property to the south) voiced his concern of the PC requirement of a 6' high fence. He stated that his property is a 1 ½' higher than this site's parking lot. He is concerned that the run off from a paved parking lot will continue to erode the area of where his arborvitaes exist. He asked if a bioswale will be installed to help with the run off from this site. Rodney also asked if the 6' fence would be high enough to block headlights at the commercial site from his view.

- Commissioner Hughes reminded the commissioners that at the PC Meeting in January 2023 that she had stated that the elevation of the home was quite different than the commercial site.
- Commissioner Priebe asked Amy if our standard allowed a taller fence at this location, such as an 8' high fence.
- Commissioner Hamlin reminded the commissioners that 20 cars headlights could be impacting Rodney's view.
- Commissioner Priebe stated that it might be wise to keep this site plan review as a preliminary review, due to the headlights and landscaping so the developer can improve their plans for the final site plan. Commissioners Hamlin and Priebe asked Rodney Marlow if he wanted an 8' fence.
- Rodney Marlow stated he did not want an 8' fence, and that the 6' fence would be good.

An Approval Motion made by Commissioner Priebe, supported by Commissioner Muir, that the Planning Commission recommends approval of the preliminary site plan SPA #22-002 to the Township Board with the following condition; 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 Neighborhood Service District under section 36-187 as discussed at tonight's meeting and as presented in the Staff Report.

The Planning Commission directs the applicant to work with planning staff on the submittal of a landscaping plan that conforms prior to Final Site Plan approval.

The Planning Commission approves the parking requirement waiver for four parking spaces because as conditioned it meets the standards of Section 36-330 (h).

Condition 1: Prior to approval of the final site plan review, 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 2: 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. Lighting used for security between 11:00 pm and sunrise shall be controlled by a motion sensor.

Condition 3: Four parking spaces shall be delineated on the site plan and on-site using permanent signage as dedicated to the residents of the second-story dwelling units.

Condition 4: Prior to the issuance of a land use permit *for either site improvements or construction of the residential units* 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, Livingston County Road Commission, and Health Department.

Condition 5: All signage shall conform to Article XIII, Signs, and land use permits shall be issued prior to installation of signage.

Condition 6: Trash bin enclosure details shall be submitted prior to final site plan approval.

Roll Call Vote: Ayes (6); Muck, Hughes, Hamlin, Muir, Priebe, Leabu, Mariani

VOTE: MOTION CARRIED UNANIMOUSLY

2. **Waiver to the sign regulations** to permit four wall signs on the east front elevation of Kroger grocery store, totaling 481.2 square feet, and two wall signs on the south side facade totaling 31.65 square feet (one wall sign with a maximum size of 198 square feet permitted per Section 36-477) at 9700 Chilson Commons Circle (TID 15-22-402-001)
3. **Waiver to the sign regulations** to permit four wall signs on an existing gas station canopy totaling 113.5 square feet (one sign with a maximum size of 48 square feet permitted per Section 36-477) at 9528 Chilson Commons Circle

- Commissioner Chair Muck opened the floor to Amy Steffens, the Planning and Zoning Director.

Amy stated that the current sign application that is for the Kroger Store and the Gas Kiosk. This is a sign waiver application for wall signs. It is for a 50' additional sign panel on the existing free-standing sign at the entrance of the Chilson Commons Shopping Center that was granted by the planning commission through the site plan approval for the building expansion. But no additional wall signage was considered at site plan approval. On page 2 of the staff report, is a table showing wall signs and what is permitted and what needs a waiver. For Kroger, only one wall sign is allowed, sized at 198 sq. ft. Amy read through the applicant's signage waiver for all of their proposed signage. She continued to explain all of the requirements of the Hamburg Township site plan review standards and sign ordinance regulations. Amy stated the sign lighting standards and Section 36-479 Sign Regulation Waiver.

- Commissioner Chair Muck opened up the floor to the applicant David Michael from St. Joseph, MI . The signs are to assist customers with the pharmacy drive through, grocery store pickup area, and the Starbucks location sign.
- Commissioner Muir asked if these signs were for now or for later after the expansion is completed. Amy addressed his question by walking the commissioners through the Kroger East Elevation Drawings. She explained that this package will cover the expansion of the current store.
- Commissioner Hughes asked if these new signs would replace the existing gas station signs that are behind the big bushes. The applicant David said no that the signs would still be there, but they could trim those bushes so that customers can see them better.

An Approval Motion made by Commissioner Muir, supported by Commissioner Mariani, to approve all of the sign waivers for properties 9700 Chilson Commons Circle and 9528 Chilson Commons Circle, in addition all nonpermitted signage, including banners, flags and temperate signage be removed prior to issuance of the final zoning compliance of sign permits.

- David let the commissioners know that he has begun the process of getting all of these nonpermitted signs removed from these locations.

- Commissioner Hamlin requested that site plans should be 11X17 as hard copies and placed in the outside pickup box for all the commissioners. The rest of the packet materials are fine to stay as electronic copies via through email.
- Commissioner Hughes requested a hard copy of all materials (site plans and other exhibits).
- Everyone welcomed Debbie Mariani to the Planning Commission.

ADJOURNMENT

Motion to adjourn at 8:52 pm.

Motion made by Commissioner Leabu for adjournment. Seconded by Commissioner Hamlin.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

Amy Steffens

Planning & Zoning Director

The minutes were approved as presented/corrected: _____

Commissioner Jeff Muck, Chairperson

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



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

To: Planning Commissioners
From: Amy Steffens, AICP
Planning and Zoning Director
Date: March 15, 2023
Agenda Item: 7a
Project address and Description: **Preliminary Site Plan Review (SPA 22-0006)** for a second-story addition over an existing commercial building to accommodate two residential units. Project will include exterior renovations to commercial building, removal of asphalt parking areas to north and west, and installation of new parking lot to the south. Applicant has requested waivers to the landscaping and parking requirements.
Owner: D&G Real Estate
Applicant: David Woolley
Agent: Momus Inc.

PROJECT HISTORY

On January 18, 2023, the Planning Commission held a public hearing to consider a special use permit to allow the addition of two residential units above a commercial structure. After taking testimony from the public, applicant, and staff, a motion to approve the special use permit failed 3 to 1. The meeting minutes are attached as Exhibit I.

Because the motion to approve the special use permit failed, the Planning Commission tabled the site plan review for the same project. The Commissioners did, however, offer comments on the proposed site plan. Particularly, Commissioners suggested that the applicant address the deficient landscaping and parking, as well as address the township engineer's drainage comments.

LOCATION



The subject site (15-21-405-016) is a 0.44-acre site located at the corner of Kress Road to the east and Shan-Gri-La Drive to the north. The subject property is zoned Neighborhood Service (NS) and has most recently been used as a convenience and liquor store. In the 2020 Master Plan the subject site has a Future Land Use Designation of Neighborhood Commercial.

	Current Zoning Classification	Current Use of Property	Future Land Use Designation
Subject Site	Neighborhood Service	Vacant retail	Neighborhood Commercial
North	Neighborhood Service	Post office	Neighborhood Commercial
South	Waterfront Residential	single-family residential	Waterfront Residential
East	Waterfront Residential	single-family residential	Medium Density Residential
West	Waterfront Residential	single-family residential	Waterfront Residential

PROJECT DESCRIPTION

Site plan review application to allow a second-story addition to the existing commercial building to accommodate two residential units. Existing asphalt parking areas along the west and north will be removed and replaced with grass. In addition, the applicant is requesting a waiver of the paved parking standards and landscaping standards.

The project plans, building elevations, floorplans and sign plans are attached to this report for the Planning Commissions review.

Table 1
Development Review Compliance Table

Criteria/Regulation	Required by Regulations	Proposed Project	Status
NS SETBACKS: Front Yard:	25'	17'4" (Kress)	Variance granted*

Criteria/Regulation	Required by Regulations	Proposed Project	Status
Rear Yard: Minimum Side:	25' 20'	18'6" (Shan-Gri-La) 44'9' 79'4"	Variance granted* Conforms Conforms
* On December 14, 2022, the Zoning Board of Appeals granted two dimensional variances for construction of the second story: addition and deck will be 17 feet, 4 inches from the front (east) property line, where 25 feet is required. The roof top deck will be 18 feet, 5 inches from the side (north) property line, where 19 feet is required (Section 36-187 and 36-230).			
NUMBER OF STORIES/ HEIGHT	2.5 story/ 35 feet	2 story/ 26 feet	Conforms
LOT SIZE:	10,000 square feet	19,166 square feet	Conforms
LOT COVERAGE: Building: Total Impermeable:	40% of Lot Size 75% of Lot Size	16.0% (existing) 54%	Conforms Conforms

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>LANDSCAPING:</p> <p>20' Wide Greenbelt East and North 1 canopy tree and 4 shrubs, for 40 linear feet of frontage</p> <p>20' Wide Buffer Com:Res (B) South and West: 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</p> <p>Parking Lot 1 canopy tree for each (2,000) square feet of paved driveway and parking lot surface, with no less than 2 trees provided</p>	<p>East: 5 canopy trees and 18 shrubs</p> <p>North: 3 canopy trees and 16 shrubs</p> <p>West: 7 canopy, 7 evergreen, and 28 shrubs; berm or wall</p> <p>South: 4 canopy, 4 evergreen trees, and 16 shrubs; berm or wall</p> <p>8 canopy trees</p>	<p>None</p> <p>2 existing canopy trees</p> <p>Existing tree line</p> <p>None</p> <p>None</p>	<p>Waiver requested</p> <p>Waiver requested</p> <p>Waiver requested</p> <p>Waiver requested</p> <p>Waiver requested</p>

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 vegetation as well as views from adjacent uses;
6. Similar conditions existing such that no good purpose would be served by providing the required landscaping plan.

Staff Analysis:

South Side: The existing lot to the south is currently developed with a single-family home sited at the southwest corner of the subject site. The applicant proposes a gravel parking area along the side of the site, with a 16.7-foot bioswale, with no proposed required berm or wall and no landscaping. Staff has concerns about the impact of headlight flicker and vehicular sounds becoming a nuisance to the single-family dwelling to the south.

Staff Suggestion 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 the property to the south, with the required shrubs on the outside of the fence to soften the aesthetic appearance of the fence.

Staff comment: a six-foot tall fence is proposed per the revised plans along the south property boundary.

West Side:

The existing home is approximately 58 feet from the west property line and the proposed paved and gravel parking areas will abut the shared property boundary. There is adequate room immediately west of the commercial building to provide the required landscaping.

Staff Suggestion Condition 2:

The Planning Commission should consider requiring the applicant, at a minimum, to add a 6-foot-tall solid fence along the west property boundary to lessen the impact from this project on the property to the west, and to install the required landscaping material on the west side of the fence. Trees and shrubs should be installed in the existing grassed yard.

Staff comment: a six-foot tall fence is proposed per the revised plans along the west property boundary.

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>East and North right-of-way greenbelt: There is no landscaping, nor the required 20-foot wide greenbelt, proposed along the west front or north front property boundaries. The existing asphalt parking areas will be removed and replaced with grass. While the removal of the hard surface along the street right-of-ways would be an improvement to the aesthetics of the site, staff finds that the request to provide no landscaping in these areas is not supportable due to a unusual characteristics of the site.</p> <p>Staff Suggestion Condition 3: At a minimum, the required landscaping for the portion of the west yard that will be grassed should be landscaped to the township requirements. Required landscaping should be installed along the north property boundary.</p> <p>Parking lot: The proposed asphalt and gravel parking lot does not provide adequate space in order to meet required parking and maneuverability. However, there is a bioswale proposed along the south gravel parking lot and additional landscaping may be appropriate.</p> <p>Staff Suggestion Condition 4: Applicant shall provide additional landscaping materials along the bioswale.</p>			
<p>LIGHTING:</p>			
<p>Section 36-295:</p> <ol style="list-style-type: none"> <p>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.</p> <p>The lighting plan provided is not adequate to determine the conformance to the zoning ordinance requirements. The building elevations show that three wall mounted lights will be installed, but the photometric plan indicates four lights will be installed. Additionally, two different types of spec sheets were provided but it is not clear from the plans which light is proposed to go in which location. It appears that the light labeled as WP2FA60 would not comply with the zoning requirements for being fully shielded.</p> <p>Staff Suggestion Condition 5: 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> <p>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.</p> <p>The proposed lights are not decorative light fixtures.</p> <p>3. Lights on poles shall not be taller than the building whose area they illuminate nor taller than fifteen (15) feet whichever is 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</p> 			

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>or used residential areas. No light poles are proposed.</p> <p>4. Lighting shall not be of a flashing, moving or intermittent type. No flashing lighting is proposed.</p> <p>5. 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 device which is directed to detect motion within the property.</p> <p>Staff Suggested Condition 6: 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. Lighting used for security between 11:00 pm and sunrise shall be controlled by a motion sensor.</p> <p>6. 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. See above.</p> <p>7. 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. The photometric plan that was submitted in the project plans does not include the residential porch lights.</p>			
<p>PARKING: Regular Parking Stalls</p> <p>Retail store requirement: 1 parking space for each 150 square feet of floor area</p>	<p>20</p> <p>4</p>	<p>20</p>	<p>Conforms</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>Apartment unit in NS district Two spaces for each dwelling unit</p> <p>Loading Spaces Not required for use under 5,000 square feet</p>	0	No dedicated apartment spaces	Waiver required
<p>Staff analysis: The requested parking waiver would be appropriate given the small footprint of the commercial building, if the four required apartment spaces were permanently delineated on the site plan and on-site.</p> <p>Staff Suggested Condition 7: Four parking spaces shall be delineated on the site plan and on-site using permanent signage as dedicated to the residents of the second-story dwelling units.</p>			
<p>General Parking Requirements:</p> <ol style="list-style-type: none"> 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 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. 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. 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. 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. 			<p style="text-align: center;">Conforms</p> <p style="text-align: center;">See engineer comments</p> <p style="text-align: center;">*See Suggested Condition 8</p> <p style="text-align: center;">Waiver requested</p> <p style="text-align: center;">See suggested conditions 5 and 6</p> <p style="text-align: center;">See suggested conditions 1, 2, and 3</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
	<p>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>No accessible space is indicated on the plans. See suggested condition 8</p>
<p>Staff analysis of hard surface requirement: The Planning Commission may grant a waiver to the paving requirement for off-street parking areas per Section 36-330(h):</p> <p>Federal and state requirements regarding handicapped parking and access shall apply. Where the planning commission determines that a gravel off-street parking lot or loading area would be preferable to hard surface paving for environmental and drainage reasons, a gravel parking lot and/or loading area may be permitted. This determination will be based upon the following criteria:</p> <ul style="list-style-type: none"> (1) The types of uses to be conducted in the storage area; (2) The types and amounts of hazardous materials to be used at the site; (3) The extent of natural vegetation to filter dust generated by a gravel parking or loading area; (4) The existence of adjacent uses which may be impacted by dust generated by a gravel parking or loading area; (5) Existing hydrologic and ecologic features such as adjacent wetland complexes which may be better protected by the reduced runoff resulting from gravel parking or loading area; (6) Existing soil permeability sufficient to provide desired infiltration; (7) The potential for, or ability to minimize, erosion and sedimentation from a gravel parking or loading area. <p>The applicant has indicated that the gravel parking area will “significantly reduced storm runoff given the gravelly sand formation as described by the observed soil test pits.” As a practical matter, staff would have concerns about the location of a gravel parking area within proximity to the single family residential use to the south. Currently, the area where the proposed gravel parking lot is shown is grassed yard and is not used in conjunction with a commercial business. Per the township engineer’s letter dated January 10, 2023, stormwater calculations have not been provided for the bioswale. Staff suggested that the applicant provide the requested information to the township engineer on which the engineer can provide a response to the storm runoff and the necessity for the gravel parking lot prior to a decision on the waiver.</p>			
<p>DRIVEWAYS: COMMERCIAL Section 36-335</p>			
<p>General Standards</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,</p>			<p>See suggested condition 8</p>

