



Rochester Hills Master Report

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File Number: 2006-0035

File Number: 2006-0035	File Type: Project	Status: To Council
Version: 2	Reference: 05-011	Controlling Body: City Council Regular Meeting
Requester: Planning/Development	Cost:	Introduced: 01/06/2006
File Name: The Commons South Site Condominiums	Final Action:	

Title: Request for Approval of Preliminary Site Condominium Plan - City File No. 05-011 - The Commons South, a proposed 12-unit site condo development on 3.98 acres, zoned R-4, located off of Shortridge, east of Livernois, known as Parcel Nos. 15-34-301-005 and 15-34-326-001, D & F Development, L.L.C., applicant.

Notes: Frank Fleury
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Code Sections:

Indexes: Site Condominiums

Sponsors:

Attachments: Agenda Summary.pdf, Map aerial.pdf, Staff Report.pdf, Plans.pdf

Agenda Date:

Agenda Number:

Enactment Date:

Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	01/10/2006	Recommended for Approval	City Council Regular Meeting			Pass
<p>Notes: <i>(Reference: Memo prepared by Derek Delacourt, dated January 5, 2006 had been placed on file and by reference became part of the record thereof.)</i></p>							

Present for the applicant was Robert Lindh and Ray Fano, Urban Land Consultants, 8800 23 Mile Road, Shelby Twp., MI 48316-4515, and Brian Dalling, D & F Development, L.L.C., 1171 Hickory Hill, Rochester Hills, MI 48309.

Mr. Hooper explained the procedure for public commenting, and advised that anyone wishing to speak would be required to fill out a card. He noted that all questions should be directed to the Chair and would be answered at the end of the comments.

Mr. Delacourt stated that the proposed Preliminary Site Condominium Plan had been done in conformance with the City's Ordinances. The site was approximately four acres in size and the applicant was requesting 12 units with a stub street to the north to connect with the future Donaldson drive. A temporary T-turn around would be constructed until that time. He noted that there were no regulated wetlands, and no natural features setbacks or buffers were required. The Tree Conservation Ordinance did not regulate the site, although the applicant proposed to save 35% of the trees. He further advised that the Preliminary Plan had been reviewed by all applicable Staff, and that everyone had recommended approval, or approval with conditions as listed in the motion in the packet.

Mr. Lindh noted that the site was in an older, supervisor's plat and there had been an eyesore house that was torn down. He added that the proposed road, Donaldson, would extend to Hazelton.

Mr. Hooper referred to the alignment of Donaldson and asked if the proposed development to the north had been approved. Mr. Delacourt said that the applicant had Preliminary approval, but had not been through construction review.

Mr. Hooper opened the public comments at 7:36 p.m.

Tim Duncan, 868 Shortridge, Rochester Hills, MI 48307 Mr. Duncan indicated that his only issue was that he would like to see the house on the corner of Donaldson and Shortridge turned to face Shortridge. That was what they did with Shortridge Estates, next door, and he felt the change would help the development blend into the neighborhood, not be an entity unto its own.

Mr. Hooper closed the public comments and asked Mr. Delacourt if he thought that request would be applicable for unit 12. Mr. Delacourt thought that would be the only unit that could front Shortridge, but he had not investigated that option. He did not think he could say whether the lots were of a size to be reconfigured. He thought that a home built there could have a drive onto Shortridge or a side that appeared to be the front of the home, although the architecture would not be reviewed.

Mr. Lindh said he had not thought about it, but he indicated that the house would still have a 25-foot setback. He thought it would be more advantageous to leave it as it was. Mr. Delacourt said that Subdivision Control required lots to face the internal street, but because Shortridge was

not a major thoroughfare, it might be possible. He thought a condition could be attached about investigating it prior to Final review.

Mr. Hooper clarified that the Tree Conservation Ordinance was not applicable because the site was platted prior to the conception of the Ordinance. He referred to the landscaping and planning comments and the condition added about planting additional trees around the proposed detention area to screen the homes. Mr. Delacourt clarified that the planning consultant, McKenna Associates, made that recommendation. The applicant said it would not be an issue, if there were room. Mr. Hooper asked if it would be for the east side of the detention pond, and Mr. Delacourt advised that anywhere they could add planting would work. Mr. Hooper asked about specifying the type of landscape screening.

Mr. Lindh advised that there were trees between the house and the detention pond, and he suggested that there might be room to add a couple more trees in the vacant spaces. They could also add trees along the north end of the pond for screening. They would work it out with the Landscape Architect and Mr. Delacourt noted that the applicant would not have to be tied to a specific standard.

Mr. Reese pointed out that the City's wetland consultant, Applied Science and Technology, Inc., had incorrectly referenced the location of the proposed development, and was advised that it would be corrected. He referred to rotating unit 12, and asked if the drive entrance would be off of Shortridge or if the front elevation would face it. Mr. Duncan said he would prefer that the front elevation faced Shortridge, but he did not think the driveway had to.

