



Department of Planning and Economic Development

Staff Report to the Planning Commission

October 16, 2015

Brampton Parc Condominiums PUD	
REQUEST	PUD Concept Plan Recommendation
APPLICANTS	Mark Gesuale and Jim Polyzois 1459 John R LLC 14599 Technology Dr. Shelby Twp., MI 48315
LOCATION	East side of John R, between Hamlin and School Rds.
FILE NO.	15-001
PARCEL NO.	15-24-301-052
ZONING	R-4 One-Family Residential
STAFF	Sara Roediger, AICP, Manager of Planning

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Overview

The applicant is proposing a 12-unit Planned Unit Development (PUD) on a 2.93-acre site located on the east side of John R, south of School Rd. There will be six, two-unit duplexes ranging from 1,250 to 2,100 square feet with a preliminary price point of \$350,000. The site is zoned R-4 One-Family Residential, with R-4 zoning to the north, east and south and R-3 zoning to the west, all developed with homes and a school to the west across John R. There is one small wetland on the south perimeter of the site which is proposed to be filled and re-graded as the storm water detention basin. A Wetland Use Permit will need to be applied for at the Final stage, and ASTI's attached letter of September 17, 2015 states that the wetland is of low quality, and the area to be impacted is small and therefore recommends that the City subsequently approves a Permit. There will be 1.6 acres of public open space (general commons area) and 0.37 acres of private open space (roadway). The site will be accessed from John R to a private, internal cul-de-sac with sidewalks, and a sidewalk will be constructed along the length of the property along John R.

The applicants appeared before the Planning Commission on February 17 of this year to discuss the project, and received support from the Commission that they would like to see the project move forward. Please see attached minutes from that meeting.

PUD Review Process

Process Overview

The PUD review process consists of a two step process:

1. **Concept Plan.** The PUD concept plan is intended to show the location of site improvements, buildings, utilities, and landscaping with a level of detail sufficient to convey the overall layout and impact of the development. The PUD concept plan is not intended to demonstrate compliance with all ordinance requirements, but rather is intended to establish the overall layout of the development, including the maximum number of units which may be developed. At this step, a Public Hearing will be held at the Planning Commission meeting, followed by a recommendation to City Council.
2. **Site Plan/PUD Agreement/Tree Removal Permit/Wetland Permit.** The second step in the process is to develop full site plans based on the approved PUD concept plan and to submit the PUD Agreement. At this time the plans are reviewed for compliance with all City ordinance requirements, the same as any site plan. Again, the Planning Commission makes a recommendation to City Council, and the project will need a Wetland Use Permit Recommendation.

The PUD option is intended to permit flexibility in development that is substantially in accordance with the goals and objectives of the City's Master Land Use Plan at the discretion of the City Council. Use of the PUD option is intended to encourage innovation and provide variety in design layout; achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities; encourage the creation of useful open spaces; and provide appropriate housing opportunities. The PUD option can permit a different use not permitted in a zoning district and permit densities or lot sizes that are different from the applicable district.

The Planning Commission and City Council should be evaluating the major elements of the development such as density, layout, and building design with the understanding that more details will be reviewed during step 2 of the process, with the burden being on the applicant to maintain compliance with the overall layout and density approved with the PUD Concept plan. Many site plan issues have been addressed at this stage; please refer to the Planning Department memo dated September 25, 2015 for details of the proposed PUD.

PUD Qualification Criteria

Section 138-7.102 sets forth the criteria that a prospective PUD must meet. Each of the criterion are listed below, along with staff comments on the proposed PUD's compliance with each.

1. *The PUD option shall not be used for the sole purpose of avoiding applicable requirements of this ordinance. The proposed activity, building or use not normally permitted shall result in an improvement to the public health, safety, and welfare in the area affected.* The proposed PUD includes single-family attached condos ranging from 1,200 to 2,100 square feet and generally meets the requirements of the MR zoning district. Use of the MR option is an opportunity to offer another diverse housing option for the city's residents and was used in the review of the proposed PUD because it contains standards that relate to the use of attached condos. The site is not governed by the City's Tree Conservation Ordinance, but with the flexibility allowed in using the PUD option, the applicant is better able to take advantage of the natural features of the site and preserve 45% of the trees on-site. If the site were developed under the current zoning district, the applicant would get fewer homes but have a greater impact to the natural features, and result in a typical single-family subdivision.