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>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>Spacing of Driveways: Posted speed limit 35 to 39 MPH has minimum commercial driveway spacing of 185 feet.</p> <p>Spacing at Intersections: Along local streets from intersection with a non-arterial intersection the minimum spacing for a full movement driveway is 75 feet</p>			
<p>Staff Suggested Condition 8: 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, Livingston County Road Commission, and Health Department.</p>			
<p>SIGNS Section 36-477:</p>			
<p>Freestanding Sign: Monument:</p> <p>OR</p> <p>Pole</p> <p>Wall Sign: One square foot for every two linear feet of building frontage, or 100 square feet, which is less.</p> <p>Projecting or Hanging: One projecting or hanging sign permitted; shall not exceed 10 square feet.</p>	<p>One maximum 32 square feet, 6-foot height, 2-foot base, and 10-foot setback.</p> <p>One maximum 25 square feet, 15-foot height, and 10-foot setback</p> <p>One square foot of wall sign per two lineal feet of tenant space frontage</p> <p>One awning sign may be used in lieu of a wall signs</p>	<p>No freestanding sign proposed</p> <p>No freestanding sign proposed</p> <p>Two wall signs of 20-square feet are shown on the elevations.</p> <p>Awning sign shown on elevations, along with two wall signs.</p>	

Criteria/Regulation	Required by Regulations	Proposed Project	Status
<p>Staff Suggested Condition 9: All signage shall conform to Article XIII, Signs, and land use permits shall be issued prior to installation of signage.</p>			

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.

Variances have been granted for reduced north and west yard setbacks for the second-story addition.

With suggested Conditions 1-10 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 preliminary site plan for the subject site. However, the township engineer has indicated that the plans do not meet engineering and design standards and should be revised.

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 Livingston County Road Commission has indicated that a commercial driveway could be installed in the south corner of the property. A driveway permit will be a requirement of the land use permit.

Removal of the asphalt parking area along the right-of-ways of Kress and Shang-Gri-La make ingress and egress safer for customers, as well as motorists and pedestrians traversing either street.

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

The proposed development will provide for interior improvements, site work, and a second-story addition to an existing commercial building. This site has been used historically as a retail establishment and will continue to be used for retail purposes, or could be used for any permitted use in the NS district. The addition of the two proposed dwelling units will be harmonious with the existing residential uses to the east, west, and south. Additionally, this area is a small neighborhood-oriented commercial center with the post office to the north.

Please review staff analysis of the landscaping and lighting requirements. The landscaping requirements could partly be waived given the site constraints. However, to offer no greenbelt along either right-of-way is not appropriate, particularly since there is adequate room in the area along both streets. Additionally, this site does abut residential uses to the west and south and some additional protections should be afforded those residential uses from the commercial use.

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.**
Per the township engineer's review letter, the necessary drainage requirements cannot be evaluated. The engineer has requested stormwater calculations be provided.
- 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.**
Prior to issuance of a land use permit the applicant will need approvals from all the required local, state, and federal agencies.
- 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 commercial structure on the site. There are no natural features present on the site.
- 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 will be required as a part of this project in order to remove the existing asphalt and install a new parking area.
- 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.**
As proposed, the landscaping plan is deficient to improve the aesthetic quality of the site, particularly with the adjacent residential use and the proposed residential use. With the suggested landscaping conditions this requirement would be met.

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 H). It appears that there is a question as to whether the provided storm water management is adequate.

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 changes proposed to the existing structure will provide much needed upgrades to the exterior aesthetic. The design is compatible with adjacent uses. However, the Commission should consider the exterior finishes and whether they are compatible with the use and adjacent properties.

36-187(d) NS Neighborhood Service and CS Community Service District 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:

- (1) All uses permitted in these districts including storage shall be conducted entirely within an enclosed structure unless otherwise specified herein.

Staff analysis: There is no proposed outdoor use of this site.

Staff suggested condition: The second story decks are for private residential use only and shall not be used in conjunction with a commercial use of the site unless granted Township approval.

- (2) Where these districts abut a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of Section 36-278 or a fence between six and eight feet in height as determined and approved by the Planning Commission.

Staff analysis: see landscape waiver discussion

RECOMMENDATIONS:

Staff recommend the Planning Commission review, discuss and make a recommendation to the Township Board to either approval or denial of the Preliminary Site Plan Application (PSPA22-0006) or table the application and request any additional information deemed necessary for review.

Site Plan Review 22-0006 Draft Approval Motion:

The Planning Commission recommends approval of the preliminary 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 Neighborhood Service District under section 36-187 as discussed at tonight's meeting and as presented in the Staff Report.

The Planning Commission approves the landscaping waiver for _____ (please state the specific landscaping requirements for which a waiver is granted) because it meets the standards set forth in Section 36-281(f). The Commission directs the applicant to work with the planning staff on submittal of a landscaping plan that conforms to site plan approval.

The Planning Commission approves the parking requirement waiver for _____ (please state the number of parking spaces the waiver allows) because as conditioned it meets the standards of Section 36-330 (h).

Condition 1: A 6-foot-tall solid fence along the south side of the parking lot to lessen the impact from this project on the residential use south shall be installed, with the required shrubs planted on the south side of the fence. Fence details should be submitted prior to final site plan approval.

Staff comment: A six-foot tall wooden fence is proposed along the west and south property boundary. However, no additional landscaping is provided.

Condition 2: A 6-foot-tall solid fence along the west property boundary to lessen the impact from this project on the residential use to the west shall be installed, with the required shrubs planted on the west side of the fence. Trees and shrubs shall be installed in the west yard adjacent to the building. Fence details should be submitted prior to final site plan approval.

Staff comment: While a six-foot tall wooden fence is proposed along the west property boundary, no additional landscaping is proposed along the fence nor in the west rear yard.

Condition 3: The required landscaping for the portion of the east front yard shall be landscaped to township requirements. Required landscaping shall be installed along the north property boundary.

Staff comment: No landscaping is proposed in the east front yard or the north front yard.

Condition 4: Applicant shall provide additional landscaping material along the bioswale.

Staff comment: No landscaping is proposed along the bioswale.

Condition 5: 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.

Staff comment: No photometric plan has been submitted that shows the second-story residential

porch lighting.

Condition 6: 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. Lighting used for security between 11:00 pm and sunrise shall be controlled by a motion sensor.

Condition 7: Four parking spaces shall be delineated on the site plan and on-site using permanent signage as dedicated to the residents of the second-story dwelling units.

Condition 8: Prior to issuance of a land use permit *for either site improvements or construction of the residential units* 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, Livingston County Road Commission, and Health Department.

Condition 9: All signage shall conform to Article XIII, Signs, and land use permits shall be issued prior to installation of signage.

Staff comment: The plans submitted for the January 18, 2023 Commission meeting did not indicate that the first-floor commercial space would be subdivided to allow two tenants but the elevation plans showed signage that would not have been permitted for one tenant space. Each tenant space may have a sign, not to exceed one square foot per two lineal feet of tenant space frontage; wall signs may be up to 20 square feet regardless of frontage.

Condition 10: Trash bin enclosure details shall be submitted prior to final site plan approval.

EXHIBITS:

Exhibit A: Site Plan Project Plans (dated March 1, 2023)

Exhibit B: Project plans

Exhibit C: Elevations (fire dated January 27, 2023)

Exhibit D: Landscaping plans

Exhibit E: Lighting plans

Exhibit F: Applications

Exhibit G: Livingston County Road Commission sight distance review

Exhibit H: Township engineer review letter

Exhibit I: January 18, 2023 draft Planning Commission meeting minutes



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(810) 231-1000
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Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

PLANNING COMMISSION MEETING

Wednesday, January 18, 2023 at 7:00 PM

Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Commissioner Muir called the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD:

1) **PRESENT:**

John Hamlin
Patricia Hughes
Ron Muir (Co-Chair)
Joyce Priebe

2) **ABSENT:**

Paul Bohn
Victor Leabu Jr
Jeff Muck, Chair

APPROVAL OF MEETING AGENDA for tonight.

Approval Motion to approve agenda as presented was made by Commissioner Hughes, seconded by Commissioner Priebe.

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES

Approval Motion to accept the November 16, 2022, Meeting Minutes as presented was made by Commissioner Priebe, seconded by Commissioner Hamlin.

VOTE: MOTION CARRIED UNANIMOUSLY

CALL TO THE PUBLIC

None

UNFINISHED BUSINESS

None

CURRENT BUSINESS

a) **Public hearing for Special Use Permit (22-003)** to consider a request to construct two residential units in a proposed second-story addition at 9704 Kress Road (15-21-405-016).

- Co-chair Muir **opened the meeting to Amy Steffens**, the Planning and Zoning Director. Amy clarified that we were talking of the old Bluewater Party Store at the corner of Kress Rd and Shan-Gri-La Dr. This location has been operated as a liquor store for several years with multiple owners and has been vacant for several years as well. The size of the site is 0.44 acres and is found within the Neighborhood Service Zoning District which matches the intent of our Master Plan's Future Use Map, as the community envisioned this area to be developed.

The plans that were submitted on 12/15/22 show interior renovations to the existing single story retail space with two additions of 1,152 sq ft, 2-bedroom residential units, each with exterior entrances and roof top deck on a proposed second story of this existing store. Apartments in the Neighborhood Service District are permitted with the approval of a special land use permit. The ZBA Board held a public hearing and granted two dimensional variances for the second story construction on December 14, 2022. The addition and deck will be 17.4' setback in the front along Kress Rd, where a 25' setback is required. The roof deck will be 18.5' side yard setback along Shangri-la where 19 'is required.

The Planning Commission has discretionary review standards when they analyze a special land use, could be appropriate if it meets those criteria. The first review standard is the compatibility with the Master Plan, and if it will be harmonious with the surrounding community. The second review standard for special uses is compatibility with the surrounding area. By having a viable retail use in this location with the corresponding designation found in our Master Plan would be an improvement to the surrounding vicinity, meeting the third review standard. The fourth standard is minimal traffic impact to the street system. The Livingston County Road Commission has provided comments and has issue a site distance review that indicates that no commercial approach can be approved off Shan-Gri-La Dr. A commercial approach could be approved 40' north of the south property boundary line off Kress Rd. Applicant is aware that a commercial approach permit and plans will be required for the approach off Kress Rd. Prior to the issuance of a land use permit, if this project is approved, that Livingston County Road Commission approval will be required before any permits can be issued. The fifth review standards are regarding any possible impact of the overall environment. This project consists of an existing retail building and existing parking lot, which would be reconfigured for this use. The proposed residential units will be a vertical addition and would not increase the impervious surface area. No adverse environmental impact will result from allowing this special use. The

sixth review standard, public services impact, will be minimal. No additional streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, water and sewage facilities, and schools will be needed for this use. Compliance with the zoning ordinance standards regarding Neighborhood Services, the seventh standard is met by providing convenient retail and personal service establishments that are accessible to nearby families and neighborhoods. In the Special Use Table, it refers you to additional standards that must be met. The PC must find that the special use permit application meets those 7 previously mentioned standards that we covered, but also additional standards that apply to all buildings containing residential uses in the Neighborhood Service, Commercial Service and Old Hamburg Districts. That is where the mixed-use development is allowed. The standards are on page 6. One, the residential dwellings will be located on the second floor and the retail will be on the first floor. There is no potential to create all residential at this site. Two, the gross square footage for apartments within a building shall not exceed the gross square footage for business occupancy within the building. This condition is met, with the retail square footage about 600 sq. ft more than the resident space. Three, the construction of this project shall comply with all Livingston County Building Department and the Hamburg Township Fire Department's adopted building and fire codes before building permits are issued. Four, when a building is used for both residential and business occupancy, the residential apartments must occupy areas above the first floor and must not occupy the same areas as the retail use on the first floor. These uses can't be mixed vertically, and this condition is met. Five, each exclusive use for residential shall be separate from the access into the business area. We are actually dealing with two residential uses over a retail space and not dealing with an apartment complex in a urban area, so the intent of this standard is met. Six, all accessory structures that are related to the apartments shall be so designated on the site plan, and subject to approval by the planning commission. No accessory structures have been proposed on the site plan. If they wish they could apply to add one, and they could change their site plan. Seven, a parking area shall be reserved on the parcel for the principal building and designated for the exclusive use of the apartment occupants. Two parking spaces shall be required for each apartment. This condition is met since all parking is provided onsite. Recommendation is given that the residential use parking be delineated by permanent signage on the site plan if the project is approved. Eight, if modifications are made to this building with residential uses in the future, it would need to come before the Planning Commission as a site plan review and approval. Lastly, that if this whole building is converted a permitted used in the zoning district, found in Section 36-36, it would not require any special use approval.

- Commissioner Muir asked the applicant to identify who he was. David Woolley of D & G Real Estate walked up to the podium and introduced himself. He had nothing more to offer the Planning Commission.

Commissioner Muir opened the Public Hearing for this **Special Use Permit (22-003)**.

- Brad Flinger (lives in the Shan-Gri-La subdivision) asked what business was going to be placed below in the retail space. Will it become another party store or what type of business will it be? Where is D & G Real Estate located?
- Gerald Lilly (4476 Shan-Gri-La Dr) has lived in area for 25 years, as a cottage, full-time. A party store gets money from the marina, and that hasn't been a reliable business that does well in

this area. Gerald is opposed due to his concerned about adding a parking lot and a detention pond, because after the sewers were put in there was a loss of aquatic life. A U of M Survey documented frogs, turtles, 15 different kinds of fish, and five different kinds of water birds. Resident is worried about any physical changes to the area will impact the environment. New families with children are moving into the neighborhood, and he is concerned about the engineering calculations of the detention pond could impact the recreation living of the subdivision. Business is important, but we need to be careful of what we do to our environment. Spoke on behalf of Scott Claimer- 4491 Shan-Gri-La Dr, in opposition to the redevelopment of the Bluewater Party Store renovation, if it requires additional stormwater detention and parking.

