



Planning and Economic Development

Sara Roediger, AICP, Director

From: Kristen Kapelanski, AICP
Date: 7/10/2019
Re: **Rochester Hills Trio PUD (City File #18-016)**
PUD Concept Plan - Planning Review #7

The applicant is proposing a mixed-use Planned Unit Development (PUD) comprised of 125 residential units, 10,500 sq. ft. of retail space and 10,500 sq. ft. of office on a 5.96-acre site located on the northeast corner of Livernois and Auburn Roads. The project was reviewed for conformance with the City of Rochester Hills Zoning Ordinance. With the exclusion of the Traffic/Roads comments in the Engineering review letter, 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 was considered most recently at the May 21, 2019 Planning Commission meeting where it was postponed due to several concerns as noted below.
 - a. The public benefit should be further clarified. *The applicant has provided a narrative defining the items of benefit to the public. These include the construction of an off-site pathway along Auburn Road leading to the M-59 bridge (a new addition to the plan) and the reuse of a contaminated site. A supplemental memo detailing the environmental concerns and any remediation measures taken has been provided.*
 - b. The façade should be softened. *The proportion of materials has been revised to be more in line with previous submittals. This necessitates a waiver of the façade requirements as noted later in this review letter.*
 - c. There were lingering concerns regarding the maintenance, construction and screening of the proposed garages along the northern property line. *The garages have been removed and replaced with carports that are now placed further away from the adjacent property line allowing for evergreen plantings along the northern property line.*
2. **PUD Requirements (Section 138-7.100-108).** The PUD option is intended to permit flexibility in development that is substantially in accordance with the goals and objectives of the City's Master Land Use Plan at the discretion of the City Council. The PUD development shall be laid out so that the various land uses and building bulk will relate to each other and to adjoining existing and planned uses in such a way that they will be compatible, with no material adverse impact of one use on another. The PUD option seeks to:
 - Encourage innovation to provide variety in design layout
 - Achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities
 - Encourage the creation of useful open spaces
 - Provide appropriate housing, employment, service and shopping opportunities

The PUD option can permit:

- Nonresidential uses of residentially zoned areas
- Residential uses of nonresidential zoned areas
- Densities or lot sizes that are different from the applicable district(s)
- The mixing of land uses that would otherwise not be permitted; provided that other objectives are met and the resulting development will promote the public health, safety and welfare

Review Process

The PUD review process consists of a two-step process as follows:

- a. **Step One: 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. This step requires a Planning Commission public hearing and recommendation to City Council followed by review by the City Council.
- b. **Step Two: Site Plan/PUD Agreement.** The second step in the process is to develop full site plans based on the approved PUD concept plan and to submit the PUD Agreement. At this time, the plans are reviewed for compliance with all City ordinance requirements, the same as any site plan. This step requires a Planning Commission recommendation to City Council followed by review by the City Council.

Qualification Criteria

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

- a. *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 generally meets the intent of the FB-2 zoning district, however proposes variations in setbacks and building and site design that necessitate the use of the PUD. The development of a mixed-use retail, office and multi-family site provides some diversity in site development for the community which traditionally has been developed with a greater separation of uses in mind.
- b. *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.* While the development generally meets the desired intent of the FB-2 zoning district, there are potentially a number of variances under conventional zoning that may be required including setbacks, building design, street design and natural features setback. Through the use of the PUD, the City has the ability to be flexible with regulations in return for development that is above and beyond conventional development.
- c. *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 Master Plan calls for flexible business uses on the site, which contemplates all of the uses proposed. The Engineering Department will conduct a full review of public utility and service needs during step two site plan review.
- d. *The PUD shall meet as many of the following objectives as may be deemed appropriate by the City:* The PUD is not required to comply with all of the items listed in this criterion; it is up to the judgment of the Planning Commission and City Council to determine if the proposed development provides adequate benefit that would not otherwise be realized. In this instance, it may be the creation of public open space, nodes for public art throughout the site, the provision of an off-site pathway and the remediation of the underground issues associated with the corner parcel (a former gas station).
 1. *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.* The proposed project identifies public open space in the form of pocket parks throughout the site and the proposed corner plaza near the southwest intersection.
 2. *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.* An off-site pathway along Auburn road has been proposed leading to the M-59 bridge.
 3. *To promote the goals and objectives of the Master Land Use Plan and other applicable long range plans such as the Master Thoroughfare Plan.* The proposed project promotes the following goals and objectives of the Master Land Use Plan and other applicable long range plans:
 - (a) Provide a diversity of housing types and sizes to meet the needs of people of different ages, incomes and lifestyles within the community.
 - (b) Amenities such as neighborhood parks, schools, recreational areas and facilities and open space areas should be encouraged.

