



Department of Planning and Economic Development

Staff Report to the Planning Commission May 13, 2016

Woodland Park Final Site Condominium Plan

REQUESTS	Revised Wetland Use Permit Recommendation Revised Natural Features Setback Modification Approval Revised Tree Removal Permit Approval Final Condominium Plan Recommendation
APPLICANT	Joe Skore, Pulte Land Company, Inc. 100 Bloomfield Hills Parkway, Suite 150 Bloomfield Hills, MI 48304
LOCATION	South of Hamlin, West of Livernois
FILE NO.	15-014
PARCEL NOS.	15-28-226-001, -007, -008, -021, -022 and 15-28-204-004
ZONING	R-3 One-Family Residential with MR Mixed Residential Overlay
STAFF	Sara Roediger, AICP, Manager of Planning

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Summary

The proposed project is for a 48-unit, one-family detached site condominium project on 23.2 acre acres, located south of Hamlin and west of Livernois. The applicant appeared before the Planning Commission on December 15, 2015 and received a recommendation of the Preliminary Site Condominium Plan and Wetland Use Permit and approval of a Tree Removal Permit and Natural Features Setback Modifications. City Council subsequently approved the Preliminary Site Condominium Plan and Wetland Use Permit on January 11, 2016.

The site is zoned R-3 One Family Residential with a MR Mixed Residential Overlay district and master planned Mixed Residential. One-family detached dwellings are permitted by right in the R-3 district per the zoning ordinance and the One-Family Detached Site Condominium Ordinance. The parcel is surrounded by R-3 zoning and developed with homes except to the north, across Hamlin, which is zoned Regional

Employment Center Workplace. The site has been planned using the MR standards, which results in more flexible residential development in return for better buffers from the major thoroughfares, natural features protection and the creation of site amenities such as open space and parks.

Development Layout

The MR District does not have minimum lot sizes or widths; it is designed with an overall density maximum with perimeter and interior setbacks. The MR district allows for a density up to 3.45 units per acre in an R-3 district, and only 2.13 units per acre are being proposed. The proposed lot sizes vary to give the subdivision diversity ranging from 9,685 sq. ft. to 20,433 sq. ft. with an average lot size of 11,551 square feet, which is comparable to the minimum lot size in the R-3 district of 12,000 square feet. Storm drainage will flow to two on-site detention ponds.

Review Considerations

1. Natural Feature Preservation.

- a. A 25 ft. natural features setback is required from any wetland or watercourse, which is illustrated on the plans. A boulder wall is proposed along the perimeter of the natural feature setback where abutting proposed units to prevent encroachment into the setback as recommended by staff. The natural features setback will be both temporarily and permanently impacted and a natural features setback modification was granted to impact up to 965 ft., however the final plans indicate an impact of up to 1,137 ft. of natural feature setback and an amended natural features setback modification is needed for an additional 172 lr. ft. Refer to the ASTI review letter dated May 11, 2016.
- b. The applicant received a Tree Removal Permit from the Planning Commission on December 15, 2015 for 142 trees. After a review by our Forestry Dept., it was determined that the original tree count had been calculated incorrectly and a revised tree removal permit is required. There are 554 regulated trees on-site, and the applicant is proposing to preserve a total of 219 trees, saving 40% of the regulated trees. 193 additional regulated trees are proposed to be removed (previously approved for 142) requiring 335 tree replacement credits in total, and a motion for an additional 193 trees has been proposed. Note that the plans have not substantially changed; the amended permit is the result of an error in the calculations. In total, the applicant has proposed that 108 tree replacement credits will be accounted for by replacement plantings; therefore the remaining 227 credits are to be accounted for via a payment into the city's tree fund at a rate of \$205.50 per tree, for a total of \$46,648.50 for this site.
- c. There are three wetlands on site which will be temporarily and permanently impacted. A Wetland Use Permit was approved by City Council in January 2016 after a recommendation by the Planning Commission; however, after going through final plan review, the impact grew slightly to accommodate required utilities, resulting in the need for a revised wetland use permit for an additional 509 sq. ft. over the previously approved 14,133 sq. ft. for a total of 14,642 sq. ft.

2. Landscaping. The overall site exceeds the number of planting requirements.

- a. An irrigation plan must be submitted prior to staff approval of the final site plan with a note specifying that watering will only occur between the hours of 12am and 5am.
- b. Posting of bond(s) for landscaping and irrigation based on the cost estimate of \$183,015 and a deposit of \$9,600 with the City's Tree Fund to plant one street tree per lot is required prior to issuance of a land improvement permit.

3. **Architecture.** The applicant had previously provided sample colored renderings of the homes to give the City an example of the type of homes that will be constructed. **A note should be added to the plans stating that a maximum of 20% of the front façade can be vinyl.**
4. **Condominium Documents.** The applicant has submitted the proposed Master Deed and Bylaws, which have been reviewed and approved by the City Attorney.
5. **Department Reviews.** The plans received a recommendation of approval from the City's engineering department, fire, and building subject to procedural conditions (i.e. easements, permits, etc.) and minor site plan details. The City Surveyor's memo has conditions to be addressed related to construction plan approval.

Site Plan Summary

Section 122-368 of the Code of Ordinances requires that approval of a final one-family detached site condominium plan shall include all the information required in the approved preliminary plan and shall also be based upon compliance with the applicable sections and regulations of the Land Division article of the Code of Ordinances, obtaining state and county agency approvals, including utilities, water supply, sewage disposal, drainage, wetlands and roads, and submission of a Master Deed and Bylaws. The plans are technically compliant, and staff therefore recommends that the Planning Commission grant a recommendation of approval to City Council, subject to conditions. A motion for consideration follows.

Motion to Recommend Revised Wetland Use Permit Approval

MOTION by _____, seconded by _____, 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 findings and subject to the following 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.

Motion to Approve a Revised Natural Features Setback Modification

MOTION by _____, seconded by _____, 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 findings and subject to any proposed conditions.

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.

Motion to Approve a Revised Tree Removal Permit

MOTION by _____, seconded by _____, 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 findings and subject to the following 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.

Motion to Recommend Final Site Condominium Plan Approval

MOTION by _____, seconded by _____, 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 findings and subject to the following 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.
1. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a Land Improvement Permit.
2. 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.
3. 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.
4. 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.
5. Payment of \$9,600 into the tree fund for street trees prior to issuance of a Land Improvement Permit.
6. Compliance with staff's memos with minor comments to be addressed at building permit application and prior to final approval by staff.

Reference: Plans dated received by the Department of Planning and Development on May 3, 2016 (Cover Sheet, Sheet 1; Boundary and Top, Sheet 2; Tree Survey, Sheet 3; Tree Preservation Plan, Sheet 4; Tree List, Sheet 5; Tree List, Sheet 6; Overall Site Plan, Sheet 7; Overall Utility Plan, Sheet 8; Site Drainage Plan, Sheet 9; Site Distance Plan, Sheet 10; Landscape Plan, Sheet 11; Landscape Details, Sheet 12; and Wetland Impact, Sheet 13, prepared by Fazal Khan & Associates.

Attachments: Building Dept. memo dated 4/11/16; Fire Dept. memo dated 4/13/16; DPS/Engineering memo dated 5/11/16; Planning Dept. memo dated 4/26/16; ASTI letter dated 5/11/16; and Parks & Forestry memo dated 4/26/16; Planning Commission Minutes dated 12/15/15; Public Hearing Notice; Tree Removal Permit Notice.