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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, June 21 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:

Patricia Hughes
Deborah Mariani
Ron Muir
Jeff Muck, Chair
Joyce Priebe

2) ABSENT:

John Hamlin
Victor Leabu Jr

APPROVAL OF MEETING AGENDA for tonight.

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

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES

Approval Motion made by Commissioner Priebe, seconded by Commissioner Mariani, to approve May 31, 2023, Planning Commission Meeting Minutes with amendments as noted by Chair Muck.

VOTE: MOTION CARRIED UNANIMOUSLY

CALL TO THE PUBLIC- No public response

OLD BUSINESS

1. **Final Site Plan Review (SPA 23-0001)** for the construction of a 22,360 square foot multi-tenant commercial building, with associated parking and site improvements. Site location is 7749 E. M-36 (TIO# 15-25-200-068).

Chair Muck opened the Planning Commission meeting to Amy Steffens, the Planning and Zoning Director. She briefed the commission on the history of this project. She let the PC know of the meeting with the applicant's architect Ted Calloway, Commissioner Leabu and herself regarding the building elevations and other designing issues brought forward at the May 31, 2023, PC meeting. Amy explained the color renderings from the architect were provided in their packets for tonight's meeting.

Amy read some requested changes to the preliminary site plan approval recommendation from the applicant. She read them from her staff report on page 3. Conditions #1 -Cross access easement for the pedestrian pathway shall be submitted for township attorney approval and recorded prior to issuance of a land use permit for any site improvements. **An easement is indicated on the site plan. Staff will work with the applicant and township attorney to formalize the easement for recording prior to issuance of land use permits.** #2 A floating easement to allow cross-access across subject site from adjacent properties should the subject site be redeveloped shall be submitted for township attorney approval and recorded prior to issuance of a land use permit for any site improvements. **An easement is indicated on the site plan. Staff will work with the applicant and township attorney to formalize the easement for recording prior to issuance of a land use permit for any site improvements.** #3 All sewer fees shall be paid in full prior to issuance of a land use permit for any site improvements. **The applicant's engineer has been in contact with Brittany Campbell, utilities coordinator. REU review will be required for each individual user and sewer fees paid in full prior to issuance of a land use permit.** #4 Prior to issuance of a land use permit, the applicant shall submit a photometric plan that shows the intensity of light within a site does not exceed 10 ten 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. Applicant shall propose an exterior light that is similar to the suggested Village Center lighting. The light fixtures most recently installed for the project in the Village Center zoning district, Hampton Manor senior Housing facility, has been discontinued. **The applicant found fixtures of similar design (attached at the end of the report) that the Commission should consider and decide if any of those fixtures would be acceptable substitutes.** #5 Final site plan shall indicate required lighting along M-36 pathway and parking area. Light fixtures to match approved Village Center fixtures and shall comply with light intensity requirements. **See above.** #6 The final site plan shall note that "All lighting shall be turned off between 11:00pm 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 11:00pm 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. #7 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, Utilities Department, Livingston County Drain Commissioner, MOOT, and Livingston County Water Authority. *The fire marshal has amended his review letter to no longer require a fire hydrant.* MOOT permit has been issued. #8 A sign program meeting the standards of Section 36-479 shall be submitted for approval by the Planning Commission prior to issuance of a land use permit for signage. #9 Tree preservation location and details shall be delineated on the final site plan (*Completed: see sheet LAI.1*). #10 A change of use shall be issued for every occupant of this structure. At the time of permit application, a parking count shall be provided by the property owner indicating the available parking for each use. #11 Parking space size may be reduced as indicated on the site plan. *Commission granted a waiver for reduced parking stall size.* #12 Final site plan shall show required screening of parking area and mechanical and electrical equipment. *A solid row of boxwoods is shown along the eastern property line, shielding the parking area from off-site views. The Commission should determine if this row of shrubs, to be maintained at a height of at least 3 feet, will be adequate to meet the intent of Section 36-187(i), Parking lot screening: All off street parking spaces or loading areas must be screened from view of any public road or pedestrian path right-of-way, or private road or pedestrian path easement by an evergreen hedge row or masonry wall, which is consistent with building architecture and site design, at least three feet in height.* #13 No outside storage areas are permitted. #14 Prior to final site plan approval architecture shall be approved by the Planning Commission. *As of this writing no revised building elevations have been submitted.* #15 Shrubs shall be maintained at three feet tall and additional screening shall be provided along the east property boundary. *See above.* #16 Final site plan approval contingent on approved color scheme.

