

**City of Rochester Hills
Department of Planning**

**STAFF REPORT TO THE CITY COUNCIL AND PLANNING COMMISSION
June 20, 2006**

Oakville Estates Preliminary PUD Review	
APPLICANT	Oakville Estates L.L.C. 42850 Schoenherr Road Sterling Heights, MI 48313
LOCATION	John R Road and School Road
SIDWELL	Multiple Properties
FILE NO.	04-037
ZONING	Single Family
STAFF	Derek Delacourt, Deputy Director
REQUEST	Preliminary PUD Recommendation

SUMMARY

The applicant is proposing a Single-Family attached ranch condominium development. The proposed development consists of 45 buildings totaling 122 units on approximately 26 acres of assembled property. The site will be accessed from John R Road with an emergency access proposed for School Road. The proposed School Road Access is to become permanent in the future when School Road is paved.

The applicant has appeared several times in front of the Planning Commission regarding the subject site, initiated with a request to rezone the property to allow for attached units. The rezoning was denied, but members of both the Planning Commission and Council indicated some support for the proposed use. The PUD is being requested because it allows the use to be considered with more control of the proposed development, and to address concerns expressed with a standard rezoning.

PRELIMINARY PUD PROCESS

The project is proposed under the City's Planned Unit Development (PUD) Process. The PUD process is accomplished in two steps. The planning Commission and City Council consider a Conceptual Plan to determine if the site meets the requirement for utilization of the process, and if the proposed plan (road layout, use, number of units, parking and basic design) is agreeable to the City. If the Conceptual Plan is acceptable and approved

by City Council, the applicant then submits for full technical review of the plans through the normal process prior to any recommendation for Final PUD approval.

Included in the final review is the PUD Agreement detailing the proposed development and including any language regarding agreements between the City and the applicant. Also included in the Agreement is the language required and identified in the Ordinance regarding timeframes for the development and other requirements of Section 138-1008 of the PUD Ordinance. The applicant has included a draft document for review and input from the Planning Commission and City Council. Any issues or requested changes will be required to be addressed by the applicant and submitted for formal review and recommendation during the Final PUD process.

PROPOSED USE

The applicant is proposing attached single-family condominium units. The existing, and Master Planned, zoning district (Single-Family) does not expressly permit the proposed use. However, the PUD Ordinance authorizes the Commission and City Council to allow uses not normally allowed within a zoning district, based on defined criteria within the Ordinance if the proposed uses are consistent with the intent of the Master Plan.

The single-family district is designed to accommodate detached single-family homes. The development is proposing single-family attached units, in two and three unit configurations. However, the proposed PUD restricts those units to ranch style homes for individual families, and no apartment or townhouse-style building will be allowed.

CONCEPTUAL PLAN

If the Conceptual Plan is approved, the future development of the site must stay consistent with what is proposed. Adjustment may be made through the final technical process based on department and outside agency comments, but road layout, design, buffering, landscaping, and other proposed improvements will stay consistent with this plan.

To date, the proposed plan has been submitted and reviewed by City Staff on several occasions. Those reviews have required adjustments and changes made by the applicant to address issues identified by different departments. If the Planning Commission and City Council agree with the conceptual design and use of the site, at this point, the proposed plans conform to the requirements of the PUD Ordinance for Preliminary Approval. There are still several technical and engineering issues that will need to be addressed during the final review process and prior to any final recommendation by Staff.

Prior to Staff moving forward with the technical review and requesting that the applicant address remaining issues, it is important that the Planning Commission and City Council

provide input related to the Conceptual Plan and proposed use of the property. All of the major issues related to the design of the project appear to have been addressed.

Previous plans reviewed and discussed by the Planning Commission showed two types of proposed units. Two and three unit buildings on the southern portion of the site and larger four unit buildings to the north. The applicant was proposing to split the development into two separate associations for management reasons. Two issues arose regarding this during review of the plans. The larger units to the north did not meet the requirements for Fire Department access around the buildings. Also, the creation of two separate associations within one development was a concern related to future maintenance issues for shared improvements such as roads, and retention. It is Staff's opinion that the development should consist only of the two and three unit buildings.

