



# Department of Planning and Economic Development

Staff Report to the Planning Commission

August 12, 2016

<b>Nottingham Woods Site Condominiums</b>	
<b>REQUEST</b>	Final One-Family Residential Site Condominium Plan Approval
<b>APPLICANT</b>	Michael DiNello, Vanguard Equity Management, LLC 101 S. Main St., Suite 200 Rochester, MI 48307
<b>LOCATION</b>	North side of Hamlin, East of Livernois, West of Crestline
<b>FILE NO.</b>	15-004
<b>PARCEL NOS.</b>	15-22-376-039
<b>ZONING</b>	R-3 One Family Residential with MR Mixed Residential Overlay
<b>STAFF</b>	Sara Roediger, AICP, Manager of Planning

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## Summary

The Nottingham Woods one-family detached site condominium project is a proposed 17-unit development on 8.7 acres located on the north side of Hamlin, east of Livernois (west of Crestline). Access will be from Hamlin to an internal private road, Nottingham Drive, which will be stubbed to the property to the west to allow for future development. The site is zoned R-3 One-Family Residential with a MR Mixed Residential Overlay, and is surrounded by R-3 zoning except to the north, which is zoned R-4. The site is master planned mixed residential.

The Planning Commission recommended approval of the Preliminary Site Condo Plan at its August 18, 2015 meeting and City Council approved it on February 8, 2016. Since that time, the applicant has been working on construction plans and has submitted the Master Deed and By-laws, which have been reviewed and approved by City Attorney, John Staran. The applicant also worked with the adjacent neighbors regarding adding screening. Please see the attached correspondence inviting the neighbors to a meeting to discuss the intentions for the development and to update them regarding the property development and the staff report regarding meeting with the neighbor to the west.

## Development Layout

The development is using the lot size averaging option, with lot widths ranging from 81 to 105 feet and areas ranging from 12,076 to 20,745 square feet. The minimum lot width required in the R-3 district is 90 feet and the minimum area required is 12,000 square feet. The development proposes a density of 1.9 units per acre; much less than 2.9 units per acre permitted. Homes are proposed to be up to 3,600 square feet in size, with prices expected to range from the high \$400s to \$500,000.

## Review Considerations

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1. **Tree Removal.** The Tree Conservation Ordinance does not apply to this development. The applicant proposes to preserve 18% of the regulated trees. A tree protection easement will be provided in the condo documents to allow the trees along the east side of the development to remain intact. The applicant has stated that during the final design of the site grading, their engineers “will extend every effort to limit the impacts and extent of grading in order to potentially save more trees than indicated.”
2. **Landscaping/Tree Replacement.** The overall site exceeds the number of planting requirements, much of which is the result of the applicant working with the adjacent neighbors to provide additional screening.
  - a. An irrigation plan and its cost must be provided for and bonded.
  - b. Posting of landscaping bonds in the amount of \$98,049.00 plus inspection fees, prior to issuance of a land improvement permit.
  - c. Deposit \$3,400 with the City’s Tree Fund to plant one street tree per lot.
3. **Architectural Design.** The applicant has provided sample colored renderings and floor plans of the homes.
4. **Condominium Documents.** The applicant has submitted the proposed Master Deed and Bylaws, which have been reviewed and approved by the City Attorney.
5. **Other Reviews.** The plans have received a recommendation of approval from all City departments subject to engineering easements and building permits. Please refer to the appropriate attached reviews.

## Site Plan Recommendation

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 Final Condominium Plan Approval

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 15-004 (Nottingham Woods Site Condominiums), the Planning Commission recommends that City Council approves the Final One-Family Residential Detached Condominium plan based on plans dated received by the Planning Department on June 23, 2016, with the following findings and subject to the following conditions.

### Findings

1. Upon compliance with the following conditions, the proposed final 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 applicants have worked diligently with the neighbors to provide acceptable screening from the development.
5. The final plan is in conformance with the preliminary plan approved by City Council on February 8, 2016.

## Conditions

1. Provide all off-site easements, on-site conservation easement and agreements for approval by the City prior to issuance of a Land Improvement Permit.
2. Provide landscape bond in the amount of \$93,049.00 plus inspection fees, prior to temporary grade certification being issued by Engineering.
3. Provide an irrigation plan and cost estimate, prior to temporary grade certification being issued by Engineering.
4. Payment of \$3,400 into the tree fund for street trees prior to temporary grade certification being issued by Engineering.
5. Approval of all required permits and approvals from outside agencies.
6. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.
7. Compliance with applicable staff memos, prior to Final Site Condo Plan Approval.

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Reference: Plans dated received by the Department of Planning and Development on August 8, 2016 (Cover Sheet, Sheet 01; Existing Conditions, Sheet 02; Site Plan, Sheet 03; Grading Plan, Sheet 04; Utility Plan, Sheet 05; Utility Calculations, Sheet 06; Tree Preservation Plan, Sheet 07; Tree Table 1 of 2, Sheet 08; Tree Table 2 of 2, Sheet 09; Soil Borings, Sheet 10; Architectural Drawings, Sheet A-01; Landscape Plan, Sheet LA-01; Landscape Details, Sheet LA-02, prepared by Giffels Webster; and Elevations and Floor Plans prepared by D'Anna Associates.

Attachments: Assessing Department memo dated 7/13/16; Building Department memo dated 6/28/16; Planning Department memo dated 7/8/16; Fire Department memo dated 7/05/16; DPS/Engineering Department memo dated 8/11/16; and Parks & Forestry memo dated 7/7/16

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