

**Hamburg Township Planning Commission  
Wednesday, November 2, 2005  
Hamburg Township Hall Building  
Regular Meeting**

**1. CALL TO ORDER**

The meeting was called to order by Commissioner Goetz at 7:30 p.m.

Present: Goetz, Menzies, Ren, Leabu, Eckman, Janiga

Also Present: Pat Hagman, Planning, Zoning Administrator, John Jackson of McKenna & Members of the Public.

**2. PLEDGE TO THE FLAG**

**3. APPROVAL OF AGENDA**

**Motion by Menzies, supported by Ren to approve the agenda including the following:  
Add under #7. New Business A. Dairy Queen, Change Non-Conforming Lot Analysis to B.  
and add C. Hamburg Professional Office.**

Voice Vote: AYES: 6, 1 absent (Danko)

MOTION CARRIED.

**4. APPROVAL OF MINUTES**

**Motion by Ren supported by Menzies to approve the minutes from October 19, 2005 with  
the following changes:**

**Page 3, Item 10. Line 4, amend sentence to read: "Menzies suggested getting Steve Ward  
involved, due to the fact he is a business man in the planned area and he has stated an  
interest to get involved."**

Voice Vote: AYES: 6, 1 absent (Danko)

MOTION CARRIED.

**5. CALL TO THE PUBLIC CONCERNING ITEMS NOT ON AGENDA**

A call was made with no response.

**6. CORRESPONDENCE**

There was no correspondence presented.

**7. NEW BUSINESS**

**A. Dairy Queen**

**Motion by Menzies supported by Ren to abstain Janiga due to possible conflict of interest  
with project.**

Voice Vote: AYES: 5, 1 absent (Danko), 1 abstain (Janiga)

MOTION CARRIED.

**Joe Moore, Boss Engineering** presented the proposed site plan for Dairy Queen. He stated that proposal is to tear down existing building and rebuild the structure. He stated that the applicant is proposing a shared driveway with the adjoining parcel in order to reduce curb cuts. He stated that due to a purchase of additional property, they are able to provide a 20 foot greenbelt, and are able to provide 40 parking spaces and 6 stacking spaces with a 7.5 foot buffer in the rear. He stated that they used turning templates on the property and the Fire Department would be able to access and exit the site. They were able to secure an extra 40 feet of property in order to make these changes, and to reduce the variances they had been previously granted. The impervious surface will be increased, and they are proposing to only give a 100 year detention for the increase in impervious surface in lieu of the entire site.

**Leabu** asked if the 4 foot storage pipe would be perforated or solid.

**Moore** stated the proposal is for solid pipe right now.

**Tim McCotter, J.K. Janiga Architects** addressed the board. He reviewed the proposed architecture of the building. He stated that the sign has been re-designed to maintain proportions and to meet the spirit and intent of the ordinance.

**Brian Boving, Owner of Dairy Queen** addressed the board. He gave the history of the ownership, and the remodeling of the building. He stated he has received many positive comments regarding the new building.

**Jackson** stated that they have been working with the applicant to make changes and meet ordinances. He suggested to the applicant a further reduction of signage and possibly adding signage to the awning or windows. He also suggested removing the signage on the parking lot side of the building. He stated that he would like to see

**Bob Craigmile of OHM** reviewed his letter dated 10/28/05, reviewing the storm water detention & permit requirements.

**Hagman** stated that applicants did go before the ZBA and asked for variances which were granted with the condition that approval would need to come from Planning Commission. The Special Use permit is required for the drive-thru.

**Menzies** asked if the signage design is a corporate requirement.

**Applicant** stated it was, and out of 3 prototypes, the proposed is the smallest sign.

**Eckman** stated that his biggest concern is the proposed entrance to the neighboring parcel to the West.

**Moore** stated that the applicant worked with Stephen Ward to reduce curb cuts, and create an entrance for both parcels, should something be built on the neighboring parcel in the future.

**Mr. Ward** addressed the board. He stated that he wants to be sure that the entrance is suitable to the Township, so that the parcel can be built on. He stated that they were trying to limit the curb cuts, and is envisioning an 8,000 to 10,000 square foot unit being built on the parcel in the future. He stated that city water should play a big part in the development of the surrounding area.

**Leabu** stated that Mdot may have some input on the curb cuts, and all possible zoning choices for the neighboring parcel.

**Moore** stated that there is no true driveway in front of the Hardware building, and this solution eliminates the owner of the Dairy Queen from making yet another curb cut. They have talked to Mdot and have submitted the plans for their review.

