

**City of Rochester Hills
Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION
June 17, 2008**

Final Site Condominium Plan Recommendation	
APPLICANT	L & R Homes 2490 Walton Blvd., #203 Rochester Hills, MI 48309
AGENT	Lorenzo Randazzo
LOCATION	South of Auburn, West of M-59
PARCEL NOS.	15-34-101-012 & -013
FILE NO.	05-005
ZONING	R-4 (One Family Residential) District
STAFF	Derek Delacourt, Planning and Development
REQUESTS	Final Site Condominium Plan Recommendation

SUMMARY

The subject project involves a twenty-nine unit, single-family site condominium development utilizing the lot averaging option on 9.5± acres. The proposed site is located south of Auburn and west of Hazelwood Hills Site Condos. The applicant proposes units on either side of a road that will connect to the north stub of Grand Park in the Hazelwood development and have a temporary cul-de-sac at the south end. The hope is to replace the cul-de-sac with an elbow turn and access to Livernois in the future. The applicant has provided the ROW for a full 60-foot stub to the underdeveloped property to the west.

Specific action requested for consideration by the Planning Commission is recommendation of the Final Site Condominium Plan to City Council.

BRIEF BACKGROUND

The applicant appeared before the Planning Commission on February 7, 2006 and received Recommendation of Approval of the Preliminary Site Condominium Plan and Approval of a Cul-de-Sac Waiver, and City Council subsequently granted approval on March 15, 2006. Please refer to the attached Planning Commission Minutes for details. The applicant applied for an Extension of the Preliminary Plan until March 15, 2008, which was granted by City Council in April 2007. The applicant has addressed all the conditions of Preliminary approval satisfactorily,

and subsequently was given approval, or approval with conditions, of the Final Preliminary Plan by all applicable City departments.

Several members of the adjacent Hazelwood Hills Homeowner's Association spoke about future Pine Woods residents using their boulevard entrance and the desire to have costs shared to maintain the landscaping. It was suggested that this could occur if it was added to the Master Deed and approved by the developer and the future Association. The Master Deed has wording about the potential to share maintenance costs for the "Pine Woods Entrance", where Grand Park connects to the Pine Woods Development, but not about the entryway at Hazelton.

ORDINANCE COMPLIANCE

Section 122-368(c)(1) of the One-Family Residential Detached Condominiums Ordinance states that the Planning Commission shall recommend approval of the Final Plan if it conforms with the approved Preliminary Plan and all requirements of this Ordinance, as well as other applicable City Ordinance Codes.

The City Attorney has reviewed the Master Deed, and Staff has conducted a technical review of the Final Site Condominium Plan and Master Deed relative to compliance with the requirements of Section 122-368 of the One-Family Residential Detached Condominiums Ordinance. The Exhibit B needs some minor clerical and coordinate modifications, which must be completed prior to issuance of a Land Improvement Permit and recording by the County.

The site is not governed by the Tree Conservation Ordinance, but the applicant is preserving approximately 25% of the regulated trees onsite.

RECOMMENDATION

The Final Plan conforms to the Preliminary Plan stamped approved by Staff October 3, 2006, and was reviewed and recommended for approval by all applicable City Staff, the Planning Staff recommends approval of the following motion. Any outstanding conditions required prior to issuance of a Land Improvement Permit have been included as conditions.

Reference: Final Site Condominium Plan (Sheets 1-7) prepared by JJ Associates, Inc., and Landscape Plans, Sheets L-1 and L-2, prepared by Calvin Hall & Associates, dated received by the Department of Planning and Development on June 11, 2007.

Attachments: Assessing Department memo dated 02/19/08; Building Department memo dated 01/28/08; Fire Department memo dated 01/23/08; Public Services memo dated 01/23/08; Planning and Development Department memo dated 01/28/08; J. Staran email dated 01/29/08; Environmental Impact Statement dated received 02/25/08; Development App dated 06/11/07; Planning Commission Minutes dated 09/06/05 and 02/07/06.

MOTION by _____, seconded by _____, in the matter of City File No. 05-005 (Pine Woods Site Condominiums), the Planning Commission recommends that City Council **approve the Final Site Condominium Plan** based on plans dated received by the Department of

Planning and Development on June 11, 2007, with the following findings and subject to the following conditions.

Findings:

1. All applicable requirements of the One-Family Residential Detached Condominiums Ordinance and Zoning Ordinance can be met.
2. Adequate public utilities are currently available to properly service the proposed development.
3. The Final Plan represents a reasonable and acceptable plan for developing the property.
4. The Final Plan is in conformance with the Preliminary Plan approved by City Council on March 15, 2006.

Conditions:

1. The applicant shall submit a Performance Bond for proposed trees and landscaping of \$56,781.00, as adjusted if necessary by the City's Landscape Architect, prior to issuance of a Land Improvement Permit.
2. Tree protective fencing must be installed, inspected and approved by the City's Landscape Architect prior to the issuance of the Land Improvement Permit for this development.
3. The applicant must obtain a Land Improvement Permit and any outstanding permits and easements prior to grading and construction commencing, per Public Services memo of January 23, 2008.
4. Place detectible warnings at sidewalk ramps located in the road right-of-ways, per Building Department memo of January 28, 2008, prior to obtaining Building Permits.
5. Exhibit B must be reviewed and approved by Engineering Services Staff, prior to issuance of a Land Improvement Permit.