

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

**STAFF REPORT TO THE PLANNING COMMISSION
August 18, 2009**

Site Plan Approval Request Oakmont/Boulevard Hills Senior Living Facility	
APPLICANT	POMKAL Rochester, LLC 25480 Telegraph Rd., Suite 100 Southfield, MI 48033
AGENT	Daniel Tosch
PARCEL NO.	15-31-326-032
ACREAGE	12.8± Acres
LOCATION	South Boulevard, East of Adams
FILE NO.	09-002
ZONING	SP, Special Purpose
STAFF	Derek Delacourt, Deputy Director
REQUESTS	Tree Removal Permit Site Plan Approval

BACKGROUND

The proposed project involves the continued development of a parcel master planned for senior living facilities (first project is called Boulevard Hills Nursing Center – formerly known as Peachwood Nursing Center). It consists of a three-story, 149,570 square-foot senior congregate building and a one-story, 65,700 square-foot assisted living facility on one 12-acre, vacant parcel located on South Boulevard, east of Adams. The Senior Congregate Facility will have one and two bedroom apartments; the Assisted Living Facility will have Assisted Living and Memory Care units. Included will be full accessory services for the residents with many amenities on site. There is an existing boulevard entrance, an asphalt drive that encompasses both developments, and an existing storm water detention area that will be modified to meet the City's new Engineering requirements and handle stormwater runoff for both projects. The site is Master Planned appropriately for use as a senior living facility.

With the adoption of the new Zoning Ordinance, assisted living and housing for the elderly became a Permitted Use in the Special Purpose District per Section 138-4.300, and a Conditional Land Use Approval is no longer required for this operation. There are criteria required per Section 138-4.423, which have been met and are listed as findings in the proposed motion. The new Ordinance also has provisions for a two-step Site Plan Approval process, whereby less detail is required at the Preliminary stage. However, nothing in the Ordinance prohibits the Planning Commission from granting Final Site Plan Approval without first granting a Preliminary Approval if the plans are in compliance with the requirements for a Final Site Plan or the Commission feels comfortable that conditions will be addressed and followed through by Staff. The applicant has provided full engineering details in the hopes of a Final review and Approval, and Staff has provided motions with conditions. If the Planning Commission is comfortable, the matter can be reviewed as a Final, but if the Commissioners wish a further review, any motion will reflect a Preliminary stage.

Specific actions requested for consideration by the Planning Commission are Site Plan Approval and approval of a Tree Removal Permit for Oakmont/Boulevard Hills, City File No. 09-002.

Site Plan

This second phase of the development proposes compatible architecture, materials, landscaping and access, with shared easements and drainage facility between the first and second. The EIS states that there will be minimal increase in traffic due to the proposed use, and that the basic residential uses and building materials will complement the adjacent single-family properties. The Site Plan has been evaluated by all inside and outside reviewers.

Landscaping/Tree Removal/Buffering

The City's Tree Conservation Ordinance does regulate the site, and all regulated trees removed must be replaced on a one-for-one basis. There are 212 regulated trees on site and up to 63 will be removed; therefore, up to 63 trees must be replaced. Buffer and island trees do not count as replacement trees, although existing trees in good condition may be used to meet the buffer requirements and must be located on site. A Type B Buffer is required along the western property line, and in her July 2, 2009 memo, the City's Landscape Architect has outlined the suitability of existing trees for the Buffer and how many trees and/or shrubs need to be planted. A Type B Buffer is required for 800 feet for the eastern property line, and the requirements are also outlined in the memo, and will have to be met prior to Final Approval by Staff. A portion of the southern property line requires a Type B Buffer and modifications to the design have been requested to provide consistent screening along this property line of the proposal. Please refer to the July 2, 2009 memo for more details. With the exception of the requested revisions, the City's Landscape Architect has reviewed the Landscape Plans, and recommends that they meet the requirements of the City's new Zoning Ordinance.

Wetlands:

There were no City-regulated wetlands or flood plain boundaries found on site or within 25 feet of the property, and no Natural Features Setback issues are involved. The existing storm water basin will be utilized and modified to City standards. A sanitary sewer permit will be required from the MDEQ and the Water Resources Commission prior to the issuance of a Land Improvement Permit.

Parking

A total of 168 parking spaces (116 for the senior center and 32 for the assisted living area) are required and 219 are being provided, including ten handicap spaces. Parking lot islands must be calculated and irrigation details provided prior to Final Approval by Staff.

Lighting

A photometric plan has not been submitted; the applicant proposes lighting that is consistent with what is on the existing facility, which will utilize shielded/ cutoff fixtures to prevent light spillage. The photometric plan will be required to meet the requirements of the City's Lighting Code. A condition has been added requesting that a photometric plan must be submitted and approved prior to Final Staff Approval.

Engineering

The Engineering Department and its consultant have approved the plans. Any engineering related standards not required for the Site Plans will be managed at Construction Plan review.

