



## Department of Planning and Economic Development

Staff Report to the Planning Commission

July 10, 2013

### Villas at Shadow Pines PUD

<b>REQUEST</b>	PUD Concept Plan Recommendation
<b>APPLICANT</b>	William E. Mosher IV, Agent Shadow Pines, LLC 14955 Technology Dr. Shelby Twp., MI 48315
<b>LOCATION</b>	North side of South Boulevard, west of Coolidge, abutting Pine Trace golf course
<b>FILE NO.</b>	13-009
<b>PARCEL NO.</b>	15-31-400-018
<b>ZONING</b>	R-4 One Family Residential
<b>STAFF</b>	Jim Breuckman, AICP, Manager of Planning

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#### **Overview**

The applicant is proposing a 28-unit Planned Unit Development (PUD) on a 9.8456 acre site located on the north side of South Boulevard between Coolidge and Adams Roads. The site abuts the Pine Trace golf course site. The proposed 28 units represent a net density of 2.84 units per acre using the entire area of the site. When the 2.49 acres of wetlands are excluded from the area of the site, the net resulting density is 3.8 units per developable acre.

The applicant is proposing 14 duplex buildings with 2-units each.

#### **PUD Review Process**

##### *Process Overview*

The PUD review process consists of a two step process:

1. **Concept Plan.** The PUD concept plan is intended to show the location of site improvements, buildings, utilities, and landscaping with a level of detail sufficient to convey the overall layout and

impact of the development. The PUD concept plan is not intended to demonstrate compliance with all ordinance requirements, but rather is intended to establish the overall layout of the development, including the maximum number of units which may be developed.

2. **Site Plan/PUD Agreement/Tree Removal Permit/Wetland Permit.** The second step in the process is to develop full site plans based on the approved PUD concept plan. At this time the plans are reviewed for compliance with all City ordinance requirements, the same as any site plan.

### *Past PUD Practice*

In the past, some applicants for PUDs have developed detailed plans and begun the site plan review process prior to seeking PUD concept plan approval. This provides greater certainty to the applicant that their proposed development will meet City ordinance requirements, but also entails greater cost and uncertainty, as the applicant must sink more money into developing plans without assurance that the overall layout is acceptable to the Planning Commission and City Council. Providing more detailed plans is at the applicant's option.<sup>1</sup>

In this case, the applicant has chosen to seek PUD concept plan approval before submitting for technical review against ordinance standards. This is how the PUD ordinance anticipates the PUD review process to proceed. The risk to the applicant in this instance is that technical ordinance review may require changes to the site layout. If those changes maintain or reduce the density or impact of the development while remaining consistent with the approved PUD concept plan, the plan can continue through the review process to site plan and PUD agreement approval.

On the other hand, if changes are required during the review process that renders the plan no longer in conformance with the PUD concept plan, the process must start over with a new PUD concept plan approval. Thus, by waiting to submit full site plans for technical ordinance review until step 2 in the PUD process the applicant benefits from a City decision that the layout is acceptable, but also accepts the risk that the plans will comply with technical ordinance requirements.

### *Proposed PUD Concept Plan*

In this case, the applicant has completed some of the work necessary for site plan approval and has had preliminary discussions with some City departments, so there is some degree of confidence that the layout will meet the various ordinance requirements. However, the applicant has not yet submitted for formal technical review of the site plans so there are no department reviews yet.

As such, the Planning Commission and City Council should only be evaluating the major elements of the development such as density, layout, and building design with the understanding that the details will be reviewed during step 2 of the process, with the burden being on the applicant to maintain compliance with the overall layout and density approved with the PUD Concept plan.

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<sup>1</sup> It should be noted that the City's PUD ordinance was updated about 5 years ago to require less information up front. In the past, detailed site plans were required early in the PUD process.

## PUD Qualification Criteria

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Section 138-7.102 sets forth the criteria that a prospective PUD must meet. Each one of the criterion are listed below, along with staff comments on the proposed PUD's compliance with each.

1. *The PUD option shall not be used for the sole purpose of avoiding applicable requirements of this ordinance. The proposed activity, building or use not normally permitted shall result in an improvement to the public health, safety, and welfare in the area affected.*

The proposed PUD includes duplex units ranging from about 1,600 square feet to 2,400 square feet. The current zoning is R-4 one family residential. Duplex units are not permitted in the R-4 district, but may be desirable in the proposed PUD because the duplex layout maintains general compatibility with the look and feel of larger single family houses while allowing for the site to be developed in an economically feasible manner.

