

**City of Rochester Hills  
Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION  
December 8, 2005**

<b>Final Site Condominium Plan Bloomer Park Estates Site Condominiums</b>	
<b>APPLICANT</b>	P.E.G. Construction 2437 Munster Road Rochester Hills, MI 48309
<b>AGENT</b>	Guido Grassi
<b>LOCATION</b>	East of John R, North of Avon
<b>PARCEL NO.</b>	15-13-151-019
<b>FILE NO.</b>	04-007
<b>ZONING</b>	R-4 (One Family Residential) District
<b>STAFF</b>	Derek Delacourt, Planner III
<b>REQUESTS</b>	<b>Final Site Condominium Plan Recommendation</b>

**SUMMARY**

The above referenced project involves a four-unit single-family site condominium development on 1.82 acres. The proposed Bloomer Park Estates development is located on the north side of Bloomer Road, east of John R, and south of Bloomer Park. All proposed units front on the existing roadway.

**Specific action requested for consideration by the Planning Commission is the final site condominium plan recommendation to City Council.**

**BRIEF BACKGROUND**

At its August 17, 2004 meeting, the Planning Commission granted a Tree Removal Permit for this development with the condition that the developer work closely with City Staff to save as many trees in front yards as possible and to adjust tree replacements to move some to the front. The applicant is saving 41% of the trees.

A condition of Preliminary Plan approval was that the Master Deed/Bylaws indicate that the natural preservation area be limited in its use to passive recreational activities and that signs denoting a natural preservation area be placed around the edge of the area, which has been shown on the final plan.

City Council subsequently approved the Preliminary Site Condominium Plan and a Sidewalk Waiver.

### **ORDINANCE COMPLIANCE**

Section 122-368(c)(1) of the One-Family Residential Detached Condominiums Ordinance states that the Planning Commission shall recommend approval of the Final Plan if it conforms with the approved Preliminary Plan and all requirements of this Ordinance, as well as other applicable City Ordinance Codes.

The City Attorney has reviewed the Master Deed and has no comments or objections. Additionally, staff has conducted a technical review of the Final Site Condominium Plan and Exhibit B to the Master Deed (i.e., survey) relative to compliance with the requirements of Section 122-368 of the One-Family Residential Detached Condominiums Ordinance.

### **RECOMMENDATION**

Since the Final Plan conforms to the Preliminary Plan stamped approved by Staff August 2, 2005 and has been reviewed for technical compliance, staff recommends approval of the following motion. Any outstanding conditions required prior to issuance of a Land Improvement Permit have been included as conditions in the enclosed motion.

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Reference: Final Site Condominium Plan (Sheets Nos. 1, 2, L1, L2) prepared by Nowak & Fraus dated received by the Department of Planning and Development on August 18, 2005.

Attachments: Planning Commission Minutes of 08/17/04; Assessing Department memorandum dated 09/28/05; Building Department memorandum dated 09/01/2005; City Attorney e-mail dated 10/18/05; Fire Department memorandum dated 09/09/05; Parks and Forestry memorandum dated 09/26/05; Planning Department memorandum dated 09/06/05; Public Service memorandum dated 11/30/05;

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. 04-007 (Bloomer Park Estates Site Condominiums), the Planning Commission recommends City Council **approve** the **Final Site Condominium Plan** based on plans dated received by the Department of Planning and Development on August 18, 2005, with the following findings and subject to the following conditions.

1. All applicable requirements of the One-Family Residential Detached Condominiums Ordinance and Zoning Ordinance can be met.
2. Adequate public utilities are currently available to properly service the proposed development.
3. The Final Plan represents a reasonable and acceptable plan for developing the property.
4. The final plan is in conformance with the preliminary plan approved by City Council on September 15, 2004.

CONDITIONS:

1. The applicant submit a Performance Bond for proposed trees and landscaping of \$23,450.00, as adjusted if necessary by the City, prior to issuance of a Land Improvement Permit.
2. Tree protective fencing be installed, inspected and approved by the City's Landscape Architect prior to the issuance of the Land Improvement Permit for this development.
3. Remove reference to the easement from the Storm Maintenance Agreement and exhibits.
4. Storm maintenance agreement to be provided by the applicant in recordable form and approved by the City prior to City Council consideration of the Final Plan.
5. All required easement agreements and exhibits in recordable form be provided by the applicant and approved by the City prior to City Council consideration of the Final Plan.
6. A warranty deed for the 30-foot right-of-way for Bloomer Road, along with the legal description and exhibit, be provided by the applicant and approved by the City prior to City Council consideration of the Final Plan.