

protection, water and sewer, drainage ways, and refuse disposal.

5. *The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Conditions

1. *That all State requirements be met for the outdoor seating area and that the fencing be decorative such as a wrought iron style.*

A motion was made by Kaltsounis, 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 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis and Schroeder

Absent 2 - Reece and Yukon

Chairperson Boswell stated for the record that the motion had passed unanimously.

2015-0392 Public Hearing and request for Preliminary Planned Unit Development and Concept Plan Recommendation - City File No. 15-001 - Brampton Parc Condominiums PUD, a proposed 12-unit residential development on 2.96 acres, located on the east side of John R between Hamlin and School Rds., zoned R-4, One Family Residential, Parcel No. 15-24-301-052, 1459 John R, LLC, Applicant

(Reference: Staff Report prepared by Sara Roediger, dated October 16, 2015 and PUD Site Plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Mark Gesuale and Jim Polyzois, 1459 John R LLC, 14599 Technology Dr., Shelby Twp., MI 48315 and Ralph Nunez, Design Team Plus, 975 E. Maple, Suite 210, Birmingham, MI 48009.

Ms. Roediger noted the request for a Planned Unit Development (PUD) concept plan. The applicants had been in front of the Planning Commission informally earlier this year to pose the idea. She advised that the site was 2.93 acres, located on the east side of John R between Hamlin and School Rds. The property was currently zoned R-4, One

Family Residential, and the applicant wished to construct six, two-unit duplexes. The PUD process was two-fold; the concept plan would be reviewed and recommended by the Planning Commission to City Council. The concept plan showed the layout - the number of units, the road and detention - and the second or final step would also be in front of the Planning Commission for a recommendation to City Council. All the details would be ironed out at the final stage, although a lot of information was submitted by the applicant at the concept stage. She showed a sample elevation. She had worked with the applicants on the building footprints and elevations to create recessed garages and to enhance the human element of the house rather than focusing on the garage.

Regarding the site plan, Ms. Roediger advised that the site was not subject to the City's Tree Conservation Ordinance, but tree preservation was one of the reasons they went to a PUD option. The proposed plan would save 45 % of the regulated trees. All staff reviews recommended approval of the conceptual plan with the exception of Fire, which had a few comments. The applicant had provided a response which said that they could meet all the requirements of the Fire Department, and they were comfortable addressing those as part of the next step. She said that she would be happy to answer any questions.

Mr. Nunez indicated that the City did an excellent job of reviewing the project. When they first came to the City, they looked at R-4 zoning. They could possibly get nine lots with a straight, conventional road. With R-4 zoning, the developer would have been entitled to remove all the trees, and that was not at all what the developer wanted to do. They looked at several iterations, and Staff recommended evaluating the condition of the trees. Their forester went out and rated the trees, and they adjusted the plan. He talked about the stormwater issues, and they worked with Engineering to do proper swales along the back to preserve trees. The pavement width was reduced using a private road. He pointed out a seating area by the detention basin for walkers. They also went from a Type B to a Type C Buffer and added substantial plantings along all sides.

Mr. Schroeder asked if the road had been narrowed. Mr. Nunez agreed, and said that it would be similar to what they did with the Enclaves. There would be pavement with a carriage walk so emergency vehicles would have 27 feet for vehicles around the cul-de-sac per the Fire Department. Mr. Schroeder indicated that it would create a problem with on-street parking. Mr. Nunez agreed, and noted that there would be two-car garages with two spaces in the driveways, four additional spaces in the

development north of the detention basin, and around the cul-de-sac, there was excess pavement on the inside where there would be room for three more cars. There was a possibility of parking on one side of the pavement which they could sign. Mr. Schroeder maintained that residents and guests would be parking in the street.

Mr. Schroeder noted that the sidewalk seemed to end at the seating by the detention pond, and there did not seem to be a sidewalk between unit 12 and the seating node. Mr. Nunez said that because of the stormwater detention size and capacity and the need for additional plantings there, they felt that it was more important to have room for trees. The sidewalk did terminate at the seating area, and they provided a connection for 11 and 12 to access John R. Mr. Schroeder recommended that "no parking" signs should be placed on the hydrant side.

Chairperson Boswell opened the Public hearing at 7:45 p.m.

Sunny Kay, 1435 John R, Rochester Hills, MI 48307. Ms. Kay stated that she lived directly north of the subject property. She asked how many bedrooms there would be, the number of stories, the setback from her lot line and John R, whether John R would be widened, the percent of owner-occupied units and whether there would be a school bus stop on John R or in the development.

Raymond Anderson, 1480 Gravel Ridge, Rochester Hills, MI 48307. Mr. Anderson stated that he was not in favor of the development. His property was on the east side of the site. If it went through, and he said that he was not going to argue with anyone, he would like to see a five-foot high brick wall just like the one around the subdivision at Hamlin and John R so he could keep intruders off his property.

Chairperson Boswell closed the Public Hearing at 7:47 p.m.

Mr. Nunez responded to Ms. Kay's questions. He advised that the setback between the back of the buildings and the north, east and a portion of the south property lines was 30 feet. The setback from John R was also 30 feet. He believed that the intent of the development was geared more towards age-restricted housing, so he did not believe that there would be a school bus stop. There would be one story with an attic with the capability to have rooms in the attic. The plans showed a first floor master suite and one other bedroom. The basement could be finished with another bedroom or a game room.

