

*the public welfare.*

5. *The proposed development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*
6. *Off-street parking areas have been designed to avoid common traffic problems and promote safety.*

**Condition:**

1. *The applicant must comply with all State licensing and Building Code regulations.*

*Mr. Hooper stated that he was in support, and that it was very impressive that Ms. Johnston's neighbors supported her. He said that it was great to hear a testimony, and it was not too common these days. He wished her good luck.*

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

**Aye** 8 - Boswell, Brnabic, Dettloff, Hetrick, Hooper, Reece, Schroeder and Yukon

**Absent** 1 - Kaltsounis

*Chairperson Boswell stated for the record that the motion had passed unanimously.*

**2006-0226**

Public Hearing and request for Preliminary Planned Unit Development and Conceptual Site Plan Recommendation - City File No. 03-009 - Enclaves of Rochester Hills, a proposed 26-unit residential development on two parcels totaling approximately 30 acres, located on the east side of Rochester Road, north of Tienken (north of Cross Creek Sub), zoned R-E, Residential Estate, Parcel Nos. 15-02-177-001 and 15-02-102-023, TJ Realvest, LLC, applicant.

*(Reference: Staff Report prepared by James Breuckman, dated May 16, 2014 and Preliminary PUD Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Tom Cooney, TJ Realvest, LLC, 54153 Deer Ridge Ct., Rochester, MI 48307 and Ralph Nunez, Design Team Ltd., 975 E. Maple Rd., Suite 210, Birmingham, MI 48009.*

*Chairperson Boswell asked the applicants to introduce themselves, and afterwards, Mr. Breuckman said that it might be useful for them to walk the Commissioners through their proposal before he spoke.*

*Mr. Nunez noted that the property, consisting of two parcels, was 30.5 acres on Rochester Road north of Tienken. When they originally came before the Commissioners, it was based on a previous submittal that had attached units. After that, they determined to propose a single-family development. Mr. Nunez subsequently found out that the wetlands had changed drastically, and the Planning Department Staff suggested that they should be re-verified. Mr. Nunez said that it was great for the development, because it reduced the wetlands from almost 11 acres to about 6 ½. It was verified by King and McGregor, the City's wetland consultant and the MDEQ.*

*Mr. Nunez pointed out the revised plan and wetlands. He joked that they almost lost their wetland consultant because the vegetation was so severe. They were able to minimize the wetland impact to the site. There were heavy woodlands throughout. There were a large number of ash and elm trees that had died over the years. When they started, the client and Staff wanted to make sure that the project had an up north feel. He showed a picture of a rural road up north, which was 22 feet wide. There were no curbs or sidewalks, and people walked and biked on the pavement. They had not had any problems with fire trucks going through it, and they did not need 37 feet of pavement. The project proposed 26-foot private roads, including the sidewalk.*

*Mr. Nunez noted the Tree Top Lane road through the northern parcel, and said that there was a cross access easement for the people to the north and east of the proposed development. They also proposed a cul-de-sac length of 690 feet, so they would need a waiver from the 600-foot City requirement. The main entrance would be a boulevard entrance into the southern parcel. There would be four homes adjacent to that court. He discussed the location of the storm water detention and protecting the substantial trees. There would be a wall adjacent to the detention because of the grading and slope. The homes would be lower there. There would also be a retaining wall required on lots 5-10 from three to seven feet high. There would only be a minimal wetland crossing, and they were able to reduce the wetland impact by lot five and move lots over. There was an existing wetland crossing at Tree Top Lane, and they would need a Wetland Use Permit in part for the crossing to get into lot 24, which was surrounded on two sides by wetlands.*

*Mr. Nunez related that they were currently going through the top five acres to complete the tree survey. They felt comfortable that they would retain 37% of the regulated trees, and any tree that was taken off the site would be replaced on site. They would put in ten-foot tall pine trees. There would be substantial buffering along the southern property line adjacent to homes in Cross Creek. They would add vegetation along the north/south property line and also along lots on the east. When they removed the vegetation, they would add trees by some of the higher quality trees, such as walnut, and those trees would grow in the shade of the larger trees. They wanted a larger setback from Rochester Road to keep the up north feel. The smallest setback would be on lot one, which was 40 feet. Lot 26 had a setback of over 240 feet, and lot two was over 125 feet. The homes would be large but vegetated.*

*Mr. Nunez advised that there would be a guard house at the boulevard entrance with stone and brick and decorative fencing. An eight-foot wide safety path would be installed along the entire length of the property.*

