



Department of Planning and Economic Development

Staff Report to the Planning Commission December 11, 2015

Woodland Park Site Condominiums	
REQUEST	Tree Removal Permit Wetland Use Permit Recommendation Natural Features Setback Modification Preliminary 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 applicant for the Woodland Park one-family detached site condominium project, a proposed 48-unit development on 23.6 acres, has assembled six parcels near the southwest corner of Hamlin and Livernois, resulting in an L-shaped development with access from Livernois and Hamlin Roads. The site is zoned R-3 One-Family Residential with a Mixed Residential Overlay, and is surrounded by R-3 zoning with an MR Mixed Residential overlay except to the north, across Hamlin, which is zoned REC-W Regional Employment Center Workplace. The site is master planned residential and is being developed using the MR standards, which results in more flexible residential development in return for better buffers from the major thoroughfares, natural feature protection and the creation of site amenities such as open space and parks. There are three wetlands on site which will be temporarily and permanently impacted, which requires a Wetland Use Permit Recommendation. In addition, the site falls under the City's Tree Conservation Ordinance. Approximately 21% of the site will be preserved as open space, primarily around the wetland areas.

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 is being proposed. The proposed lot sizes vary to give the subdivision diversity ranging from 9,688 sq. ft. to 19,762 sq. ft. with an average lot size of 11,805 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. **Tree Removal.** The Tree Conservation Ordinance applies to this development, since the land is unplatted. There are 261 regulated trees on-site, and the applicant is proposing to remove and replace as many as 142, resulting in a preservation percentage of 45%.
2. **Landscaping/Tree Replacement.** A landscape plan has been provided for review. According to the applicant's EIS, "The proposed landscape additions will serve to beautify the site and block views to adjacent properties, and the proposed plan preserves the largest quantity of trees in one concentrated location and minimizes wetland impact." Applicable requirements include the right-of-way, buffer, stormwater landscaping requirements and tree replacements. The proposed plan includes heavily landscaped perimeter buffers and detention basins, and the plans are in compliance with consideration of the following:
 - a. The landscape plan includes all information required by *Section 138-12.103* and also complies with the requirements of Article 12 of the Zoning Ordinance.
 - b. Provision of an Irrigation Plan (cost estimate has been provided).
 - c. Posting of a landscaping bond in the amount of \$175,325.00 prior to issuance of a land improvement permit.
 - d. Depositing \$9,600 with the City's Tree Fund to plant one street tree per lot.
3. **Wetland Use Permit/Natural Features Setbacks.** There are three forested wetlands on site totaling 1.12 acres which are regulated by the City and the MDEQ. Approximately 14,133 square feet of the wetlands will be both temporarily and permanently impacted due to construction of the proposed Logan and Conrad Drives, associated utilities, the construction of a portion of several lots, a storm sewer and two culverts. The City's wetland consultant, ASTI, recommends approval of a Wetland Use Permit for these activities due to the quality of the wetlands. A portion of Wetland B is of higher quality, and a retaining wall consisting of natural stone is proposed to minimize impacts in this area.

Approximately 965 linear feet of Natural Features Setback will be temporarily and permanently impacted from the construction of Logan and Conrad Drives and associated utilities, a portion of several lots and from construction of a storm sewer north of Detention Basin A. ASTI recommends that modifications be allowed in these areas because of their low to poor quality. Please refer to ASTI's letter dated November 16, 2015.
4. **Architectural Design.** The building materials proposed are of high quality and designed to meet the intent of the Architectural Design Standards. A note should be added that "a maximum of only 20% of the front façade can be vinyl." The plans currently state 50% on the side and rear facades.
5. **Other Reviews.** The plans have received a conditional recommendation of approval from the city's engineering, fire and building departments subject to conditions identified in their applicable review letters which will not impact the site layout, and which may be handled prior to final site condo and construction plan approval. Please refer to the appropriate attached reviews.

