



**Department of Planning and Economic Development**

Staff Report to the Planning Commission

May 16, 2014

<b>Enclaves of Rochester Hills</b>	
<b>REQUEST</b>	Planned Unit Development concept plan approval recommendation
<b>APPLICANT</b>	TJ Realvest, LLC 54153 Deer Ridge Ct. Rochester, MI 48307
<b>AGENT</b>	Mr. Jerry Kisil
<b>LOCATION</b>	East side of Rochester Road, north of Tienken
<b>FILE NO.</b>	03-009
<b>PARCEL NOS.</b>	15-02-177-001 and 15-02-102-023
<b>ZONING</b>	RE, Residential Estate
<b>STAFF</b>	Jim Breuckman, AICP, Manager of Planning

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**Summary**

The Enclaves of Rochester Hills is a proposed 26-unit, single-family residential development on two parcels totaling approximately 30 acres on the east side of Rochester Road north of Tienken (north of the Cross Creek Subdivision). Of the 30 acres, 16 will remain open space. There will be two entrances from Rochester Road, including one boulevard entrance with a gate house and the existing Tree Top Lane, which is used by offsite residents to the north and east. The applicants are proposing to develop the properties as a Planned Unit Development (PUD) to take advantage of the environmental features of the site. There are existing wetlands, natural features, slopes and trees to be preserved. The applicants appeared before the Planning Commission for a discussion in June 2013.

## PUD Process

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Approval of a PUD involves a two-step process:

1. **PUD Concept Plan.** The first step is PUD concept plan review during which the Planning Commission and City Council review the layout plan to determine if the site meets the requirements to use the PUD option, and that the proposed site layout is acceptable to the City. If the concept plan is approved the applicant may then submit for site plan and final PUD approval using the normal procedures applicable to site plans.
2. **Final PUD Review and Approval.** The detailed PUD Agreement is prepared and submitted with the site plans for final PUD review and approval. The site plans and PUD Agreement must be consistent with the approved PUD concept plan.

## Standards for PUD Concept Plan Review (Section 138-7.105.A.3)

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There are three criteria for the Planning Commission to regard in the discretionary decision of a PUD concept plan. They are:

1. The proposed PUD promotes the land use goals and objectives of the City.
2. Applicable provisions of this chapter shall be met.
3. There is, or will be at the time of initial development, adequate means of disposing of sanitary sewage and supplying the development with water, and the road system and stormwater drainage system are adequate.

## PUD Concept Plan Review Considerations

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1. **Development Layout.** The proposed Enclaves of Rochester Hills intends to preserve the natural features of the site. The PUD makes more efficient use of the land by clustering the homes on the north portion of the site to preserve wetlands and trees.

The RE district requires a one acre minimum lot area. The proposed development contains 26 units on 30 acres of land, resulting in a net density of less than one unit per acre.

The proposed Enclave Drive cul-de-sac has a length of 690 feet, whereas the subdivision control ordinance permits a maximum length of 600 feet unless a waiver is granted by the City. Approval of the PUD concept plan would effectively serve as a waiver to allow for the proposed 690 foot cul-de-sac length.

2. **Street Design.** The applicant is proposing a street design that does not comply with the City's requirements for public roads. The applicant is proposing the streets to be private, but the City's engineering standards require private streets to meet public street standards. The applicant is asking to modify the public street standards to allow for their proposed cross-section.

The proposed street has a 26-foot cross section, with no separate sidewalks. Instead, the street would consist of 22-feet of travel lanes with a 4-foot wide integral pedestrian walk with colored surfacing to distinguish the pedestrian zone. The effect would be similar to what exists on the entrance drive into City Hall. The public street standards are certainly appropriate in larger subdivisions where there is more traffic and separated sidewalks are necessary for pedestrian safety. However, this development is a self-contained 25 or 26 unit development which will not connect to any future development meaning that traffic volumes will be low. Further, the proposed alternate street design will help preserve the natural features on the site by minimizing the area of impact of the street.

If the Planning Commission and City Council agree with the concept of a reduced street section, we recommend that the motion specify that the street design comply with appropriate adopted design standards for a street with a design speed of 25-30 mph. An example of such standards is the AASHTO Guidelines for Geometric Design of Very Low Volume Local Roads (<400 ADT).

