



Planning and Economic Development

Sara Roediger, AICP, Director

From: Kristen Kapelanski, AICP
Date: 8/15/2019
Re: **Christenbury (City File #19-014)**
Final Site Condominium Plan - Planning Review #1

The applicant is proposing to construct a 2-unit, single-family site condominium development on 2.4 acres on the south side of Christenbury Court, west of Dequindre Road. The project was reviewed for conformance with the City of Rochester Hills Zoning Ordinance (*Chapter 138*) and One-Family Residential Detached Condominiums Ordinance (*Chapter 122, Article IV*). The comments below and in other review letters are minor in nature and can be incorporated into a final site plan submittal for review by staff after review by the Planning Commission.

1. This project has received Preliminary Site Condominium Plan approval from City Council on August 12, 2019, following a recommendation for approval by the Planning Commission on July 31, 2019 with the following findings and conditions, applicable comments from staff are italicized.

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 proposed project will be accessed from Christenbury Court, thereby promoting the safety and convenience of vehicular traffic both within the site and adjoining streets. Sidewalks have been incorporated to promote safety and convenience of pedestrian traffic.
3. Adequate utilities are available to the site.
4. The preliminary plan represents a reasonable street and lot layout and orientation.
5. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
6. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions:

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff. *Must be provided before final plan approval by staff.*
2. Provide a landscape performance bond for replacement trees in an amount to be determined, plus inspection fees, as adjusted as necessary by staff, prior to issuance of a Land Improvement Permit by Engineering. *Must be provided before LIP.*
3. Payment of \$216.75 into the City's Tree Fund for one street tree, prior to the issuance of a Land

The Planning Commission also approved a Tree Removal Permit on July 31, 2019 with the following findings and conditions, applicable comments from staff are italicized.

Findings:

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to remove 22 regulated trees and replace on the site.

Conditions

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit. *Must be provided before LIP.*
 2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund.
2. **Condominium Review Process** (Section 122-366-368). The condominium review process consists of a two-step process as follows:
- a. **Step One: Preliminary Plan.** The preliminary plan is intended to depict existing site conditions, proposed use, layout of streets and lots, location of site improvements, buildings, utilities, and open space including an environmental impact statement to document the information required in the subdivisions ordinance for tentative approval of a preliminary subdivision plat. This step requires a Planning Commission recommendation to City Council followed by review by the City Council.
 - b. **Step Two: Final Plan.** The second step in the process is to develop final site plans based on the approved preliminary plan and to submit the Master Deed and evidence of all state and county agency approvals. This step requires a Planning Commission recommendation to City Council followed by review by the City Council.

Compliance Criteria. Section 122-155(b) sets forth the criteria that a preliminary condominium plan must meet. Each of the criterion are listed below, followed by staff comments in italics on the proposed project's compliance with each.

- a. Applicable sections and regulations of this Code. *In compliance; refer to the comments in this and other review letters pertaining to compliance with applicable ordinance requirements.*
 - b. Availability and adequacy of utilities. *Refer to the comments from the DPS/Engineering Department and the Fire Department for any utility items to be corrected/addressed on the plan set. There were minor outstanding plan corrections in the Preliminary Site Condo Engineering review that can be addressed before the Final Site Condo is stamped approved. An additional review from Engineering was not required at this time.*
 - c. An acceptable comprehensive development plan. *In compliance, the preliminary plan appears to represent an acceptable comprehensive development plan that is consistent with zoning.*
 - d. A reasonable street and lot layout and orientation. *In compliance, the final plan represents a reasonable street and lot layout.*
 - e. An environmental plan showing no substantially harmful effects. *In compliance, an Environmental Impact Statement (EIS) meeting ordinance requirements has been submitted.*
3. **Zoning and Use** (Section 138-4.300). The site is zoned RE One Family Residential District Residential which permits one-family detached dwellings as permitted uses. Refer to the table below for the zoning and existing and future land use designations for the proposed site and surrounding parcels.

	Zoning	Existing Land Use	Future Land Use
Proposed Site	RE One Family Residential	Vacant	Estate Residential
North	RE One Family Residential	Single family home	Estate Residential
South (City of Rochester)	R-5 One Family Residential	Vacant	Recreation and Open Space
East	RE One Family Residential	Single family home	Estate Residential
West	RE One Family Residential	Single family home	Estate Residential

4. **Site Layout and Access** (Section 138-5.100-101 and 138-5.200). Refer to the table below as it relates to the area, setback, and building requirements of the RE district.

Requirement	Proposed	Staff Comments
Min. Lot Width 120 ft.	132 ft.	In compliance
Min. Lot Area 43,560 sq. ft.	1.183 acres	In compliance
Max. Height 2.5 stories/30 ft.	Elevations to be provided as part of building permit review	
Min. Front Setback	Min. 67 ft. (existing)	In compliance

Requirement	Proposed	Staff Comments
40 ft.		
Min. Side Setback (each/total) 15 ft./30 ft.	Min. 34 ft. (existing)	In compliance
Min. Rear Setback 35 ft.	65 ft.	In compliance
Min. Floor Area 1,500 sq. ft.	Min. 4,317 sq. ft.	In compliance
Max. Lot Coverage 25%	Information to be provided	Appears to be in compliance

5. **Natural Features.** In addition to the comments below, refer to the review letters from the Engineering and Forestry Departments that pertain to natural features protection.
- Environmental Impact Statement (EIS)** (*Section 138-2.204.G*) An EIS that meets ordinance requirements has been submitted.
 - Natural Features Setback** (*Section 138-9 Chapter 1*). The site does not contain any regulated wetlands.
 - Steep Slopes** (*Section 138-9 Chapter 2*). The site does not contain any regulated steep slopes.
 - Tree Removal** (*Section 126 Natural Resources, Article III Tree Conservation*). The site is subject to the city's tree conservation ordinance, and so any healthy tree greater than 6" in caliper that will be removed must be replaced with one tree credit. Trees that are dead or in poor condition need not be replaced. The removal of any regulated tree requires the approval of a tree removal permit and associated tree replacement credits, in the form of additional plantings as regulated in the Tree Conservation Ordinance or a payment of \$216.75 per credit into the City's tree fund. A tree preservation plan has been included indicating the removal of 22 trees. All trees will be replaced on site.
 - Wetlands** (*Section 126 Natural Resources, Article IV Wetland and Watercourse Protection*). The site does not contain any regulated wetland areas.
6. **Landscaping** (*Section 138-12.100-308 and Section 122-304(7)*). Refer to the table below as it relates to the landscape requirements for this project.

Requirement	Proposed	Staff Comments
Street Trees Min. 1 deciduous per lot = 2 deciduous	0 deciduous	A note should be included on the plans indicating the city shall plant street trees in the ROW after construction of the project is complete, the applicant shall pay \$216.75 per lot to account for this planting.

7. **Architectural Design** (*Architectural Design Standards*). Individual homes must be designed to meet the intent of the Architectural Design Standards and will be reviewed under a separate permit issued by the Building Department.