Staff recommends approval of the proposed senior living facilities. As you are aware, the applicant must address any conditions of approval prior to getting a Land Improvement Permit. If the Planning Commission is satisfied with the layout and aesthetics of the proposal, the following motions are included for Final consideration:

Tree Removal Permit

MOTION by _____, seconded by _____, in the matter of City File No. 09-002 (Oakmont/Boulevard Hills Senior Congregate/Assisted Living), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning and Development Department on June 30, 2009 with the following findings and subject to the following condition.

Findings:

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.

2. The applicant is proposing to replace 63 regulated trees with 63 tree replacement credits, as required by the Tree Conservation Ordinance.

Condition:

1. Address condition #2 of the City's Landscape Architect's memo dated July 2, 2009, prior to Final Approval by Staff.

Site Plan:

MOTION by _____, seconded by _____, in the matter of City File No. 09-002 (Oakmont/Boulevard Hills Senior Congregate/Assisted Living), the Planning Commission **approves** the **Site Plan** based on plans dated received by the Planning Department on June 30, 2009 with the following findings and subject to the following conditions.

Findings:

1. The Site Plan and supporting documents demonstrate that all applicable requirements of the Rochester Hills Zoning Ordinance can be met, subject to the conditions noted below.
2. The location and design of the existing driveway providing vehicular ingress to and egress from the site and within the site has been designed to promote safety and convenience of both vehicular and pedestrian traffic.
3. Parking areas have been designed to avoid common traffic problems and promote safety.
4. The residential uses and building materials will not be detrimental to the adjacent properties.
5. Phase 1 and Phase II will share common storm water detention facilities.
6. Cross easements will be granted for vehicular and pedestrian access between the developments.
7. The tallest building is a maximum of three stories in height, as allowed under Section 138-4.423 B. of the Zoning Ordinance.
8. The smallest one-bedroom living unit contains 400 square feet, and the smallest two-bedroom unit has a minimum floor area of 550 square feet.
9. 168 parking spaces are required and 219 are being proposed.
10. The buildings are set back at least 60 feet from the adjacent one-family residential zoning.
11. Common areas are a minimum of 50 square feet per dwelling unit or bed.

Conditions:

1. That the applicant obtains a Soil Erosion Permit from the Water Resources Commissioner prior to Construction Plan Approval.
2. A sanitary sewer permit will be required from the MDEQ and the Water Resources Commission prior to the issuance of a Land Improvement Permit for this development.
3. Landscape Plans must be revised per the additional recommendations in the City's Landscape Architect's memo of July 2, 2009, prior to Final Approval by Staff and issuance of a Land Improvement Permit.
4. Address conditions from the Building Department memo dated July 10, 2009, prior to Final Approval by Staff.
5. Address conditions from Fire Department memo dated July 8, 2009, prior to Final Approval by Staff.
6. A Land Improvement Permit shall be required from the City's Engineering Services Department prior to work on the site.
7. A Permit from the Road Commission for Oakland County will be required for all work in the South Boulevard right-of-way.
8. A photometric plan and light pole details must be submitted and approved, prior to Final Approval by Staff.

References: Assessing Department memo dated 07/22/09; Building Department memo dated 07/10/09; Fire Department memo dated 07/08/09; Planning Department memo dated 07/02/09; HRC letter dated 07/13/09; Parks and Forestry memo dated 07/08/09; Water Resources Commissioner letter dated 06/19/09; Road Commission for Oakland County letter dated 06/01/09; Oakland County Health Department letter dated 06/04/09; and EIS dated 05/09/09.

Reference: Plans dated received by the Planning Department 06/29/09 - Cover Sheet; Architectural Site Plan [Sheet ASP], prepared by Progressive Associates, Inc. Architects; ALTA/ACSM Land Title Survey [Sheet SS-1]; Tree Survey [Sheet TS-1]; Notes [Sheet SP-1]; Preliminary Paving Plan [Sheet SP-2]; Preliminary Grading Plan [Sheet SP-3]; Preliminary Utility Plan [Sheet SP-4]; Preliminary Stormwater Management [Sheet SP-5]; Preliminary Soil Erosion Control Plan [Sheet SP-6]; Preliminary Easement Plan [Sheet SP-7]; prepared by Zeimet Wozniak & Associates; Tree Preservation Plan [Sheet L-1]; Existing Tree List [Sheet L-2]; Schematic Landscape Plan [Sheet L-3]; Schematic Landscape Plan Enlargements [Sheet L-4]; Technical Specifications and Details [Sheet L-5] prepared by James C. Scott & Associates; Proposed First Floor Plan [Sheet SK1]; Second Floor Plan [Sheet SK2]; Third Floor Plan [Sheet SK3]; Typical Independent Unit Plans [Sheet SK4]; Concept Elevations [Sheet SK5]; First Floor Plan [Sheet SK6]; Unit Plans [Sheet SK6.1]; Concept Elevations [Sheet SK7], prepared by Progressive Associates, Inc. Architects.