

DISCUSSION

2000-1330 Request for discussion regarding a proposed Planned Unit Development (PUD) for the Sanctuary in the Hills East Condominiums - City File No. 89-114.2 - a 14-unit attached duplex development on 3.18 acres, located north of South Blvd. on the east side of Sanctuary Boulevard, west of Crooks, Section 32, zoned R-4, One Family Residential, Daniel MacLeish, MacLeish Building, Applicant *(Reference: Memo prepared by Ed Anzek, dated May 15, 2015 and associated Site Plan documents and power point presentation had been placed on file and by reference became part of the record thereof.)*

Present for the applicant were Dan MacLeish, Sr. and Dan McLeish, Jr., MacLeish Building, Cornerstone Village, Suite F, 650 E. Big Beaver Rd., Troy, MI 4808; and Jeff Rizzo, Fenn and Associates, 14933 Commercial Dr., Shelby Twp., MI 48315.

Mr. Anzek stated that Mr. MacLeish had been working with Staff for about four months on the proposal. There were still several loose ends, in terms of the vacation of a paper street and the potential purchase of some lands owned by the City. They would not create more density, but it would provide a better storm water detention system. They had looked at concepts, and Staff suggested that Mr. MacLeish go before the Planning Commission to get guidance and input. Mr. MacLeish was proposing to continue the Sanctuary in the Hills project started in the early 2000's. It was now built out, and he was finding a very good demand for those types of units, and there was some land across Sanctuary Blvd. available. Mr. Anzek noted that it was a discussion item only; it was not the first step in a Planned Unit Development (PUD) process but to discuss the use of a PUD. He advised that the original Sanctuary in the Hills was done as the result of a consent judgment, but going forward, he did not think opening a consent judgment agreement would be the appropriate means. It would be very laborious and legally intensive, and the same results could be obtained using a PUD. Staff felt that matching a new development to an existing was justification to use a PUD. He turned it over to Mr. MacLeish.

Mr. MacLeish showed a power point slide of the Sanctuary in the Hills. The subject 3.8 acres were directly east of Sanctuary Blvd., which was originally platted in 1929 but never fully developed. The zoning was mostly R-4 from Crooks Rd. to the west and north from South Boulevard. Under R-4 zoning, there would only be one lot that would have access to Sanctuary Blvd. that could be developed. Grant St. was undeveloped, except for about 300 feet coming north off of South Boulevard. There was

another lot that could access Sanctuary Boulevard, but it was in a conservation easement, which made it unbuildable. The five other lots he had acquired were on the undeveloped Grant St. It stopped 300 feet north of South Boulevard, and it was undeveloped all the way to the school property to the north. There were three lots to the east that would face Grant St. if it were completed, and the two lots on the west side of Grant would access that if it were completed. There was currently no access from anywhere else except through Grant or by using a PUD. He showed a slide of an assembly of seven lots, where all of the sites would have accessibility from Sanctuary Blvd., just as Sanctuary in the Hills had on the west side of Sanctuary Blvd.

Mr. MacLeish claimed that the economic impact of going with R-4 zoning was that there was only one buildable lot. He showed pictures of the units he proposed to build and said that had been building them in Sanctuary in the Hills. There would be brick all the way around on the first floor, and they would be 2,600 square feet plus. The price point would be approximately \$500k. He agreed that it would be a continuation of the Sanctuary in the Hills, which he commented had very luxurious, upscale, high quality homes. The proposed development would have similar floor plans, elevations and landscaping, and it would be harmonious with the Sanctuary in the Hills. They would use the same homeowner's association management company. The economic impact would be sixteen homes (eight duplex sites) with a potential of \$8 million or higher. The last home they just closed sold for \$675k. Sanctuary in the Hills was an empty nester neighborhood, and they were selling very well. He was on the board at Sanctuary in the Hills, and he was shown the subject property by other board members. They would like Mr. MacLeish to continue the project.

Mr. Anzek asked Mr. MacLeish about the lot that was in a conservation easement. Mr. MacLeish advised that the south end of it was in the conservation easement. With or without the setbacks in R-4, it would be unbuildable. He claimed that without using a PUD, the seven lots would not be accessible or buildable.

Mr. Reece said that the aerial showed what looked to be a pond in the back corner lot area. Mr. MacLeish advised that he potentially planned to put the retention pond there.

Mr. Schroeder complimented it as a very nice project. He asked about the fire access with the two dead ends going to the units, and he wondered if the Fire Department had looked at the plans. Mr. MacLeish said that he

talked with the Fire Dept. There were three different types of cul-de-sacs, and he proposed one of them. He added that the drawing was engineered.

Mr. Anzek asked Mr. MacLeish if he had applied for the street vacation. Mr. MacLeish said that he talked with Engineering last week, and they gave him the application. Mr. Anzek advised that Mr. MacLeish had written a letter to the City requesting a potential purchase of the City's parcel immediately to the south. It was a wetland mostly, with a piece of upland that could serve as the detention basin. Engineering felt it would be a better location, because it would drain directly into the wetland. The Mayor had directed the Assessing Dept. to do some research as to how the City came into possession of the property and if there were any restrictions to selling it, and they should have that answer shortly. Engineering had to also research the street vacation to see how the street was platted and if there was a reverter clause in the original plat from 1929 which might have it going back to the original owner. In that case, Mr. MacLeish could not take ownership. Mr. Schroeder advised that most plats in that area would revert to the adjacent properties. Mr. Anzek agreed that State law required a split, but sometimes there was a reverter clause giving it back to the original owner.