- Loren Steff (9778 Fireside Ct) is concerned that this might be rented for low-income housing. It would invite an element that we do not want in our neighborhoods. Residents in the downtown area do not understand the quality of life we have in this area. The number of parking spaces is a concern due to the number of transient people who will come and go in the community, especially if it becomes an Airbnb. Loren also asked for clarification on the size of each residential unit.
- Brad Flinger (lives in the Shan-Gri-La subdivision) Lake Shan-Gri-La runs into the Chain of Lakes down river. The vacant Bluewater building exists where a creek used to run to Zukey Lake in 1903. He asked that development pays attention to a possible drain that exists there, that if closed might cause flooding in the community if water doesn't continue to drain to the lake. His water table on his parcel is 17" below the surface.

Commissioner Muir clarified that there are two steps to this process. First is to review the request to allow the development of two residential units over a retail space. This is called the Special Use Permit (SUP). Depending on what is decided on that request, the second step is the site plan review where all these comments on parking spaces and swales will be discussed. This second step is on the agenda for tonight's meeting, which we will discuss if we move forward on the SUP.

Commissioner Muir then asked the Planning Commissioners if any council members had any comments.

Commissioner Hughes requested that Commissioner Muir remind the public that they will not get another opportunity to comment. Commissioner Muir reminded the public that he has not closed the public hearing yet and invited anyone else that wished to speak on the SUP application, allowing them the opportunity to come to the podium.

- Dennis Down (4710 Shan-Gri-La Dr) homeowner west of this development. Dennis heard the staff's report and wanted to tell the commission that he supports the recommendations.
- Ronnie Marlow (9732 Kress Rd) homeowner to the south of this development. Ronnie supports and suggest requirement of a fence barrier between this development and his parcel, for noise, lighting and dumpster stall issues. He stated he does not support any waiver of not requiring fencing between the properties.
- Julie Durkin (4665 Downing Dr) Concerned with zero landscaping will be required for this site plan between this development and the surrounding homes. She is concerned with the amount of parking space for the development. She feels that there should be less parking space than is being proposed in the site plan, and that the parking lot should be paved rather than left as gravel.

- Jill Love (9732 Kress Road) Supportive of the project because currently is vacant and is disrepair. She asked the applicant who was sitting in the crowd, if these units will be condos that will be sold and not apartments that will be rented. Supports the idea of having residential units that will be owned, with owners that would take a vested interest in taking care of the property. She asked the applicant if the detention pond would have standing water. He shook his head no and explained quietly from the audience. Then Jill followed up with him by stating she thought that the reason that half of the parking lot was going to remain gravel was to allow the water to infiltrate into the ground, instead of running offsite due to pavement.

Commissioner Muir closed the public hearing at 7:36pm. He opened the public hearing to commissioner comments.

- Commissioner Priebe reminded the audience that there is a rental unit across the street from this development, above the marina. Rental units exist in this community already, without any known reported issues. The SUP public hearing is only discussing the 2 units above the retail space, and not about the party store. She stated that she doesn't have a problem with these residential units being rentals or condos for sale.
- Commissioner Hamlin asked about reference to a storage facility in her Motion recommendations for Condition 5. Amy stated she copied that from the Self-Storage case by accident and so corrected that in her report. He asked the applicant if he foreseen selling the two residential units as condos and using the lower retail level as a party store. He explained that 4 duplexes (8 residential units) were proposed and allowed in his neighborhood and no issues have been documented there.
- David Woolley stated that he is planning to divide the lower retail level into 2/3 for one retail unit and the other as 1/3 of the space, for a total of two retail units. David stated that he will retain ownership of the retail below and lease it out to whatever business can operate there via the ordinance.
- Commissioner Hughes wanted to review the SUP review on pages 3-4. The first point, the compatibility with the Master Plan land mentions providing housing for the needs of the aging population These two second story units would not seem to meet that goal. With the second point of compatibility with surrounding area, looking across the street of Kress, it doesn't appear that this project will be harmonious with that area. She stated she understands that allowing this development will make an improvement to the area by turning this vacant, abandoned building into a viable business. We need to consider the following impacts, and number two talks about vehicular circulation and parking areas. I am concerned about the home to the south of this development, with the parking. During a site visit today, she noticed that the height of that driveway for the home to the south is 12-18" higher than the height of the party store property. With the addition of a bioswale to this area, plus the dust, glare, and light issues, found in number five. We will need to deal with these issues in the site plan review. It doesn't seem that we are really meeting the standards for the SUP review. The present parking and street access has always been challenging for the existing structure and use, and only requiring that driveway access off Kress to be 40' from the neighboring home, doesn't seem compatible with the surrounding area under the SUP review only.

- Commissioner Muir reminded the board to focus only on the SUP for just the two residential units above the retail space. All the other issues that we are talking about here should be a part of the site plan review which will be a part of the next process. Currently we are establishing whether the commissioners agree with the request for the two residential units above the retail space.
- Commissioner Priebe stated that the applicant might want to table this Special Use Permit request because there isn't unanimous support for approval. He would need 4 votes to approve or deny anything.
- Amy Steffens explained all the commissioners voted to deny the SUP request, then this project is done. That would be the quorum of the Planning Commission body has moved to deny this request. If there is a split vote, then we could table the SUP request, and come back to have another motion in February 2023. If the result is a split vote, then nothing happened.

Commissioner Hamlin moved, Commissioner Priebe supported, to approve the Special Use Permit 22-003 to permit the construction of two residential units in a proposed second-story addition at 9704 Kress Rd (15-21-405-016) as presented because the proposed project will meet the zoning regulations and the special use permit standards as discussed, and with the following 5 conditions that were provided by staff in the report, and with an amendment to condition 5. Instead of a storage facility, it is amended to reflect residential.

ROLL CALL VOTE: Ayes: (3) Hamlin, Muir, Priebe Nays: (1) Hughes Absent: (3)

VOTE: MOTION DENIED

TABLED -until February 15, 2023

- Commissioner Priebe told the applicant, David, that his site plan needs more work. This delay will give him a chance to address some of the recommendations stated in this meeting. A fence and landscaping would be recommended for the community.
- Commissioner Hamlin stated that the engineer had several comments, so he recommended that David address those comments as well. He also asked David if he would have fire suppression for this development. David said yes if that is required. He knew that there is a 2-hour wall of separation required between the two retail spaces.
- Commissioner Hughes let the applicant know that she could not tell that the two residential units were going to be condos and the retail space was being divided into two units. She mentioned that not having an enclosed stairwell might make the stairs dangerous to climb in inclement weather. Having a full planning commission board will be very beneficial to this case. As a single-story retail space that is divided into two units, then commercial could be professional offices and many other allowable, different uses.
- Commissioner Muir reminded the audience to start utilizing the Hamburg Township website to look up meetings, zoning ordinance requirements, and the Master Plan with its future use plan. He also recommended that the applicant's focus should be on landscaping, parking, and drainage.

- b) **TABLED -Site Plan Review (SPA 22-0006)** to consider for a second-story addition over an existing commercial building to accommodate two residential units at 9704 Kress Road (15-21-405-016). Project will include exterior renovations to commercial building, removal of asphalt parking areas to north and west, and installation of new parking lot to the south. Applicant has requested waivers to the landscaping and parking requirements.

Zoning Administrator's Report

- **Joint Commission Meeting-** set for April 2023 when Trustees are back for winter.
- **Planning Commission By-Laws** were tabled. Amy will review the meeting video to determine why they needed to be tabled.

ADJOURNMENT

Motion to adjourn at 8:01 pm.

Motion made by Commissioner Priebe, seconded by Commissioner Muir for adjournment.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

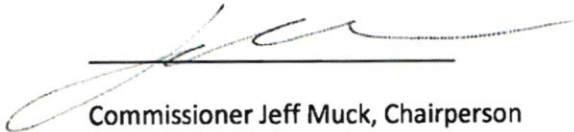
Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

Amy Steffens

Planning & Zoning Director

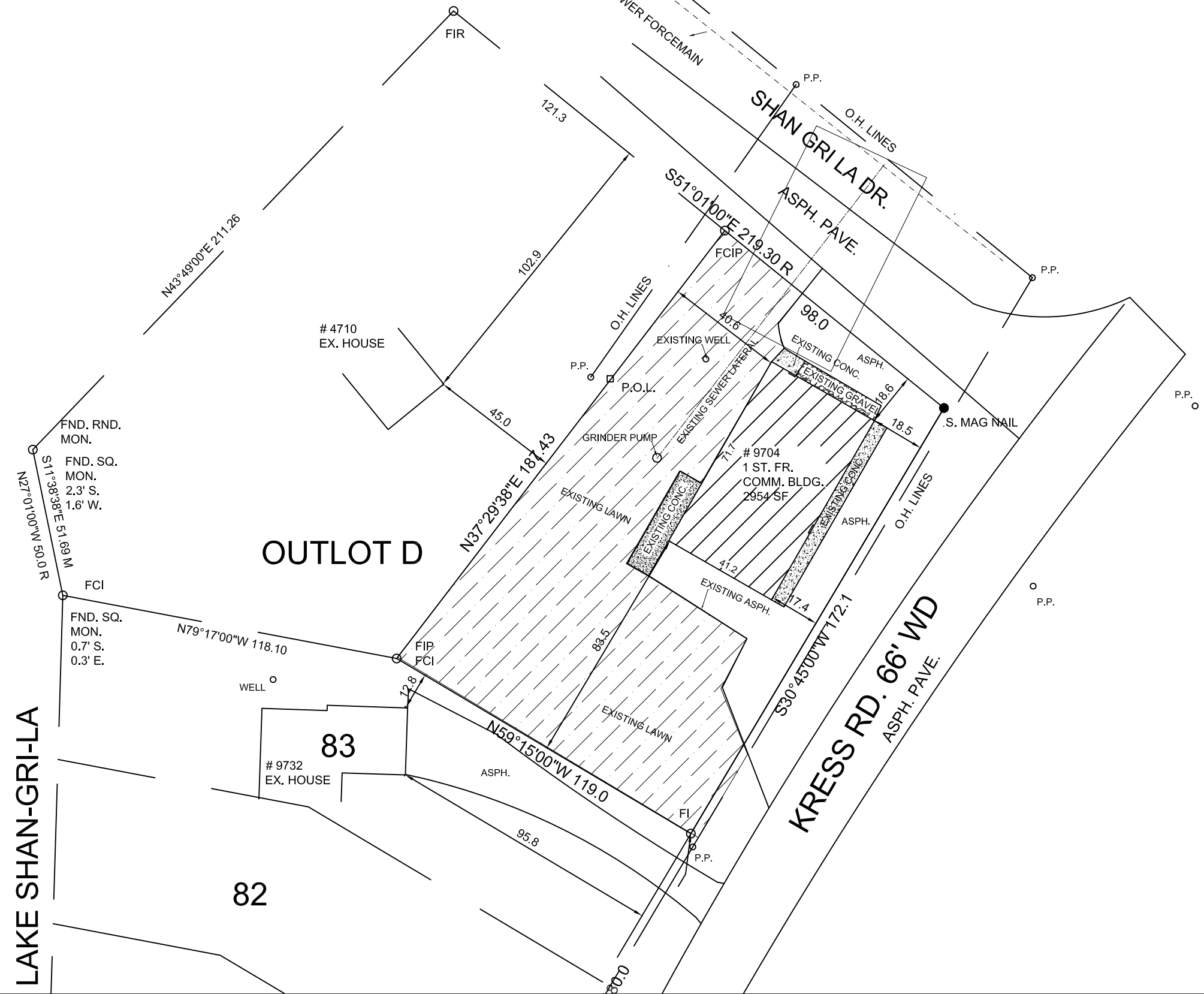
The minutes were approved as presented/corrected: _____



Commissioner Jeff Muck, Chairperson

9704 KRESS ROAD -016

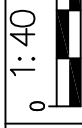
PART OF OUTLOT D "SHAN-GRI-LA SUB'N. ANNEX NO. 4" OF PART OF THE S.E. 1/4 OF SECTION 21, T.1N., R.5E., HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE S.E. CORNER OF OUTLOT D; THENCE N59°15'00"W, ALONG THE SOUTH LINE OF SAID OUTLOT D, 119.00 FEET; THENCE N37°39'38"E, 187.43 FEET TO THE NORTH LINE OF SAID OUTLOT D; THENCE S51°01'00"E, ALONG SAID NORTH LINE, 98.00 FEET TO THE N.E. CORNER OF SAID OUTLOT D; THENCE S30°45'00"W, ALONG THE EAST LINE OF SAID OUTLOT D, 172.10 FEET TO THE POINT OF BEGINNING. CONTAINING 0.445 ACRES OF LAND MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.



LAKE SHAN-GRI-LA



Designed MG	9/6/2021
Drawn MG	
Checked MG	



9704 KRESS ROAD
EXISTING CONDITIONS
HAMBURG TWP, LIVINGSTON COUNTY
15-21-405-016

GES-LLC
Consulting Engineers
5711 S. ASHFORD WAY, YPSILANTI, MI 48197
GES734@GMAIL.COM
734-272-9763

REVISIONS	DATE	DESCRIPTION
12.15.22		ADDED EXISTING TREE LINES & PARKING LIGHTING
12.22.22		PER LORC COMMENTS
1.27.23		PER MEG COMMENTS DATED 1.10.2023
3.01.23		PER MEG COMMENTS DATED 3.01.2023

File No. WOOLLEY21
Sheet 1 of 4

SOIL TEST PITS OBSERVED BY GES-LLC (9/3/2021)

TEST PIT 1
 0-3 IN LOAMY TOP SOIL
 3-13 IN BROWN LOAMY SAND WITH STONES
 13-56 IN BRN MED/CO SAND MOIST TO WET AT BOTTOM

TEST PIT 2
 0-6" FILL
 6-48 IN BRN MED SAND WITH STONES
 48-64 IN CO. GRAY MOIST TO WET SAND WATER AT 6 FT B.G.

TEST PIT 3
 0-3 IN LOAMY TOP SOIL
 3-38 IN BRN MED SAND WITH STONES
 38-63 IN COARSE GRAVELLY MOIST GRAY SAND WATER AT 4.5 FT B.G.

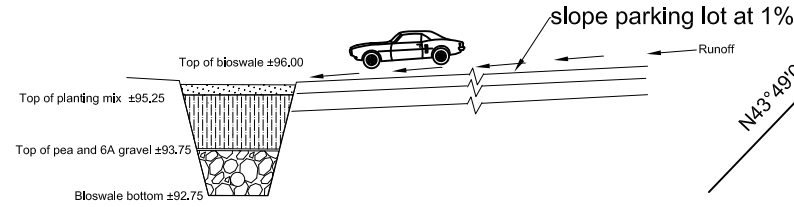
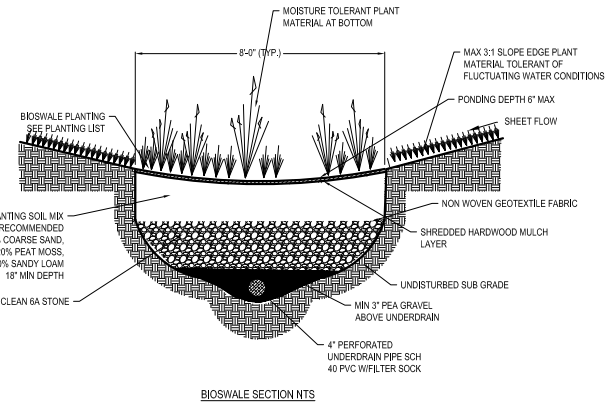
PARKING:

Apartment 1.5 parking per apartment
 Required 3, Provided 3

Store:
 1 parking per 150 sq ft
 Required 20; Provided 20

Parking Dimension: 19'x10'

Pavement:
 The parking lot will be half paved. The other half will be gravel. This will significantly reduce storm runoff given the gravelly sand formation as described by the observed soil test pits.



