



# Rochester Hills

## Agenda Report

1000 Rochester Hills Drive  
Rochester Hills, MI 48309  
(248) 656-4660  
Home Page:  
www.rochesterhills.org

**File Number: 2006-0729**

**File Number:** 2006-0729      **File Type:** Project      **Status:** To Council  
**Version:** 2      **Reference:** 05-042      **Controlling Body:** City Council  
Regular Meeting  
**Requester:** Planning/Development      **Cost:**      **Introduced:** 10/03/2006  
**File Name:** Little Winkler Estates      **Final Action:**

**Title:** Request for Approval - Preliminary Site Condominium Plan - City File No. 05-042  
- Little Winkler Estates, a ten-unit site condo development on 7.3 acres,  
located west of Dequindre, south of Washington, zoned R-1, One Family  
Residential, Parcel Nos. 15-01-277-015 and 15-01-278-006, Little Winkler,  
L.L.C., applicant.

**Notes:** Little Winkler, LLC  
38880 Garfield  
Clinton Twp., MI 48038  
586-909-8949  
586-726-0042 fax

John Wright  
JJ Associates, Inc.  
44444 Mound Road, Suite 100  
Sterling Heights, MI 48314  
586-726-6310  
586-726-0042 fax

**Code Sections:**

**Indexes:** Preliminary-Final Plan

**Sponsors:**

**Attachments:** Agenda Summary.pdf, Staff Report PSCP.pdf, Map  
aerial.pdf, Back up.pdf, Site Plans.pdf, 0729 Minutes  
and Resolution.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	10/17/2006	Recommended for Approval	City Council Regular Meeting			Pass
<b>Notes:</b> <i>Reference: Staff Report prepared by Derek Delacourt, dated October 17, 2006 had been placed on file and by reference became part of the record thereof.)</i>							

*Present for the applicant were Damian Kassab and Tom Bernasconi, Little Winkler, LLC, 38880 Garfield, Clinton Twp., MI 48038 and John Wright, JJ*

Associates, Inc., 44444 Mound Road, Suite 100, Sterling Heights, MI 48314.

Mr. Wright stated that they proposed a ten-unit site condominium development on the west side of Dequindre. He pointed out that there was a vacant Consumers Energy corridor to the south and single-family to the north, west, and to the east, across Dequindre in Shelby Township. He advised that the lots were similar in size, and that the homes would be similar in character in an appropriate price range. There would be on-site detention that would collect storm water runoff from their site as well as from adjacent properties to the north.

Mr. Delacourt advised that a Tree Removal Permit was being requested, and that the Preliminary Site Condominium Plan would be a recommendation to City Council. He explained that there were two steps to the Site Condominium process - Preliminary and Final - and that in between, the plans would go through construction review. He recapped that the Ordinance required 37% of the regulated trees on site to be saved, and that the applicant was proposing to save 40%. The Ordinance also required that all regulated trees removed be replaced, or that monies be paid into the City's Tree Fund if trees could not be placed on-site. The applicant would be removing 74 trees and replacing them with 170 tree credits, which quite exceeded the Ordinance. He advised that the Site Plan had been deemed technically compliant by all applicable departments, and that all reviewers recommended approval.

Chairperson Boswell opened the discussion to Public Comments at 9:18 p.m.

Mr. and Mrs. Sam Mocerri (Renee) 56185 Dequindre, Rochester Hills, MI 48306. Mrs. Mocerri said she had some concerns because they would be sharing the drive with the proposed development. (They lived west of the subject site). She stated that they built their dream home in 1991, and the grounds were considered historical. She did not read that the grounds were now considered historical. They had to replace 100% of their trees and they protected as many as they could. Her main concern was the driveway because they would be sharing it with 11 other families, and were currently sharing it with four. They wanted to know more about it, and she indicated that they did not get to see the plans. Another concern was noise and light pollution because it would no longer be considered a private driveway. She wondered if gas, sewer, water and the elevation of their driveway would change or bring any additional costs. She wondered if mailboxes would be brought in further, because that would bring more traffic. She noted that the existing trees were large, beautiful and very old. A lot of the trees were adjacent to the front of their property and they were concerned because it was a lovely site. Mr. Mocerri said that when they moved out there, they wanted privacy. They would now have ten new homes and there would be a lot more activity, lights, noise and cutting of trees. Currently, their home was not visible from Dequindre. Mrs. Mocerri asked about snow removal, and she questioned whether snow would be piled up in front of their driveway or if

they would work together. Mr. Mocerri stated that he thought it was far too many homes for the size of the property.

