



Planning and Economic Development

Sara Roediger, AICP, Director

From: Kristen Kapelanski, AICP
Date: 8/9/2019
Re: **Brewster Village PUD Amendment #1 (City File #18-015.2)**
PUD Amendment - Planning Review #3

The applicant received approval of a 30-unit owner occupied general condominium Planned Unit Development (PUD) on a 7.31-acre site located on the west side of Brewster, just north of Walton. The applicant has proposed an amendment to the approved PUD concept plan to remove the previously proposed left turn lane on Brewster Road. The project was reviewed for conformance with the City of Rochester Hills Zoning Ordinance. The comments below and in other review letters are minor in nature and can be incorporated into a final site plan submittal for review by staff after review by the Planning Commission.

1. **Background.** This project has received Preliminary PUD and Conceptual Plan approval from City Council on January 7, 2019 following a recommendation from the Planning Commission at their December 18, 2018 meeting with the following findings and conditions.

Findings:

- a) The proposed PUD Concept Plan meets the criteria for use of the PUD option.
- b) The proposed PUD Concept Plan meets the submittal requirements for a PUD concept plan.
- c) The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
- d) 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.
- e) The proposed development is consistent with the Master Land Use Plan to provide an alternate housing option.
- f) The density allowing 30 units, scaled to match the height and size of other units in the area and acting as a transition, is modified as part of the PUD.
- g) The minimum front and rear yard setbacks are modified as part of the PUD to allow flexibility and higher quality development.
- h) The minimum percentage of trees to be preserved is modified as part of the PUD.

Conditions:

- a) 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.
- b) 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.
- c) 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.
- d) Confer with the DEQ to determine whether activities associated with the detention pond, including dredging, will require a Part 303 Permit, prior to issuance of a Land Improvement Permit.
- e) Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.
- f) Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review. Payment of \$216.75 per unit (\$6,503) into the City's Tree Fund, prior to issuance of a Land Improvement Permit.
- g) Provide landscape and irrigation bond in the amount of \$108,608 plus inspection fees, as adjusted as necessary, prior to issuance of a Land Improvement Permit.

- h) Address comments from applicable City Staff memos, prior to Final PUD submittal.
- i) Provide an executed agreement with the Shadow Woods Homeowner's Association for the detention pond in a form acceptable to the City and recorded with the Register of Deeds prior to issuance of a Land Improvement Permit.
- j) Left turn lane to be added to Brewster Road as approved by staff and paid for by the developer, prior to final Engineering approval.
- k) Update the Environmental Impact Statement to reflect accurate statements regarding tree preservation and removal, prior to the matter going to City Council.

Upon meeting those conditions, as appropriate, the matter was forwarded to the City Council for Final PUD and Site Plan approval on March 11, 2019 following a recommendation from the Planning Commission at their February 19, 2019 meeting with the following findings and conditions.

Findings:

- a) The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards and requirements can be met subject to the conditions noted below.
- b) The location and design of the driveway providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site and on adjoining streets.
- c) There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
- d) The proposed development does not have an unreasonably detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.
- e) The proposed Final Plan promotes the goals and objectives of the Master Plan by providing an alternative housing option.

Conditions:

- a) Provide a landscape bond in the amount of \$108,240.00, plus inspection fees, for landscaping and irrigation, as adjusted as necessary by the City, prior to issuance of a Land Improvement Permit by Engineering.
- b) Provide a Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.
- c) Payment of \$6,502 into the tree fund for street trees prior to issuance of a Land Improvement Permit by Engineering.
- d) Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.
- e) An executed agreement for tree screening between the applicant and the neighboring HOA should be in place and approved by staff prior to issuance of a Land Improvement Permit.

The applicant is now working towards design construction approval and has determined that the installation of a left turn lane on Brewster Road is not feasible. Per the applicant's July 2, 2019 letter, the construction of a left turn lane would require significant construction impacts to current homes along Brewster Road and the relocation of a large watermain. The applicant is requesting an amendment to the PUD to allow for the removal of the condition requiring a left turn lane on Brewster Road. The City's Engineering staff has reviewed the request and found the left turn lane is not warranted based on traffic information. See the letter dated August 12, 2019 for additional information. The Engineering review letter also notes a number of suggested improvements that could be made in lieu of the left turn lane that would serve as a public benefit for the proposed project. **The applicant should review these public benefit suggestions and confirm they are willing to proceed with these items prior to consideration by the Planning Commission.**

2. **Zoning and Land Use** (Section 138-4.300 and 138.7.103). The site is split zoned, with the northern portion zoned R-1 and R-3 One Family Residential District and the southern portion zoned SP, Special Purpose; however the applicant is proposing to develop the site with a PUD option. Refer to the table below for the zoning and existing and future land use designations for the proposed site and surrounding parcels.

| | Zoning | Existing Land Use | Future Land Use |
|-------------|--|---|--|
| Site | R-1 & R-3 One Family Residential and SP Special Purpose | Vacant | Residential 3 & Multiple Family |
| North | R-1 & R-3 One Family Residential | Open Space for Shadow Woods Subdivision | Private Recreation/Open Space |
| South | SP, Special Purpose | Danish Village Senior Living | Multiple Family |
| East | R-1 One Family Residential | Hitchman's Haven Subdivision | Residential 2.5 |
| West | R-3 One Family Residential & RM-1 Multiple Family Residential | Roanoke Apartments | Multiple Family |

3. **Site Layout** (*Section 138-5.100-101 and Section 138-7.104*). No changes to the site layout are proposed.
4. **Natural Features**. No changes to the natural features are proposed.
5. **Landscaping** (*Section 138-12.100-308*). No changes to the landscaping are proposed.
6. **Architectural Design** (*Architectural Design Standards*). No changes to the architectural design are proposed.