Commissioner Muir asked two clarifying questions. First question was regarding the lone door on building A. He asked if that was the mechanical room. The architect came up to the podium and said yes, it was. He stated that usually such doors normally have an awning over them. He asked the PC members if they should require one. Second question, he asked where the location of all of the electric and gas meters was at this site. The architect said that they will be either located in that mechanical room or along that western side.

Commissioner Hughes asked Amy if Commissioner Leabu was in favor of the last few images that she provided that showed awnings on the east side of the building. Amy said yes. Hughes continued to ask if the rolling glass doors went away on this building. The architect said that the rolling glass doors on the southside of the building went away and would be replaced with regular doors and windows. She stated that there was an entrance for the southern studios to go out the east and southside of the building. She continued to say that this design was much more appealing. Commissioner Priebe clarified that he has provided elevations for this building site and that she supported them. Commissioner Mariani asked what the final color would be. The architect stated that they did not have enough time to submit color samples for this meeting. The architect clarified that he would sit down with the staff on the color scheme of the building. He said the renderings are only estimates so they will provide actual color samples to the PC in a future meeting.

Amy stated to Chairman Muck that the PC could make the final site plan contingent on architecture review committee (Commissioner Leabu and herself) if they would like to give them some guidance as to what they would like. At the suggestion of Commissioner Hughes, Amy read Commissioner Hamlin's questions to the commission in his absence. The front patio seems to incorporate the sidewalk, but Amy and the architect said it does not. The architect said that that the sidewalk butts up against the patio but

after that point, it is not a sidewalk. Hamlin's second point is that the decorative lighting shall not be exempt from the downward directed shield requirements. Amy agreed that they can't be exempt from the ordinance.

Approval motion by Commissioner Priebe, seconded by Commissioner Muir, to recommend that the Planning Commission recommend approval of the final site plan (SPA 23-0001) for the construction of a 22,360 square-foot multi-tenant commercial building, with associated parking and site improvements (site location 7749 E. M-36: TID 15-25-200-068) to the Township Board because as condition the project meets the site plan review standards A-Lin section 36-73 (7) and the additional approval standards of the Village Center district under section 36-187 as discussed at tonight's meeting and as presented in the staff report.

Conditions:

1. Cross access easement for the pedestrian pathway shall be submitted for township attorney approval and recorded prior to issuances of a land use permit for any site improvements.
2. A floating easement to allow cross-access across subject site from adjacent properties should the subject site be redeveloped shall be submitted for the township attorney approval and recorded prior to issuance of a land use permit for any site improvements.
3. All sewer fees shall be paid in full prior to issuance of a land use permit for any site improvements.
4. 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 residential used or zoned site whereby a maximum of 0.5 footcandles is permitted. Applicant shall propose an exterior light that is similar to the suggested Village Center lighting.
5. Final site plan shall indicate required lighting along M-36 pathway and parking area. Light fixtures to match approved Village Center fixtures and shall comply with light intensity requirements. These need to be approved by Amy Steffens and Commissioner Leabu.
6. 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, Utilities Department, Livingston County Drain Commission, MOOT, and Livingston County Water Authority.
7. A sign program meeting the standards of Section 36-479 shall be submitted for approval by the Planning Commission prior to issuance of a land use permits for signage.
8. Final site plan shall show required screening of parking area and mechanical and electrical equipment.
9. No outside storage area shall be permitted.
10. Shrubs along south and east property boundaries shall be maintained at no less than three feet tall.
11. Final site plan shall be conditioned on approvals by Commissioner Leabu and Amy Steffens.

Amy asked Chairman Muck for clarification. She asked if the PC is satisfied with the landscaping that is shown on the site plan by the applicant. He said yes. Amy asked if the PC had a suggested color scheme recommendation. Chair Muck said he would base it on what the architect team felt would work. (The final site plan shows the required easements; staff will work with the township attorney to formalize easement documents.)

Roll Call Vote: Ayes (S); Hughes, Muir, Muck, Priebe, Mariani Nays (O); Absent (2)

Motion passed.