*Mr. Nunez showed a cross section on the north portion of the property, and said that each lot in the development would have an additional amount of trees planted. They would have six deciduous trees and ten evergreen trees per lot. Since they would be custom built homes, they did a test plan with the size of a home laid out within the lot and additional trees. Regarding the road, they wished to do something similar to what the City had done for its entryway. There was no curb and gutter or a standard sidewalk. They would do a 26-foot pavement with a painted shoulder. The shoulder would be designed to support a fire truck, and it would allow someone to walk or ride a bike. He had talked with a transportation expert who told him that for this type of development, with only 26 homes, there would be about 400 trips. He believed that they really only needed 22 feet for pavement. Regarding parking, there would be side entry garages, and room for parking. The expert's recommendation was that they painted both sides of the road. Mr. Nunez discussed density, and said that under RE (Residential Estate) zoning, there could be 30 homes allowed, and they were proposing 26. He asked if there were any questions.*

*Chairperson Boswell asked Mr. Breuckman if he had anything to add. Mr. Breuckman talked about the Planned Unit Development (PUD) process. At this stage, the Planning Commission was being asked to make a favorable recommendation of the PUD Concept Plan. The site plans were fairly well developed, but the Commission would really just be*

*approving the development layout, the street layout and the density, and at Final approval, the Tree Removal Permit, Final Site Plans, Wetland Use Permit and PUD Agreement would be taken care of. He felt that the Commission and Staff had enough information to know that the plan would work, and Staff was confident that all the other things needed could be done consistent with the Concept Plan. When the applicant bought the property about ten years ago, the site was zoned R-1, and it was rezoned to RE during the 2009 Zoning Ordinance update, so the density was reduced by the City. The applicant had no vested right, because there were no approvals, but Mr. Breuckman felt that it should be somewhat of a consideration.*

*Mr. Breuckman next talked about the criteria for a PUD and the Commission's discretionary decision regarding the Concept Plan. It would be whether or not the PUD promoted the land use goals and objectives of the City; whether the applicable provisions of the PUD Ordinance were met; that there was adequate means of disposing of sanitary sewage, and that supplying water, the road system and storm water system were adequate. In terms of the layout, he thought that the applicants had done a remarkable job of avoiding almost all of the wetlands. The cul-de-sac would require a length waiver, which had been done in the past. In terms of the street design, the facts were that it was a self-contained development, the streets would be private, and there were only 26 units proposed. The traffic volume would be low, and Staff was confident that the street design would work. A lot of the older neighborhoods in the City, such as Christian Hills, already had a road profile that was 22 feet wide with no sidewalks, with a much larger number of units that connected to multiple streets and cross-through traffic. The proposed development would not have cut-through traffic. They were working with the City's Transportation Engineer to get on board, and as a way of addressing the street design issue, the motion included specified that the street design should comply with an appropriate guideline for a speed of 25 mph. He referenced a "bible" of green transportation engineering, which had guidelines for geometric design for low volume, local roads, and he felt it would be appropriate for the proposed application. The final details could be worked out moving forward with the Transportation Engineer, and they were very close to meeting the standards for low volume local roads.*

*Mr. Breuckman noted that the City's wetland consultant (ASTI) had reviewed the plans and the wetland delineation by King and McGregor. ASTI had some recommendations, mostly about delineating wetland edges so there was not encroachment where there was not a retaining*

wall. One thing from ASTI that was not a detail type item was that they were recommending that unit 24 be eliminated due to the wetland crossing for the driveway. There were lots like 24 in the City, and the DEQ had approved a driveway crossing for those, so it was not an unprecedented request for a unit like 24. Staff was a little agnostic about whether lot 24 should remain. It was fairly secluded, and it was probably a premium unit for the developer. Staff was looking for guidance from the Planning Commission as to whether lot 24 should remain or be removed.