Rob Link, 1956 Carter Road, Rochester Hills, MI 48306. Mr. Link said he lived just north of the subject parcels, and he was concerned about the drainage. They had a septic field, and the pond that was slated to be filled currently took the drainage from several properties. There were still perk tests from the previous owner from a year ago that got filled when it rained. He was concerned about foundations and filling of the land, and wondered if elevation changes would cause water to be retained in his yard and affect his well and septic field. He questioned a sidewalk for Dequindre, noting speeding, and said that if there were no sidewalk from Carter to the sub in Rochester, people would go onto Dequindre. He wondered how big the homes would be and about the elevations - two or three-story, walkout basements, etc. He said some plans showed 11 sites and others ten so he wanted clarification. He noted the trees tagged behind his property, which he stated were very important. He had talked to the original owner, who planted the trees over 35 years ago. They were very important from a wind perspective and were very scenic, and he commented that the whole area was scenic with regard to wildlife and the trees.

Chairperson Boswell mentioned that he had received a letter from Mr. John McManus who also lived on Carter, which was placed on file. He had been concerned about trees, noise, privacy and drainage.

Mr. and Mrs. John Weiss (Suzanne), 2034 Nickelby, Shelby Twp., MI 48316. Mrs. Weiss noted that they lived in Shelby Township, across Dequindre, and they were present to support their neighbors. They bought into the area because it was beautiful, but they did not know that on their side, the trees would be knocked down. They cleared them all the way north to 26 Mile Road, and there were dozens of lots yet to be sold. She said that the trees on the subject property were literally two to three feet in diameter and others were larger. Even if they were replaced, it would take another 15-20 years to get that big. She added that they provided a tremendous windscreen for them. She agreed about the traffic, noting that people crossed Dequindre to use the sidewalk on the east side, and that it was getting more and more dangerous. The trees also provided a tremendous noise buffer, and she pleaded that if they could save trees it would be an asset.

Chairperson Boswell closed the Public Comments at 9:27 p.m.

Mr. Delacourt replied to questions about the proposed road, stating that it would be a public road owned by the City of Rochester Hills. The City would be responsible for maintaining it and for the snow removal. He assumed that the mailboxes would be moved to the front yards, unless the Homeowner's Association worked out some other arrangement. Regarding drainage, he advised that much consideration was always given to that issue. The City had engineering standards, and an applicant could not alter anything to

create negative drainage patterns. The development would be required to accept drainage and release it at a rate that was the same or lower. The site proposed a detention basin on-site. The plans would still go through construction plan review to work everything out before the development could move on to the final stages. He suggested that if anyone had questions concerning drainage, that they contact the engineer from the City who reviewed the project. He asked Mr. Wright to put up the Landscape Plan to show where trees were being preserved on the site.

Mr. Wright pointed out the tree stands to remain, including along Dequindre and behind Carter. He indicated that saving trees would be a benefit to the development, and that they would take every step possible to save trees. Mr. Delacourt noted the trees outside the preserved areas, and said it did not mean that they would automatically be removed. The Ordinance required that all trees within a building envelope, as defined by the setback, right-of-way, and utility grading area be removed, but he emphasized that Staff encouraged every applicant to save trees.

Mr. Delacourt referred to the development's density, and he said that the subject area was the City's least dense zoning district. The applicant was allowed to have 1.7 units per acre, and they proposed 1.3.

Chairperson Boswell brought up pedestrian traffic, and Mr. Delacourt advised that all applicants were required to build an eight-foot pedestrian pathway across their frontage. The City could not require additional off-site improvements, but they did have a pathway plan for major roads.

Chairperson Boswell asked Mr. Wright how big the homes would be. Mr. Wright replied that they were not certain, but he assumed the future builders would put up homes similar in character to those in the area. Mr. Delacourt asked Mr. Wright to show the Site Plan, and he noted the building envelope area, and he said that rarely was a home built to the maximum building envelope size. The Ordinance only allowed a height of 35 feet, measured from average grade to the mean height of the highest gable. Mr. Wright thought it would be safe to assume the homes would be a minimum of 3,000 square feet.