Storm Water Management:

Due to site constraints, the following is proposed:

1. Roof drainage will be routed to a 15X15X3 drywell. Alternatively, use 3 NDS FWAs24 Flo Well Storm Water Leaching System (see NDS typ. detail) to store and discharge storm water to the sandy subsurface soils.
2. Parking lot drainage will be captured in a bioswale. See detailed calculations on Page 3.

Stormwater Calculations Per LCDC:

Weighted C Factor:

$C_{asphalt} = 0.9$
 $C_{gravel} = 0.7$
 $C_{greenbelt} = 0.35$

Areas:

$Area_{asphalt} = 0.13 \text{ ac}$
 $Area_{gravel} = 0.05 \text{ ac}$
 $Area_{greenbelt} = 0.15 \text{ ac}$

$C_{weighted} = 0.6$

Storage Volume

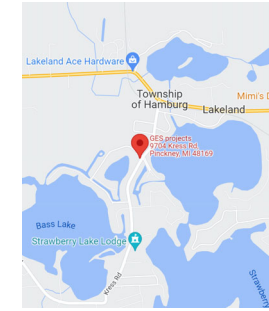
Water Quality Volume:
 $Volume_{WQ} = 3,630 * C_{weighted} * Area(ac) = 3,630 * 0.6 * 0.34 = 740 \text{ CF}$

Channel Protection Volume:
 $Volume_{CPVC} = 4,719 * Area(ac) = 4,719 * 0.6 * 0.34 = 962.7 \text{ CF}$

Volume provided = 1032 CF > 962.7 cf

X 96.92 Existing Grade
 96.92 Proposed Grade

BENCHMARK 100 (TOP OF GAS METER)



VICINITY MAP NTS

LAKE SHAN-GRI-LA

S11°38'38"E 51.69 M
 S27°01'00"W 50.0 R

N43°49'00"E 211.26
 Proposed Concrete Pathway
 102.9

FND. RND. MON.
 FND. SQ. MON. 2.3' S. 1.6' W.
 FCI
 FND. SQ. MON. 0.7' S. 0.3' E.

Limit of Asphalt Pavement 116X50 SF

Proposed Gravel Parking 116X20 SF

Bioswale 86x12
 Storage Volume ±1032 CF

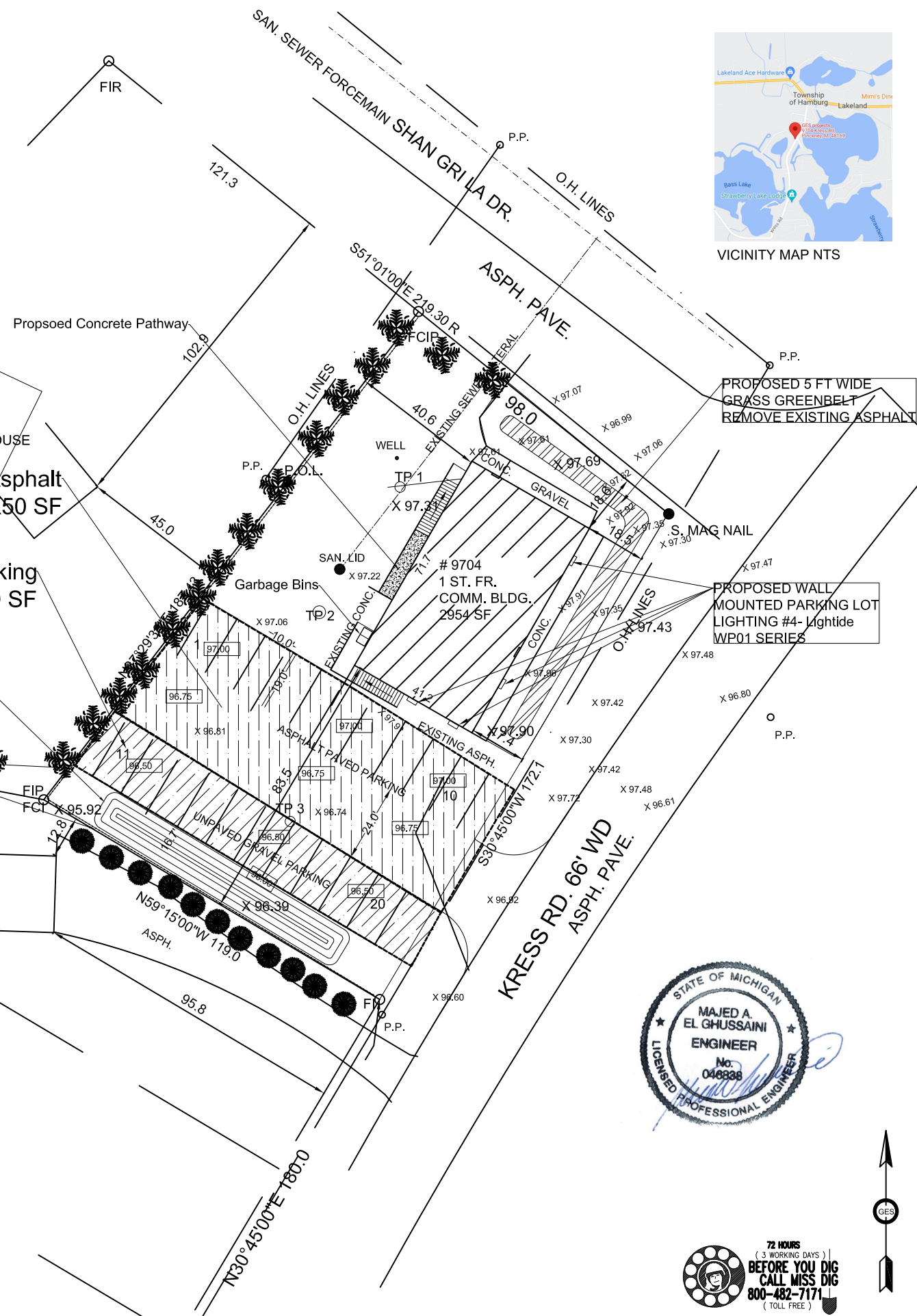
WOODEN FENCE 6 FT HIGH

9732 EX. HOUSE

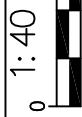
83

82

81



Designed MG	9/6/2021
Drawn MG	
Checked MG	



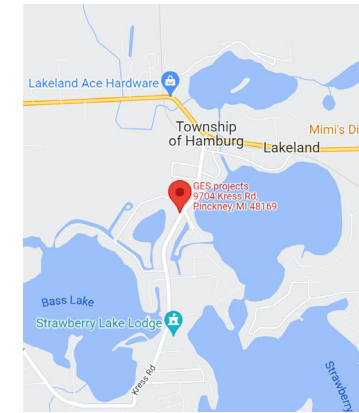
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9704 KRESS ROAD
 Preliminary Site Plan

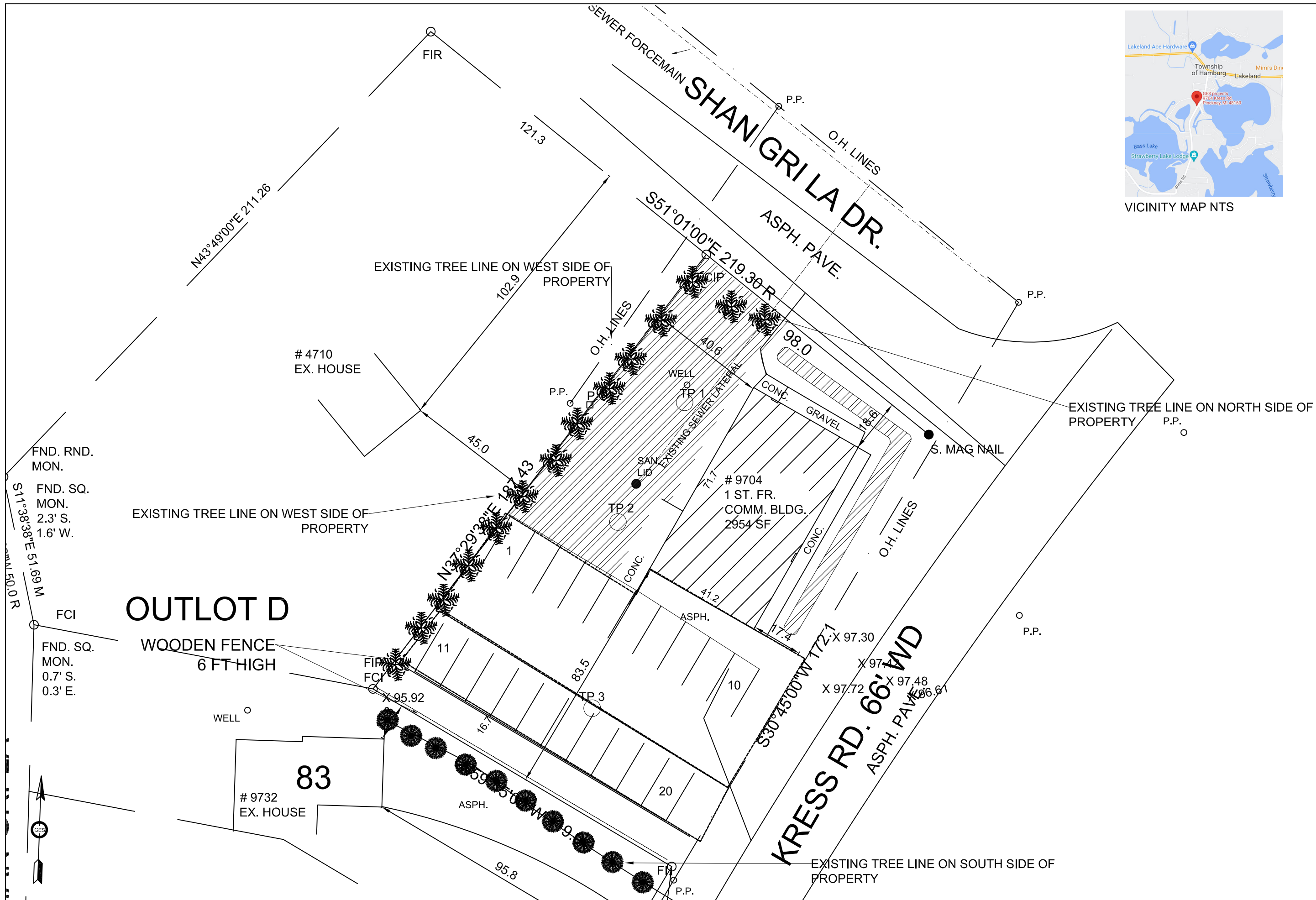
GES-LLC
 Consulting Engineers
 5711 S. ASHFORD WAY, YPSILANTI, MI 48197
 GES734@GMAIL.COM
 734-272-9763

REVISIONS	
12.15.23	ADDED EXISTING TREE LINES & PARKING LIGHTING
12.22.23	PER LIRC COMMENTS
1.27.24	PER MEG COMMENTS DATED 1.10.2023
3.01.25	PER MEG COMMENTS DATED 3.01.2023

File No.
 WOOLLEY21
 Sheet 2 of 4



VICINITY MAP NTS



DESIGNED MG	12.10.21										
DRAWN MG	12.10.21										
CHECKED MG											
1:30											
9704 KRESS ROAD Preliminary Landscaping Plan											
HAMBURG TWP, LIVINGSTON COUNTY 15-21-405-016											
GES-LLC Consulting Engineers Info@GSMICH.COM 734-272-9763											
<table border="1"> <thead> <tr> <th colspan="2">REVISIONS</th> </tr> </thead> <tbody> <tr> <td>12.15.22</td> <td>ADDED EXISTING TREE LINES & PARKING LIGHTING</td> </tr> <tr> <td>12.22.22</td> <td>PER LENC COMMENTS</td> </tr> <tr> <td>1.27.23</td> <td>PER IMEG COMMENTS DATED 1.10.2023</td> </tr> <tr> <td>3.01.23</td> <td>PER IMEG COMMENTS DATED 3.01.2023</td> </tr> </tbody> </table>		REVISIONS		12.15.22	ADDED EXISTING TREE LINES & PARKING LIGHTING	12.22.22	PER LENC COMMENTS	1.27.23	PER IMEG COMMENTS DATED 1.10.2023	3.01.23	PER IMEG COMMENTS DATED 3.01.2023
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3.01.23	PER IMEG COMMENTS DATED 3.01.2023										
File No. WOOLEY21											
Sheet 3 of 4											

WP01
LED WALL PACK LIGHT
DLC QPL | 140 LPW | DARK SKY COMPLIANCE

Catalog#	Type
Comment	
Project	Date

Model#	Product ID	Input Voltage	Input Wattage	Lumen Output	CCT	CRI (Ra)	DLC Family Code
LT-WP01-40W-30K	PSJ5ZWC3	100-277 VAC	39W	4600 lm	3000K	73	WWWBPB
LT-WP01-40W-40K	PXXZ1X36	100-277 VAC	40W	4800 lm	4000K	72	WWWBPB
LT-WP01-40W-50K	P2AMPQ92	100-277 VAC	39W	4600 lm	5000K	72	WWWBPB
LT-WP01-40W-57K	P2XW931H	100-277VAC	40W	4800 lm	5700K	72	WWWBPB
LT-WP01-60W-30K	PYC3HUE3	100-277 VAC	57W	7000 lm	3000K	73	WWWBPC
LT-WP01-60W-40K	PBF4PRH3	100-277 VAC	57W	7200 lm	4000K	73	WWWBPC
LT-WP01-60W-50K	PEFBWUSF	100-277 VAC	57W	7200 lm	5000K	73	WWWBPC
LT-WP01-60W-57K	POGVNDV1	100-277 VAC	57W	7200 lm	5700K	73	WWWBPC
LT-WP01-80W-30K	PWHZ4MV9	100-277 VAC	89W	10200 lm	3000K	72	WWWBPD
LT-WP01-80W-40K	PLZSNXDU	100-277 VAC	89W	10400 lm	4000K	72	WWWBPD
LT-WP01-80W-50K	PF3BTQSW	100-277 VAC	89W	10400 lm	5000K	72	WWWBPD
LT-WP01-120W		100-277 VAC	116.8 W	14475.5 lm	5000K	72.5	

OPTIONAL EM BATTERY

When the AC power goes out, the emergency driver detects the AC power outage and automatically switch to the working emergency mode. The green LED light off. When the AC power is restored, the emergency driver backs to AC power working and starts re-charging, the green LED light on.