Mr. Polyzois added that if a consumer would like, bedrooms could be added on the second floor and one first floor bedroom could convert to a den. There would be no more than three bedrooms. He anticipated that all the units would be owner occupied, because the price point would not afford renting them out. The people he had spoken with were looking to buy.

Mr. Schroeder asked the price point, and Mr. Polyzois advised that they would be in the mid-\$300k range.

Chairperson Boswell asked if there would be any modifications to John R. Mr. Nunez said that they would be required to put in a decel lane from the south and north of the site. Mr. Polyzois noted the request for a brick wall, but he thought that would take away from the spirit of the site plan. He pointed out that the backyards of the three adjacent homes to the east had a lot of trees and vegetation, which also served as a buffer to his site. He felt that a brick wall would defeat the purpose of trying to preserve trees.

Chairperson Boswell asked to see a drawing of the vegetation. Mr. Nunez showed an overall aerial showing the relationship of the site with the home to the north. There were two homes and a vacant lot to the east, and he believed that a third home was being proposed. He said that there would be a considerable distance from the homes to the east to the homes in the development. They were using the existing trees in the northeast corner, and they would be more than happy to work with the adjacent neighbor to the east to make sure that the proposed evergreen material created a proper, more intense buffer.

Mr. Schroeder asked if there was any possibility of putting a small one to three-foot berm in the area with trees on top. Mr. Nunez said that there were a number of existing trees, and they tried to get the drainage swale correct. Where there were no trees, there might be a possibility of putting in a berm, but he would be concerned that the water would displace onto the adjacent property. He offered that they could look at that, and they wanted to make sure they stayed away from the drip lines of the existing trees. He added that the evergreens would be a minimum of ten feet high, and they had enough plant material in the overall buffer to make sure they could accommodate proper screening.

Mr. Schroeder asked if there were any utilities in that area. Mr. Nunez advised that the sanitary would go out toward John R. There was an overhead utility line that ran north/south through the property. There were

no rear yard utilities, and they would be able to grade without having to put storm drains along the back.

Mr. Hooper mentioned the screening for the east property line, and said that he was not a fan of walls, and he preferred a landscape screen. The applicants proposed three deciduous trees, 11 evergreen trees, five ornamental trees and 17 shrubs for the east property line. If they could, he suggested increasing the quantity of evergreens to provide year-round green vegetation and to fill in the spots so it was a visual obstruction from the neighbors to the east. Mr. Polyzois said that they would do that anyway, because there was a big satellite dish, and he would like to screen that from his residents. Mr. Hooper said that it was good they were using ten-foot trees, and he suggested that they should be staggered, with staff approval, to provide more visual screening with the existing vegetation. He said that he supported the concept plan, and he felt that it was a needed commodity in the community for the aging population, and he felt that it would be very popular for the 55-plus crowd.

Mr. Kaltsounis asked Mr. Hooper if he would like a condition about the additional screening, which was confirmed. Mr. Kaltsounis believed that vegetation would be taken out with a wall. Staff could work with the applicant to get a better screen. He noted that the applicants had been before the Commissioners quite a bit recently, and they had brought a lot of nice developments to the City. This, however, was the tightest he had seen. He had to consider the narrower road, the sidewalks and density and how it would all work. He had looked throughout the City at all the developments that were similar, and if there was a place for this type of development, he did think it would be in this area. The site might not be harmonious in many other areas, but with the nearby apartments going in, he thought that things would work out. Hearing no further discussion, he moved the following, seconded by Mr. Schroeder:

MOTION by Kaltsounis, seconded by Schroeder, 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 four (4) findings and subject to the following seven (7) 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.*
7. *Add landscaping to provide a visual screen along the east property line, to be approved by staff prior to final approval.*

Chairperson Boswell asked the applicants if they had met with the neighbors. Mr. Polyzois replied that he and his partner had spoken with

three. Chairperson Boswell reminded that the Commission would like them to please try to meet with as many as they could.

A motion was made by Kaltsounis, 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 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis and Schroeder

Absent 2 - Reece and Yukon

Chairperson Boswell stated for the record that the motion had passed unanimously. He asked Ms. Roediger when the matter would go to City Council, and she advised that it would probably be November 9th.

ANY OTHER BUSINESS

Mr. Nunez thanked everyone who was able to attend the workshop for a Riverbend Park presentation. He suggested that people who could not attend could stop by the Planning Dept. where he had left the pictures and maps presented.

Mr. Kaltsounis mentioned that he had done a photo shoot at the Park over the weekend. He got a lot of great pictures with the fall leaves, and the Park showed very well. There were some areas that needed to be cleaned up, but it was a great area to do a photo shoot. Mr. Nunez agreed that every time he went, there was something else to see because it was such a beautiful site. He felt that the elements (phases) they were proposing would make it something the city would be very proud of. Mr. Kaltsounis said that he took pictures of the fall colors and of people riding through the Park, and he would share them with the City and Mr. Nunez. He commented that word was getting around. Mr. Nunez agreed, and said that when he was there, he would stop people and ask if they lived in the neighborhood, and a lot said no - they had heard about it. He added that there were people of all ages going to the Park.

Mr. Schroeder asked how the dot survey went. People had been asked to put a green dot by a concept they liked on the boards (or red, if not liked). Mr. Nunez said that they knew there would be opposition to some things, but for the most part, what they proposed had been very successful. Mr. Schroeder asked if there was anything in general that everyone liked. Mr. Nunez said that the things that got the most opposition were the bridge, waste receptacles and dog stations, but for the most part, people liked everything. They liked the addition of a water feature at the front versus doing a dry detention basin, and he was working on that. Another