

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

**STAFF REPORT TO THE PLANNING COMMISSION
March 18, 2008**

Final Site Condominium Plan The Commons South Site Condominiums	
APPLICANT	D & F Development, L.L.C. 1171 Hickory Hill Rochester Hills, MI 48309
AGENT	Frank Fleury
LOCATION	Shortridge, East of Livernois, South of Auburn
PARCEL NO.	15-34-301-013
FILE NO.	05-011
ZONING	R-4 (One Family Residential) District
STAFF	Derek Delacourt, Deputy Director
REQUESTS	Final Site Condominium Plan Recommendation

SUMMARY

The above referenced project involves a 12-unit, single-family site condominium development on a proposed connection of Donaldson, which currently runs south of Shortridge and north of the proposed site. Two parcels were combined to form one four-acre parcel, directly west of Shortridge Estates. Following a discussion regarding density, the applicant agreed to add .15 acre of open space at the north end of the site for a park area, in addition to the .26 acres for the detention area in the southeast corner. Although not governed by the Tree Conservation Ordinance, the applicant still proposes to save approximately 35% of the trees.

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 January 10, 2006 and received Recommendation of approval of the Preliminary Site Condominium Plan, and City Council subsequently granted approval on February 15, 2006. Please refer to the attached Planning Commission Minutes for details. The applicant applied for an Extension of the Preliminary Plan until February 15, 2008, which was granted by City Council in April 2007. Prior to the Extension, the applicant had addressed all the conditions of Preliminary approval satisfactorily, and subsequently, was

given approval, or approval with conditions, by all applicable City departments for Recommendation of the Final Plan.

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 Exhibit B to the Master Deed (i.e., survey) relative to compliance with the requirements of Section 122-368 of the One-Family Residential Detached Condominiums Ordinance.

RECOMMENDATION

Since the Final Plan conforms to the Preliminary Plan stamped approved by Staff March 14, 2007 and was reviewed for technical compliance, Staff recommends approval of the following motion. The applicant has received Construction Plan Approval from Engineering, and any outstanding conditions required prior to issuance of a Land Improvement Permit have been included as conditions in the enclosed motion.

Reference: Final Site Condominium Plan (Boundary and Topographic Survey, Trees Survey, Final Plan and Landscape Plan) prepared by Urban Land Consultants, dated received by the Department of Planning and Development on January 11, 2008.

Attachments: Planning Commission Minutes of 01/10/06; Assessing Department memo dated 02/19/08; Building Department memo dated 01/28/2008; Fire Department memo dated 01/24/08; Parks and Forestry memo dated 02/06/08; Planning and Development Department memo dated 02/06/08; Public Services memo dated 01/23/08; HRC letter dated 03/20/07; and Email from J. Staran dated 01/29/08.

MOTION by _____, seconded by _____, in the matter of File No. 05-011 (The Commons South Site Condominiums), the Planning Commission recommends City Council **approve** the **Final Site Condominium Plan** based on plans dated received by the Department of Planning and Development on January 11, 2008, 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 February 15, 2006.

Conditions:

1. The applicant shall submit a Performance Bond for proposed trees and landscaping of \$13,590.00, as adjusted if necessary by the City, prior to issuance of a Land Improvement Permit.
2. Tree protective fencing shall 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 (i.e., Oakland County Drain Commission) prior to grading and construction commencing, per Public Services memo of January 23, 2008.
4. Add two notes to Sheet 3 per Fire Department memo of January 24, 2008, prior to Final Approval by Staff.
5. Address two conditions of Building Department memo dated January 28, 2008, prior to Building Plan Approval by Staff.