Ms. Brnabic said she was a little concerned about the density of the development as compared to the area. She noted that there was a site condo development adjacent (Shortridge Estates), but that the homes were not quite as close together and the yards were larger. She realized that the applicant used lot averaging, but she felt that having eight units on one side and shorter yards were not comparable with the neighboring development. Mr. Hooper asked Mr. Delacourt to describe lot averaging.

Mr. Delacourt stated that the development met the requirements of the R-4 zoning. He thought it was relatively similar to the developments around it. He advised that by using lot averaging, the lot sizes and lot widths could be reduced by 10%, as long as the area of all the lots divided by the number of lots still came out to more than 9,600 square feet. Mr. Hooper clarified that the minimum width for R-4 zoning was 80 feet and for lot averaging it was 72 feet (92 feet on the corners). He asked the applicants if they had any thoughts about attempting to maximize the yield.

Mr. Lindh indicated that they met the Ordinances and he referred to the site criteria summary, which said if perfectly balanced, they could get 20 units. They were only asking for 12. He could not see any other potential

improvements because of the shape of the road through the development. Mr. Hooper commented that they could drop a lot.

Mr. Kaltsounis asked the applicants if they had past experience developing properties. Mr. Dalling said he had not but that his partner, Frank Fleury, had done it as a lifelong career. He joined him because he wanted to learn, and although it was a new venture for him, it was not for his partner. Mr. Kaltsounis asked if they could develop unit four or if it would be something that would be left until the end because of its awkward size.

Mr. Lindh said they considered building a spec home there, but Mr. Kaltsounis thought that would mean using the worst possible lot to set the tone for everything else. He noted that he used to live in the area and he agreed with Ms. Brnabic about the density. The lots for the proposed development were more packed in than those in Shortridge Estates. It seemed as if the theme of the whole square mile was being changed. What they were developing, compared with everything else in the area, concerned him. He mentioned that he would like to see the Tree Ordinance changed to include large, older areas such as the proposed because there were large trees that would have to be cut down. He wondered if the applicant could add a park to the open space area with a bench and brick pavers to enhance it.

Mr. Dalling said it was his understanding that the subdivision that would occur on the north had proposed open space that would adjoin his open space. They had not discussed their intentions, but they would like to add a gazebo or something to make it a nice common area for the neighborhood. Mr. Kaltsounis asked if they would agree to that - a park bench, not a gazebo, which took too much maintenance - and Mr. Dalling said he would not be opposed.

Mr. Kaltsounis said they had seen many developments with properties such as unit four that never got developed because of their awkward size. Mr. Kaltsounis thanked the applicant for agreeing to add the park area.

Ms. Hardenburg asked Mr. Delacourt the purpose of using averages. Mr. Delacourt explained that it would allow flexibility in design for lot widths for difficult sites, where perhaps a road had to be put in. It would restrict the density to the same as if using regular zoning (R-4 in this case) development. If a lot was allowed to be 72-feet wide in one place, another lot might have to be 92 feet wide to meet the average. It would allow a tree stand to stay in place, for example.

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 05-011 (The Commons South), the Planning Commission **recommends** City Council **approve the preliminary site condominium plan**, based on plans dated received by the Department of Planning and Development on October 27, 2005, with the following five (5) findings and subject to the

following seven (7) conditions.

Findings:

1. Upon compliance with the following conditions, the preliminary plan meets all applicable requirements of the Zoning Ordinance and One-Family Residential Detached Condominiums Ordinance.
2. Adequate utilities are available to properly service the proposed development.
3. The preliminary plan represents an acceptable comprehensive development plan that connects an existing subdivision to the west with an approved site condominium development to the east.
4. The preliminary plan represents the only possible street layout and a reasonable lot orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

Conditions:

1. The sanitary sewer should have a 20' "clearance area," centered on the sanitary sewer, for City access. The portion of "clearance area" outside of the road right-of-way should be in an easement and shown on the plans, to be reviewed and approved by Staff prior to construction plan approval.
2. Relocate the water main at the approach outside of the road influence on revised plans to be reviewed and approved by Staff prior to issuance of a Land Improvement Permit.
3. Tree Protective Fencing must be installed inspected and approved by the City's Landscape Architect prior to issuance of a Land Improvement Permit.
4. Plant additional trees around the proposed detention area to, where possible, screen the area from surrounding residential homes. Indicate the proposed screening on revised plans to be reviewed and approved by the City's Landscape Architect prior to Final approval by Staff.
5. Indicate the removal of the existing curb cut along Shortridge Drive on revised plans to be reviewed and approved by Staff prior to final approval.