Mr. Yukon referred to the Tree Preservation Plan, and asked the applicants to demonstrate where tags 73 through 90 were. Mr. Wright thought they would be along the north line of the subdivision, behind the homes on Carter. Mr. Yukon asked if those were protected trees, which Mr. Wright confirmed, after clarifying the tag numbers.

Mr. Kassab stated that they were "tree fans" and that trees added value to property. He further stated that they would save absolutely every tree that they could. He did not see how developers could mow everything down. He said he was disheartened to see that the utilities would cause trees have to come down to the south where the gas line was.

Mr. Yukon said he was also concerned about water absorption and sewer retention, and that was why he asked if the trees behind Mr. Link's home would be saved. Mr. Wright advised that the storm sewers would be placed in the rear of the properties and they would be designed to handle runoff, based on the existing runoff, so there should not be any drainage problems. Mr. Yukon asked if the storm sewer would take the water that the pond would have taken, and Mr. Wright agreed it would be routed to the basin. Mr. Yukon clarified that the water feature to the southwest would remain.

Mrs. Mocerri asked about the trees on lot 5 and about the historical value of the land, and Mr. Delacourt advised that the trees were to be removed according to the Ordinance. He believed that the subject property was not designated as historical, but he said he would re-check that. If it were a non-contiguous Historic District, the City's Historic Districts Commission (HDC) would have to approve the development. He asked Mrs. Mocerri if they had to go to the HDC for a permit to build their home, which she confirmed. Mr. Wright believed the Historic District began west of the proposed site.

Mr. Kassab addressed Mrs. Mocerri, indicating that she had made very good comments. He said it was very unlikely that any of the trees along the western side of the property would be removed. They were substantial and would make a nice property boundary. He knew the Mocerri's had a gorgeous home and piece of property, and he did not intend to do anything but enhance the value of it by the proposed development. He advised that the development was planned to be very high-end. He felt the driveway would be an improvement, and he stated that they would be very happy to work with both families to the west regarding ingress and egress or any concerns they had. It was currently a gravel driveway, and it would be extremely difficult for a fire truck to get to the back. The proposed drive would be wider and more beautiful. They would have to take some of the softwood pine to make the road, but he indicated that those were fast growing trees.

Chairperson Boswell asked Mr. Kassab which trees he was referring to. Mr. Kassab explained that he meant the trees on the Mocerri's property line. Chairperson Boswell pointed out that no trees were shown along the property line; the trees shown were in the cul-de-sac and in the middle of lot 5. Mr. Kassab acknowledged he was mistaken and said that the trees Mrs. Mocerri referred to were in the middle of lot 5. He stated that to the extent they could save the trees, they would make every attempt.

Mr. Hooper noted that the Mocerri's driveway was asphalt, and he asked if it would also be asphalt where their drive transitioned into the proposed cul-de-sac. Mr. Wright said it could be asphalt or concrete; it depended upon what the City Engineer proposed. Mr. Hooper referred to page three and said the road section showed asphalt. Mr. Wright agreed, but he said it

could be whatever was more economical. Mr. Hooper thought it should be asphalt all the way. He confirmed with the applicants that it would be a paved, hard surface with asphalt, and not a gravel connection.

Ms. Hardenburg related that she was also concerned about all the trees that would have to come down, but said she recognized there were Ordinance requirements. She referred to the trees being shown for removal along the road, and asked the likelihood of any being saved.

Mr. Delacourt explained that it would depend upon the tree and how much damage would be inflicted by grading and paving. The root system was usually under the drip line of the tree. He said he was not really comfortable giving a number, and Chairperson Boswell reminded that each lot would also have a driveway.

Mr. Delacourt brought out the Historic Districts Ordinance and answered the question about the site, explaining that only 56187 Dequindre was a non-contiguous Historic District, which was the property south of the Moceris.

Mrs. Moceris asked if they would have to connect to water and sewer from the new development, and Mr. Wright said it would be available if they elected to get rid of their well and septic. Several people began talking from the audience and asking about the water and sewer. Chairperson reminded that it was a meeting, and that there would not be back and forth dialogue. He said he understood they had concerns, but stated that the Commission had to conduct business and make decisions.

