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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, December 20, 2023, 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

- 2) **ABSENT:**
Joyce Priebe

APPROVAL OF MEETING AGENDA for tonight.

Approval Motion made by Commissioner Hughes, seconded by Commissioner Mariani, to approve the agenda as presented.

Vote: Ayes (6); Absent (1) Commissioner Priebe

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES

Approval Motion made by Commissioner Mariani, seconded by Commissioner Muir, to approve August 16, 2023, Planning Commission Meeting Minutes with amendment to Deborah Mariani's name as presented by Commissioner Mariani.

Vote: Ayes (6); Absent (1) Commissioner Priebe

VOTE: MOTION CARRIED UNANIMOUSLY

CALL TO THE PUBLIC- No public response

OLD BUSINESS

None

NEW BUSINESS

1. **Preliminary Site Plan Application for General Planned Unit Development (PCPUD23-0001)**

Project located at 10303 Hamburg Road (Parcel A) and 7620 M-36 (Parcel B). Parcel A will consist of 40 attached two-story multi-family units (38,800 SF) and a community center (1,400 SF). Parcel B will include a gas station building (2-story, 5,475 SF) attached to a mixed-use retail/residential building (2-story, 2,400 SF), as well as a gas station canopy with 12 stalls and a height of 17'. The Retail building will be used as offices for the apartment use.

Chair Muck opened the public hearing to the public for this site plan review.

1. **Roy Yelinek**- lives at 10452 Campbell Ct spoke about one of the access roads coming off his road.
2. **Sarah Bennett**-lives at 10582 Livingston St spoke about an error that she believes that exists with the construction drawings elevation on Sheet SA1.00. Building H and I have steps and a porch on the rear. Sheet A201 shows that B, C, D, F, G rear side of the building only has windows on the second floor. Sheet A203 shows building H only has windows on the second floor, but the site plan shows the steps and a porch. Sheet A204 shows building I has a porch and windows on the first floor. She stated that the PC might want to clarify these differences. Why are there no windows on the first floor? The pavement is shown on the plans to only go to Campbell Ct. On Sheet AS 1.0 shows that Campbell Ct will be paved from this site to M-36. She is looking for clarification if it is going to be paved or not. She said that there is nothing showing that anything is going to be done along M-36. She stated that this is already an existing dangerous intersection. She is looking for clarification, if this will be improved with a traffic light.
3. **Kim Yelinek**-lives at 10452 Campbell Ct spoke about this project increasing local traffic, lights, noise, and encroachment onto their property. She wanted clarification if a barrier wall will be added between their property and this new property to minimize these effects.
4. **Samantha Dearmen**- lives at 7588 E. M-36 spoke about the numerous accidents occurring near their shop. She mentioned that the existing sewer does not support the number of people

currently in this area. She asked if this project will help to fund the increase of the local sewer capacity rather than stress what is there presently.

5. **Michael Mc Pherson**-lives at 10520 Livingston St spoke regarding the increase in traffic that will go up and down Livingston St. There are existing problems with speeding after 7pm, so he asked if there will be an increase in police presence to monitor and control the speeding issue.
6. **Edward Nighswonger**- lives at 10484 Campbell Ct spoke about his concern of storm runoff from this current vacant property. He asked for the PC to ensure that this new development and all new roads being proposed will be able to retain and manage its own storm on its property. It will impact his yard if the storm is not managed. He also stated he is concerned about increased traffic.
7. **Kathy Mc Pherson**-lives at 10520 Livingston St stated she is concerned with possible increased crime with transient populations who might be renting these townhomes.

No other people wanted to speak at the podium. Chair Muck closed the public hearing and asked if David Rohr or the applicant wanted to address the Planning Commission first. Ronnie Hamama, the applicant, and owner came up to the podium first to explain that he has been through this process, but he obtained more land to contain the property nicely. Ronnie stated that the architect was present to explain the project and answer any PC commissioners' questions. Chair Muck stated that he wanted to pause that presentation until after the staff report by David Rohr.

David explained that this will be a two phased project. Phase one involving parcel B will be a commercial retail gas station. Phase two involving parcel A will include 40 townhomes, instead of the original 28 units that were proposed in the past as well as a 1400 square foot community center for the townhomes. There will also be 81,447 square feet of open space for the townhomes, to serve as a courtyard for residential enjoyment. A 6-foot-high cedar fence will surround the entire site. We are still waiting for the MDOT report and the traffic study from Livingston County Health Dept. The site will be on Hamburg Township sewer and water, and the township utilities department has approved the 40 water taps for these additional units and taps for the retail site since the township has the capacity.