NEW BUSINESS

1. **Site Plan Review {SPA 23-0001}** for the private campground dedicated to the use by United States Military veterans and their families to include sports field, tent camping area, cabins, recreational vehicle parking area, walking trail, service dog training facility, welcome center, memorial plaza, chapel, accessory structures, and docks on Gull Lake and Huron River at 6716 Winans Lake Road {TIO 4715-14-400-008 and 4715-23-100-002}.

Chair Muck opened the PC meeting to Amy Steffens for this preliminary site plan review. She briefed the commission on the history of this project. She reminded that this property has been rezoned through a zoning map amendment, making it a PPRF (Public and Private Recreational Zone) district. Amy continued to debrief the PC about this program through reading the staff report. The PPRF district does not have any landscaping requirements. There is a buffer zone that is used as a guide. See the staff report Landscaping Chart for what the strict compliance of the zoning ordinance would require of this project. Site plan is proposing to keep a vegetative berm on the south and west side of the property. Staff believes that a green belt along Winans Lake Rd is appropriate since it would provide screening from the use to the residential areas. She continued to read through the Hamburg Township Ordinance standards for lighting, signage, the Site Plan Review Standards, and the Schedule of use regulations for PPRF found in Section 36-185.

Commissioner Hughes asked Amy about clarification regarding the limitation on the size width of the river docks that would possibly serve disabled veterans wishing to utilize such amenities. She asked Amy if there was anyway that the applicants might seek a variance in this standard since this limitation in width size could possibly restrict their access to the river. The state natural river laws allow the municipality to deviate from the dock width restrictions if the applicant goes through the Zoning Board of Appeal's process. This site plan is still being reviewed by our fire marshal and the utilities department. The Livingston County Drain Commission will review and issue a soil erosion or sedimentation control permit prior to issuance of a building permit.

Chair Muck opened the meeting to the applicant's engineer. He declined to state anything, but Commissioner Hughes encouraged him to return to the podium for further clarification. She asked him if the gravel being proposed for the parking and trail areas would allow individual users who had mobility issues to be able to have access across areas. Jeff, the applicant came up to the podium to answer her questions. He stated that they would utilize 3 Track wheelchairs that could accommodate the needs of such immobile users. Chair Muck confirmed that fresh crushed gravel is ADA compliant. Commissioner Muir asked the other commissioners what their opinions were about parking the parking lot areas in the park. Chair Muck said that the gravel was very natural for this use for this park. The other commissioners agreed with Chair Muck's viewpoint on the gravel usage here.

Commissioner Mariani asked Amy how large the berms would be (height and width). Amy asked Mariani how large she wanted the berms to be. Amy said that the PC had the discretion as to how large the berm should be here. Mariani said her only concern was the headlight beams at the residential dwellings nearby. She is hoping that the berm will shield the homes from such lights. Commissioner Priebe stated that she is concerned by the neglect that berms receive overtime, thus becoming weedy by such non care. She stated that she would rather see thick bushes rather than a berm here. She asked the other commissioners what they believed. Chair Muck

said that a rustic campground doesn't need to have a natural berm that is maintained like it is up on M-36. Commissioner Mariani agreed with Muck. Commissioner Muir asked the PC members if they should require landscaping along Winans Lake Rd. Chair Muck asked Amy if there was any requirement for landscaping along the road frontage. She said that since this parcel was rezoned as PPRF, the ordinance does not require such landscaping. A buffer zone of 20 feet wide greenbelt could be required, with one canopy tree and 4 shrubs for every 40 linear feet. No berm is required though.

Commissioner Mariani asked the applicant's engineer about the 4 phases of development and what that would look like. Phase one would begin in April 2024 when state grant money is received for the project. Phase one is the most expensive phase. As funds are made available, then the next phase will begin. Seven million of funding is expected for this project.

Chair Muck asked if the applicant is proposing a pathway system for users to get from the parking lot to the sports field complex and dog training facility. He expressed his concern, in support of Commissioner Hughes earlier comments regarding individual users with mobility issues. Muck said there are no visible pathways to get users to these areas. Chair Muck stated that the engineer and applicant should consider developing a pathway system to ensure that all users can access these points of interest. He also brought to their attention that the soccer and pickle ball courts should be oriented north and south due to keep the sun out of user's eyes. He explained that he is a Parks and Recreation Manager and knows about these issues first hand. All of the commissioners were in agreement with Chair Muck that all handicapped parking areas will need to be hard surfaced with asphalt to be ADA compliant at the Lodge and other areas. Commissioner Mariani asked Amy if those spots will have handicapped signage to ensure that no other users park there. She said yes.