- (c) Encourage the uses of creative development concepts on commercial sites, such as parking structures, the mixing of uses and increased density.
- 4. *To facilitate development consistent with the Regional Employment Center goals, objectives, and design standards in the City's Master Land Use Plan.* Not applicable.
- 5. *To preserve and appropriately redevelop unique or historic sites.* Not applicable.
- 6. *To permanently establish land use patterns that are compatible with or will protect existing or planned uses.* As previously noted, the proposed development of a mixed-use site is in line with master plan recommendations for the property.
- 7. *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.* The applicant has concentrated the proposed multi-family use near the existing multi-family development to the north and east.
- 8. *To enhance the aesthetic appearance of the City through quality building design and site development.* The applicant has proposed a modern aesthetic for the proposed buildings. The Planning Commission should determine whether this is in keeping with the City's design standards and is compatible with the adjacent multi-family development.

3. **PUD Concept Plan** (Section 138-7.105). The following items must be submitted as part of the PUD concept plan submittal:
- a. Any deed restrictions or restrictive covenants associated with the property.
 - b. A written statement explaining in detail the applicant's full intentions under the PUD option including the type of dwelling units or uses contemplated and resulting population, floor area, parking and supporting documentation, including the intended schedule of development.
 - c. Written verification from the owner of the property that the applicant is authorized to pursue a PUD.

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.

4. **Zoning and Land Use** (Section 138-4.300 and 138.7.103). The site is zoned B-1 Local Business District with FB-2 Flex Business Overlay and RM-1 Multiple Family Residential District with FB-1 Flex Business Overlay, 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
Proposed Site	B-1 Local Business with FB-2 RM-1 Multiple Family Residential FB-1	Vacant	Flex Business 1/2
North	RM-1 Multiple Family Residential	Pine Ridge Apartments	Multiple Family
South	RM-1 Multiple Family Residential with Mixed Residential Overlay B-2 General Business with Mixed Residential Overlay B-5 Automotive Business with Mixed Residential Overlay	Various retail/service and Islamic Association of Greater Detroit	Flex Business 2 Residential 4 w/ Mixed Residential Overlay
East	RM-1 Multiple Family Residential	Pine Ridge Apartments	Multiple Family
West	RM-1 Multiple Family Residential with FB-2 B-5 Automotive Business with FB-2	Mobile Gas Station and Vacant	Flex Business 2

5. **Site Design and Layout** (Section 138-5.100-101, Section 138-8.400-402 and 138-8.500-502). Refer to the table below as it relates to the area, setback, and building requirements of this project. For purposes of this review, the proposed plan was reviewed in accordance with the requirements of the FB-2 as that is the most similar zoning district for what is being proposed.

Requirement	Proposed	Staff Comments
Front Yard Arterial Setback (Livernois) 15 ft. min. /25 ft. max.	73 ft.	The Planning Commission/City Council has the ability to modify the maximum setback as part of the PUD
Front Yard Arterial Setback (Auburn) 15 ft. min. /25 ft. max.	17 ft.	In compliance
Front Yard Minor Setback (north/south drive between multi-family buildings) 5 ft. min. /20 ft. max.	7 ft.	In compliance
Side Yard Perimeter Setback (north) Perimeter: 25 ft.	78 ft.	In compliance
Rear Yard Perimeter Setback (west) 50 ft.	147 ft.	In compliance
Min. Bldg. Frontage Build-To Area (Livernois) 40%	45%	In compliance
Min. Bldg. Frontage Build-To Area (Auburn) 40%	57%	In compliance
Min. Bldg. Frontage Build-To Area (north/south drive between multi-family buildings) 70%	70%	Easement area functions as minor drive per FB district standards
Max. Height 2 stories/30 feet	30 ft.	In compliance
Min. Façade Transparency Ground floor residential use: 25% Upper floor residential use: 20% Ground floor, non-residential use: 70%	25% 13% (Bldg. B north elevation) 42% (Bldg. A north elevation)	Not in compliance for ground floor non-residential use and upper floor residential use, see a. below
Building Materials Primary Materials: 60% min. Accent Materials: 40% max.	Min. Building B east elevation Primary: 47% Accent: 53%	Not in compliance for Buildings A, B and C, see a. below

- a. The minimum façade transparency and building materials can be included as a modification in the PUD. Staff is of the opinion that the applicant is meeting the intent of the ordinance and given the size and number of structures on the site, a modification may be warranted.
- b. In FB-2 districts, the proposed building needs to be designed in accordance with one of the building standards identified in *Section 138-8.500*, likely as a Courtyard or Lawn Frontage building as defined in the above referenced sections. Each building type has a number of specific requirements that need to be met including access and entry, setbacks, and parking. Requirements for a Lawn Frontage building are provided below:
 - 1) Building must be setback a minimum of 15 ft. from the front lot line. *In compliance.*
 - 2) The principal building entrance must be on the ground level facing a street. *In compliance.*
 - 3) The maximum floor plate along a minor street is 20,000 sq. ft. *In compliance.*
 - 4) Parking may be located between the building and the street when a building is used solely for retail purposes along an arterial street and when the building is set back more than 70 feet. *In compliance.*
 - 5) Garages shall be set back a minimum 10 feet behind the primary façade. *Not applicable.*

6. **Exterior Lighting** (*Section 138-10.200-204*). A photometric plan showing the location and intensity of exterior lighting must be provided. Refer to the table below as it relates to the lighting requirements for this project.

