



Department of Planning and Economic Development

Staff Report to the Planning Commission

October 10, 2019

Rochester Hills Trio

REQUEST	PUD Agreement Recommendation Tree Removal Permit Natural Features Setback Modification Final Planned Unit Development Recommendation
APPLICANT	Peter Stuhlreyer Designhaus Architecture 301 Walnut Rochester, MI 48307
LOCATION	Northeast corner of Auburn and Livernois
FILE NO.	18-016
PARCEL NO.	15-27-351-009
ZONING	RM-1 Multiple Family Residential with an FB-1 Flexible Business Overlay and B-1 Local Business with an FB-2 Flexible Business Overlay
STAFF	Kristen Kapelanski, AICP, Manager of Planning

Summary

The applicant is requesting Final Recommendation of approval for a Planned Unit Development (PUD). As you are very familiar, the proposal is for a mixed-use development consisting of 120 apartments and 10,500 s.f. each of office and retail space on 5.77 acres located at the northeast corner of Auburn and Livernois. Several modifications from zoning are being requested through the use of a PUD, as outlined in the Planning memo, which the City Council approved with the Preliminary PUD and which are listed in the PUD Agreement. The Master Plan does anticipate the proposed uses, and the development will incorporate a long-vacant, former gas station parcel at the corner for office and retail uses. Public open space is proposed in the form of pocket parks with seating areas and covered pavilions and a corner plaza. Artwork will be placed throughout. There will be new pathways, including an extension on Auburn to the bridge at M-59, bike racks and a scenic water feature. The Master Plan calls for a variety of housing types, which are being proposed with live-work and apartments. A traffic impact study was submitted. A letter from Designhaus clarifying the "apology" letter dated July 31, 2019 is included with this packet.

The Preliminary PUD was approved by City Council on August 12, 2019 after a recommendation from the Planning Commission on July 16, 2019. The final plan is consistent with the conceptual plan regarding road layout, design, landscaping and other proposed improvements. The PUD Agreement has been reviewed and approved by Mr. Staran. A tree removal permit and natural features setback



modification are also being requested. If the Planning Commission agrees that the proposed project meets the criteria for use of a PUD, and that the recommended information has been provided, below are motions for consideration:

Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	No outstanding comments	Approval
Engineering	Comments to be addressed at construction plan review	Approval
Fire	No outstanding comments	Approval
Building	Minor comments to be addressed at building plan review	Approval
Forestry	No outstanding comments	Approval
Assessing	No outstanding comments	Approval

PUD Agreement Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 18-016 (Rochester Hills Trio PUD), the Planning Commission **recommends** that City Council **approves** the PUD Agreement dated received August 29, 2019 with the following findings and subject to the following 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, and mixed-use was anticipated at this corner.
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. Address outstanding comments at building and construction plan permit review.
4. All other conditions specifically listed in the agreement shall be met prior to final approval by city staff.

Motion to Approve a Tree Removal Permit

MOTION by _____, seconded by _____, in the matter of City File No. 18-016 (Rochester Hills Trio PUD), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on August 19, 2019, with the following findings and subject to the following conditions.

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 and replace 57 regulated trees on 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.
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 at a rate of \$216.75 per tree.

Natural Features Setback Modifications

MOTION by _____, seconded by _____, in the matter of City File No. 18-016 (Rochester Hills Trio PUD), the Planning Commission **grants Natural Features Setback Modifications** for the permanent impacts to as many as 1,000 linear feet of natural features setbacks associated with the development, based on plans dated received by the Planning Department on August 19, 2019, with the following findings and subject to the following condition.

Findings

1. Natural Features Setback Modifications are needed for development of the project.
2. The Planning Commission has the ability to waive the natural features setback modifications as a part of accepting the site being developed as a PUD.
3. The City's environmental consultant, ASTI, has determined that the natural features areas are of poor floristic quality.

Condition

1. Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.

Site Plan Approval Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 18-016 (Rochester Hills Trio PUD), the Planning Commission **recommends** that City Council **approves** the **Site Plan**, dated received August 19, 2019 by the Planning and Economic Development Department, with the following findings and subject to the following 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 the 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 adjoining streets.
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 Site Plan promotes the goals and objectives of the Master Plan by providing an alternative housing option and mixed-use office and commercial.
6. The design and site layout modifications requested were approved with the Preliminary PUD and are included in the PUD Agreement.

Condition

1. City Council approval of the PUD Agreement and Final Site Plans.
2. Provide landscape bond in the amount of \$127,109.00, plus inspection fees, for landscaping and irrigation, as adjusted as necessary by the City, prior to issuance of a Land Improvement Permit by Engineering.
3. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.

Reference: Plans dated received by the Planning Department August 19, 2019 and PUD Agreement dated received August 29, 2019

Attachments: Assessing Department memo dated 8/27/19; Building Department memo dated 9/12/19; DPS/Engineering memo dated 9/12/19; Planning Department Memo dated 9/12/19; Fire Department memo dated 9/10/19; Parks & NR memo dated 8/26/19; ASTI letter dated 9/10/18; Letter Designhaus 8/19/19; TRP Notice; PUD Agreement; J. Staran email dated 8/29/19; PC Minutes dated 7/16/19

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