



Department of Planning and Economic Development

Staff Report to the Planning Commission September 16, 2016

Sanctuary in the Hills East Condominiums PUD

REQUESTS	Final PUD Agreement Recommendation Wetland Use Permit Recommendation Natural Features Setback Modifications Approval Site Plan Approval Recommendation
APPLICANT	Dan MacLeish, MacLeish Building, Inc. 650 E. Big Beaver, Suite F Troy, MI 48083
LOCATION	North of South Blvd., east of Sanctuary Blvd.
FILE NO.	89-114.2
PARCEL NOS.	15-32-476-001, -002, -005, -006, -009, 15-32-477-009, -016
ZONING	R-4 One-Family Residential
STAFF	Sara Roediger, AICP, Manager of Planning

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Overview

The applicant is requesting final approval of a Planned Unit Development (PUD) to develop a 14-unit condominium project consisting of seven two-unit duplexes. This project is planned as an extension of Sanctuary in the Hills, with the possibility of joining the former's Association. The site has an area of 4.57 acres, is wooded and has wetlands located on the site which will be both temporarily and permanently impacted and will require a Wetland Use Permit.

The applicant is proposing 2,600 square-foot homes at prices starting at \$475,000, accessed off of a 27 ft. wide private road cul-de-sac located on the east side of Sanctuary Blvd. There is a paper road running north and south through the parcels that the applicant has applied to vacate through the City. The proposed 14 units represent a net density of 3.06 units per acre.

The applicant received approval of the Preliminary PUD and exhibits from City Council on June 6, 2016 following a recommendation from the Planning Commission on May 17, 2016. The final plan is consistent with the conceptual plan regarding road layout, design, landscaping and other proposed improvements. One condition of approval was that the applicant works with Engineering to find an internal route to the detention basin. In lieu of constructing that access road, the applicant will provide \$10,000 into an escrow account with the Homeowner's Association to access the pond when needed. Also, a sidewalk was initially required by Planning Commission to connect to the wood chip path; however, it was determined at the City Council meeting that a sidewalk was not necessary for a project of this size and because it will be fairly isolated. Please refer to the Planning memo of August 24, 2016, the May 17, 2016 Planning Commission minutes and page 17 of the Council minutes for further details.

Adjacent Land Uses and Zoning

The site is next to the Sanctuary in the Hills Condominiums to the west; to the north is Deerfield Elementary; to the south is City-owned property the applicant is proposing to purchase a portion of to use as the detention pond; and to the east are homes. The site, and those to the north, east and south are zoned R-4 One Family Residential. The condos to the east are zoned RCD, One Family Cluster.

Standards for PUD Final Site Plan and Agreement Approval

Section 138-7.105(B) lists the standards of approval for final site plans, while *Section 138-7.107* lists the required information in a PUD contract. The final site plans are consistent with the proposed PUD agreement, and the PUD Agreement has been reviewed and approved by the City Attorney.

PUD Contract and Final Site Plan Review Considerations

1. **Final Site Plans.** The currently submitted final site plan has received recommendations for approval with conditions by all applicable city staff. The final site plans that are revised to address the remaining conditions, as approved by city staff, will be included as exhibits in the PUD agreement.
2. **Wetland Use Permit.** The wetland area on-site (approximately 1.7 acre) to be impacted for the drive, culverts and retaining wall is 2,400 square feet. The City's wetland consultant, ASTI, recommends approval with the addition of the retaining wall and by minimizing the road crossing in the wetland area.
3. **Natural Features Setback Modifications.** The plans show approximately 775 linear feet of NFS to be impacted from the construction of the retaining wall. ASTI recommends a modification to allow for these proposed actions. Please refer to the ASTI Environmental letter dated August 11, 2016.
4. **Tree Removal.** The site is not subject to the City's tree conservation ordinance; however the applicant has provided a tree survey in response to the planning review letter dated August 24, 2016. The site contains a total of 294 trees 6 in. or greater, of which 164 are proposed to be removed, with 130 remaining.
5. **Landscaping.** A landscape plan, meeting or exceeding ordinance requirements has been provided showing appropriate buffers to the abutting residential, right-of-way Sanctuary Blvd., and the detention pond. A cost estimate for landscaping and irrigation must be provided.
6. **Sidewalks.** A condition of preliminary approval by the Planning Commission was to provide a sidewalk on the south side of the proposed road to connect to the wood chip path. However there was discussion at the June 6, 2016 City Council meeting where some of the Council members questioned the need for a sidewalk for this development due to its size and isolation of the project and were comfortable supporting the project without the sidewalk, which is what the applicant has indicated a preference for.

