

City of Rochester Hills
Department of Planning and Economic Development
STAFF REPORT TO THE PLANNING COMMISSION
October 5, 2010

Final Preliminary Plat Rochester Meadows Subdivision	
APPLICANT	Rochester Meadows LLC 11684 Majestic Ct. Shelby Twp., MI 48315
AGENT	Roy Rathka
LOCATION	East of Rochester Road, South of Avon
PARCEL NO.	15-23-201-006, -010, -011 and -012
FILE NO.	99-011
ZONING	R-3 (One Family Residential)
STAFF	Derek Delacourt, Deputy Director
REQUESTS	Final Preliminary Plat Recommendation

SUMMARY

The proposed development consists of 47 lots on 22 acres located east of Rochester and south of Avon. The site is surrounded by R-3, single-family residential zoning, which includes Detroit Edison property to the south and west and Eddington Farms Subdivision to the south. The development is accessible by Avon Road to the north and Pembroke Drive from the south, via the Eddington Farms Subdivision, and all units will front on the proposed internal street system. The street layout also includes an east-west stub road (Robinson Drive) to line up with future development. The road is to be constructed with temporary tee-turnarounds, and the applicant has agreed to deposit funds with the City for the removal of those if Robinson Drive is extended.

BACKGROUND

The Planning Commission recommended approval of the Tentative Preliminary Plat on March 21, 2006, and City Council granted Approval on May 17, 2006 based on the required compliance criteria. At its March 21, 2006 meeting, the Planning Commission also approved a Tree Removal Permit based on three findings and subject to four conditions. The applicant subsequently received approval of three Extensions of the Preliminary Plat Approval, the last one until May 17, 2010. Prior to that date, the Final Preliminary Plat was submitted for review.

To recall for the newest members, the applicant is using the lot size variations option permitted by Section 138-5.200 of the City's Zoning Ordinance. This option allows lots to have an area and width not greater than 10 percent below that required by the R-3 zoning district. Each lot must be at least 10,800 square feet, and must have a width at the minimum front setback of at least 81 feet for internal lots and 101 feet for corner lots. All proposed lots meet or exceed the minimum requirements with an average area of 12,966 square feet. In addition, the proposed net density of 2.22 units per acre complies with the maximum density requirements in the R-3 zoning district, after reductions for lot averaging, of 2.9 dwellings per acre. The City's Master Plan designation for the site is mixed residential.

Engineering and Surveying Comments

In addition to the 47 units, 1.59 acres of open space and a retention pond is proposed on-site. Final construction agreements and easements will be handled prior to Final Plat review by Engineering, including getting permits for any work in the Avon Road right-of-way. The Engineering Department has recommended approval of the Final Preliminary Plat with minor conditions to be addressed prior to issuance of a Land Improvement Permit.

Landscape & Planning Comments

The City's Forestry Department recommends approval with three conditions listed in its memo dated May 10, 2010.

REVIEW COMMENTS

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by all applicable City departments. The street and lot layout of the proposed Final Preliminary Plat are identical to that of the approved Tentative Preliminary Plat. Based on the review comments within the enclosed information, staff recommends approval of the following motion for City File No. 99-011 (Rochester Meadows Subdivision).

Reference: Final Preliminary Plat and Landscape Plans dated received by the Planning Department June 22, 2010 (*Sheet Nos. SP-1, thru SP-6, prepared by A R Decker & Associates, Inc. and sheets L-1 thru L-6, prepared by James C. Scott & Associates*).

Attachments: Road Commission for Oakland County letter dated 02/19/10; Building Department memo dated 07/13/10; Fire Department memo dated 07/06/10; Parks & Forestry memo dated 05/10/10; Public Services memos dated 08/02/10 and 08/05/10; and Planning Commission Minutes dated 03/21/06 and 10/20/09.

MOTION by _____, seconded by _____, in the matter of City File No. 99-011 (Rochester Meadows Subdivision), the Planning Commission **recommends** to City Council **Approval** of the **Final Preliminary Plat**, based on plans dated received by the Planning Department on June 22, 2010, with the following findings and subject to the following conditions.

FINDINGS:

1. The Final Preliminary Plat is consistent with the street and lot layout of the previously approved Tentative Preliminary Plat.
2. The Final Preliminary Plat conforms to all applicable City ordinances, standards, regulations, and requirements.

CONDITIONS:

1. Address comments from the Parks and Forestry memo dated May 10, 2010, prior to Final Approval by Staff.
2. Provide cash bond in the amount of \$11,058.00 for transplanting trees, prior to Final Plat Approval.
3. Provide a performance guarantee in the amount of \$116,856.00, as adjusted if necessary by Staff, to ensure the proper installation of replacement trees and other landscaping, prior to issuance of a Land Improvement Permit.
4. Payment by the applicant of \$9,400.00, as adjusted if necessary by Staff, for one street tree per lot. Such payment to be provided prior to issuance of a Land Improvement Permit.

5. Address comments from the Public Services memos dated August 2 and August 5, 2010, prior to Final Plat Approval.
6. Install tree protective fencing, as reviewed and approved by City Staff, prior to issuance of the Land Improvement Permit.
7. Prior to issuance of the Land Improvement Permit, Submission of a letter of Warranty to the City for the 12 regulated trees being transplanted onsite, stating that the trees will be warranted for a period of two years and if, at the end of the warranty period the trees are dead or declining, they will be replaced on an inch for inch basis. The tag numbers of the transplanted trees are to be listed in the letter (#243, 250, 322, 357, 515, 525, 620, 1007, 1077, 1080, 1090 and 1092). The letter will also state that the City Staff has final approval on the inspection and approval rights for the type, size and location for any replacement trees necessary.
8. Payment into an escrow, amount to be determined by Engineering Services prior to issuance of a Land Improvement Permit, to remove temporary tee turnarounds on Robinson Dr. when it is connected to future development.