6. *Indicate that Shortridge is the front of unit 12, as reviewed by Staff, prior to Final Plan approval.*
7. *In the proposed open space area, add a park bench and trees to the plan, to be reviewed by Staff prior to Final Plan approval.*

Mr. Boswell referred to the issue of the density and asked Mr. Delacourt if he recalled how deep the lots were for Hickory Ridge. Mr. Delacourt apologized that he was not the planner for that development, but he noted they were deep enough to meet the minimum area requirements. Mr. Hooper believed it was proposed under regular R-4 zoning. Mr. Boswell said that the homes in Shortridge Estates were deeper, although the same width, and across Shortridge, the lots were deeper. The proposed units would be considerably smaller and the homes were going to be fairly large according to the selling prices. He thought they might look a little out of place.

Mr. Delacourt suggested that even if a lot were removed, the aesthetics would not change because someone would not get a visual of the depth of a lot from the street. Even if three lots were removed, the configuration would be basically the same regarding depth; the lots would just be wider. There would then be wider lots with bigger houses than in the surrounding developments.

Mr. Hooper asked how lot averaging compared to R-4 open space. Mr. Delacourt said it was different because there was a set of restrictions for open space subs. It depended upon a contiguous four acres of passive open space as part of the sub, and for every lot, some open space had to be included. There was a formula used. He did not believe it allowed anything to be reduced more than 10%, so it would be the same as lot averaging. Mr. Hooper said that the side yard setbacks could be reduced in an open space sub. For the proposal, the minimum side yard setbacks would be ten feet. Mr. Hooper said that other than additional open space acreage, the lot density of an R-4 open space compared with R-4 lot averaging was about the same. Mr. Delacourt agreed it was very similar.

Ms. Brnabic thought that dropping a lot and making the lots wider would give them more openness. If they dropped unit 12 back further, facing Shortridge, the development would be more in keeping with the general neighborhood and would have a better look. She thought they were putting a little too much in the development for the area.

Mr. Hooper wondered if unit 12 could be expanded to the north and into two lots on Shortridge and asked if the applicant had any thoughts. Mr. Delacourt said that without seeing a plan, he could not comment about how it would make a difference aesthetically. He would need to see what it would end up like. He stated that the plan submitted conformed to the code. If they took out a lot and spread the 72 feet between the lots on one side of the street, they would be noticeably wider, with larger footprints. He was not

sure if that would be more in keeping with the surrounding neighborhoods or not.

Mr. Hooper asked Ms. Brnabic about unit 12 and if she was concerned about having it face Shortridge or just about the lot size in general. Ms. Brnabic questioned whether the applicant would be willing to turn unit 12 to face Shortridge. Mr. Lindh said it would be 10 feet off the side yard and 25 feet from the right-of-way. If the house faced Donaldson, the rear yard setback would be 35 feet and there would be more space between the proposed home and the home to the west. They were trying to save some of the trees and it would be more conducive for that if the houses were facing Donaldson. Mr. Hooper asked the applicant if there was anything that could be done. Mr. Lindh asked what choices they had, if they met the Ordinances.

Mr. Hooper stated for the record that the motion had passed, wished the applicants good luck and reminded that the Commission would see the applicants for Final Site Condo Plan recommendation.

Aye: Boswell, Dettloff, Hardenburg, Holder, Hooper, Kaltsounis, Reece and Schroeder
Nay: Brnabic

Text of Legislative File 2006-0035

..Title

Request for Approval of Preliminary Site Condominium Plan - City File No. 05-011 - The Commons South, a proposed 12-unit site condo development on 3.98 acres, zoned R-4, located off of Shortridge, east of Livernois, known as Parcel Nos. 15-34-301-005 and 15-34-326-001, D & F Development, L.L.C., applicant.

..Body

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for The Commons South, a 12-unit site condominium development on 3.98 acres, located east of Livernois off of Shortridge, zoned R-4, One Family Residential, known as Parcel Nos. 15-34-301-005 and 15-34-326-001, based on plans dated received by the Planning Department on October 27, 2005 with the following findings and conditions.

Findings:

1. Upon compliance with the following conditions, the preliminary plan meets all applicable requirements of the Zoning Ordinance and One-Family Residential Detached Condominiums Ordinance.
2. Adequate utilities are available to properly service the proposed development.
3. The preliminary plan represents an acceptable comprehensive development plan that connects an existing subdivision to the west with an approved site condominium development to the east.
4. The preliminary plan represents the only possible street layout and a reasonable lot orientation.

5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

Conditions:

1. The sanitary sewer should have a 20' "clearance area," centered on the sanitary sewer, for City access. The portion of "clearance area" outside of the road right-of-way should be in an easement and shown on the plans, to be reviewed and approved by Staff prior to construction plan approval.
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5. Indicate the removal of the existing curb cut along Shortridge Drive on revised plans to be reviewed and approved by Staff prior to final approval.
6. Indicate that Shortridge is the front of unit 12, with review by Staff, prior to Final Plan approval.
7. In the proposed open space area, add a park bench and trees to the plan, to be reviewed by Staff prior to Final Plan approval.