The Planning Commission should consider if visitor parking would be required to be constructed with the initial development of the site or only at some point in the future if there is a demonstrated need for it. The applicant has shown conceptually that there can be additional parking on the site, but is not proposing it as part of this plan.

PROPOSED AGREEMENT

A Preliminary PUD Agreement has been provided and included in your packet. It was reviewed by Staff, and comments were provided to the applicant. At this point the comments are not inclusive and will require adjustment based on input from the Commission and Council. The Preliminary approval does not approve the proposed PUD text; it is included at this time only for review and to provide the opportunity to identify potential issues. Any comments and issues identified as part of the Preliminary review will be addressed in a revised Agreement and submitted for formal review during the Final PUD process

The specific action requested for consideration by the Planning Commission is a recommendation of Preliminary PUD Approval to City Council.

RECOMMENDATION

The proposed project meets the required criteria and standards for Preliminary review and approval of a Planned Unit Development Conceptual Plan. If the Planning Commission and City Council agree that the proposed use of the PUD process is appropriate for the subject site, Staff recommends the following motion in reference to City File # 04-037:

MOTION by _____, seconded by _____, in the matter of City File No. 04-037 (Oakville Estates), the Planning Commission **recommends** that City Council **approve** the Preliminary PUD with the following findings and conditions.

Findings:

1. The proposed Conceptual Plan meets the criteria for use of the Planned Unit Development process.
2. The applicant has met all of the requirements of the Preliminary Planned Unit Development submittal.
3. The proposed Concept Plan has not been utilized to avoid applicable requirements of the City's Ordinance. The proposed use is consistent with the intent of the single-family Zoning District.
4. The proposed Plan will not add facility loads above those contemplated by the Master Plan.
5. The proposed Plan promotes the goals and objectives of the Master Plan.
6. The proposed use is consistent with existing and future land use patterns.
7. The proposed plan provides appropriate transition between the existing land uses surrounding the property.
8. That utilization of the PUD process allows the City additional controls to ensure quality building design and site development.
9. That this approval is for the Conceptual Plans only; the proposed PUD Agreement is for review only, and none of the language proposed is binding until Final PUD and Site Plan Approval by City Council.

Conditions:

1. That all issues and requirements identified during the Conceptual Plan Review by Staff be addressed prior to Final Approval of the Planned Unit Development By City Council.
2. That any adjustments or changes to the proposed PUD Agreement by Staff, the Planning Commission, and City Council be addressed prior to Final PUD approval by City Council.

3. That the applicant submits full wetland mitigation and enhancement plans for review and recommendation prior to Final PUD and Site Plan approval by City Council.
4. That final location of access points and required off-site traffic improvements are to be reviewed and finalized for approval prior to Final PUD and Site Plan Approval by City Council.
5. That any required Wetland Use and/or Tree Removal Permit be reviewed and approved prior to Final Site Plan and Final PUD Approval by City Council.
6. That all engineering requirements for storm water retention and maintenance be reviewed and recommended for approval prior to Final Site Plan and Final PUD approval by City Council.
7. That all proposed landscaping and material be reviewed and recommended for approval by the city's Landscape Architect prior to Final PUD and Final Site Plan Approval by City Council.
8. That all applicable Fire Department requirements be met and approved by the City's Fire Department prior to Final Site Plan and Final PUD Approval by City Council.

References: PUD Agreement dated received June 13, 2006; Cover Sheet and Site Plan Sheets SP 1.0 through 6.0, prepared by Design Team; Landscape Plans Sheets LA-1.0 through 5.0 prepared by Design Team; Boundary Survey and Utility Plans, Sheets C-1 through C-8 prepared by JJ Associates; Tree Preservation Plan, Sheets C-9 through C-13, prepared by JJ Associates, Inc.; Elevations, Sheets A1 and A2, prepared by CBI; Planning Commission Minutes dated 09/06/05 and 02/07/06; Copy of revised PUD Ordinance; Notice of Public Hearing.
