

East

D) Open House Invite for 5/26/16 re: Auburn Road Corridor

## NEW BUSINESS

2015-0525 Public Hearing and request for approval of a Revised Wetland Use Permit Recommendation for impacts up to an additional 509 square feet (previously approved for 14,133 square feet) associated with the construction of Woodland Park Site Condominiums, a proposed 48-unit development on 23.6 acres located south of Hamlin, west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-28-226-007, -008, -021, -022, part of -001 and 15-28-204-004, Pulte Land Company, Inc., Applicant  
*(Reference: Staff Report prepared by Sara Roediger, dated May 13, 2016 and Final Site Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Joe Skore, Pulte Land Company, Inc., 100 Bloomfield Hills Parkway, Suite 150, Bloomfield Hills, MI 48304 and Carol Thurber, Fazal Khan & Associates, Inc., 43279 Shoenherr, Sterling Heights, MI 48316.*

*Ms. Roediger presented the project and stated that there were four actions being requested. She noted that the request for Preliminary Site Condominium Plan Recommendation was before the Planning Commission in December of 2015 and approved by City Council in January 2016. Although there were requests for modifications, she explained that the Final Plans were substantially the same as previously presented, with 48 detached site condos in the same layout near the southwest corner of Hamlin and Livernois. When the applicants worked with Engineering on the utilities, it was determined that an additional 509 square feet of wetlands would be impacted over what was approved earlier. In addition, the Natural Features Setback Modification would be impacted an additional 172 lineal feet. Regarding tree preservation, an additional 193 trees were being requested to be removed. It was a result of a miscalculation of the how trees were counted. She added that there had not been a change in the plans, in terms of the amount of trees being preserved; it was just a matter of how they were accounted. She commented that it really just equated to a larger check being written to the City's Tree Fund. The applicant was using the MR Mixed Residential Overlay standards, which required better buffers and more landscaping. Ms. Roediger concluded that staff had recommended approval, and that she would be happy to answer any questions.*

Chairperson Brnabic asked the applicants if they had anything further to add, which they did not.

Chairperson Brnabic opened the Public Hearing for the Wetland Use Permit at 7:07 p.m. Seeing no one come forward, she closed the Public Hearing.

Mr. Hooper stated that seeing no one come forward, hearing no comments, and seeing no substantial changes from the Preliminary Plans, he would move the motion for the Wetland Use Permit Recommendation, which was seconded by Mr. Schroeder.

**MOTION** by Hooper, seconded by Schroeder, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning Commission **recommends** City Council **approves a Revised Wetland Use Permit** to temporarily and permanently impact approximately 509 square feet (14,133 square feet previously approved) the total amount associated with the construction of several units, a portion of the roads and associated utilities, two culverts and a portion of the storm sewer, based on plans dated received by the Planning Department on May 3, 2016, with the following four (4) findings and subject to the following four (4) conditions.

Findings

1. The applicant received approval of a Wetland Use Permit from City Council on January 11, 2016 for impacts up to 14,133 square feet and is now requesting approval for an additional 509 square feet identified for work during construction activities.
2. The revised amount was determined during construction plan review and is a nominal amount over what was previously approved.
3. Of the approximately 1.12 acres of City-regulated wetlands on site, the applicant is proposing to impact approximately one-third in total.
4. The wetland areas are of medium to low ecological quality and should not be considered a vital natural resource to the City as determined by the City's Wetland Consultant, ASTI, who recommends approval of the permit.

Conditions

1. *City Council approval of the Revised Wetland Use Permit.*
2. *If required, that the applicant receives all applicable DEQ permits prior to issuance of a Land Improvement Permit.*
3. *That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.*
4. *That any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible, prior to final approval by staff.*

**A motion was made by Hooper, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:**

**Aye** 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Yukon

**Absent** 1 - Kaltsounis

2015-0527

Request for Revised Natural Features Setback Modifications - City File No. 15-014 - for impacts up to an additional 172 linear feet (previously approved for 965 linear feet) in the Natural Features Setback area for Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin, west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Pulte Land Company, LLC, Applicant

**MOTION** by Hooper, seconded by Schroeder, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning Commission **grants a Revised Natural Features Setback Modification** for the temporary and permanent impacts to as much as an additional 172 linear feet (965 linear feet previously approved) of natural features setbacks associated with the construction and grading of units the roads associated utilities and the storm sewer, based on plans dated received by the Planning Department on May 3, 2016, with the following four (4) findings.