In terms of tree removal, Mr. Breuckman noted that the applicants would have to meet the 37% requirement for preservation. He was confident that could be worked out when the survey for the northern parcel was done. If they had to preserve trees somewhere else on the site, they would have to do that, and it could be worked out at final review. He mentioned the use of retaining walls, which the applicants were proposing, and he recalled that the Commission had approved setback modifications for those in the past. The wall delineated the edge between the wetland area and the lot, such that it ran the water away from the natural feature. The point of the natural features setback requirement was to provide buffering to take care of runoff and catch as much of it so it did not go into the wetlands. The retaining wall would direct the water away from the wetland and into the storm water basin system. Mr. Breuckman noted that the net density was less than one unit per acre. He concluded by going over the conditions of approval in the motion provided, including that the applicant would need a Tree Removal Permit, Steep Slope Permit, Wetland Use Permit, PUD Agreement approval and Natural Features Setback Modifications, which would be handled at Final PUD. He added that the Concept Plan Recommendation would be an approval of the idea, so the applicant did not have to do a lot of detailed engineering and spend money without knowing whether or not the plan was viable and approvable. He said that he would be happy to answer any questions.

Mr. Schroeder asked the applicants if they would clear the dead trees and scrub. Mr. Nunez said that for trees in the naturalized areas, they would probably leave them. Mr. Schroeder asked if there were any dead trees or scrub within the woodland areas. Mr. Nunez agreed that there were some in the upland area that were dead that would be removed. There were ash trees that were already down, and they would want them to degrade by themselves - they were great for wood ducks and insects and the topsoil. They wanted to make sure that none of them were blocking the water, however. In his opinion, Mr. Schroeder felt that they should take some of the scrub and dead trees out for the preservation of the

*good trees.*

*Mr. Schroeder asked if there would be any mitigation on site. Mr. Nunez agreed, and said that it would be less than 1/3 of an acre. Mr. Schroeder asked if they would be responsible for maintaining Tree Top Lane. Mr. Nunez confirmed that they would, until it went off their property. Then the owners to the east would be responsible. Mr. Schroeder agreed that for the approach to lot 24, there would be a minor amount of wetland impact. He suggested that it could be added to another area of mitigation. Mr. Nunez said that they would like to keep the lot. If they did not meet the 37% tree preservation, they would lose the lot, but he would like to keep it on the plan with a caveat.*

*Mr. Schroeder referred to the painted shoulder bike path, and he stated that it would be short lived. Within a few years, the paint would be gone. Mr. Nunez claimed that they would look at other options, whether it would be integrated with the road cross section or something else. He agreed there would be ongoing maintenance with paint. Mr. Schroeder said that he worked with projects where coloring in the asphalt was used, but he thought it would be hard to do with the proposed project. Regarding retaining walls, Mr. Schroeder asked if they intended to make them vertical or more flattened out. Mr. Nunez said that they would make them more naturalized, probably constructed out of boulders with gravel behind and a filter cloth so it kept the soil in place. The view from the home looking back would be of a more natural looking one. Mr. Schroeder suggested that if they put a slope to it, it would make it more natural. Mr. Nunez agreed that it would be tilted back.*

*Mr. Schroeder asked if there would be natural drainage off of the property. Mr. Nunez explained that drainage would continue through the wetland course and exit at the southeast corner of the property. He added that the wetland body continued out across the subdivision to the south.*

*Mr. Hetrick mentioned that Mr. Nunez said that the property would meet the standard for one acre per lot, but he thought that Mr. Breuckman had suggested otherwise. He asked if it would meet the RE standard. Mr. Breuckman said that if it met the RE standard, they would not do a PUD. The lots were smaller than an acre, which allowed for preservation of open space. Mr. Hetrick said that was the first reason for doing a PUD, and he asked if things like the retaining walls and extra length for the cul-de-sac were other reasons.*

*Mr. Nunez said that the reason for the cul-de-sac length was the water*

main. They were bringing the water main through the site, and it dead-ended. The next property over did not have water, and the question was whether they could extend the water main if the City were to add it for the neighbor. They brought the cul-de-sac to the far end for that purpose. There was a loop system in the water main. That would include sanitary and water. Mr. Hetrick clarified that the PUD would include that lot 24 would go away if the plan did not meet the 37% requirement, and Mr. Nunez agreed that was correct. Mr. Hetrick asked if the street size was another element of the contract, which Mr. Nunez confirmed.

