Mr. Kaiser stated that the applicant was aware of the proposal to update the Master Land Use Plan and was advised to wait until that matter was considered to present his request. Mr. Kaiser advised that there would be no comments or discussion heard regarding the rezoning request at this meeting.

# 3. Final Preliminary Plat Recommendation - City File No. 96-016.2

Manchester Knolls II, an 18-lot subdivision on approximately 12.8
acres
Final Preliminary Plat Recommendation
South of Tienken, East of Brewster Rd.
15-08-251-006 zoned R-1, One Family Residential
Kay Family Asset Company, L.L.C.
57 Kay Industrial Drive
Lake Orion, MI 48361

(Reference: Staff Report prepared by Deborah Millhouse, dated May 25, 2004 had been placed on file and by reference became part of the record hereof.)

Present for the applicant were David Duggan, General Manager, and John Golden, Construction Superintendent for Kay Family Asset Company, L.L.C., property owner.

Mr. Kaiser explained that, if the previously approved Preliminary Plat had no changes and all technical requirements were met, the Planning Commission's task would be to recommend approval of the Final Plat.

Ms. Millhouse summarized the Staff Report, and advised that the Tentative Preliminary Plat was approved without conditions. She also noted that the Planning Commission approved the Tree Removal Permit with two conditions and that one had been met. The applicant was able to provide a location on site for all the replacement trees rather than pay into the Tree Fund, which caused a modification in the pre-printed conditions, including the bond amount. She noted that the street and lot layout of the Final Preliminary Plat was identical to the approved Tentative Preliminary Plat, and that therefore, Staff recommended approval.

Mr. Duggan thanked Ms. Millhouse for her guidance regarding the recent changes. He indicated that they were anxious to get started and that they were in compliance with all Ordinances.

Mr. Kaiser asked if anyone in the audience wished to comment. Seeing no response, he turned the discussion over to the Commissioners.

Ms. Hill advised that when this project came to a City Council meeting, she questioned the slope for lots 35-37, which were very steep from the adjacent Hitchman's Haven subdivision, dropping down over 20%. At that time they discussed maintaining some of the tree line to enhance those lots. She asked if a swale was being cut in for drainage. She referred to comments made by Mr. Davis at the City Council meeting, who advised that construction plans had been received, although the review of those plans had not been completed, and that there was not going to be a retaining wall in that area. She was concerned about potential erosion and whether there would be drainage toward those homes.

Mr. Golden replied that the plans had been amended and that a three-tiered retaining wall would be added. He noted that it had already been approved by the Engineering Department.

Ms. Hill referred to page C-5, Soil Legend, which talked about the types of soil and that the stability of the soil for residential development would be acceptable, but that special foundations might be necessary for some houses. She was curious if that referred to the houses for Phase II or for Phase I of Manchester Knolls.

Mr. Golden responded that it referred to the subject homes and that the area used to be a gravel pit, which had been backfilled without compaction. The ground was not stable, and in some areas they would have to over-excavate down to virgin ground and then it would be filled with an engineered fill. In Phase 1 they had been using a crushed concrete, built up in lifts. Inspectors were on hand when that was done and soil borings were done specifically for each house at the four corners and in the center. On a lot-tolot basis they determined what the best solution would be.

Ms. Millhouse clarified that the applicant had originally requested that there not be a retaining wall, but upon further investigation, it was necessary for that addition. Mr. Kaiser asked if that was noted on the plan and Ms. Millhouse confirmed it had been.

**MOTION** by Boswell, seconded by Ruggiero, in the matter of City File No. 96-016.2 (Manchester Knolls II Subdivision), the Planning Commission recommends to City Council Final Approval of the Preliminary Plat, based on plans dated received by the Planning Department on May 10, 2004, with the following two (2) findings and subject to the following four (4) conditions.

## FINDINGS:

- 1. The preliminary plat is consistent with the street and lot layout of the previously approved tentative preliminary plat.
- 2. The preliminary plat conforms to all applicable City ordinances, standards, regulations, and requirements.

## CONDITIONS:

- Correction of the Lot Data on Sheet No. C-2 to reflect the minor dimensional 1. modifications, as approved by the City.
- 2. Sealing and signing of all preliminary plat sheets.
- 3. Provision of a performance guarantee in the amount of \$7,600.00, as adjusted if necessary by the City, to ensure the proper installation of replacement trees. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.
- 4. Payment by the applicant of \$3,600.00, as adjusted if necessary by the City's Forestry Division, for one street tree per lot. Such payment to be provided prior to issuance of a Land Improvement Permit.

# Voice Vote:

Aves: Boswell, Hardenburg, Hill, Kaiser, Kaltsounis, Rosen, Ruggiero Navs: None Absent: Brnabic, Hooper

#### **MOTION CARRIED**

#### 4. Site Plan Approval - City File No. 04-004

Lot 32, Rochester Hills Executive Park – Three proposed industrial Project: buildings on a 3.8 acre lot. Request: Site Plan Approval Location: Southeast corner of Technology and Research Drives Parcel: 15-30-477-001 zoned I-1, Light Industrial General Development Company, L.L.C. Applicant: 28777 Northwestern Hwy., Suite 150 Southfield, MI 48034

(Reference: Staff Report prepared by Deborah Millhouse, dated May 24, 2004 had been placed on file and by reference became part of the record hereof.)

Present for the applicant was David Dobrovich, Construction Manager, General Development Company, L.L.C.