Mr. Yukon questioned whether Grant would stay undeveloped using a PUD. Mr. MacLeish said that was correct. Mr. Yukon pointed out the unbuildable area and asked if a PUD would allow the lot to be built. Mr. MacLeish replied that there was such a small corner that it would not affect the PUD. Mr. Yukon asked if units one and two were not in the "green" or unbuildable area, which Mr. MacLeish confirmed.

Mr. Yukon asked about the estimated time of construction for the units. Mr. MacLeish remarked that he would like to start tomorrow. Mr. Yukon wondered if there was definitely a market for them. Mr. MacLeish said that since the recession, when nothing had been sold for four or five years, they spec-ed a house and sold half of the duplex. They sold the other half even before it was dry walled. They had an open house one Saturday and sold six more. They would not sell more than four to six at a time, because the price of materials had been continually going up. Lumber went up \$20k from the time he got a basement in until the time he started roughing a unit. He fortunately had not sold it, so he was able to come out fine. They had one unit left, and he observed that empty nesters were really the market. They did not want the huge houses any more, and they wanted to downsize with homes with first floor masters. Mr. Yukon pointed out that the area was really a nice arboretum, and he

asked Mr. MacLeish if residents had approached him about developing further. Mr. MacLeish said that he was on the Board of the Sanctuary in the Hills, and members told him about the lots across the street, and they encouraged him to look into it. Mr. Yukon clarified that he had support within the community to develop the subject area.

Mr. Anzek informed that unbeknownst to Mr. MacLeish, he and Ms. Roediger earlier in the day met with two representatives from the association. They wanted to know the process and what Mr. MacLeish was presenting. They confirmed that they had numerous meetings, and they recommended that Mr. MacLeish extended the Sanctuary development. They were willing to work out association issues, and the other neighbors were pushing Mr. MacLeish to continue developing.

Mr. Hooper asked which property the City owned, and Mr. Anzek said that it was on the west side of Grant. In the original plat, there were four parcels, but the City combined them into one. Mr. MacLeish would only need the top two original parcels. Mr. Anzek noted that Council would have to agree to a sale. He added that the adjacent property owner would be the only potential bidder for a landlocked parcel.

Mr. Reece asked who owned the property to the north of the northern property line. Mr. Anzek advised that it was all part of Deerfield Elementary. Mr. Reece asked if a portion of the pond was on the Deerfield property, which was confirmed. He asked if the residents who accessed Grant would still be able if Grant was abandoned, which Mr. MacLeish also confirmed. Mr. Reece asked him if he had any conversations with the potential neighbors off of Donley, noting that they might be the ones who could potentially lose. Mr. MacLeish said they were who he bought the property from. Mr. MacLeish pointed out that they had deep lots, and they did not even mow back to the property line. Mr. Reece asked if there would still be a decent buffer of trees maintained between the proposed units and those neighbors. Mr. MacLeish commented that it would be good for both sides.

Mr. Anzek advised that Staff had preliminary discussions about trying to find a way to get pedestrian access to the school from the development. There was currently access off of Donley which was gated from car traffic. Staff was looking at the very north eastern corner to connect to the sidewalk off of the circular drive, so families could walk to school.

Mr. MacLeish said that he talked to some of the people who worked at the school. They were a little bit nervous about having an access from a

subdivision to the school, because the main entrance to the school was on the east end. The school buses turned around at a loop at the south end. He thought that it might be a potential problem for some parents having kids walking into the school from the back, so he was not sure they would go for it, but he would be willing to try.

Vice Chairperson Brnabic asked the Commissioners if there was anything else they wished to discuss. Mr. Dettloff commented that it was a good project. Vice Chairperson Brnabic summarized that the Planning Commission wished Mr. MacLeish well moving forward with a proposed PUD.

Mr. Dettloff said that he loved the idea that residents approached Mr. MacLeish. He asked Mr. MacLeish if he could educate some of the other developers in town. Mr. MacLeish said that he was the President of the Homebuilders Association, and he was still on the board. He was also the President of the Michigan Association of Home Builders, and he tried to stress those relationships. They tried to police the builders on the association, because he knew how people liked to be treated.

Discussed

ANY OTHER BUSINESS

Mr. Anzek had advised some people who came to the counter about a property's use, telling them that he was not the ultimate decision maker but could only guide. They asked if he could informally ask the Planning Commission their thoughts. The first request was for the northeast corner of Hamlin and Livernois, which had been rezoned to Office a few years back. The gentleman had a rental business with outdoor storage, which required Industrial zoning. The Commissioners were not in favor of industrial uses for that corner. The second request was for a site zoned B-2 near the northeast corner of John R and Auburn, and the owner had a potential tenant who wanted to store repossessed cars, which also required Industrial zoning. The Planning Commission again was unanimously opposed to industrial in that area. Mr. Anzek commented that some people did not take his word as fact, but he could now inform them of the Planning Commission's thoughts on the matters.

Mr. Reece asked what was going on at Livernois and Walton (Campus Corners) for which a small retail outlet with two drive-throughs had been approved. It appeared that some footings were going in. Mr. Anzek informed that the owner had it leased 100%, and there would only be one