Site Plan Recommendation

Section 122-367(b) requires that approval of a preliminary one-family detached site condominium plan be based upon compliance with the applicable sections and regulations of the Land Division article of the Code of Ordinances, availability and adequacy of utilities, an acceptable comprehensive development plan, a reasonable street and lot layout and orientation, and an environmental plan showing no substantially harmful effects. The plans are technically compliant, and staff therefore recommends that the Planning Commission grant a recommendation of approval to City Council, subject to conditions.

Motion to Approve a 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 Tree Removal Permit, based on plans dated received by the Planning Department on November 11, 2015, with the following findings and subject to the following condition.

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. Of the 261 regulated trees onsite, 119 will be saved, resulting in a 45% preservation rate
3. The applicant is proposing to replace 261 regulated trees with 57 trees and will pay the balance of 85 tree credits (at \$200 per tree) 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. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund.

Motion to Recommend 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 **Wetland Use Permit** to temporarily and permanently impact approximately 14,133 square feet for the construction of several units, a portion of Logan and Conrad Drives and associated utilities, two culverts and a portion of the storm sewer, based on plans dated received by the Planning Department on November 11, 2015, with the following findings and subject to the following conditions.

Findings

1. Of the approximately 1.12 acres of City-regulated wetlands on site, the applicant is proposing to impact less than one-third.
2. The wetland areas are of medium to low ecological quality and should not be considered a vital natural resource to the City.

Conditions

1. City Council approval of the 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 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 Natural Features Setback Modification** for the temporary and permanent impacts to as much as 965 linear feet of natural features setbacks associated with the construction and grading of units and Logan and Conrad Drives and associated utilities and the storm sewer, based on plans dated received by the Planning Department on November 11, 2015, with the following findings and subject to the following conditions.

Findings

1. Natural Features Setback Modifications are needed to construct several units and a portion of the roads and storm sewer.
2. The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.

Conditions

1. Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.

Motion to Recommend Preliminary 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 approves the Preliminary One-Family Residential Detached Condominium plan based on plans dated received by the Planning Department on November 11, 2015, 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 preliminary plan represents a reasonable street layout.
4. The Environmental Impact Statement indicates that the development will have no substantially harmful effects on the environment.
5. Remaining items to be addressed on the plans may be incorporated on the final condominium plan without altering the layout of the development.

Conditions

1. Provide all off-site easements and agreements for approval by the City prior to issuance of a Land

Improvement Permit.

2. Provide a landscape bond in the amount of \$175,325 for landscaping, replacement trees, and irrigation, prior to issuance of a Land Improvement Permit.
3. Payment of \$9,600 into the tree fund for street trees, prior to issuance of a Land Improvement Permit.
4. Approval of all required permits and approvals from outside agencies.
5. Compliance with the department memo comments, prior to Final Site Condo Plan Approval and Building Permit Approval.
6. Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.

Reference: Plans dated received by the Department of Planning and Development on November 11, 2015 (Cover Sheet, Sheet 1; Boundary and Top, Sheet 2; Tree Survey/Tree Preservation Plan, Sheet 3; Tree Survey; Tree Preservation Plan, Sheet 4; Tree List, Sheet 5, Tree List, Sheet 6; Overall Site Plan, Sheet 7; Site Drainage Plan, Sheet 7A; Site Plan at Hamlin Road, Sheet 8; Site Plan at Livernois Rd., Sheet 9; Landscape Plan, Sheet 10; Sight Distance Plan, Sheet 10A; Landscape Details, Sheet 11; Wetland Impact, Sheet 12; and Elevations, prepared by Fazal Khan & Associates.

Attachments: Assessing Department memo dated 9/17/15; Planning Department memo dated 11/23/15; Building Department memo dated 9/3/15; Fire Department memo dated 11/18/15; DPS/Engineering Department memo dated 11/23/15; Parks & Forestry memo dated 11/24/15; Environmental Impact Statement dated received 8/26/15; Public Hearing Notice; Wetland Use Permit Notice; Tree Removal Notice.

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