Features

- Meet most of safety standards for lighting
- Safety protection over-charge protection over
- Emergency protection short-circuit protection
- Standards: CSA C22.2 NO.141, UL894
- External Li-Ion, LiFePO4 or Ni-MH battery
- The battery Meet 600 cycles of charging CH and
- standard 90:1
- Indicator shows a variety working modes
- Recharge indicator
- Standard 1.6 hours (2 hrs, 3hrs for options)

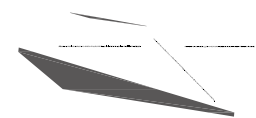
Specifications

- Input Voltage: 100-277VAC, 60/50Hz
- AC Input Currents: 100-1.2A max.
- AC Input Power Rating: 1.2KW max.
- Output Current and Voltage: 35-80Vdc
- Output Power: 8W, 15W
- Emergency Time: >= 1.6H
- Full life: 60000 cycles
- Test Switch: indicator light
- Illuminated Test Switch, indicator Light

OPTIONAL SOLAR POWER

The eco-friendliness of solar energy meets the energy efficiency of LED lights. The Li-ion 3.7 volt, 2200 mAh battery charges for 8-9 hours and back lasts up to 12 hours. You may set 2-4-6 lighting hours through remote controller.

1. Remote Control Mode: Infrared Ray Signal
2. Operation Distance: 12 meters



WP01
LED WALL PACK LIGHT
DLC QPL | 140 LPW | DARK SKY COMPLIANCE

LED Wall Packs provide die-casting aluminum alloy heat sink, and shatter-proof glass or polycarbonate diffuser. They are DLC qualified and CE certified for 5 years warranty. Powder-coating, finished housing and sealed gasket for full ingress protection are suitable for outdoor controller and solar clamp location. The photocell sensor can be optional application for building, parking lot lighting, square, road and others.

CONSTRUCTION & MATERIALS

- Die-casting aluminum alloy housing fully sealed to be self-seal body proof
- Impact-proof and shatter-proof glass or polycarbonate diffuser
- IP 65 rating water-proof protection
- Polycarbonate powder-coated heat sink and corrosion proof
- Optional Solar powered
- Internal UL approved power supply

MOUNTING AND WIRING

- Mount directly over a standard outlet box or for surface wiring the any of the 3 convenient 1/2 inch threaded conduit entry hubs.
- Environmental System
 - Outdoor weatherproof location
 - Work Temperature: -20°C(-4°F) ~ +40°C(+104°F) (consult factory for details)

FINISH

- Dark Bronze
- Electrical System
 - Input Voltage: 100-277VAC, 200-400VAC, 120/240VAC
 - DLC, ETL, ETL-ETL, CE, RoHS

DATA SHEET

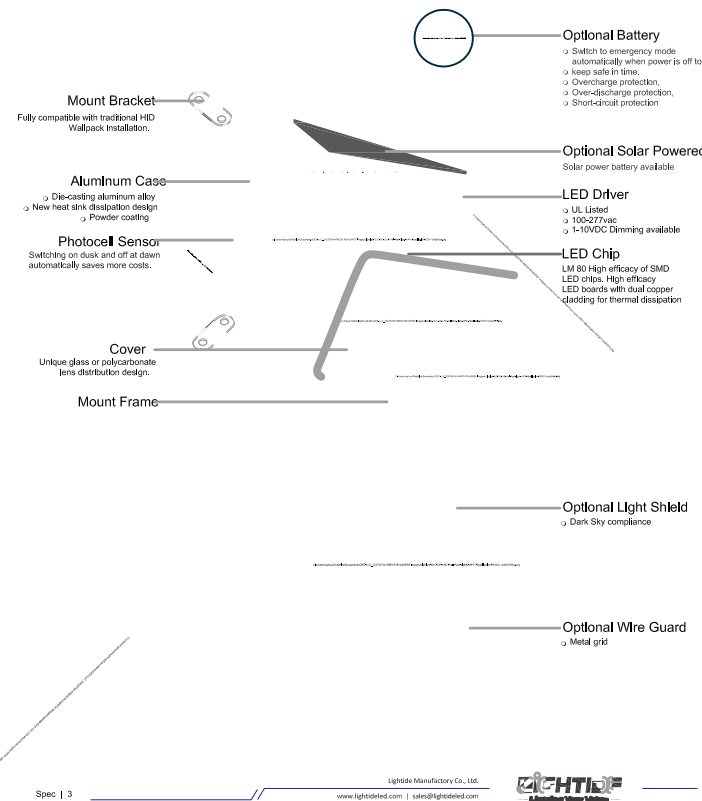
Model#	LT-WP01-40W	LT-WP01-60W	LT-WP01-80W	LT-WP01-120W
DLC Family Code	WWWBPB	WWWBPC	WWWBPD	PEREHD
Rating	40 watts	60 watts	80 watts	116.8 watts
Light Output (l)	4600 lumens	7000 lumens	10600 lumens	14475 lumens
Input Voltage	100-277VAC	100-277VAC	100-277VAC	100-277VAC
Power Factor	>=0.95	>=0.95	>=0.95	>=0.95
Dimming	0-10V/0-100%	0-10V/0-100%	0-10V/0-100%	0-10V/0-100%
CRF	>=72	>=72	>=72	>=72
L70	>=50,000 HRS	>=50,000 HRS	>=50,000 HRS	>=50,000 HRS
Max Temp. (F)	<=60-140	<=60-140	<=60-140	<=60-140
Min Temp. (F)	<=40-140	<=40-140	<=40-140	<=40-140

* Updates to 140 Lumens/Watt (2021)

ORDER INFORMATION

QTY	FAMILY CODE	WATT	VOLTAGE	CCT	ACCESSORIES	DURATION (EM MODE)	FINISH	COVER OPTION
LT	WP 01	40W	100-277VAC	3000K	0-10V/0-100%	0-10V/0-100%	Dark Bronze	Black/White
		60W	100-277VAC	3000K	0-10V/0-100%	0-10V/0-100%	Dark Bronze	Black/White
		80W	100-277VAC	3000K	0-10V/0-100%	0-10V/0-100%	Dark Bronze	Black/White
		120W	100-277VAC	5000K	0-10V/0-100%	0-10V/0-100%	Dark Bronze	Black/White

Spec | 4

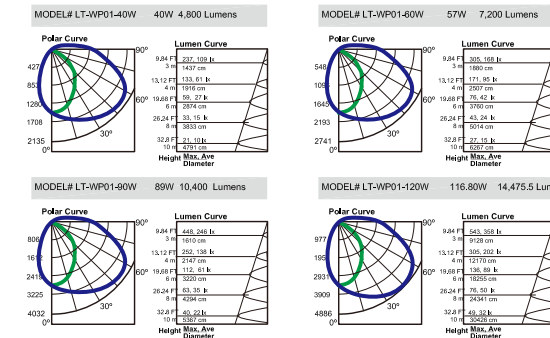


Catalog#	Type
Comment	
Project	Date

WP01
LED WALL PACK LIGHT
DLC QPL | 140 LPW | DARK SKY COMPLIANCE

NO.	Model#	Carton Size (LxWxH)	G.W./G.T.N	QTY/CTN
1	LT-WP01-40W-30K	43X31X27 cm	3.9 kg	1 pc
2	LT-WP01-60W-30K	43X31X27 cm	4.3 kg	1 pc
3	LT-WP01-120W	43X31X27 cm	4.7 kg	1 pc

PHOTOMETRIC



MOUNT GUIDE

Fully compatible with traditional HID Wallpack installation. Mount directly over a standard outlet box or for surface wiring the any of the 3 convenient 1/2 inch threaded conduit entry hubs.



Spec | 6



Designed
Drawn MG 11/2/2022
Checked

9704 KRESS ROAD
Parking Wall Mounted Lighting

HAMBURG TWP, LIVINGSTON COUNTY
15-21-405-016

NTS

GES-LLC
Consulting Engineers
5711 S. ASHFORD WAY, YPSILANTI, MI 48197
GES734@GMAIL.COM
734-272-9763

REVISIONS	DATE	DESCRIPTION
12/15/22		ADDED EXISTING TREE LINES & PARKING LIGHTING
12/22/22		PER LORC COMMENTS
1/27/23		PER IEG COMMENTS DATED 1/16/2023
3/01/23		PER IEG COMMENTS DATED 3/01/2023

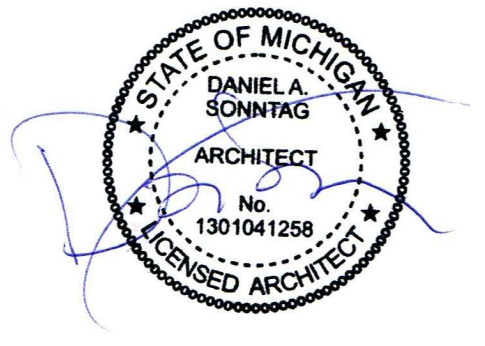
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WOOLLEY21
Sheet 4 of 4

No.	Date	Description
	10-16-22	permit
	12-5-22	REVISION
	12.15.22	REVISION
▲	1.27.23	REVIS 1

DRAWN BY: DAS

FACILITY/CLIENT

9704 KRESS ROAD
PINCKNEY, MI 48169



PROJECT
COMMERCIAL RENOVATION+
APARTMENT
ADDITION

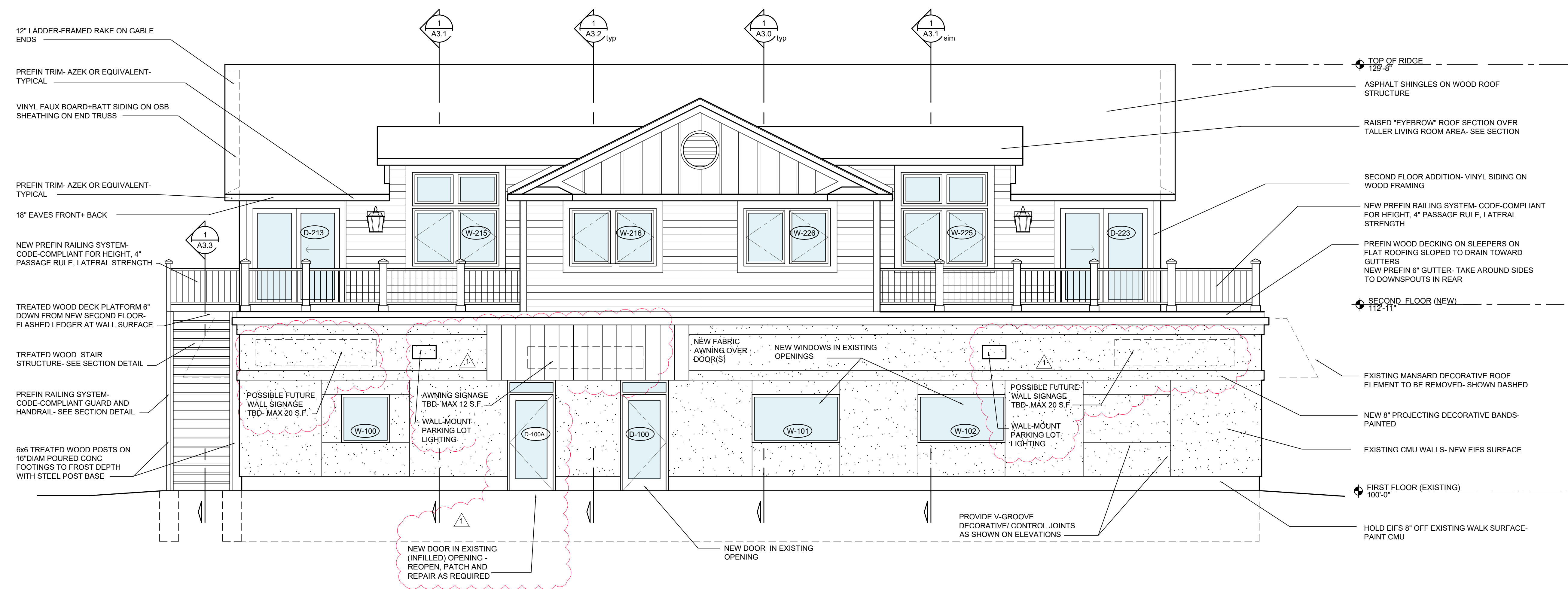


106 S. MAIN STREET
ANN ARBOR, MI 48104
TEL. 734.998.0098
FAX 734.996.8899

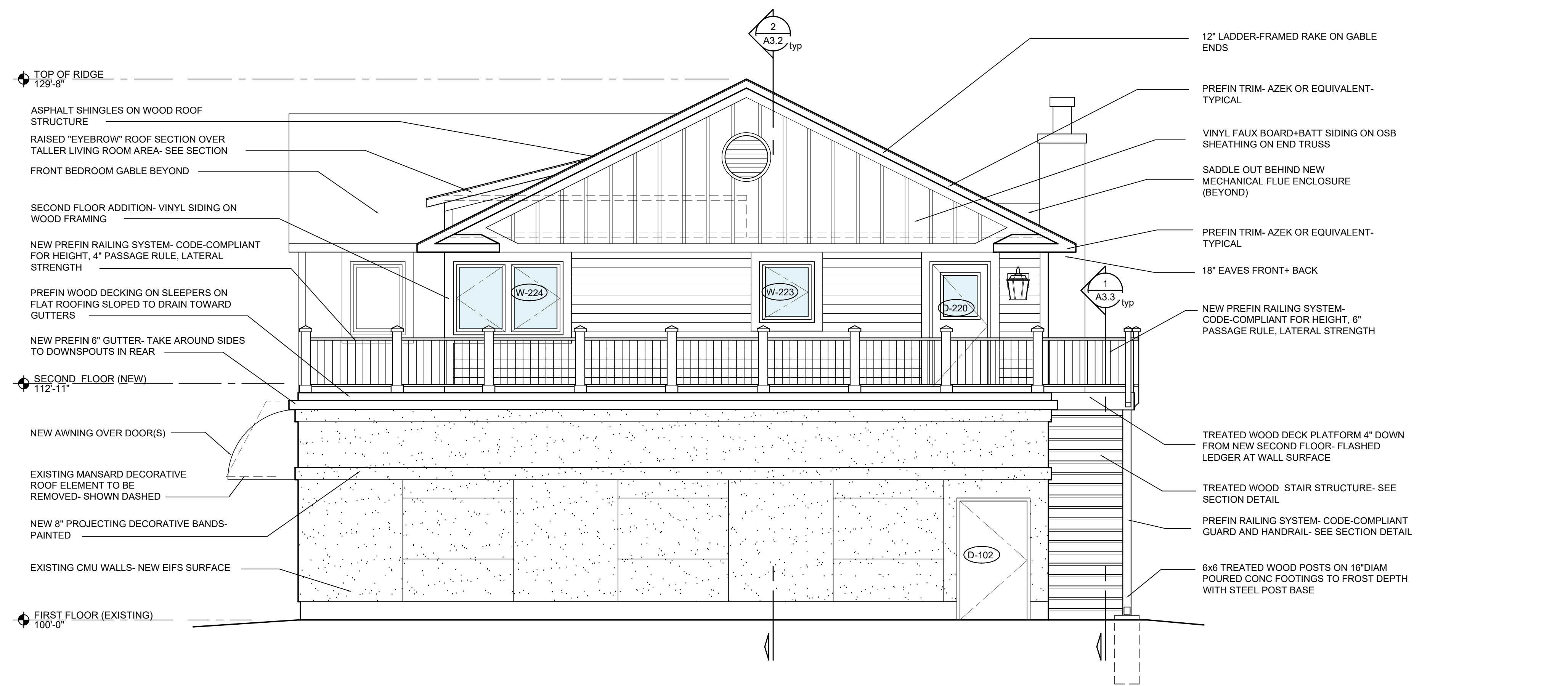


SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NO.
A-2.0



2 FRONT (EAST) ELEVATION
A2.0 SCALE 1/4" = 1'-0"



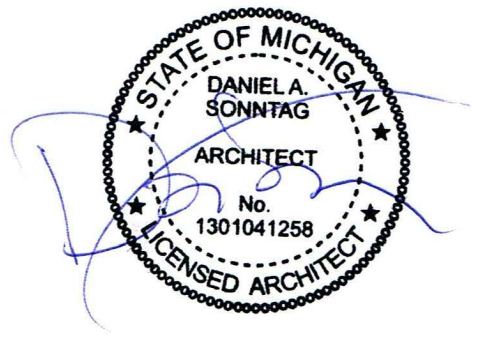
1 RIGHT SIDE (NORTH) ELEVATION
A2.0 SCALE 1/4" = 1'-0"