Findings

1. *The applicant received approval of a Natural Features Setback Modification for up to 965 linear feet from the Planning Commission on December 15, 2015 and is now requesting approval of an additional 172 lineal feet identified for work during construction*

activities.

2. *The revised amount was determined during construction plan review and is a nominal amount over what was previously approved.*
3. *Natural Features Setback Modifications are needed to construct several units and a portion of the roads and storm sewer.*
4. *The Natural Features Setbacks are of low ecological quality as determined by the City's Wetland Consultant, ASTI, who recommends approval of the setback modification.*

**A motion was made by Hooper, seconded by Schroeder, that this matter be Approved. The motion carried by the following vote:**

**Aye** 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Yukon

**Absent** 1 - Kaltsounis

**2015-0524**

Public Notice and request for a Revised Tree Removal Permit - City File No. 15-014 - for the removal of as many as 193 additional regulated trees (original approved for 142) for Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Pulte Land Company, LLC, Applicant

*A member of the audience asked to speak and turned in a card.*

**Michael McIntosh, 2175 Willow Leaf Ct., Rochester Hills, MI 48309**

*Mr. McIntosh stated that he was concerned about the number of trees planned for removal. He lived in the lower left corner by the development, and he said that he would be getting a retention basin behind his house. He claimed that the applicants had dropped trees and left them, and he wondered if they would be left like that until late summer. He wondered about taking more trees than they already had. He commented that the trees had been growing for 100 years, and all of a sudden, they would be taken down, and he was concerned. He said that he understood progress, but he questioned why the City would allow all the trees to be eliminated. His backyard used to be wooded, but it was not any more. When he built his house, he only cut trees where his house would be and left everything else as much as he could so he would have a wooded area. He reiterated that he was concerned about more trees being removed.*

*Chairperson Brnabic noted that not only was there a concern about the number of trees, but there was also a question about clean up of the trees already cut, and she asked the applicants to address that.*

*Ms. Thurber explained that the tree removal was due to the Indiana Bats nesting season and having a limited cutting season - April 1st to October 31st - so the trees had to be cut down prior to April 1st. She advised that when the construction permits were approved and they were on site, they would do the clean up. She noted that the trees were cut down with proper authorization from the State. They anticipated approval and to begin construction in July, when they would remove the trees. As Ms. Roediger had indicated, there was not a difference in the number of trees; there was a difference in the way it was calculated. They had eliminated some trees as not regulated that were regulated, but it was the same number of trees. She added that there would be a very substantial buffer along the property lines, as required by the MR standards.*

*Chairperson Brnabic asked the possibility of cleaning up the trees prior to July. Mr. Skore agreed that they could do that.*

*Mr. Hooper said that in regards to the trees, it came up every time there was development. In the subdivision where he lived, there were trees removed in order for the homes to be built. The City had an Ordinance to preserve a minimum amount of trees, and the subject development was resulting in a larger preservation rate than the minimum required. The City tried to maintain clusters of trees in natural wooded areas such as parks or detention areas. He reminded that everyone who would own one of the new home sites could take every tree down without a permit. As a starting point, the City was requiring the developers to save a minimum percentage to preserve green space and trees. Mr. Hooper found that the minimum amount of preservation was being exceeded, and that the City was affording property rights to the applicant, and he moved the motion for the Revised Tree Removal Permit, seconded by Mr. Schroeder:*

**MOTION** *by Hooper, seconded by Schroeder, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning Commission grants a Revised Tree Removal Permit for an additional 193 trees (previously approved for 142), based on plans dated received by the Planning Department on May 3, 2016, with the following four (4) findings and subject to the following two (2) condition.*

**Findings**

- 1. The applicant received a Tree Removal Permit on December 15, 2015 from the Planning Commission to remove and replace up to 142 trees and is requesting approval for an additional 193 trees*

identified during a further review by staff.