2. *The PUD option shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards.*

The presence and layout of the wetlands on the site would make it difficult to fit R-3 compliant lots on the site. By way of example, an R-3 development requires 180 feet of depth to fit a single-loaded street accommodating the 60-foot wide right of way and 120 minimum lot depth for an 80-foot wide lot. The area between the wetlands and the west property line is about 100 feet, making conventional development difficult.

Further, the site's flag lot shape requires long stretches of street and other utilities. By using private streets and a duplex layout, the developer can spread the cost of infrastructure over a greater number of units making development more feasible.

3. *The PUD option may be used only when the proposed land use will not materially add service and facility loads beyond those contemplated in the master land use plan. The applicant must demonstrate to the satisfaction of the City that the added loads will be accommodated or mitigated by the applicant as part of the PUD.*

The proposed gross density (including wetlands) is consistent with typical densities achieved in single-family detached developments in the R-4 district. The net density of 3.8 units per acre is slightly higher than the theoretically maximum yield of 3.6 units per acre for a single-family development in the R-4 district.<sup>2</sup> In practice, single-family R-4 developments typically yield between 2.5 and 2.8 units per developable acre. This means that at 2.8 units per developable acre the proposed PUD would have about 21 units.

It is unlikely if the increase of 7 units will materially impact service or facility loads above those anticipated by the Master Land Use Plan, but the Planning Commission and City Council must determine if the proposed quality of the development outweighs the increase of 7 units over what a conventional single-family development on a similar developable acreage would yield.

4. *The PUD shall meet as many of the following objectives as may be deemed appropriate by the City:*
  - a. *To preserve, dedicate or set aside open space or natural features due to their exceptional characteristics or their environmental or ecological significance in order to provide a permanent transition or buffer between land uses, or to require open space or other desirable features of a site beyond what is otherwise required in this ordinance.*

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<sup>2</sup> The theoretical maximum density is derived by taking a rule of thumb efficiency factor of 80% of the land area for lots and 20% for road and stormwater infrastructure. This yields  $43,560 \times 0.8 = 34,848 / 9,600 = 3.63$  units per acre.

- b. To guarantee the provision of a public improvement that would not otherwise be required to further the public health, safety or welfare, protect existing uses or potential future uses in the vicinity of the proposed development from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.*
- c. To promote the goals and objectives of the Master Land Use Plan and other applicable long range plans such as the Master Thoroughfare Plan.*
- d. To facilitate development consistent with the Regional Employment Center goals, objectives, and design standards in the City's Master Land Use Plan.*
- e. To preserve and appropriately redevelop unique or historic sites.*
- f. To permanently establish land use patterns that are compatible with or will protect existing or planned uses.*
- g. To provide alternative uses for parcels that can provide transition or buffers to residential areas and to encourage redevelopment of sites where an orderly transition or change of use is desirable.*
- h. To enhance the aesthetic appearance of the City through quality building design and site development.*

The plan is not required to comply with all of the items listed in criterion 4. It is up to the judgment of the Planning Commission and City Council to determine if the proposed development provides some benefit that would not otherwise be realized. In this instance, it may be the development of an otherwise difficult parcel to develop, the high quality of the proposed architecture, or another factor.

## PUD Concept Plan Recommendation Motion

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Should the Planning Commission find that the proposed PUD concept plan meets the qualifying criteria for a PUD, staff offers the following motion to recommend approval to the City Council.

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of 13-009 (Villas at Shadow Pines PUD), the Planning Commission **recommends** that **City Council approve** the PUD Concept plans dated revised June 30, 2013, with the following findings and subject to the following conditions.

### *Findings*

1. The proposed PUD Concept plan meets the criteria for use of the Planned Unit Development option.
2. The proposed PUD Concept plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

### *Conditions*

1. Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.
2. The site plans, including but not limited to landscaping, engineering, tree removal and wetland use/buffer modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.
3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.

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Attachments: PUD Conceptual Site Plans dated received 6/30/13: Preliminary Planned Unit Development Condominium Plan, Sheet 1; Existing Conditions and Natural Features Base Plan, Sheet 2; Existing Tree and Tree Removal Plan, Sheet 3; Tree List, Notes and Details, Sheet 4; Overall Landscape Plan, Sheet 5, prepared by Apex Engineering; Landscape Plans, Sheets P-1 and P-3, prepared by Visions of Paradise Landscaping; Floor Plans – Building A, Sheet A 1.0; Floor Plans – Building B, Sheet A 1.1; Floor Plans – Building B, Sheet A 1.2; Exterior Elevations – Building A, Sheet 3.0; Exterior Elevations – Building A, Sheet A 3-1; Exterior Elevations – Building B, Sheet A 3.2 and Exterior Elevations – Building B, Sheet A 3.3, prepared by Preview Architecture and Planning, LLC.

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