Ms. Brnabic said that she noticed that the front lots within the development were at least 100 feet from Rochester Road, with the exception of 12 and 22 which were 83 and 92 feet. She stated that she did not care for the lots two, three and four on Enclave Ct., which seemed fairly dense. Lot two only had a 34.5-foot frontage. It seemed to her that having two units there would be better than three. Mr. Nunez said that originally, they had an additional three units that extended into the upland area. They met the rear yard setback for lots two, three and four, and they were adding additional buffering between the lots and the residents to the south. Ms. Brnabic referred to lot two, with a 34.5-foot front width, and she asked how many feet it extended at that size before the lot widened. Mr. Nunez said that it was approximately 120 feet from the intersection to the back property line. Ms. Brnabic asked how far it was to that point. Mr. Nunez said that was about 60 feet. Ms. Brnabic asked what the lot dimensions were. Mr. Nunez said that he did not have those, but he would make sure they were on the Final Plans. Ms. Brnabic was still not sure if she particularly cared for that area, especially compared with the rest of the development.

Mr. Reece thought that for where the applicants were today and the amount of effort they had put into it, that it was a very well thought out plan. Obviously, the plan showed a lot of care in terms of preserving as much of the property as they could. He thought it would be a high-end development with only 26 homes. He asked what indication the applicants had from the wetlands surveyor that caused the change in the wetlands. He asked if it was due to climatic changes or inaccurate information originally. Mr. Nunez said that it was a combination. When their forester went out to double check, a lot of the ash trees were actually walnut trees. That threw up the first flag. He was not quite sure about the change. He said that there was a small wetland that took the roadway drainage off of Rochester Rd. at one point, and he did not know if it was because of the severity of the weeds and the climbing vine that was choking everything. It was hard to see another person ten feet ahead on

*the property. He did not just trust his wetland consultant, and that was why they had a second study done and also had the DEQ involved. He reminded that it had been seven years between surveys, and vegetation could have filled in or it could have been mismarked originally.*

*Mr. Reese said that he was fine with keeping lot 24 if they could get the tree count to work. If they could not, he would consider what Ms. Brnabic said and let lot two go and preserve as many of the trees as possible on lot two. That area of the development would then be a little less dense. Mr. Nunez said that they could certainly look at that.*

*Mr. Reece had noticed in the write-up a minimum price point of \$650,000.00. Mr. Cooney believed that was correct. Mr. Reece asked the average size of the homes. Mr. Cooney said they had talked about ranches at a minimum of 3,000 square feet and colonials or splits would be 4,000. Mr. Reece presumed that the vast majority of the elevations would be masonry with natural siding. Mr. Cooney agreed, and added that they had just completed a project in Rochester called Deer Ridge, between 24 and 25 Mile Rd. on the west side of Dequindre. He indicated that Enclaves would be of similar construction. There would be integrated stone work and a high level of quality.*

*Chairperson Boswell stated that this item entailed a Public Hearing, and he opened the Public Hearing at 8:03 p.m.*

**Eric Bogedin, 40 Cross Creek, Rochester Hills, MI 48306** *Mr. Bogedin stated that he was a homeowner of Cross Creek, which was directly to the south of the proposed project. He agreed that lots two, three and four were pretty dense. He thought that there were plenty of woods and wetlands that could be reorganized so the homes could possibly be moved to the north a little. If one lot was dropped, it would have less of an impact and preserve the backyards of the homes in Cross Creek. He commented that there had been some stirring up of the coyotes. They had not seen any in their backyard, but the development would bring them in. He had an oak tree in his backyard that was about 100 years old, and he asked if they could consider saving that. It was tagged as tree 10,000 in the survey. He knew there were a lot of dead trees in the wetlands directly behind his home, which was south of the retention pond. He thought that if they were cleaned up 50%, it could improve things. He said that he applauded the consideration in the plan, and he thought that the impact would be insignificant to him, but there might be an impact to the first four or five houses on Cross Creek Blvd. from lots two, three and four. He asked if there could be some reconsideration given to that part*

of the development.

**Paul Riley, 36 Cross Creek, Rochester Hills, MI 48306** Mr. Riley said that he had lived in his home since September 1989 when the subdivision first opened for sale. He had reviewed the plan, and in general, he thought it was a very nice plan. He was looking forward to the development going in behind him, which he never thought he would hear himself say after it was so natural for all those years. He asked if there would be City water, which was confirmed. He asked if there would be a decel lane from Cross Creek all the way to the development. Mr. Anzek answered that it would not be continuous. The lane for the Enclaves would start after the one for Cross Creek ended. Mr. Riley asked if they would be condos or single-family homes and was told single-family homes. Mr. Riley asked if there was a timeframe for the project. Mr. Cooney said that they would love to put a shovel in the ground in the fall. Mr. Riley said that he hoped that they continued with the high quality plan he had seen so far, and that the professionals made sure it progressed that way.