No.	Date	Description
	10-16-22	permit
	12.15.22	REVISION
	1.27.23	REVIS 1'

DRAWN BY: DAS

FACILITY/CLIENT

9704 KRESS ROAD
PINCKNEY, MI 48169



PROJECT
COMMERCIAL RENOVATION+
APARTMENT
ADDITION

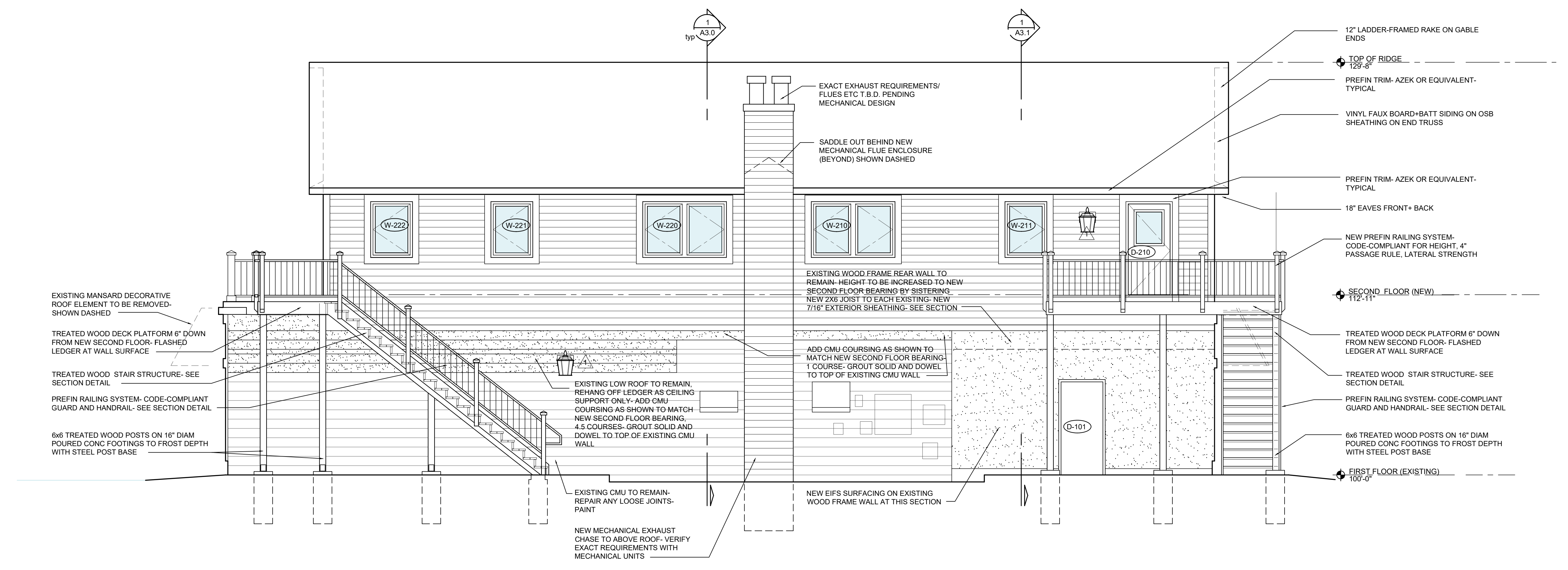


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ANN ARBOR, MI 48104
TEL. 734.998.0098
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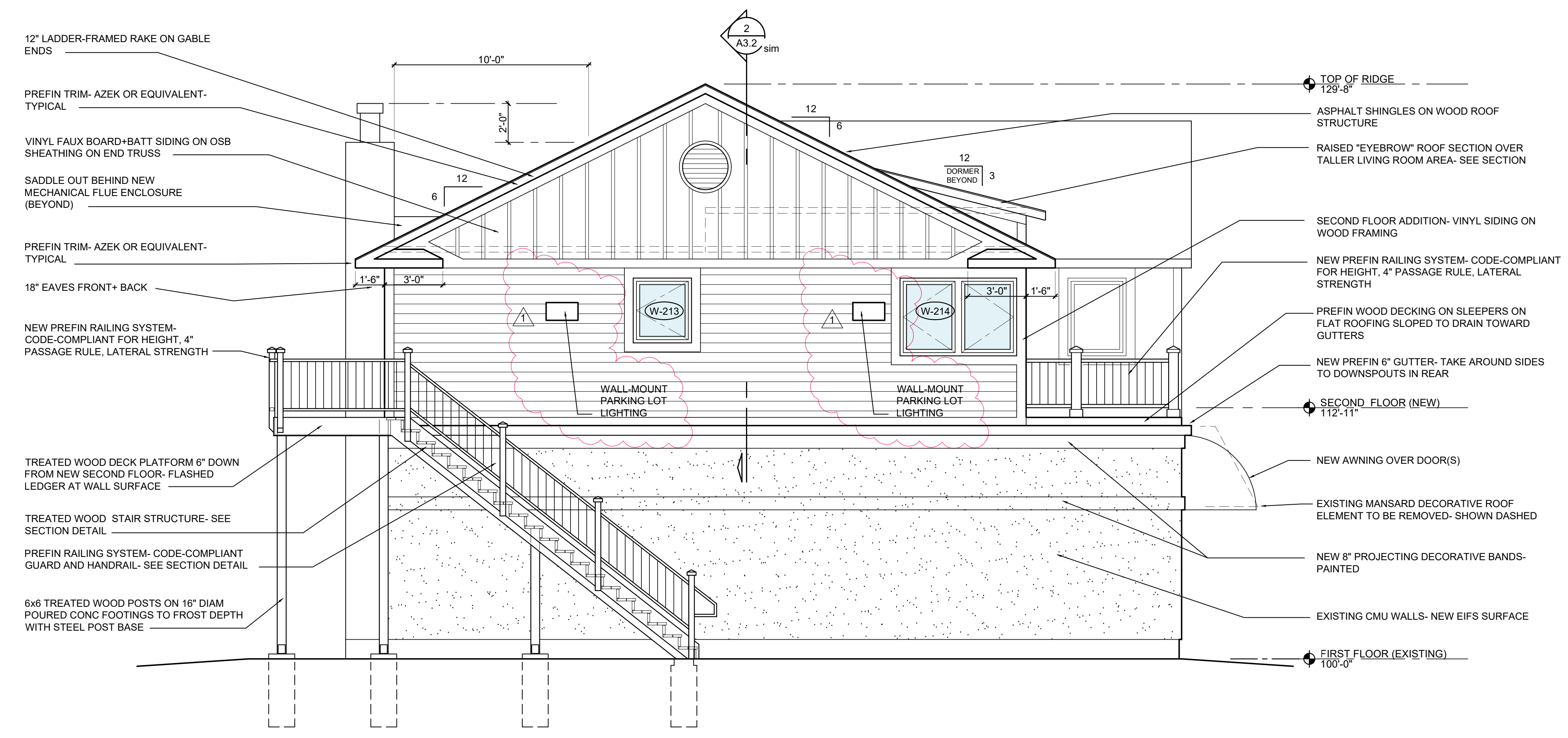
SONNTAG
DESIGN
GROUP
architecture - plc
106 S. MAIN STREET
ANN ARBOR, MI 48104
TEL 734.604.8833
DASONNTAG@GMAIL.COM

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NO.
A-2.1



2 REAR (WEST) ELEVATION
A2.1 SCALE 1/4" = 1'-0"



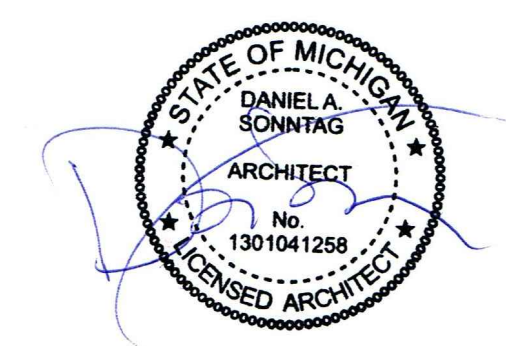
1 LEFT SIDE (SOUTH) ELEVATION
A2.1 SCALE 1/4" = 1'-0"

No.	Date	Description
	10.16.22	PERMIT
▲	1.27.23	REVIS 1

DRAWN BY DAS/ARG

FACILITY/CLIENT

9704 KRESS ROAD
PINCKNEY, MI 48169



PROJECT
COMMERCIAL RENOVATION+ APARTMENT ADDITION

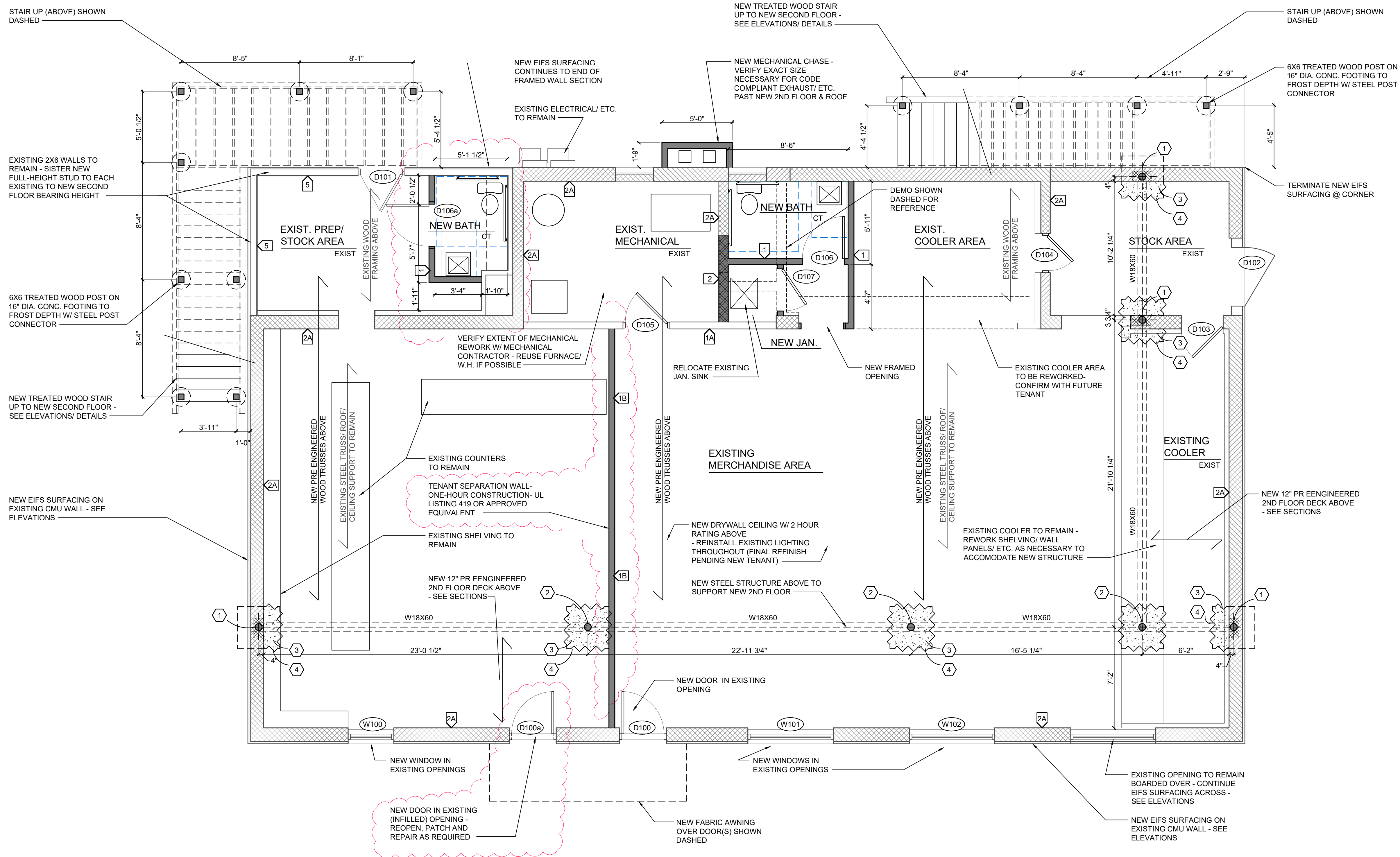


106 S. MAIN STREET
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DESIGN
GROUP
architecture - plc
106 S. MAIN STREET
ANN ARBOR, MI 48104
TEL 734.604.8833
DASONNTAG@GMAIL.COM