Commissioner Hughes asked Amy if Condition #8 should read a buffer zone, which may include a "buffer" should be "berm". Amy agreed that it was a typo, and she will correct it. Commissioner Priebe asked for clarification, if they would want a berm or a buffer on Winans Lake Rd. They all agreed no berm, only a buffer. A buffer zone would be 20 feet wide, but some discussion was had between commissioners about what to require the applicant to plant. Chair Muck stated that maybe the PC should allow the applicant to propose a suitable plan for landscaping that will meet the intent of the zoning ordinance regarding landscaping for their final site plan review. The applicant architect said they would be willing to propose landscaping. More discussion covered the buffer and landscaping near the residential homes. Chair Muck reminded the PC members that they should be respectful of the homeowners who came out at the last public meeting to express their concern regarding noise, lighting, and the need for buffering between this use and their homes. Muck said since the berm will not be maintained, he suggests that they require native plantings there to ensure that they remain attractive and non-invasive.

Approval motion by Commissioner Priebe, seconded by Commissioner Hughes, that the Planning Commission recommends approval of the preliminary Site Plan Review {SPA 23-0003} for a private campground dedicated to use by United States military veterans and their families to include sports fields, tent camping area, cabins, recreational vehicles parking area, walking trails, service dog training facility, welcome center, memorial plaza, chapel, accessory structures, and docks on Gull Lake and Huron River at 6716 Winans Lake Road {TIO 4715-14-400-008 and 4715-23-100-002}.

The Planning Commission approves the parking surface waiver for all parking areas, excluding ADA parking spaces because it meets the standards set forth in Section 36-330 {h}. The Commission recommended approval of the preliminary site plan with the following conditions.

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. lighting used for security between 11:00 pm and sunrise shall be controlled by a motion sensor.
3. 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.
4. All signage shall conform to Article XIII, Signs, and land use permits shall be issued prior to installation of signage.
5. No electronic display sign shall be permitted.
6. Any earth work that has a direct impact to the wetlands may be subject to a Part 303 EGLE permit and such permit shall be obtained prior to site work.
7. A vegetative berm shall be provided along the length of the west and southwest property boundaries that about a single-family residential dwelling as shown on the site plan.
8. A buffer zone, which may include a berm, along Winans Lake Road shall be installed, with a concentration of vegetation at the entrance.
9. A vegetative screen, which may include a berm, shall be installed along the northern 1,200 linear feet of the east property boundary. Native species shall be planted on the top of the berm.
10. The docks on the Huron River shall be sized to meet the Ordinance requirements.
11. No public use of the docks shall be permitted.
12. All required state permits shall be obtained prior to the installation of any docks in the Huron River or Gull **Lake**.
13. Upon final approval of the site plan, construction, or expansion of any permitted or special use shall conform to the site plan. The approval by the planning commission and Township Board of a site plan shall expire within one year after the date of such approval, unless a land use permit has been issued and construction has commenced.
14. No sound amplification will be permitted on this site.
15. Special event usage to be coordinated with Township public safety committee.

Roll Call Vote: Ayes (S); Hughes, Muir, Muck, Priebe, Mariani Nays (O); Absent {2}

Motion passed.

ZONING ADMINISTRATOR'S REPORT

1. This is Amy's last Planning Commission Meeting as she is moving back to Indianapolis with family.
2. She said that she appreciated serving with professionals on the boards and that she will be leaving them in good hands with the next new Zoning Administrator, David Rohr who is experienced. She let them know that she will get him up to speed on upcoming projects.
3. Commissioner Mariani said that it was a pleasure to work with Amy since she prepares them with her well-written reports.
4. Chair Muck thanked Amy for coming back.

ADJOURNMENT

Approval motion was made by Commissioner Muir, seconded by Commissioner Hughes, to adjourn at 8:14 pm.

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

Amy Steffens

Planning & Zoning Director

The minutes were approved as corrected:

A handwritten signature in black ink, appearing to be "Jeff Muck", is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Commissioner Jeff Muck, Chairperson