



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2019-0447 V2

TO: Mayor and City Council Members

FROM: Sara Roediger, Director of Planning and Economic Development, ext. 2573

DATE: November 1, 2019

SUBJECT: Request for Approval of the Third Amendment to the Planned Unit Development (PUD) Agreement – City File No. 98-047.5 – City Apartments Garageports, to allow garageports in place of previously approved carports at City Walk at Rochester and Tienken Rds.

REQUEST:

Approval of the Third Amendment to the Planned Unit Development (PUD) Agreement for City Apartments Garageports, to allow garageports in place of the previously approved carports at the City Apartments development at City Walk, located near the southeast corner of Rochester and Tienken, zoned with a PUD Overlay.

BACKGROUND:

City Council approved the subject site as a PUD Overlay in March of 2004. The site is zoned B-2 with an FB-2 overlay but is subject to the specific requirements of the PUD. The second amendment in July 2015 allowed residential on all floors of the apartment building (the first amendment, in December 2013, allowed retail uses on the first floor only) among other minor revisions.

The applicants state that market analysis has shown that there is a great need for high-end apartments with garages, and the applicant would now like to provide those rather than carports. The City attorney has reviewed and approved the amended PUD Agreement.

In determining the best location for the garageports and to avoid having to remove the mature trees that will buffer them, they encroach minimally over a City water easement. As a compromise, the Engineering Dept. required the addition of a Hold Harmless Agreement that holds the applicant liable if work ever needs to be done to the main. That Agreement was approved by the City Attorney, Mr. Staran.

A public hearing was noticed and held before the Planning Commission on October 15, 2019, and the matter was postponed so the applicants could consider some recommendations with regards to design, materials, stormwater, landscaping and additional protection for the City in the HHA. The matter was heard again at the October 28, 2019 meeting with requests for the Third Amendment to the PUD Agreement and Site Plan Approval recommendations. The Hold Harmless Agreement had language added to further protect the City, as recommended at the October 15, 2019 meeting, and it has been approved by Mr. Staran. The Planning Commission unanimously recommended approval (three absent) of the Third Amendment to the PUD Agreement and the Site Plans. Please refer to the attached Planning Commission Minutes from the October 15 and October 28, 2019 meetings.

RECOMMENDATION:

The Planning Commission and staff have reviewed the proposed Agreement and recommend approval of the Third Amendment to the PUD Agreement for City Apartments.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy Clerk		

Contract Reviewed by City Attorney Yes N/A