SHEET TITLE
FIRST FLOOR PLAN

SHEET NO.
A1.1



WALL TYPES

- EX. EXISTING WALL CONSTRUCTION TO REMAIN, PATCH REPAIR REFINISH AT ANY NEW ABUTTING CONSTRUCTION
- 1. 2X4" STUDS 16" O.C. W/ 1/2" DRYWALL ON BOTH SIDES, NO RATING, WALL TIGHT TO STRUCTURE ABOVE, VERIFY W/ CEILING PLANS/ EXISTING CONDITIONS
- 1A. EXISTING WALL CONSTRUCTION TO REMAIN, PATCH/ REPAIR/ REFINISH AT ANY NEW ABUTTING CONSTRUCTION - 2x4" STUDS W/ DRYWALL ON BOTH SIDES
 - PREP FOR ALL NEW FINISHES AS NECESSARY- FIELD VERIFY EXACT EXTENTS, CONDITIONS
 - PATCH & REPAIR REFINISH ANY SURFACES NECESSARY DUE TO REMOVAL OF EXISTING FINISHES, FIXTURES, ETC OR ANY OTHER SURFACE CONDITIONS FOR NEW FINISHES - TYPICAL THROUGHOUT SPACE
- 1B. NEW ONE-HOUR DEMISING WALL BETWEEN FIRST FLOOR SUITES- UL419- 5/8" TYPE X DRYWALL EACH SIDE 3-1/2" STUDS TIGHT TO CEILING
- 2. 7-5/8" BLOCK WALL, NO RATING, TO CEILING HEIGHT, VERIFY W/ CEILING PLANS/ EXISTING CONDITIONS
- 2A. EXISTING WALL CONSTRUCTION TO REMAIN, PATCH/ REPAIR/ REFINISH AT ANY NEW ABUTTING CONSTRUCTION - CMU (VARYING SIZE)
 - PREP FOR ALL NEW FINISHES AS NECESSARY- FIELD VERIFY EXACT EXTENTS, CONDITIONS
 - PATCH & REPAIR REFINISH ANY SURFACES NECESSARY DUE TO REMOVAL OF EXISTING FINISHES, FIXTURES, ETC OR ANY OTHER SURFACE CONDITIONS FOR NEW FINISHES - TYPICAL THROUGHOUT SPACE
- 3. EXTERIOR WALL - 2X6 STUDS @ 16" O.C. W/ 5/8" DRYWALL ON INTERIOR SIDE, FRP BUILDING WRAP ON 7/16" OSB SHEATHING, VINYL SIDING, PAINTED 1X TRIM PER ELEVATIONS
- 4. STAGGERED 2X4" STUDS W/ 5/8" TYPE X DRYWALL ON BOTH SIDES, 1 HOUR RATING, BATT INSULATION FOR SOUND
- 5. EXTERIOR WALL - EXISTING 2X6 WALL CONSTRUCTION W/ NEW 2X6 STUDS (SISTER TO EXISTING STUDS) - 5/8" DRYWALL ON INTERIOR SIDE, FRP BUILDING WRAP ON 7/16" OSB SHEATHING, EIFS W/ 1/2" BACKER BOARD W/ INTEGRAL WEEPAGE CHANNELS ON 2" INSULATION
 - FULL HEIGHT TO NEW 2ND FLOOR BEARING
 - PREP FOR ALL NEW FINISHES AS NECESSARY- FIELD VERIFY EXACT EXTENTS, CONDITIONS
 - PATCH & REPAIR REFINISH ANY SURFACES NECESSARY DUE TO REMOVAL OF EXISTING FINISHES, FIXTURES, ETC OR ANY OTHER SURFACE CONDITIONS FOR NEW FINISHES - TYPICAL THROUGHOUT SPACE

REWORK KEY NOTES

- 1. NEW STEEL COLUMN IN EXISTING CMU WALL - CUT OUT PORTION OF CMU NECESSARY, TOOTH BACK IN/ GROUT SOLID AFTER COLUMN IS SET
- 2. NEW STEEL COLUMN - FREESTANDING
- 3. NEW 36"x36"x14" CONCRETE PAD FOOTING W/ (4) #5 BARS EA. WAY @ BOTTOM - PLACE CAREFULLY @ EXISTING EXTERIOR WALLS SO AS TO NOT UNDERMINE EXISTING FOOTINGS
- 4. REPOUR CONCRETE & DIG FOR NEW FOOTING FLUSH W/ EXISTING CONCRETE FLOOR - SHOWN PATTERNED

GENERAL NOTES

COORDINATE ALL WORK BETWEEN ALL TRADES.
COORDINATE BETWEEN ALL SHEETS OF THE SET OF DRAWINGS.
REFER TO COVER SHEET FOR GENERAL PROJECT NOTES
ALL SURFACES TO BE PROPERLY PREPPED FOR NEW FINISHES PER PLANS SCHEDULES, DETAILS ETC
VERIFY EXACT SPECIFICATIONS AND LAYOUT OF NEW MILLWORK & EQUIPMENT W/ OWNER

1 NEW FIRST FLOOR PLAN
A1.1 SCALE 1/4" = 1'-0"



**LIVINGSTON COUNTY ROAD COMMISSION
LAND SPLIT / SIGHT DISTANCE REVIEW**

** NOTE: THIS IS NOT A
DRIVEWAY PERMIT **

Review Number 2107-004

Property Owner and Applicant Information

Owner: D & G Real Estate LLC
 Street Address: 319 E. Michigan Avenue
 City, State, ZIP: Saline, MI 48176
 Day Phone: (734) 216-2366

Applicant:
 Company:
 Address:
 City, State:
 Applicant Phone:

Location

Township: Hamburg Section 21 Roadway On: Kress Road Side of Street: West
 Approach Type: Commercial Development: 9704 Kress Road
 Speed Limit (if posted): 35 Speed Factors (if any):

Comments:

The centerline of a commercial approach could be approved at 40 feet north of the south property line (160 feet south of Shangrila Drive). A commercial approach could not be approved off Shangrila Drive due to there not being enough road frontage to meet the minimum offset requirement of 150 feet from the Kress Road and Shangrila Drive intersection. A commercial approach permit and plans will be required for the approach off of Kress Road.

Inspector: _____

Field Measurements: Location of existing property corners from nearest crossroad: 0 and 200 feet South of Shangrila Dr

Parcel	Prop/Emnt Corners	Access Point(s)	Sight Distance Std	Sight Distance Req. Min	Sight Distance Measured	S.D. Comply	CVA Comply	Neighbor Consent	Approve		
Kress Commercial	0	200	160	575	400	500 North	575 South	Yes	Yes	No	Yes

** This review is based on the survey/sketch provided to us at the time of application or during the review process. Any changes to property lines or driveway locations after the date of this review will void the review and may prevent approval or permits for any future driveway approaches.

11



Untitled Map

Write a description for your map.

Legend

- 9704 Kress Rd
- Burrztop Sluiter Oiler & Music Shop



McDonough
& Associates

Prepared For:
Tom Krikel
Huron Valley Electric

Job Name:
9704 Kress Road

Scale: as noted

Date: 12/21/2022

Filename: 9704 Kress Road.ACI

Drawn By: Ray McDonough

Filename: C:\Users\RayMcDonough\OneDrive - MCDONOUGH & ASSOCIATES\Documents\AG19704 Kress Road.ACI

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Prepared For:
Tom Keller
Huron Valley Electric

Job Name:
9704 Kress Road

Scale: as noted
Date: 12/12/2022

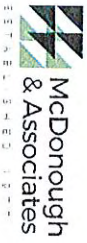
Filename: 9704 Kress Road.AGI

Drawn By: Ray McDonough

Filename: C:\Users\RayMcDonough\OneDrive - MCDONOUGH & ASSOCIATES\Documents\9704 Kress Road.AGI



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ESTABLISHED 1977

Prepared For:
Town of
Huron Valley Electric

Job Name:
9704 Kress Road

Scale: as noted

Date: 1/22/2022

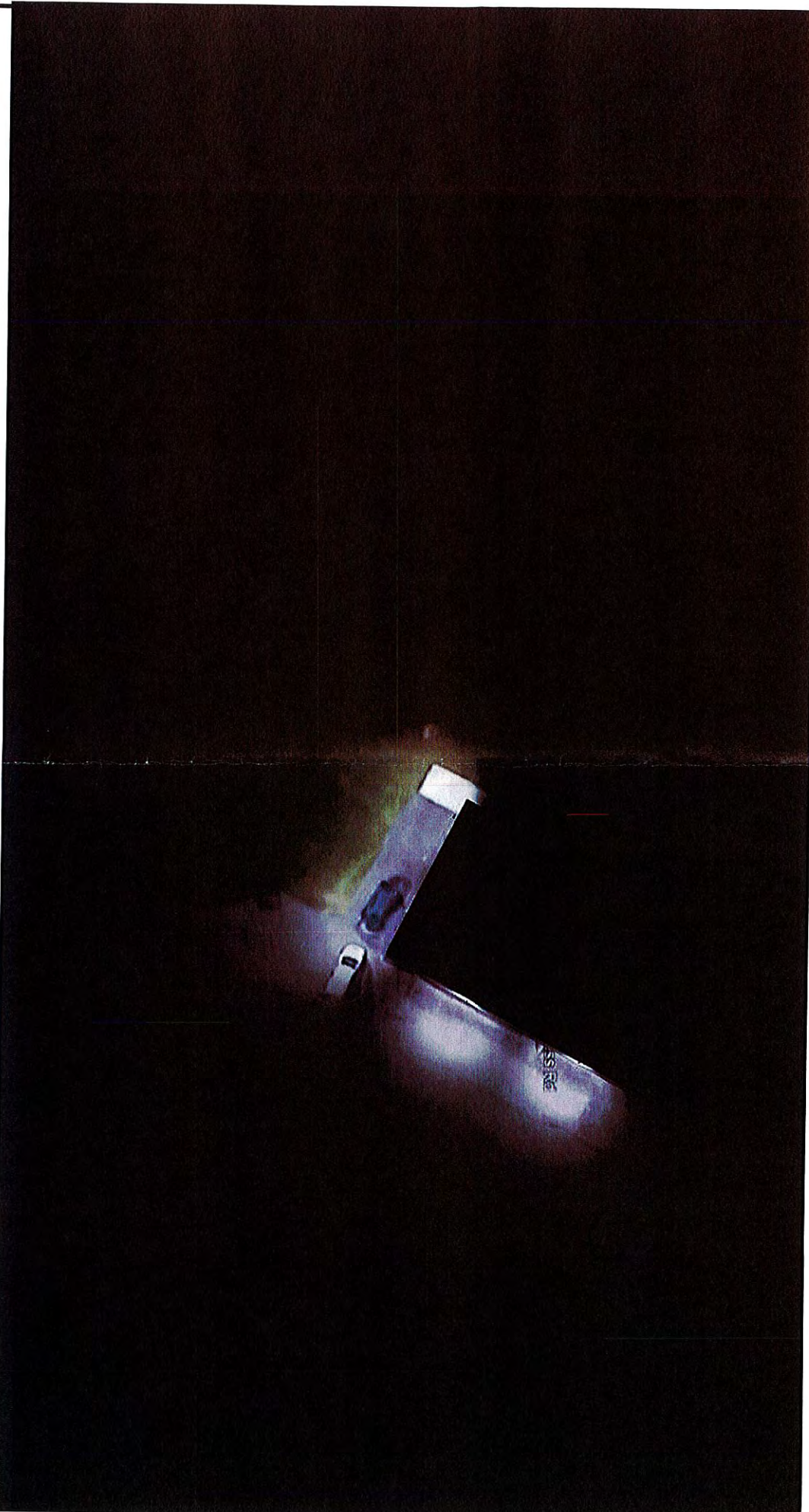
Filename: 9704 Kress Road.ACI

Drawn By: Ray McDonough

Filename: C:\Users\RayMcDonough\OneDrive - MCDONOUGH & ASSOCIATES\Documents\AG\9704 Kress Road.ACI

1 of 1 Page Design - AutoCAD

This drawing contains a lot of information. It is a technical drawing of a site plan for a residential development. The drawing shows the layout of the site, including the location of the buildings, the roads, and the utilities. The drawing is a technical drawing and is not intended to be used for any other purpose. The drawing is a technical drawing and is not intended to be used for any other purpose. The drawing is a technical drawing and is not intended to be used for any other purpose.





Color: Bronze

Weight: 7.9 lbs

Project:

Type:

Prepared By:

Date:

Driver Info

Type	Constant Current
120V	0.50A
208V	0.30A
240V	0.28A
277V	0.25A
Input Watts 57.8/58.4/59W	

LED Info

Watts	60W
Color Temp	3000K/4000K/5000K
Color Accuracy	80 CRI
L70 Lifespan	100,000 Hours
Lumens	7780/8583/8084 lm
Efficacy	134.7/146.9/136.9 lm/W

Technical Specifications

Field Adjustability

Field Adjustable:

Color temperature selectable by 3000K, 4000K and 5000K

Compliance

UL Listed:

Suitable for wet locations

IESNA LM-79 & LM-80 Testing:

RAB LED luminaires and LED components have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80

IP Rating:

Ingress protection rating of IP65 for dust and water

DLC Listed:

This product is listed by Design Lights Consortium (DLC) as an ultra-efficient premium product that qualifies for the highest tier of rebates from DLC Member Utilities. Designed to meet DLC 5.1 requirements.

DLC Product Code: PLOGNPP3AB7A

Performance

Lifespan:

100,000-Hour LED lifespan based on IES LM-80 results and TM-21 calculations

Wattage Equivalency:

Equivalent to 250W Metal Halide

LED Characteristics

LEDs:

Long-life, high-efficiency, surface-mount LEDs

Electrical

Driver:

Constant Current, Class 2, 120-277V, 50/60 Hz, 120V: 0.50A, 208V: 0.30A, 240V: 0.28A, 277V: 0.25A

Dimming Driver:

Driver includes dimming control wiring for 0-10V dimming systems. Requires separate 0-10V DC dimming circuit. Dims down to 10%.

Photocell:

120-277V selectable photocell that can be turned on and off.

Construction

Cold Weather Starting:

The minimum starting temperature is -40°C (-40°F)

Maximum Ambient Temperature:

Suitable for use in up to 50°C (122°F)

Housing:

Die-cast aluminum

Technical Specifications (continued)

Construction

Lens:

Tempered glass

Finish:

Formulated for high durability and long-lasting color

Green Technology:

Mercury and UV free. RoHS-compliant components.

Other

Note:

All values are typical (tolerance +/- 10%)

5 Yr Limited Warranty:

The RAB 5-year, limited warranty covers light output, driver performance and paint finish. RAB's warranty is subject to all terms and conditions found at rablighting.com/warranty.

Buy American Act Compliance:

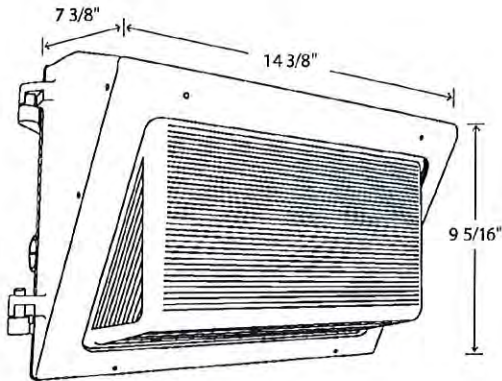
RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

Installation

Mounting:

Wall mount

Dimensions



Features

- DLC Premium listed
- IP65 Rated
- 100,000-Hour LED lifespan
- 5-Year, limited warranty

Ordering Matrix

Family	Wattage	Color Temp	Finish	Voltage/Driver	Options
WP2FA	60	Blank = 5000K/4000K/3000K	Blank = Bronze	Blank = 120-277V, 0-10V Dimming	Blank = Selectable Photocell /LC = Lightcloud® Controller
	29 = 29W				
	40 = 40W				
	60 = 60W				
	80 = 80W				



Project:

Type:

Prepared By:

Date:

37, 57 and 62 Watt SLIM Wall packs are designed to cover the footprint of most traditional wall packs. They are suitable for mounting heights from 20' to 30', and replace HID Wattages from 200W MH to 320W MH. These ultra-high efficiency fixtures are available in cutoff or full cutoff models.