Ms. Hardenburg asked if an alternative layout was considered. Mr. Kassab said that originally, an additional lot (11) was proposed to face Dequindre, and the lot to the north was proposed for detention. Staff suggested that since the water flowed to the south, it would not be practical, and they reduced the number of lots. That was the only other version considered. Ms. Hardenburg clarified that the applicants would not be the builders, and asked if they were unsure of what type of homes would be built. She was concerned about the trees close to the neighbors to the west. She realized the trees in question were not on their property, but it seemed sad to have to cut them down. Mr. Bernasconi said that they could not stress enough that they would save every tree they could.

Ms. Hardenburg asked if a barrier could be placed around the wetland. Mr. Delacourt advised that it was not a regulated wetland, and that no natural features setback was required. Ms. Hardenburg brought up that the applicants had not talked much with the neighbors, and she maintained that it was something the Commission strongly urged. She stated that the residents would not have been at the meeting as upset if that had occurred. Mr. Kassab said he would be happy to listen to all the concerns, and he said he had heard some very legitimate ones. Ms. Hardenburg reminded that the

neighbors had been there awhile, and they probably knew something eventually would happen, but she suggested that it would be very neighborly to advise them of the plans.

Chairperson Boswell asked if the homes would be compatible with those across Dequindre and to the south, and Mr. Bernasconi said they envisioned them to be much better, noting that the lots were much larger than across Dequindre. It would be a private, ten-unit development. Chairperson Boswell asked if the lots would be larger than Pheasant Village in Rochester, which was confirmed. Chairperson Boswell asked if they would be compatible with the homes in Winkler Mill Estates.

Mr. Kassab responded that he had partners who were also builders, and they had not decided if they wanted to build the homes. He felt the development needed a unique character. He mentioned that he lived in Oakland Township, and that his home would be in a tour of homes. He restored a very old farmhouse, kept the natural features and helped restore the Paint Creek by his home. He felt the proposed sub needed the kind of flair his home had - an old Cider Mill, a country feel, but high-end. It should showcase the unique character of Rochester Hills and the area. He said he thought he understood Chairperson Boswell's comment about Winkler Mill, and he felt the sub needed the same character. They wanted it to be very special. He indicated that times were very tough for builders and development, and the proposal had to be top-notch, of high quality and unique. It could not be cookie-cutter, like the homes across the street. The homes on Carter were in a gorgeous, quaint sub, and they did not want to put up anything in conflict with that. They did not want to put up monster homes, but would keep the sub in character with the neighborhood.

Mr. Link asked about the sidewalk, expressing that there was not a connection across the utility parcel into Rochester. He stated that unless someone built a sidewalk that connected that to the new subdivision to the south, people would be encouraged to go onto Dequindre. He asked about hooking up to sewer and water and said he would like more information about it.

Mr. Reece said that the residents needed to understand that the Commission struggled with the decisions regarding developments such as Little Winkler Estates. They were sensitive to the needs of the neighbors, who lived in a beautiful part of the City, but he reminded that at one time their homes were all woods also. He asked if there would be any consideration given to re-laying out the north half of the development to save the trees on lot 5. That would probably mean reducing the number of units from ten to nine, but he felt it would go a long way towards preserving the tree line along the western edge of the property. He did not think it was overly dense as proposed, but it would be a significant consideration to look at re-laying out the site. He also hoped there would be an answer for the residents about hooking up to sewer and water.

Mr. Schroeder suggested moving the cul-de-sac to the east. Mr. Wright said they looked at that, but the Engineering Department wanted the right-of-way to touch the existing properties to the west. They wanted at least 60 feet of frontage for the parcels to the west and they added width to unit five. Regarding the trees along the drive, the grade would be disrupted because of the pavement elevations, the sidewalk, the utilities and the driveways. Mr. Kassab said that most of the hardwoods surrounded the property, and the interior had most of the pines. They were going to replace a substantial amount of trees, and he reiterated that the pines were the fastest growing.

Mr. Hooper asked the applicants if they would be willing to restrict the buildable area on unit 5 to the northeast corner of the lot. He thought that would still provide a 3,000 to 3,500 square-foot home. Mr. Wright referred to Sheet 2 of 7, and said the proposed orientation of the home would disrupt the trees on unit 5. He thought they could maneuver it somehow, but felt it would be hard to tell what the builder would end up with. The grades and driplines of the trees would have to be considered. Mr. Reece agreed Mr. Hooper had a valid suggestion. Mr. Kassab suggested that perhaps the trees to the south could form a nice driveway border. He stressed again that they would save any trees they could. Mr. Hooper asked if encouraging the developer to restrict the buildable area could be a condition. Mr. Wright said they would definitely look into it, but they did not want to restrict the area too much.