7. **Detention Pond Access.** Another condition of preliminary approval was to work with the Engineering Department to find an alternative access to the detention pond that removes the access drive off of Sanctuary Blvd. In lieu of construction the detention basin access road at this time, the Engineering Department has determined that the applicant can place \$10,000 in an escrow account in the home owners association to access the pond when maintenance is needed.
8. **PUD Agreement.** The proposed, attached PUD Agreement is consistent with the form and content of PUD Agreements approved by the City in the past. The City Attorney has reviewed and approved the proposed PUD contract.

Summary

The proposed PUD agreement and final site plan meet the requirements for final PUD approval. The proposed plans and agreement are consistent with the PUD concept plan, and the proposed final PUD has been reviewed by all applicable departments within the City and is recommended for approval or approval with conditions. Subject to any changes or conditions recommended by the Planning Commission, staff recommends approval of the following motions in reference to City File No. 89-114.2:

PUD Agreement Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **recommends** that City Council **approves** the **PUD Agreement** dated received June 10, 2016 with the following findings and conditions.

Findings

1. The proposed Final PUD is consistent with the proposed intent and criteria of the PUD option.
2. The proposed Final PUD is consistent with the approved PUD Concept Plan.
3. The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment.
4. The proposed PUD promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.
5. The proposed plan provides appropriate transition between the existing land uses surrounding the property.

Conditions

1. City Council approval of the PUD Agreement.
2. The appropriate sheets from the approved final plan set shall be attached to the PUD agreement as exhibits, including the building elevations.
3. All other conditions specifically listed in the agreement shall be met prior to final approval by City staff.

Natural Features Setback Modification Motion

MOTION by _____, seconded by _____, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **grants Natural Features Setback Modifications** for the permanent impacts to as much as 775 linear feet of natural features setbacks associated with the construction and grading of units and the cul-de-sac, based on plans dated received by the Planning and Economic Development Department on July 25, 2016, 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 cul-de-sac.
2. The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.

Conditions

1. Best Management Practices shall be strictly followed during construction to ensure flow and circulation patterns and chemical and biological characteristics of the wetlands and any temporary impact areas shall be restored to original grade with original soils or equivalent soils and seeded with a City-approved wetland seed mix.

Wetland Use Permit Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **recommends** City Council **approves a Wetland Use Permit** to temporarily and permanently impact approximately 2,400 square feet for the construction of the road, culverts and retaining wall, based on plans dated received by the Planning and Economic Department on July 25, 2016, with the following findings and subject to the following conditions.

Findings

1. Of the approximately 1.7 acre of City-regulated wetlands on site, the applicant is proposing to impact approximately .05 acre.
2. The wetland area will be protected by the retaining wall and by minimizing the road crossing.

Conditions

1. City Council approval of the Wetland Use Permit.
2. 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.

Site Plan Approval Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **recommends** that City Council **approves** the **Site Plan**, dated received July 25, 2016 by the Planning and Economic Development Department, with the following findings and conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards and requirements can be met subject to the conditions noted below.
2. The location and design of driveways providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site and on the adjoining street.
3. There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
4. The proposed development does not have an unreasonably detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.
5. The proposed Final Plan promotes the goals and objectives of the Master Plan by providing alternative housing.

Conditions

1. City Council approval of the Final PUD Plans.
2. Provide landscape and irrigation cost estimates plus inspection fees, as adjusted if necessary by the City to ensure the proper installation of trees and landscaping. Such guarantee to be provided by the applicant prior to commencement of infrastructure construction as approved by Engineering.
3. Payment of \$10,000 in an escrow account in the home owners association for the purpose of providing access to the detention pond when maintenance is needed.
4. 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.
5. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.

Attachments: PUD Final Site Plans dated received 7/25/16: Site Plan, Sheet 1 of 8; Preliminary Grading Plan, Sheet 2 of 8; Boundary and Topographic Survey, Sheet 3 of 8; Tree List, Sheet 4 of 8; Soil Borings, Sheet 5 of 8; Landscape Plan, Sheet 6 of 8; Wetland Impact Plan, Sheet 7 of 8; Detention Basin Calculations & Details, Sheet 8 of 8, prepared by Fenn & Associates, Inc.

PUD Agreement revised received 6/10/16; Assesing memo dated 8/1/16; Building Dept. memo dated 7/22/16; Parks & Forestry memo dated 8/12/16; DPS/Engineering memo dated 8/16/16; Fire Department memo dated 8/8/16; ASTI Environmental letter dated 8/11/16; Planning Department memo dated 8/24/16; Planning Commission Minutes dated 5/17/16; Wetland Use Permit Notice.