Color: Bronze

Weight: 8.3 lbs

Driver Info

Type	Constant Current
120V	0.31A
208V	0.19A
240V	0.16A
277V	0.14A
Input Watts	34.6W

LED Info

Watts	37W
Color Temp	4000K (Neutral)
Color Accuracy	73 CRI
L70 Lifespan	100,000 Hours
Lumens	3,873 lm
Efficacy	111.9 lm/W

Technical Specifications

Compliance

UL Listed:

Suitable for Wet Locations. Wall Mount Only.

IP Rating:

Ingress protection rating of IP66 for dust and water

IESNA LM-79 & LM-80 Testing:

RAB LED luminaires and LED components have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.

DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.
DLC Product Code: P9BJASW7

Construction

Footprint:

Designed to replace RAB HID WP1 wall packs, both in size and footprint template, so upgrading to LED is easy and seamless

Cold Weather Starting:

The minimum starting temperature is -40°C (-40°F)

Maximum Ambient Temperature:

Suitable for use in up to 40°C (104°F)

Housing:

Precision die-cast aluminum housing and door frame

Mounting:

Die-cast back box with four (4) conduit entry points and knockout pattern for junction box or direct wall mounting. Hinged housing and bubble level for easy installation.

Cutoff:

Cutoff (10°)

Recommended Mounting Height:

Up to 20 ft

Lens:

Microprismatic diffusion glass lens reduces glare and has smooth and even light distribution

Reflector:

Specular thermoplastic

Gaskets:

The unique design of the tight-lock gasket ensures no water or environmental elements will ever get inside the SLIM

Technical Specifications (continued)

Construction

Finish:

Formulated for high durability and long-lasting color

Green Technology:

Mercury and UV free. RoHS-compliant components.

LED Characteristics

LED:

Long-life, high-efficiency, micro-power, surface mount LEDs; binned and mixed for uniform light output and color

Color Stability:

LED color temperature is warranted to shift no more than 200K in color temperature over a 5-year period

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color

Performance

Lifespan:

100,000-Hour LED lifespan based on IES LM-80 results and TM-21 calculations

Wattage Equivalency:

Equivalent to 150W Metal Halide

Other

Accessories:

Available accessories include polysield and wire guard. Click [here](#) to see all accessories.

Patents:

The design of the SLIM™ is protected by patents pending in US, Canada, China, Taiwan and Mexico

HID Replacement Range:

Replaces 200W Metal Halide

Trade Agreements Act Compliant:

This product is a product of Cambodia and a "designated country" end product that complies with the Trade Agreements Act

Buy American Act Compliance:

RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

Optical

BUG Rating:

B1 U2 G1

Electrical

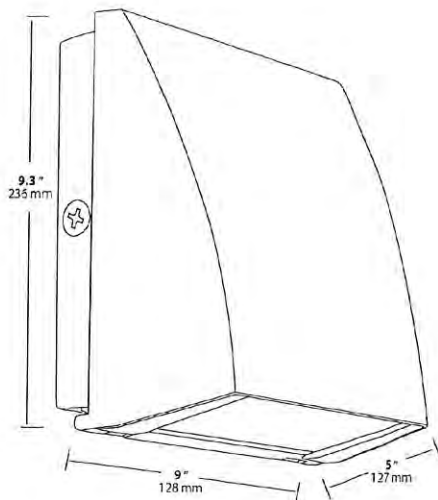
Driver:

Constant Current, 100-277V. 50/60Hz, 100-277VAC 0.6A, 4kV Surge Protection, 700mA, Power Factor 99.4%.

THD:

22.1% at 347V

Dimensions



Features

- Covers footprint of most traditional wall packs
- Easy installation with hinged access, bubble level and multiple conduit entries
- Tight-lock gasket keeps elements out
- 100,000-hour LED lifespan
- 5-Year, No-Compromise Warranty

Ordering Matrix

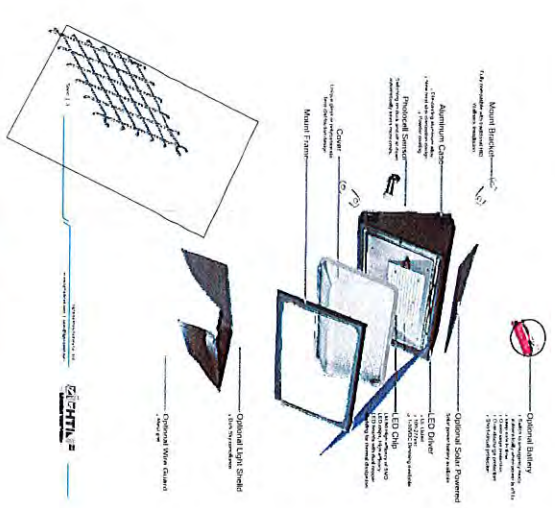
Family	Cutoff	Wattage	Color Temp	Finish	Driver Options	Options	Other Options
SLIM		37	N				
	Blank = Cutoff (10 degrees) FC = Full Cutoff (0 degrees)	37 = 37W 57 = 57W 62 = 62W	Blank = 5000K Cool N = 4000K Neutral Y = 3000K Warm	Blank = Bronze W = White	Blank = Standard (120-277V) /BL = Bi-Level /D10 = Dimmable /480 = 480V	Blank = No Option /PC = 120V Button Photocell /PC2 = 277V Button Photocell /PCS = 120V Swivel Photocell /PCS2 = 277V Swivel Photocell /LC = Lightcloud* Controller	USA = BAA Compliant Blank = Standard

WP01
LED WALL MOUNT LIGHT
DLC CDP1 | 140 LPM | DIMMR SKY COMPLIANCE

Category	Type
Component	
Project	
Date	

Model	Power (W)	Beam Spread	Beam Diameter	Mounting Type	ICF	Efficiency	Life Span (hrs)	RoC (Energy Code)
L1 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L2 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L3 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L4 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L5 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L6 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L7 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L8 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L9 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L10 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L11 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L12 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L13 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L14 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L15 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L16 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L17 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L18 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L19 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80
L20 (PARKING)	140W	40°	10.5"	Surface	100%	110	50,000	0.80

- Notes:**
1. See the LED Data Sheet for details.
 2. The LED Data Sheet is located in the Project folder.
 3. The LED Data Sheet is located in the Project folder.
 4. The LED Data Sheet is located in the Project folder.
 5. The LED Data Sheet is located in the Project folder.
 6. The LED Data Sheet is located in the Project folder.
 7. The LED Data Sheet is located in the Project folder.
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 18. The LED Data Sheet is located in the Project folder.
 19. The LED Data Sheet is located in the Project folder.
 20. The LED Data Sheet is located in the Project folder.



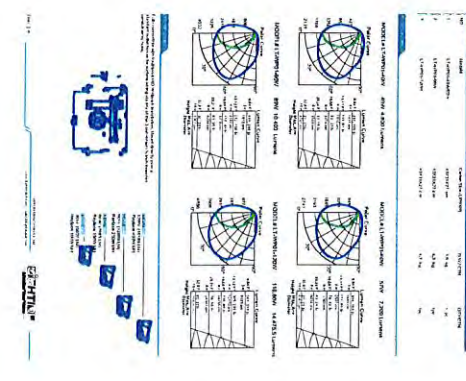
WP01
LED WALL MOUNT LIGHT
DLC CDP1 | 140 LPM | DIMMR SKY COMPLIANCE

Category	Type
Component	
Project	
Date	



WP01
LED WALL MOUNT LIGHT
DLC CDP1 | 140 LPM | DIMMR SKY COMPLIANCE

Category	Type
Component	
Project	
Date	



<p>DESIGNED BY: MG</p> <p>DRAWN BY: MG</p> <p>CHECKED BY:</p>	<p>11/2/2022</p>	<p>NTS</p>	<p>734-272-9763</p>	<p>HAMBURG TWP, LIVINGSTON COUNTY</p>	<p>15-21-405-016</p>	<p>704 KRESS ROAD</p> <p>PARKING WALL MOUNTED LIGHTING</p>
						<p>DESIGNED BY: MG</p> <p>DRAWN BY: MG</p> <p>CHECKED BY:</p>

REVISIONS

Rev. No.	Description
1	ADD LED DATA SHEET LINK & PARKING LIGHTING
2	ADD LED DATA SHEET LINK & PARKING LIGHTING
3	ADD LED DATA SHEET LINK & PARKING LIGHTING

File No. WOOLLENZI
Sheet 5 of 5



PSPA # 22-0006
\$3,500

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

HAMBURG TOWNSHIP
12/20/2022 3:20:00 PM
ESCROW 22100000003
Receipt 128223
Amount \$3500
3500

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

SITE PLAN APPROVAL APPLICATION

Please note: All required information, copies, fees, and other materials as appropriate must be submitted and complete before the Township Planning Commission will set a public hearing date on the Site Plan Approval Application.

Application fees and review fees are required at the time of application.

In the case of separate applications for Preliminary and Final reviews, separate application and review fees shall be collected. Review fees shall be placed into a non-interest bearing escrow account. Upon final review, review fee balances shall be returned upon receipt of final billing. The applicant shall be responsible for all costs incurred.

Note: Acreage calculations based upon the acreage being developed or utilized for the project (parking, buildings, walks, storm water retention etc.)

The undersigned hereby makes application for a Site Plan Approval for: (Check all that apply)

1. **TYPE OF PROJECT:** Open Space Echo Residential Condominium
 Apartments Commercial Industrial PUD Hardship PUD

2. **TYPE OF APPLICATION:** Preliminary Site Plan Optional Conceptual Site Plan Review by Planning Commission
 Final Site Plan Combined - Preliminary/Final Site Plan
 Minor Site Plan Site Plan Amendment (less than 25% area of site being changed) Site Plan Amendment (26% or more or site being changed)

3. **PROJECT NAME:** Kress Rd Submittal Date: 12/15/22

4. **PROJECT ADDRESS:** 9704 Kress Rd

Tax Code Numbers: 15 - 21-405-016 15 - _____ 15 - _____
15 - _____ 15 - _____ 15 - _____

Metes & Bounds Parcel Subdivision _____ Lot Numbers: _____

Zoning District Classification: _____ Floodplain Classification: _____

Number of Lots Proposed: _____ Acreage of Project: _____

5. **PROJECT DESCRIPTION:** Add 2nd Floor Residential above existing structure + Add Parking Lot

6. OWNER/PROPRIETOR INFORMATION:

Name: D+G Real Estates LLC Phone Number(s): 734 216-2366
Email: DGwoods@aol.com Address: 319 E. Michigan Ave
City: Saline State: Mi Zip: 48176

7. APPLICANT:

Name: Dave Woollery Phone Number(s): 734 216-2366
Email: Same Address: _____
City: _____ State: _____ Zip: _____

8. DESIGNER INFORMATION:

Name: Mamus Inc Phone Number(s): 734 998-0098
Email: todd@mamusinc.com Address: 106 S. Main St
City: Ann Arbor State: Mi Zip: 48104

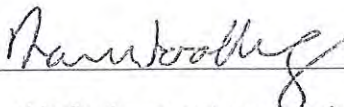
9. SPECIAL USE PERMIT:

Is a Special Use Permit required for this project? No Yes
IF YES, Attach Special Use Permit Application Form with this site plan review application form

APPLICANT CERTIFICATION:

I hereby certify that all structures and uses for which this application is made shall conform to the Ordinances of Hamburg Township, Livingston County and the State of Michigan. All information submitted as a part of the site plan application is to my knowledge accurate. If the information is determined either now or in the future to be inaccurate any permits granted for the incorrect information shall be void and any structures built or uses approved may be in violation of the required ordinances and must otherwise be brought into compliance with all regulations.

I further agree that any deviation from the plans submitted or the breach of any additional safeguards, conditions or requirements the Hamburg Township may impose in granting this application shall constitute a violation of the Ordinance and invalidate the permit granted.

PROPERTY OWNERS SIGNATURE:  DATE: 12/15/22

*If an agent submits the project to the Township for the property owner a letter authorizing must be submitted.



March 13, 2023

Ms. Amy Steffens
Hamburg Charter Township
10405 Merrill Road
P.O. Box 157
Hamburg, Michigan 48189

Re: 9704 Kress Rd.
Final Site Plan Review

Dear Ms. Steffens:

We have received plans for the referenced project dated March 1, 2023, as prepared by GES-LLC Consulting Engineers. In summary, the Stormwater Management system is in general conformance with the Livingston County Drain Commissioner standards, we have no further comments and recommend approval of the Final Site Plan.

If you have any questions, please contact me at (734) 657-4925.

Sincerely,
IMEG CORP.

Burt Steinman PE
Senior Civil Engineer



Hamburg Township Public Safety – Fire Division

10100 VETERANS MEMORIAL DRIVE
P.O. BOX 157 ♦ HAMBURG, MI 48139-0157
PHONE: 810-222-1100 ♦ FAX: 810-231-9401
E-MAIL: HTFD@HAMBURG.MI.US

DEPUTY FIRE CHIEF JORDAN ZERNICK *PLAN REVIEW RESULTS*

To: Hamburg Twp. Zoning
From: Deputy Chief, Jordan Zernick
CC: Deputy Director – Fire Division Jeffrey Newton
Subject: Site Plan Review – 9704 Kress Rd.
Date: March 13, 2023

I have completed the plan review of the Site Plan submittal for the proposed occupancy at 9704 Kress Road in Hamburg Township. The review was based on the applicable Fire Code and Hamburg Township Ordinance Requirements.

The plans are approved as submitted with the following requirements, revisions and clarification:

1. Building shall be required to have a 3200 series Knox Box placed on the building. Location to be approved by the Fire Code official.
2. Any alterations to these submitted plans shall require the submittal of As Built plans. Plans shall be submitted directly to the Hamburg Township Fire Department.
3. Architectural Building plans shall be submitted for review by the Fire Department.
4. First floor occupancies shall be required to be identified as to their intended use. Occupancy separation and Life Safety requirements cannot accurately be evaluated without classifying the occupancy appropriately.

This approval is subject to field inspection. This approval shall be valid for one year. If construction has not begun within 12 months of the date on this letter the plans must be resubmitted for approval. This approval does not exempt the project from complying with all applicable codes. Additional submittals and approvals may be required.

A handwritten signature in blue ink, appearing to read "J Zernick".

Deputy Chief Jordan Zernick