Mr. Schroeder asked about planting trees along the western property line. Mr. Wright noted that there would be tree plantings in the island in the cul-de-sac, and added that they could plant more along the property line. Mr. Hooper said they showed 12 and 16-foot tall spruces and asked if that was proposed. Mr. Wright agreed, and Mr. Reece indicated that 16-foot tall trees were substantial for a developer to plant, and he added that the Commission normally did not see something that tall. He asked the Moceris the condition of their eastern property line. Mr. Moceris answered that there were 30 to 80-foot trees of various kinds. He had to replace dollar for dollar everything he took down.

Mr. Reece asked the applicants to go over the landscape plan for Dequindre Rd. Mr. Wright advised that there was an existing buffer and they would add trees to that. The City's Forestry Department would still determine what trees would be removed for the pathway and utilities in the right-of-way. Mr. Kassab said he hoped a lot could be saved because it would be easier to sell the lots with a strong buffer.

Mr. Reece asked if it made sense to require the pathway at this point. Mr. Schroeder commented that if that philosophy were used, the pathways would never get built. Mr. Reece asked if the money could be put in escrow, and when it was time to have a legitimate pathway, it could then be built. Ms. Hardenburg emphasized that if there were stop and go pathways, the City



would look at the situations more quickly to make them continuous.

Chairperson Boswell noted that developers had been required to put money in an escrow, but he did not think it would be a good idea in this case. They would be trying to save trees that would not eventually be saved. Mr. Wright mentioned that the Road Commission could require improvements, and Mr. Reece acknowledged that could occur and that there would be utilities.

Chairperson Boswell indicated that he also restored an old farmhouse. He maintained that the people on Carter worked hard to keep up their homes, and he could envision a lot of monstrosities that did not fit in the neighborhood. He hoped the developers used a little imagination and tried to make things compatible with the character of the homes to the north. Mr. Kassab said he could not agree more. He wanted the development to be successful and would do everything to make it work. He mentioned that he and his partners owned a substantial piece of property on Mead Road, where they grew pumpkins and corn. They had been talking with the Green Space Advisory Board about adding it to other open space land in Rochester Hills. He stressed that he was committed to that kind of philosophy.

Ms. Brnabic noted the state of the economy and asked if there was a market to build homes costing \$600,000.00 or more. Mr. Kassab said that if it was done right, as Chairperson Boswell suggested, he felt there would be. He would be very nervous about a 100-lot sub, but he thought there was a market for a boutique, well-done development. He thought Rochester Hills was still doing extremely well, and was one of the places to live, versus Macomb Township with cookie-cutter homes on 70-foot lots. He thought things would also rebound this spring.

MOTION by Brnabic, seconded by Hardenburg, in the matter of City File No. 05-042 (Little Winkler Estates), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Department of Planning and Development on September 29, 2006, with the following three (3) findings and subject to the following two (2) conditions.

*Findings:*

1. The proposed removal and replacement of regulated trees on-site is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to preserve 40 percent of the regulated trees on-site.
3. The applicant is proposing to replace 74 regulated trees with 80 replacement trees (i.e., 170 tree credits) on site.

*Conditions:*

1. Tree protective fencing must be installed, inspected, and approved by the City's Landscape Architect prior to issuance of a Land Improvement Permit for this development.

2. The applicant post a performance guarantee in the amount of \$75,664.00, as adjusted if necessary by the City, for a period of two growing seasons to ensure the proper installation of replacement trees and landscape plantings. Such guarantee to be provided prior to issuance of a Land Improvement Permit.

Motion by Brnabic, seconded by Schroeder in the matter of City File No. 05-042 (Little Winkler Estates), 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 September 29, 2006, with the following five (5) findings and subject to the following eleven (11) 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 a reasonable street layout and lot orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

Conditions:

1. Provide all on-site and off-site easements and agreements for approval by the City prior to issuance of a Land Improvement Permit for this project.
2. Provide warranty deed for 60-foot ½ ROW in Dequindre Road, prior to issuance of a Land Improvement Permit.
3. Change references to 11 units in EIS to 10 units, prior to Final Approval by Staff.
4. Revise Sheet L-2 as follows: Correct number of tree replacement credits

to 170; revise credits provided for 12' evergreen trees to 3 per tree and adjust total to 45; r revise credits provided for 16' evergreen trees to 5 and adjust the total to 20, to be reviewed by Staff prior to Final Site Condominium Plan Approval.

