

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

**STAFF REPORT TO THE PLANNING COMMISSION  
December 5, 2006**

<b>Final Site Condominium Plan Hickory Ridge Site Condominiums</b>	
<b>APPLICANT</b>	Bluewood Properties 1717 Stutz – Suite A Troy, MI 48084
<b>AGENT</b>	Joe Damico
<b>LOCATION</b>	East of Livernois, South of Hazelton
<b>PARCEL NO.</b>	15-34-151-012, -014, -016, 15-34-176-001, 15-34-301-002, 15-34-301-007, 15-34-301-010, 15-34-301-012
<b>FILE NO.</b>	05-006
<b>ZONING</b>	R-4 (One Family Residential) District
<b>STAFF</b>	Derek Delacourt, Deputy Director
<b>REQUESTS</b>	<b>Final Site Condominium Plan Recommendation</b>

**SUMMARY**

The above referenced project involves a 50-unit single-family site condominium development on 24 acres located between Hazelton and Shortridge, east of Livernois.

**Specific action requested for consideration by the Planning Commission is recommendation of the Final Site Condominium Plan to City Council.**

**BRIEF BACKGROUND**

The applicant appeared before the Planning Commission on September 6, 2005 and received a recommendation to approve a 42-unit development, and returned on April 18, 2006 with a revised Preliminary Plan that added eight additional units. The Planning Commission recommended approval of the Preliminary Site Condominium Plan and granted a Natural Features Setback to construct a detention pond and storm sewer, and City Council subsequently granted approval on May 17, 2006.

Since that time, the applicant has been given construction plan approval by Engineering Services.

A condition of Preliminary Plan approval was that the Master Deed/Bylaws indicate provisions for the protection of natural features located adjacent to proposed units and that activities in the 25-foot natural features setback area must be limited. The plans show the boulder wall proposed by the Planning Commission. In addition, the rear yard setback for units 21-35 (along Monterey Lane) and 43-50 (along Hazelton) have been increased to 50 feet to preserve trees.

The storm water detention system agreements and easements were approved by Engineering Services and are not agreements between the City and the developer. Maintenance will be the responsibility of the Homeowner's Association.

### **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 one minor correction, which has been added as a condition. 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.

### **Sidewalk Waiver**

As discussed at the April 2006 meeting, the applicant would like to request a Waiver from City Council for the sidewalk in front of lot 42 on Shortridge. It should be noted that there are currently no sidewalks along either side of Shortridge.

### **RECOMMENDATION**

Since the Final Plan conforms to the Preliminary Plan stamped approved by Staff September 20, 2006 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 (Cover Sheet and Sheets 8 of 8) prepared by Fazal Khan and Associates, Inc. dated received by the Department of Planning and Development on August 29, 2006.

Attachments: Planning Commission Minutes of 09/06/05 and 04/18/06; Assessing Department memorandum dated 10/23/06; Building Department memorandum dated 09/20/2006; City Attorney e-mails (2) dated 10/19/06 and 11/03/06; Fire Department memorandum dated 09/18/06; HRC Letter dated 09/27/06; Planning Department memorandum dated 09/25/06.

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. 05-006 (Hickory Ridge 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 29, 2006, with the following findings and subject to the following conditions.

Findings:

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 May 17, 2006.

Conditions:

1. The applicant submit a Performance Bond for proposed trees and landscaping of \$36,350.00, 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. The applicant deposit \$3,501.40 into the City Tree Fund for the removal of trees #2501 and #2502 prior to issuance of a Land Improvement Permit.
4. Update Section 19 of Bylaws to reference new code of ordinances for Wetland Ordinance.