2. *The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.*
3. *Of the 554 regulated trees onsite, 219 will be saved, resulting in a 40% preservation rate.*
4. *The applicant is proposing to replace 335 regulated trees with 108 tree credits and pay the balance into the City's Tree Fund.*

Conditions

1. *Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.*
2. *Commence with clean up of the trees cut down within two weeks of May 18, 2016.*

*Prior to the vote, another member of audience turned in a card.*

**Calum Beattie, 2135 Willow Leaf, Rochester Hills, MI 48309 Mr.**

*Beattie said that he was still a little unclear about the trees. He said that he also backed up to the southwest corner, and he understood that trees would be cleared. He asked if he could get a better feel for what trees exactly would be coming down. As previously mentioned, there were some 100-year old Oaks, and there was a lot of wildlife in the area. He would like to know how much of a buffer there would be between the houses and the trees to be removed.*

*Ms. Thurber showed a colored rendering of the development with X's for trees to be removed and trees in yellow to remain. There were green trees which indicated additional plantings.*

*Mr. Beattie thought that a substantial amount of trees would be taken down, and that there would be a substantial change in the landscape. He said that it would be interesting to learn more about the trees to be planted and to get some advance information about it, which Ms. Thurber agreed she could provide.*

*Chairperson Brnabic asked the applicants if they would be willing to meet with the neighbors in regards to the trees. Mr. Skore said they absolutely*

would be. He recalled that in early December, they met with many of the neighbors and had an informational meeting. He said that he would be happy to continue to do that.

**A motion was made by Hooper, seconded by Schroeder, that this matter be Granted. The motion carried by the following vote:**

**Aye** 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Yukon

**Absent** 1 - Kaltsounis

**2015-0526** Request for Final Site Condominium Plan Recommendation - Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay; Pulte Land Company, Inc., Applicant

***MOTION*** by Hooper, seconded by Schroeder, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning Commission recommends that City Council grants Approval of the Final Site Condominium Plan, based on plans dated received by the Planning Department on May 3, 2016, with the following four (4) findings and subject to the following seven (7) conditions.

Findings

1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.
3. The final plan represents a reasonable and acceptable plan for developing the property.
4. The final plan is in conformance with the preliminary plan approved by City Council on January 11, 2016.

Conditions

1. Engineering approval of all permits and agreements prior to issuance of a land improvement permit.
2. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a Land Improvement Permit.

3. *Post a landscape and irrigation bond in the amount of \$183,015 plus inspection fees, as adjusted as necessary by the City, prior to issuance of a Land Improvement Permit.*
4. *Payment into the City's Tree Fund in the amount of \$46,648.50 for trees that cannot be replaced on site, prior to issuance of a Land Improvement Permit.*
5. *Submit an irrigation plan with a note specifying that watering will only occur between the hours of 12am and 5am prior to final approval by staff.*
6. *Payment of \$9,600 into the tree fund for street trees prior to issuance of a Land Improvement Permit.*
7. *Compliance with staff's memos with minor comments to be addressed at building permit application and prior to final approval by staff.*

**A motion was made by Hooper, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:**

**Aye** 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Yukon

**Absent** 1 - Kaltsounis

*After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously, and she thanked the applicants. Ms. Roediger advised that the matter would be scheduled on the June 6, 2016 City Council meeting.*

**2015-0181** Public Hearing and request for Planned Unit Development (PUD) and Conceptual Site Plan Recommendation - City File No. 89-114.2 - Sanctuary in the Hills East Condominiums, a proposed 14-unit residential development on 4.57 acres, located east of Sanctuary Blvd., north of South Blvd., zoned R-4 One Family Residential, Parcel Nos. 15-32-476-001, -002, -005, -006, -009, 15-32-477-009, and -016, Dan MacLeish, MacLeish Building, Inc., Applicant *(Reference: Staff Report prepared by Sara Roediger, dated May 13, 2016 and Concept PUD Plans and Elevations had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Dan MacLeish and his son, Dan MacLeish, Jr., MacLeish Building, Inc., 650 E. Big Beaver, Suite F, Troy, MI 48083*