**Robert Bloomingdale, 6360 Rochester Rd., Rochester Hills, MI 48309** Mr. Bloomingdale noted that he lived across the street from the proposed property. His property had 1,000 feet of frontage that ran parallel. They would probably be impacted as much and probably more than anyone by the development. They had owned the property since 1996. They moved there because they enjoyed the wildlife. They had 16 acres and shared it with the deer and turkeys and the rest of the animals. They had some concerns about how the project would impact their area. He could not say he was for the project, and he would not say he was against it, but he felt it would have a significant impact. The wetlands drained his property, that is, his property tried to drain under Rochester Rd. and into the wetland. He had standing water in his yard as a result of the widening and resurfacing of Rochester Rd. a couple of years ago. He wanted to be sure that the wetland continued to drain as it should. Also, north of Tree Top, there was a wetland that drained across. He was not sure if anyone had done a study as to how it would impact the wildlife. There was less and less space for the animals, and he did not know if that was a consideration. He mentioned that the shoulder along Rochester Rd. did not have a sidewalk. They observed a lot of people trying to ride bikes or walk, and there was no way to get north from Cross Creek without going in the shoulder. To him, it was a hazardous situation, and someday someone would get a little too close to traffic. He thought that if the development went forward, that it should be a very serious consideration as to how they moved people along that shoulder. He felt that the

development would have a significant impact on the character of Rochester Rd. It was now wild and rural, and they used to say that they lived at the edge of civilization. There used to be no stop lights to the north of them until 32 Mile. The development would basically be bringing a subdivision across the street from them. He repeated that he was not saying he was for or against it, but it was something they had to be concerned about. He felt that having trees planted along Rochester Rd. would be comforting to them, depending on the size. They would be interested to know how it would be screened. He asked what would happen if and when Rochester Rd. was widened. If there was no room to move to the east, he claimed that any widening would move towards his property. He stated that he would be looking at both entrances from his property, and that before they got too enthralled with the project, they should look at it seriously.

**Peter Duz, 130 Tree Top Lane, Rochester Hills, MI 48306** Mr. Duz stated that he was a resident of Tree Top Lane, which was proposed to be used as part of the subdivision entrance. He said that no one had asked them about using that road as an easement. He claimed that it was a private easement for three residences, and they were surprised by the fact that it would be used as an entrance to the subdivision. He thought there would have to be a road separate from their existing little subdivision. For them, it was part of being up north and away from the City and the green space around their property, which they had enjoyed for several years. His property would abut up against four or five of the proposed lots on the north side, and he wondered what type of barrier there would be as a buffer between the properties. When Rochester Rd. was widened, he believed that there was a plan for a bike path to go all the way to Mead Rd., but that was never done. There was definitely a concern about pedestrian and bike traffic, especially with more residences going in. They would need a sidewalk or something there to keep it safe. He brought up again that no one had asked them about using their road as an easement, and he would like to know a little more about that.

Chairperson Boswell closed the Public Hearing at 8:16 p.m. He asked Mr. Nunez to address the comments.

Mr. Nunez said that it was their understanding that the parcel the applicants owned had a cross access easement agreement. He said that he was not an attorney, but the agreement gave them access from Rochester Rd. to the eastern property. It was currently an asphalt road that ran east/west. He agreed that he had not spoken with the property owners regarding this matter. Regarding the bike path, the project

*proposed an eight-foot wide pathway one foot off the property line, and it would run the entire length of the subdivision. Mr. Nunez commented that Mr. Bloomingdale had a beautiful home (across Rochester Rd.). He had seen some of the turkeys, which were huge. The bank was elevated on that side, and Mr. Bloomingdale was correct; walking there was not a great idea. He felt that the pedestrian pathway on their side would help. He mentioned that if they did an RE development, they could meet all the standards, but they would not be required to put trees along the frontage, and the homes would be a lot closer to the road. They had tried to respect the fact that there were neighbors, and the City had been adamant about keeping the development as rural as possible. They would be planting inside an existing tree canopy. They could not bring in large caliper trees, because it would do more damage to the roots. It would take a while for the trees, and some would be deer food, but they were putting in over 300 plantings. With regards to a wildlife impact, they had not done a study. One speaker mentioned a large oak tree, and Mr. Nunez said that they had a burr oak tree that probably had a 64" caliper. They were not planning any vegetation removal in that area, and he would talk to his forester about promoting healthier woodlands, and he would have more answers the next time they came back. They should have had a better picture to show the adjacent lots. The setbacks for the adjacent lots were relatively small, and the lots had small backyards. They would be placing evergreens, ornamentals and deciduous trees along there, and the evergreens would be installed at ten feet.*