**Leabu** stated that signage should be decreased. He discussed storm water options and alternatives, and brought up architecture. He stated he would like to see a mechanical system for the storm water rather than see a fence.

**Mr. Boving** stated that he has only one store, and the corporate design is all he can base his opinion on. He is hesitant to take a chance, and would like to work on a design that is as close to the corporate design as possible.

**Leabu** stated that Taco Bell is coming, and the corporate image that was proposed, had been worked on and changed. He stated that it could be done, without compromising the corporate image.

**Ren** stated that storm water maintenance should be brought up to modern code, as much as is reasonable. He stated that if variances have been granted, why they aren't using them for storm water in lieu of the buffers. He also reviewed the proposed lighting and stated that the plans don't meet the current ordinance. He stated that the current design seems to have a lot of glare, and they may want to compromise on changing the up lighting to down lighting. He mentioned that a bike rack may be a good idea, as the trail system will be near the site, and their business may be accessed by people enjoying the trail.

**Goetz** stated that a Public Hearing needed to be set for the Special Use Permit.

**Moore** asked why a new Special Use permit hearing was required, when the property already had a special use with the existing site.

**Hagman** explained that the applicant is raising a whole new site.

**Jackson** stated that the special use is tied to the site plan for that special use.

**Hagman** stated that the use is eliminated entirely with the demolition of that site, and then re-established by the new site plan.

**Moore** stated that he was clear on what the issues are, and would like to request to proceed with approval with the permits as a contingency, in order to move as quickly as possible.

**Hagman** stated that a Public Hearing needs to come first for the special use. The first meeting possible for that would be the 11/16/05 meeting.

**Leabu** suggested setting for 11/16/05 and moving the process along for the applicant.

**Motion by Menzies, supported by Eckman to hold a Public Hearing for the Special Use Permit for Dairy Queen, on 11/16/05 at the regularly scheduled meeting.**

Voice Vote: AYES: 5, 1 absent (Danko), 1 abstain (Janiga)

MOTION CARRIED

#### **B. Hamburg Professional Plaza**

**Hagman** stated that the applicant is requesting a Public Hearing be set for the Special Use Permit, and mentioned special meeting date options. After discussion with the board, Hagman to find out what preference the applicant has between holding a special meeting 11/30/05, or waiting until the 12/7/05 regularly scheduled meeting. He will advise board of the applicant's decision.

**C. Non-Conforming Lot Analysis**

**Jackson** reviewed his map analysis for the Waterfront and Natural River District, non-conforming lots. He stated that out of 5,373 lots, 4,730 of them were non-conforming. Of the 4,730 lots, 207 are zoning lots of record.

The board discussed the text amendment and how it would affect the residents and surrounding area.

**Ren** stated that reduction in the required lot size should be considered and discussed.

**Leabu** suggested doing an average lot size according to the current lot sizes, especially now considering there is sewer.

**Steve Pugsley** addressed the board. He suggested that the 207 people that would be most affected by this text change, should be notified. He stated that if there are that many lots that are non-conforming in the Township, that perhaps the ordinance needs to be amended.

**Jackson** stated that lakes vary in size, and they may need to come up with up to 5 different zones for waterfront.

**Leabu** stated that this approach doesn't make the non-conforming any less of an issue.

**Menzies** asked if other areas have this ordinance, and if so, are there problems with this provision?

**Jackson** stated that Grosse Isle has this provision on waterfront and it was upheld.

**Pugsley** stated that Green Oaks also has this provision. He suggested looking into combined lots that have more than 1 tap, is the intent to build more?

**Jackson** asked if the rest of the lots in the Township needed to be calculated.

**8. OLD BUSINESS**

There was no Old Business presented.

**9. NEW BUSINESS**

There was no new Business presented.

**10. ZONING ADMINISTRATOR'S REPORT**

There was no Zoning Administrator's report given.

**11. CONSULTANT'S REPORT**

There was no consultant's report given.

12. **ADJOURNMENT**

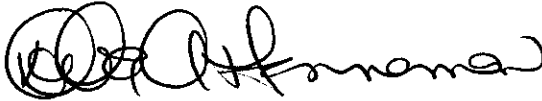
Motion by Eckman, supported by Janiga to adjourn meeting.

Voice Vote: AYES: 6, 1 absent (Danko)

MOTION CARRIED.

The meeting adjourned at 9:42 p.m.

Respectfully Submitted,



Debra A. Henneman  
Recording Secretary

Minutes approved at: 12-7-05 meeting

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~~Fred Goetz~~ Simon Pen  
Planning Commission Secretary