5. Develop plan to pre-treat stormwater that discharges into the open water wetland at the southwest portion of the site, prior to construction plan approval.
6. That the applicant receives a Soil Erosion Permit from the Oakland County drain Commission prior to issuance of a Land Improvement Permit.
7. Submission of Master Deed and By-Laws prior to Final Site Condominium Plan Review.
8. All road (including offsite) improvements are subject to Engineering verification and approval during construction plan review.
9. That the applicant obtains a Land Improvement Permit prior to performing any work on site.
10. That the applicant install a series of 12 and 16-foot tall white spruce trees, staggered along the western property line to supplement the existing trees and to create a visual obstruction, as reviewed and approved by the City's Landscape Architect.

There was discussion about the following condition and whether they could ask that the building envelope be moved if possible. Mr. Delacourt suggested that since the plan would come back for Final Approval, the applicant could explore that, and Staff could review it. He would check with the City Attorney about recording it, and how it should be drawn on the Final Plans with regard to obtaining a Building Permit. He was concerned that by the time the lot was developed, the property owner might not agree with the building line, and he wanted to make sure they could enforce a changed setback.

11. That the applicant explore means by which to save the existing trees in lot 5, including moving the building envelope to the north and east, prior to Final Site Condominium Plan Approval.

Mr. Reece asked that Staff look into the question about sanitary and sewer for the surrounding residents, and Mr. Hooper advised that it would not apply to the residents on Carter Rd.

Ayes: All  
Nays: None  
Absent: Kaltsounis

**MOTION CARRIED**

Aye: Boswell, Brnabic, Dettloff, Hardenburg, Hooper, Reece, Schroeder and Yukon  
Absent: Kaltsounis

---

**Text of Legislative File 2006-0729**

..Title

Request for Approval - Preliminary Site Condominium Plan - City File No. 05-042 - Little Winkler Estates, a ten-unit site condo development on 7.3 acres, located west of Dequindre, south of Washington, zoned R-1, One Family Residential, Parcel Nos. 15-01-277-015 and 15-01-278-006, Little Winkler, L.L.C., applicant.

..Body

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for Little Winkler Estates, City File No. 05-042, a ten-unit development located west of Dequindre, south of Washington, Parcel Nos. 15-01-277-015 and 15-01-278-006, based on plans dated received by the Department of Planning and Development on September 29, 2006, with the following findings and subject to the following 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 a reasonable street layout and lot orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

Conditions:

1. Provide all on-site and off-site easements and agreements for approval by the City prior to issuance of a Land Improvement Permit for this project.
2. Provide warranty deed for 60-foot ½ ROW in Dequindre Road, prior to issuance of a Land Improvement Permit.
3. Change references to 11 units in EIS to 10 units, prior to Final Approval by Staff.
4. Revise Sheet L-2 as follows: Correct number of tree replacement credits to 170; revise

credits provided for 12' evergreen trees to 3 per tree and adjust total to 45; revise credits provided for 16' evergreen trees to 5 and adjust the total to 20, to be reviewed by Staff prior to Final Site Condominium Plan Approval.

5. Develop plan to pre-treat stormwater that discharges into the open water wetland at the southwest portion of the site, prior to construction plan approval.
6. That the applicant receives a Soil Erosion Permit from the Oakland County drain Commission prior to issuance of a Land Improvement Permit.
7. Submission of Master Deed and By-Laws prior to Final Site Condominium Plan Review.
8. All road (including offsite) improvements are subject to Engineering verification and approval during construction plan review.
9. That the applicant obtains a Land Improvement Permit prior to performing any work on site.
10. That the applicant install a series of 12 and 16-foot tall white spruce trees, staggered along the western property line to supplement the existing trees and to create a visual obstruction, as reviewed and approved by the City's Landscape Architect.
11. That the applicant explore means by which to save the existing trees in lot 5, including moving the building envelope to the north and east, prior to Final Site Condominium Plan Approval.