*Ms. Brnabic wanted to make sure that the applicants would make an effort to talk with the neighbors in regards to the cross access agreement so they had a better understanding. She indicated that it was a very nice development, and she was impressed. She hoped lot 24 would work out, but she would still like them to consider eliminating one unit between lots two and four.*

*Mr. Reece stated that they should make sure that on the landscaping plans for the entrance, that there was not an issue with car lights shining into Mr. Bloomingdale's home. If there was an issue with drainage along Rochester Rd. currently, he wondered if the City could go out and look at Mr. Bloomingdale's property. He stated that he would rather address the situation now rather than after the subdivision began, because he would not want to see unhappy people.*

*Hearing no further discussion, Mr. Schroeder moved the following with an added condition regarding tree removal and adding/removing a lot. He said, for the benefit of the people in attendance, that regarding drainage,*

*it was a requirement in the review of the development of a plan. Drainage would have to be accommodated in the overall design.*

*Mr. Hetrick asked about finding number two, and if he could assume that things like screening for the homes in Cross Creek would be covered under that finding, which Mr. Breuckman confirmed.*

**MOTION** by Schroeder, seconded by Hetrick, in the matter of City File No. 03-009 (Enclaves of Rochester Hills), the Planning Commission **recommends** to City Council **approval** of the **PUD Concept Plan** based on plans dated received by the Planning Department on April 21, 2014, with the following three (3) findings and subject to the following five (5) conditions.

Findings

- 1. The proposed PUD will allow more of the natural features to be preserved in their existing state than would be possible using conventional development and design standards.*
- 2. The proposed development layout and design will result in a superior site layout compared to what could be achieved using conventional standards.*
- 3. The PUD represents an aesthetic improvement and will create a more beautiful development than could be built using conventional standards.*

Conditions

- 1. Concept plan approval is for up to 26 units, with the understanding that a reduction in units may be necessary to meet engineering design requirements.*
- 2. Addressing all comments in City Department review letters in the PUD Agreement and/or final site plan, whichever is most appropriate.*
- 3. The street design modification is granted subject to the streets being designed to an appropriate set of low-speed, low-volume street design guidelines, and as approved by the City's Traffic Engineer.*
- 4. Obtaining a Tree Removal Permit, Wetland Use Permit, Natural*

*Features Setback Modifications, and Steep Slope Permit as part of the final site plan review process.*

5. *Review the tree preservation with the intent of keeping lot 24 and if necessary, explore the elimination of either lot two, three or four.*

*Mr. Schroeder said that as it related to the gentleman across the street (Mr. Bloomingdale), it had been done in the past where a developer had gotten with a resident and put in a berm with trees to block headlight glare. Mr. Cooney advised that his (Mr. Bloomingdale's) property was elevated quite a bit higher. Mr. Nunez said that they would bring photos. If there was going to be a nuisance, with the owner's permission, they would plant some additional trees on his side of the road.*

*Mr. Reece recommended that the applicants worked with the City's Forestry Department in terms of going in to the lowland areas to see what trees could be cleared. He realized they did not want to make a big disturbance, and there was a fine line involved when walking through that area. If they met with the Forestry Department, they could determine what could be sustained and preserved.*

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

**Aye** 8 - Boswell, Brnabic, Dettloff, Hetrick, Hooper, Reece, Schroeder and Yukon

**Absent** 1 - Kaltsounis

*Chairperson Boswell stated for the record that the motion had passed unanimously. He said that he was really impressed with the plan. He knew they had done a lot of work, and he felt that the neighbors would be happy once everything was completed.*

**2013-0264**

Request for Recommendation of a Final Planned Unit Development Agreement - City File No. 13-009 - Villas at Shadow Pines, a proposed 28-unit residential development on 9.8 acres located on the north side of South Boulevard, between Adams and Crooks, zoned R-4, One-Family Residential, Parcel No. 15-31-400-018, Shadow Pines, LLC, Applicant

*(Reference: Staff Report prepared by James Breuckman, dated May 12, 2014 and Final PUD Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Mark Gesuale, Shadow Pines, LLC, 14955 Technology Dr., Shelby Twp., MI 48315; Bill Mosher, Apex Engineering,*