Chair Muck asked David to explain the Livingston County Traffic study report from 2022 submitted plan. The report estimated that there will be an extra 60 daily trips due to this development for the morning rush hour and 53 trips for the evening rush hour. The only significant changes to be made would be adding a stop sign north and south for the development, and a continued traffic control (no stop sign) for east and west. There might be different requirements from MDOT, so we will need this report for the final site plan review.

Next Chair Muck turned the meeting over to the commissioners for discussion and questions. Commissioner Muir asked for clarification regarding the mailbox lean-to. The architect came to the podium and stated that the four parking spaces on the site plan near the retail building at the entrance would be for the homeowners to park and then they walk to their mailboxes. Commissioner Muir asked for more clarification about the elevation page. He stated that the side that would look over the fence would be the windows for the second floor. He felt that was a poor design. Ronnie then came to the podium to let the PC know that he noticed the missing windows, rear doors and porches. He explained that they will change the design since the homeowners will not appreciate having such access to the rear acreage. Commissioner Muir asked the owner to consider adding a more flattering design to suit the community, such as shutters to dress up the windows. He stated that the driveway entrances were

only 15-20 feet in width to the road. Muir explained that the car needs to be able to clear the road as well as the sidewalk so they might consider making these areas wider. The architect made notes to expand those areas. Finally, Muir stated that it appeared a sidewalk would be included down Pearl into the development but there was nothing to keep vehicle traffic from driving over them. He stated that the architect might consider putting in bollards to keep pedestrians safe when they use the sidewalk.

Commissioner Hamlin addressed the grading plan, asking what the oval area was. Commissioner Hughes let him know that it was a detention pond. Then Commissioner Hamlin asked the architect to clarify if the open space park includes this detention pond. He said no, not all of it but some of it. There would be walking paths around the pond. Hamlin reminded the architect that our ordinance requires the preservation of natural resources such as woodlands and lakes. He reminded the group about preserving some of these natural resources rather than developing the site with hard structures. Vegetative buffers and masonry walls are required between separate uses such as residential and commercial by our ordinance. The architect stated that they would look at this again. Hamlin asked about the use and access of the private road, Campbell Ct. It was stated that Ronnie would need a completed deed agreement that stated his shared burden for maintenance of this road with other owners. Finally, Hamlin asked how Ronnie planned to proceed with each phase. Ronnie said phase one, the retail portion would be first. Once completed and it got its C of O, then he would start phase two.

Commissioner Hughes asked the architect to clarify what the building plan design is trying to create with the placement direction of all the units onsite. The architect stated that all the unit's main front access would be off the main road into the community. Some of the units that have space provided would have a small patio and small set of stairs in the rear to get to the common open area space.

Commissioner Mariani stated that Hamlin asked most of her questions, but she had a concern about the wall around the community. Our ordinance requires a masonry wall, but the site plan shows a cedar fence. She stated that a masonry wall would be a better buffer for sound control than cedar fencing.

Commissioner Leabu began by stating he liked the original rendering in 2022. He said this is in the Village Center district. This architecture design does not come close to the VC district zone design requirements. With these updated changes to this community design, all the existing residents will see is this long plain wall. This is not going to appease the community. Leabu said that this community design needs more work to fit into this community location. He mentioned using an architecture review committee that would work with the architect and owner to help them improve their design concepts to match the community's needs. Members of this review committee would consist of the architect, owner of the project, David Rohr, and a few Planning Commission members to discuss color and material options.

Chair Muck agreed with Commissioner Leabu regarding the recommendation of utilizing architecture design committee to help the owner and architect get to a more pleasing community design in Village Center Zoning District. Clarification on the use of the private road Campbell Ct is needed. There is a need to address the rear decks and windows for all the units. The MDOT study is needed to move forward. The retaining wall and vegetative buffer is needed as well as the east and west setbacks. Chair Muck asked David how the PC should move forward with this project. David said that the PC would create a list of conditions that are required of the owner for final site plan review, to move this project along much quicker. David said if the PC has concerns with this project and they would want to review the project before it is presented to the Township Board for approval, the PC could require the owner to appear before the PC again for a second preliminary site plan review. Chair Muck asked David if a motion would be needed. David said that the PC could just give the owner a list of

requirements to move forward and allow them time to meet those requirements. Then they could appear again before the PC board sometime soon to ensure that they are meeting all of these requirements before the design moves onto a final site plan review. Commissioner Leabu and Mariani volunteered to be on the architecture design committee.

ZONING ADMINISTRATOR'S REPORT- No report

ADJOURNMENT

Motion to adjourn at 7:49 pm.

Approval motion made by Commissioner Mariani, seconded by Commissioner Muir for adjournment.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: 2/19/2024


Commissioner Jeff Muck, Chairperson