City of Rochester Hills
Department of Planning

STAFF REPORT TO THE PLANNING COMMISSION
March 24, 2004

City Place **Final PUD Review**	
APPLICANT	G&V Investments, LLC 2565 Rochester Road Rochester Hills, MI 48307
LOCATION	East side of Rochester Road, North of Hamlin, South of Avon
SIDWELL	15-23-301-002, 15-23-301-035, 15-23-152-002
FILE NO.	02-027
ZONING	R-4 (Single Family Residential)
STAFF	Derek Delacourt
REQUEST	Final PUD Agreement Recommendation

SITE DESCRIPTION

The subject site is located on the east side of Rochester Road, north of Hamlin Road. The site is comprised of three properties approximately 29 acres in size and is currently undeveloped except for a single-family home on a portion of one parcel (a location map is included in the staff report identifying the subject parcels). A county drain that also qualifies as a regulated watercourse under City Ordinance bisects the subject site. Also, a Detroit Edison easement separates the southern parcels from the parcel on the north end of the site.

SUMMARY

The applicant is proposing the redevelopment of the site through use of the PUD section of the City's Zoning Ordinance, Section 138-1004. Both the Planning Commission and City Council have approved the applicant for use of the PUD process. The applicant has submitted a full PUD Agreement and exhibits for recommendation by the Planning Commission to City Council.

The property includes a locally designated historic district - the large southern L-shaped parcel. There is a single family home on the parcel that was designated in 1978 by the City. The applicant has met with the Historic Districts Commission to discuss the possibility of moving the house on site and to discuss the adaptive re-use of the house as

part of the project. The applicant has not received approval from the HDC for the relocation of the historic structures based on a lack of finalized plans for the proposed new location. However, the HDC did pass a resolution including conditions supporting the proposed move. The applicant would be required to receive full HDC approval prior to Final Site Plan approval if the PUD Agreement is approved.

FINAL PUD APPROVAL

The applicant is requesting final PUD approval for the proposed project. The exhibits included in the PUD have not received a full technical review by staff at this point. At this point technical review of the site is difficult without resolution to the remaining issues. Resolution of these issues is necessary for staff to be able to review the site for technical compliance.

The PUD ordinance does allow for approval of the PUD Agreement and Exhibits prior to review and approval of Final Site Plans. In relation to the proposed project the PUD Agreement would be considered the parameters by which the Final Site Plans would be reviewed. The PUD would become the guiding document for the redevelopment of the site.

Based on the above Staff, makes the following recommendations:

1. Language added to the PUD Agreement indicating that full site plan review and approval shall be required for the proposed project. This should include a recommendation from the Planning Commission to City Council for the Final Site Plan approval.

2. Language indicating that the PUD plans are conceptual and subject to change based on Planning, Engineering, and Fire Department review of the Final Site Plans.

3. That the applicant and City agree that the Final Plans shall be consistent with the approved PUD subject to the Final Review Process.

4. That any exhibit or text in the PUD Agreement indicating a Land Division that has not been reviewed and approved by the City be removed.

SITE PLAN ISSUES

The following issues need to be resolved as part of the Final Site Plan submittal:

1. The applicant is requesting and indicating on the PUD exhibits use of the Master Planned 180 foot Right-of Way (ROW) on Rochester Road for parking until such time as the ROW is needed for road construction. If this is acceptable, Staff recommends that the applicant dedicate the ROW at this time and a Hold Harmless agreement should be utilized until such time as the ROW may be

needed and parking is potentially lost. Also, the applicant indicates on revised PUD Plans where the lost parking could be recovered.

2. The proposed PUD Plans indicate impacts to both City Regulated Wetlands and Natural Features Setback areas. The PUD Agreement should be modified to indicate that Wetland Use Permits and Natural Features Setback Modifications will be required from the City at the time of Final Site Plan Approval or those impacts should be removed from the PUD plans at this time.

3. Any change in the proposed height of buildings should be indicated at this time.

4. Any change to the proposed mix and percentage of proposed uses should be made at this time.

5. Staff recommends that applicant dedicate a certain percentage of the site as accessible open space exclusive of regulated wetlands and natural features areas. That area should be indicated on the Final Site Plan submission.

PUD TEXT ISSUES

Section 4 Trees and Woodlands

Revise language to indicate that a Tree Removal Permit shall be required as part of Final Site Plan approval and that compliance shall be determined by the City's Landscape Architect

Section 5 Open Space and Landscaping

Revise language to indicate that a percentage of accessible open space shall be provided exclusive of wetland and natural features areas and shall be indicated on Final Site Plans submitted for City approval.

Section 6 Wetlands

Revise language to indicate that there shall be no impact to regulated wetlands or natural features setback areas without issuance of required City and DEQ permits and a Natural Features Setback Modification from the Planning Commission.