2. *The PUD option shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards.* In following the requirements of the MR district, the city has the ability to be flexible with regulations in return for development that is above and beyond conventional development. Several slight variances from conventional zoning would be required, including minimum parcel area, and minimum perimeter rear setback, but at staff's recommendation, the applicant has modified the building design to meet the City's Architectural Design Standards, including adding dormers to the second floor, recessing the entryways, having the bay windows project and pushing the garages behind the front of the building.
3. *The PUD option may be used only when the proposed land use will not materially add service and facility loads beyond those contemplated in the master land use plan. The applicant must demonstrate to the satisfaction of the City that the added loads will be accommodated or mitigated by the applicant as part of the PUD.* The proposed gross density is less than typical densities achieved in attached residential developments in the MR district. It is unlikely that the number of units proposed will materially impact service or facility loads above those anticipated by the Master Land Use Plan, but the Planning Commission and City Council must determine if the proposed quality of the development is consistent with planned new development for area.
4. *The PUD shall meet as many of the following objectives as may be deemed appropriate by the City:*
 - a. *To preserve, dedicate or set aside open space or natural features due to their exceptional characteristics or their environmental or ecological significance in order to provide a permanent transition or buffer between land uses, or to require open space or other desirable features of a site beyond what is otherwise required in this ordinance.* As mentioned, there will be 1.6 acres of general common space. The buildings have been sited so as to preserve existing stands of mature trees to the extent possible, including the existing vegetation near the northeastern corner of the property. 45% of the trees greater than 6" in caliper will be preserved.
 - b. *To guarantee the provision of a public improvement that would not otherwise be required to further the public health, safety or welfare, protect existing uses or potential future uses in the vicinity of the proposed development from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.* Not applicable.
 - c. *To promote the goals and objectives of the Master Land Use Plan and other applicable long range plans such as the Master Thoroughfare Plan.* The proposed project promotes a diversity of housing types and sizes to meet the needs of people of different ages, incomes and lifestyles within the community.
 - d. *To facilitate development consistent with the Regional Employment Center goals, objectives, and design standards in the City's Master Land Use Plan.* Not applicable.
 - e. *To preserve and appropriately redevelop unique or historic sites.* Not applicable.
 - f. *To permanently establish land use patterns that are compatible with or will protect existing or planned uses.* The proposed density is generally consistent with what was planned for in the Master Plan.
 - g. *To provide alternative uses for parcels that can provide transition or buffers to residential areas and to encourage redevelopment of sites where an orderly transition or change of use is desirable.* The use of the PUD option better respects the natural features on the site and neighboring properties. An alternate plan was provided that showed development under the current zoning district, which resulted in fewer homes but more impacts to the natural features.
 - h. *To enhance the aesthetic appearance of the City through quality building design and site development.* In general the design has improved over previous submittals and in an effort to de-emphasize the garage doors, the applicant has shifted the garage doors back to be located behind the front building wall.

The plan is not required to comply with all of the items listed in criterion 4. It is up to the judgment of the Planning Commission and City Council to determine if the proposed development provides some benefit that would not otherwise be realized. In this instance, it might be preservation of natural features and the high quality of the proposed architecture.

The applicant has completed most of the work necessary for site plan approval and has had preliminary discussions with many city departments, so there is some degree of confidence that the layout will meet the various ordinance requirements as commented on in the staff review letters.

