

2005-0065 Request for Tentative Preliminary Plat Approval - City File No. 04-011: Grace Parc, a proposed 16-lot subdivision on approximately six acres, located north of South Boulevard between Livernois and Rochester Road, zoned R-4, One Family Residential, known as Parcel Nos. 15-34-402-057 and 15-34-402-035, Grace Street Development, Inc., applicant

(Reference: Staff Report prepared by Deborah Millhouse, dated March 11, 2005 had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Frank Mancini, Grace Street Development, 47858 Van Dyke, Shelby Township, MI; Tom Kalas, Kalas Kadian, P.L.C., 40900 Woodward Ave., Suite 315, Bloomfield Hills, MI 48304; and Bill Mosher, Apex Engineering, 47745 Van Dyke Ave., Shelby Township, MI 48317.

Ms. Millhouse noted that this was the third time the Commission had seen the submittal. The first plan showed a continuation from McComb St. south to Grace Ave. At the Commission's request, the applicant came back with several alternative layouts. One alternative was recommended for further consideration, which the applicant provided for technical review. She advised that Staff recommended approval of the Tentative Preliminary Plat and Tree Removal Permit, and that any conditions of approval were included in the Staff Report. She added that the number of trees onsite and any proposed for removal remained the same from that originally advertised.

Mr. Rosen asked Mr. Mancini if he had received a copy of the Staff Report, which was confirmed, and Mr. Mancini also stated that he had no concerns. Mr. Rosen opened the public comments at 7:37 p.m.

Cliff Durand, 470 Grace Ave., Rochester Hills, MI *Mr. Durand thanked the Commission for allowing him to speak, and thanked Mr. Mancini for working with the homeowners. He stated that Mr. Mancini came to a conclusion that placed two homes and a detention pond on private Grace Ave. The outcome was beneficial to Mr. Mancini also, because he got an additional lot. Mr. Durand questioned if there would be shielding along the west side of the development to delineate the property boundaries during the home construction, or whether the cost would fall on the current property owners. He believed that without fencing, properties could become dumping grounds for trash. He wondered if Mr. Mancini would be obligated to form a tree line or something similar to keep trash out. He mentioned the western stub for the proposed development, stating that Mr. Mancini assumed that placement would be acceptable by the affected property owners. Mr. Durand's property bordered the western edge of proposed Grace Parc. If the stub were put in where proposed and he wanted to sell his*

property, he would have to break it into four smaller parcels. He mentioned a proposed development to the west of Grace Parc, noting that the applicant (Mr. Vitale) would like to put a road farther to the north and connect with Mr. Mancini's road. That would allow Mr. Durand and his neighbor to be able to divide their property into two larger lots, which would be more conducive to the area. He would prefer not to be forced into making four small lots at the back of his house. Mr. Durand indicated that Mr. Vitale's property could be developed if the road in Grace Parc were put a little further to the north. McComb and Grace Ave. on the west could be connected, which would eliminate the need for a variance for a long road. The residents on McComb and in Grace Parc would also have the option of two accesses, which would be better for the Fire Department. Mr. Vitale had indicated that he and Mr. Mancini were on the same chapter, but not on the right page yet. Mr. Durand felt it would behoove the City to direct both developers to work out their problems and find an acceptable compromise. He quoted one of the Commissioners he felt said it best: "If we are going to do this, then we should require it to be done correctly by all concerned." Mr. Durand stated that he was not trying to stop development because it would come with the passage of time regardless, but he was interested in seeing it done right the first time.

Mr. Rosen closed the public comments at 8:43 p.m.

Mr. Rosen referred to the comment about putting a barrier between the properties and advised that Rochester Hills did not require or encourage a formal barrier between residential properties. He understood the concern about trash, but indicated that it was something the neighbors had to work out privately. He also understood the concern about Mr. Vitale's proposal, realizing it would make sense to work with Mr. Mancini; however, he advised that the City had no authority to force both developers to do anything together because they were at such a disparity in the progress - one was well behind the other. If Mr. Mancini completed his development, Mr. Vitale would have to accept that he was first. Mr. Rosen indicated that it was not something the Commission could control, even though they would rather see both plans, and he noted that the City would ask them to work together. He suggested that if the developers were able to work something out, Mr. Mancini might wish to submit a revision.

Mr. Hooper referred to Condition five, which talked about eliminating the sidewalk ramp on the east side of McComb proposed to go south, and asked why they would eliminate it.

Mr. Mosher said he had talked about that with the City's Traffic Engineer, and since there would not be a ramp on the south side and it would be a

cul-de-sac, he felt the crossing should be prohibited at Verona Drive. It would still go east and west to be able to cross McComb safely.

Mr. Hooper questioned why there should not be a safe way to cross the street, even with a cul-de-sac. Mr. Mosher replied that the Traffic Engineer advised that it should not be eliminated and that he had erred. Mr. Hooper asked if the same held true for Condition six - that it should show a sidewalk ramp on the south side of Verona for the sidewalk crossing west of McComb. Mr. Mosher believed it was shown, and said it was either/or, and that the City's Traffic Engineer made the decision to eliminate any connection.

Ms. Millhouse explained that Engineering Services felt there was no need for a north/south crossing on both the east and west side of McComb. Condition five spoke to that - to eliminate the ramp on the east side heading south because there would be one on the west side heading south. Condition six asked the applicant to show a ramp on the south side to make the connection to the west side. Engineering did not believe two cross accesses were needed for both the east and west side of McComb for the sidewalk. One would suffice, and they suggested it be on the west side. For anyone coming down the west side of McComb and going straight across, they would pick up the sidewalk on the south side of Verona. Following that explanation, Mr. Kaltsounis moved the following motion.

A motion was made by Committee Member Hooper, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Recommended for Approval to the City Council Regular Meeting

Aye: Boswell, Brnabic, Hardenburg, Kaltsounis, Schroeder, Rosen and Hooper

Absent: Kaiser

2005-0066 Tree Removal Permit (City File No. 04-011) - Grace Parc

A motion was made by Kaltsounis, seconded by Committee Member Hooper, that this matter be Granted. The motion carried by the following vote:

Granted

Aye: Boswell, Brnabic, Hardenburg, Kaltsounis, Schroeder, Rosen and Hooper

Excused: Kaiser