3. **Wetlands.** The site contains about 6.5 acres of wetlands, representing about 20% of the total land area of the site. The development has been designed and laid out to preserve the wetlands almost completely intact, proposing just 0.197 acres of wetland fill. The City's environmental consultant, ASTI, has conducted a detailed review of the PUD concept plan. Many of ASTI's comments will not impact the development layout and would be appropriately dealt with at the PUD final site plan step, with the exception of the following comments:

- a. As noted in ASTI's review letter, ASTI is recommending that unit 24 be eliminated due to the required wetland crossing for the driveway. There are other residential properties in the City with wetland crossings similar to that proposed on unit 24 that have been developed, so it would not be unprecedented for such a unit to exist and a wetland permit for the crossing would likely be approved by the DEQ. The Planning Commission should provide guidance as to whether unit 24 should remain or be removed.
- b. The proposed concept plan includes a few areas where natural feature setback modifications are requested on units 1 and 5. The natural features on those lots will be protected by the use of retaining walls, and so these natural features setback modifications are consistent with past modifications. As a practical matter, the use of retaining walls to clearly demise the boundary of natural features areas provides better protection from encroachment into the natural areas because the walls are a clear and definite boundary between the private lot and the common natural feature preserve area.

No action on the natural feature setback modification is necessary at this time, but the natural feature setback modification is a consideration in the review of the PUD concept plan as approval of the concept plan infers that the natural feature setback modifications will be acceptable.

4. **Tree Removal and Preservation.** The site is governed by the Tree Conservation Ordinance, and a request for a Tree Removal Permit will be brought forward at the Final PUD review. The proposed PUD preserves 764, or 37.7% of the 2,026 on-site regulated trees. At this time, the tree count for the northern parcel was estimated by overlaying the northern parcel over a similar area on the southern parcel and referencing the same number of trees from the surveyed area into the estimated area. However, as the preservation percentage stands at 37% based on the current survey and estimate, the applicant will complete a tree survey for the northern parcel for final PUD site plan approval, if this application proceeds to that stage. Action on the tree removal permit will occur with the final PUD site plan, so this is an acceptable approach.
5. **Landscaping.** The applicant is proposing to plant a large number of street trees, and to use those street trees as replacement trees. As such, a PUD modification could eliminate the \$200 deposit per lot for the City to plant street trees. The applicant is proposing so many street trees that there would be no available space for the City to plant the additional one tree per lot.

## PUD Concept Plan Motion

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 03-009 (Enclaves of Rochester Hills), the Planning Commission **recommends** to City Council **approval/denial** of the **PUD Concept Plan** based on plans dated received by the Planning Department on April 21, 2014, with the following findings and subject to the following conditions.

### Findings

1. The proposed PUD will allow more of the natural features to be preserved in their existing state than would be possible using conventional development and design standards.
2. The proposed development layout and design will result in a superior site layout compared to what could be achieved using conventional standards.
3. The PUD represents an aesthetic improvement and will create a more beautiful development than could be built using conventional standards.

### Conditions

1. Concept plan approval is for up to **<25 or 26 units – adjust condition accordingly based on approval/denial of unit #24>**, with the understanding that a reduction in units may be necessary to meet engineering design requirements.
2. Addressing all comments in City Department review letters in the PUD Agreement and/or final site plan, whichever is most appropriate.
3. The street design modification is granted subject to the streets being designed to an appropriate set of low-speed, low-volume street design guidelines, and as approved by the City's Traffic Engineer.
4. Obtaining a Tree Removal Permit, Wetland Use Permit, Natural Features Setback Modifications, and Steep Slope Permit as part of the final site plan review process.

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Reference: Preliminary PUD Site Plans dated received by the Planning Department on April 21, 2014 (*Cover Sheet, Sheet SP 1.0; Overall Site Plan SP 1.1; Natural Features Plan, SP 1.2; Tree Credit Summary LA 1.0; Overall Landscape Plan LA 1.1; Landscape Buffer Plan, LA 1.2; Southern Entrance Landscape Plan, LA 1.3; Entrance Elevation Details, LA 1.4; Unit Planting Details, LA 1.5; Detention Pond Landscape Plan, LA 1.6; Rochester Rd. Landscape Plan, LA 1.7; Northern Entrance Landscape Plan, LA 1.8; Specifications & Details, LA 2.0; Specifications & Details: Plant List, LA 2.1; Tree Survey, LA 3.0; Tree List, LA 3.1; Tree List, LA 3.2; Tree List, LA 3.3, prepared by Design Team; Cover Sheet, Sheet 1, Preliminary Site Plan, Sheet 2; Preliminary Utility Layout and Grading Plan, Sheet 3; Boundary and Topographic Survey, Sheet 4; Rochester Road Topographic Survey, Sheet 5; Tree Survey, Sheet 6, prepared by JJ Associates, Inc.*)

Attachments: Assessing memo dated 03/24/14; Fire Department memo dated 04/23/14; DPS/Engineering memos dated 04/23/14 and 04/30/14; Parks & Forestry memo dated 04/25/14; Fire-Communications memo dated 4/25/14; WRC Letter dated 3/27/14; ASTI Environmental letter dated 04/25/14; EIS dated 04/02/14; PC Minutes dated 06/18/13 and Public Hearing Notice.

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