Section 7 Historic House

Change language to indicate that the proposed change in location and renovation of the structure shall require the approval of the HDC prior to Final Site Plan approval. Also, revised PUD plans should indicate the location of the existing Historic District.

Section 8 Streets and Utilities

Revise language to indicate dedication of the City's Master Planned ROW and the use of a Hold Harmless agreement between the City and Applicant. Also, include language that the applicant will demonstrate the ability to provide for any lost required parking on revised PUD plans.

Section 9 Signage

Add language indicating that the signage included in the PUD package is conceptual and for example purposes only.

Section 11 Governmental Approvals

Remove all language regarding imposed timeframes for City approvals. Add language indicating that Final Site plans shall require full Staff review, recommendation form the Planning Commission and Final Site Plan approval from Council.

Section 12 Phases

Include language indicating that any phase of the development shall meet all applicable City Department requirements as an independent site unless otherwise approved and appropriately bonded. Also, potential phases shall be identified on revised PUD Plans.

The specific action requested for consideration by the Planning Commission is a recommendation to City Council regarding Final PUD Approval.

RECOMMENDATION

Based on the above indicated changes being made and issues resolved by the Planning Commission, Staff recommends the following motion in reference to City File # 02-027

References: **Final PUD Agreement and Exhibits dated received by the Planning Department January 26, 2004; Planning Commission Minutes dated July 30, 2002 and July 15, 2003; City Council Minutes dated August 20, 2003; Historic Districts Commission Minutes dated October 9, 2003 and November 13, 2003; and Letter from Alexander V. Bogaerts & Associates, P.C., dated January 26, 2004.**

POTENTIAL MOTION

MOTION by _____, seconded by _____, in the matter of City File No. 02-027 (City Place), the Planning Commission **recommends** that City Council **approve** the Planned Unit Development. Such approval shall include the Planned Unit Development Agreement and Exhibits dated January 26, 2004 (as may be amended by City Council) and constitutes an amendment to Chapter 138 of the Code of Ordinances to rezone Parcel Nos. 15-23-301-002, 15-23-301-035, 15-23-152-002, currently zoned Single family to B-2 General Business District with a PUD Overlay.

Findings:

1. The proposed PUD has met the qualifications of Section 138-1002 of the Zoning Ordinance in that the proposed improvements to the intersection will minimize, alleviate or improve the traffic situation.

2. The City's Master Plan identifies the subject site for future mixed-use development. The proposed development is consistent with that recommendation.

3. Dedication of additional road right-of-way, increased design and aesthetic controls, and the ability to restrict undesirable uses are substantial public benefits of the proposed PUD that could not be achieved under the B-2 district alone.

4. The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment. Moreover, the proposed PUD will improve public utility and circulation systems.

5. The proposed PUD has been designed to promote convenient vehicular and pedestrian circulation within the site.

Conditions:

1. (Section 4 Trees and Woodlands) Revise language to indicate that a Tree Removal Permit shall be required as part of Final Site Plan approval and that compliance shall be determined by the City's Landscape Architect.

2. (Section 5 Open Space and Landscaping) Revise language to indicate that a percentage of accessible open space shall be provided exclusive of wetland and natural features areas and shall be indicated on Final Site Plans submitted for City approval.

3. (Section 6 Wetlands) Revise language to indicate that there shall be no impact to regulated wetlands or natural features setback areas without issuance of required City and DEQ permits and a Natural Feature Setback Modification from the Planning Commission.

4. (Section 7 Historic House) Change language to indicate that the proposed change in location and renovation of the structure shall require the approval of the HDC prior to Final Site Plan approval. Also, revised PUD plans should indicate the location of the existing Historic District.

5. (Section 8 Streets and Utilities) Revise language to indicate dedication of the City's Master Planned ROW and the use of a Hold Harmless agreement between the City and Applicant. Also, include language that the applicant will demonstrate the ability to provide for any lost required parking on revised PUD plans.

6. (Section 9 Signage) Add language indicating that the signage included in the PUD package is conceptual and for example purposes only.

7. (Section 11 Governmental Approvals) Remove all language regarding imposed timeframes for City approvals. Add language indicating that Final Site plans shall require full Staff review, recommendation form the Planning Commission and Final Site Plan approval from Council.

8. (Section 12 Phases) Include language indicating that any phase of the development shall meet all applicable City Department requirements as an independent site unless otherwise approved and appropriately bonded. Also, potential phases shall be identified on revised PUD Plans.

9. That revised PUD plans indicate the City's Planned ROW for Rochester Road and area for the potential relocation of parking if the road is expanded.

10. That any reference of Land Divisions be removed from PUD Text and Exhibits prior to final approval.

11. That the Final Site Plans shall require review and recommendation from the Planning Commission and Final Approval from City Council.