PUD Concept Plan

1. **Site Layout.** The site has been designed with an internal cul-de-sac with six, two-unit duplexes around it. All building setback requirements associated with the MR zoning district have been met or exceeded with the exception of the rear and side perimeters on the east and south. The minimum east rear perimeter setback required is 60 feet and 35 is proposed; the minimum south side perimeter required is 25 feet, and 20 feet is proposed. The city has the ability to determine the minimum perimeter setback as part of the PUD option. The applicant has met or exceeded the buffer zone widths and planting requirements to help address screening for adjacent properties. The proposed setback of 20 feet for the side and 35 feet for the rear is consistent with the largest side and rear yard setback in the one-family residential districts. The two existing homes to the east are at least 100 feet from the subject east property line (the third lot is vacant).
2. **Density.** The proposed density results in 4.09 units per acre, while the ordinance has a maximum density of 4.25 units per acre for the MR district.
3. **Parking.** The minimum parking requirement is two spaces per unit plus 0.25 visitor spaces per unit. A total of 31 parking spaces are proposed, including two garage spaces, two garage approach spaces, and seven visitor parking spaces.
4. **Landscaping and Open Space.** A fairly extensive landscape plan has been provided that depicts buffer zones and street tree landscaping that meets or exceeds the requirements. A landscaped pedestrian seating node has been included on the plans as an amenity to the residents.
5. **Building Design.** Building materials meet or exceed the City's Architectural Design Guidelines. At staff's recommendation, the design for the front elevations was revised to move the garages further back behind the front building wall to better emphasize the human entrance.
6. **Engineering Comments.** The applicant continues to work with Engineering in response to the review letter dated September 21, 2015, and as indicated in the Design Team response letter dated October 1, 2015 the Engineering comments have been addressed.
7. **Fire Comments.** The applicant continues to work with Fire in response to the review letter dated September 22, 2015, and as indicated in the Design Team response letter dated October 1, 2015 the Fire comments have been addressed.

PUD Concept Plan Recommendation Motion

Should the Planning Commission find that the proposed PUD concept plan meets the qualifying criteria for a PUD, staff offers the following motion to recommend approval to the City Council.

MOTION by _____, seconded by _____, in the matter of 15-001 (Brampton Parc Condominiums PUD), the Planning Commission **recommends** that **City Council approves** the PUD Concept plans dated received September 11, 2015, with the following findings and subject to the following conditions.

Findings

1. The proposed PUD Concept Plan meets the criteria for use of the PUD option.
2. The proposed PUD Concept Plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions

1. Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.
2. The site plans, including but not limited to landscaping, engineering, tree removal and wetland use/buffer modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.
3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.
4. Recommendation by the Planning Commission and approval by City Council of a Wetland Use Permit and submittal of an MDEQ Wetland Permit at Final PUD review, with the plans to address comments from ASTI's letter dated September 17, 2015.
5. Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.
6. Address comments from applicable City Staff memos, prior to Final PUD submittal.

Attachments: PUD Conceptual Site Plans dated received 9/11/15: Cover Sheet, Sheet SP 1.0; Site Plan, Sheet SP 1.1; Proposed Site Plan, Sheet SP 1.2; Existing Site Conditions, Sheet SP 1.3; Woodland Survey, Sheet SP 1.4; Wetland Analysis, Sheet SP 1.5; Slope Analysis, Sheet SP 1.6; Open Space Plan, Sheet SP 1.7; Landscape Concept Plan, Sheet LA 1.0; Landscaping Planting Plan, Sheet LA 1.1; Site Sections, Sheet LA 1.2; Typical Unit Planting Plan, Sheet LA 1.3; Specifications & Details, Sheet LA 2.0; Landscape Quantities & Cost Estimates, Sheet LA 2.1, prepared by Design Team +; Preliminary Site Plan, Sheet Eng 1; Preliminary Utility Layout and Grading Plan, Sheet Eng 2; Soil Boring and Sanitary Capacity Details, Sheet Eng 3, prepared by D'Anna Associates; Architectural Concept Elevations, Sheet A-1; Duplex Unit Concept Plan, Sheet A-2, prepared by TR Design Group, LLC.

Planning Department memo dated 9/25/15; Assessing Department memo dated 5/26/15; Fire Department memo dated 9/22/15; Building Department memo dated 8/10/15; Parks & Forestry memo dated 6/9/15; Engineering Services memo dated 9/21/15, ASTI Environmental Letter dated 9/17/15; Response letter from Design Team, dated 10/1/15; EIS dated 10/1/15; Planning Commission Minutes dated 2/17/15; and Public Hearing Notice

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