Requirement	Proposed	Staff Comments
Shielding/Glare Lighting shall be fully shielded & directed downward at a 90° angle Fixtures shall incorporate full cutoff housings, louvers, glare shields, optics, reflectors or other measures to prevent off-site glare & minimize light pollution Only flat lenses are permitted on light fixtures; sag or protruding lenses are prohibited	Lighting cut sheets provided	In compliance
Max. Intensity (measured in footcandles fc.) 10 fc. anywhere on-site, 1 fc. at ROW, & 0.5 fc. at any other property line	Photometrics provided – Max of 13.6 near NE corner of Bldg A.	Not in compliance – Light levels on site to be adjusted below a max of 10 fc.

Requirement	Proposed	Staff Comments
Lamps Max. wattage of 250 watts per fixture LED or low pressure sodium for low traffic areas, LED, high pressure sodium or metal halide for parking lots	Max. wattage 98	In compliance
Max. Height 20 ft., 15 ft. when within 50 ft. of residential	Max. 20 ft. (Max. 15 ft. near residential)	In compliance

7. **Parking, Loading and Access (138-11.100-308).** Refer to the table below as it relates to the parking and loading requirements of this project.

Requirement	Proposed	Staff Comments
Min. # Parking Spaces Nonresidential: 1 space per 400 sq. ft. = 53 spaces Residential: 1.5 spaces per unit = 188 spaces Total spaces required = 241 spaces	245 spaces	In compliance
Max. # Parking Spaces 200% of Min. = 476 spaces		
Min. Barrier Free Spaces 4 spaces + 2.33% of total parking = 10 spaces	12 spaces	In compliance
Min. Parking Space Dimensions 9 ft. x 18 ft. (employee spaces) 10 ft. x 18 ft. (customer spaces) 24 ft. aisle	Min. 18 ft. x. 10 ft.	In compliance
Min. Parking Setback 10 ft. on all sides	2 ft.	The Planning Commission/City Council has the ability to modify the minimum parking setback as part of the PUD.
Loading Space No requirement; however, sites shall be designed such that trucks & delivery vehicles may be accommodated on the site		
Minor Street Design (north/south drive between multiple-family buildings)		
Total Right-of-Way 58-76 ft.	67 ft.	In compliance
Vehicle Zone 20 - 22 ft. width w/ 2 traffic lanes, 10 -11 ft. wide Center median not permitted	20 ft. lanes	In compliance
On-Street Parking Zone Parallel (7-8 ft.)	Provided	In compliance
Pedestrian Zone 2.5 ft. or lawn edge area, 3.5- 6 ft. or lawn furnishings area, 5-8 ft. walkway area, 2- 3 ft. frontage area	7.5 ft. walkway	In compliance
Street Tree Requirement 35 ft. o/c in tree grates or lawn	Refer to 9. below	

8. **Outdoor Amenity Space (Section 138-8.601).** All developments in the FB districts shall provide outdoor amenity spaces with a minimum area of 2% of the gross land area of the development (5,200 sq. ft. required. Outdoor amenity spaces have been provided throughout the site totaling approximately 15,000 sq. ft.

9. **Natural Features.** In addition to the comments below, refer to the review letters from the Engineering and Forestry Departments and the City's Wetland Consultant that pertain to natural features protection.

a. **Environmental Impact Statement (EIS) (Section 138-2.204.G)** An EIS has been submitted for the project.

b. **Natural Features Setback (Section 138-9 Chapter 1).** The plans indicate approximately 1,000 linear feet of natural features setback impact. Per the ASTI review, the natural features setback area is of poor floristic quality and has low ecological value. For additional information, consult the ASTI review dated September 10, 2018.

- c. **Steep Slopes** (Section 138-9 Chapter 2). The site does not contain any regulated steep slopes.
 - d. **Tree Removal** (Section 126 Natural Resources, Article III Tree Conservation). The site is subject to the city's tree conservation ordinance, and so any healthy tree greater than 6" in caliper that will be removed must be replaced with one tree credit. Trees that are dead or in poor condition need not be replaced. A tree preservation plan has been included in the plan set. The removal of any regulated tree requires the approval of a tree removal permit and associated tree replacement credits, in the form of additional plantings as regulated in the Tree Conservation Ordinance or a payment of \$216.75 per credit into the City's tree fund. A total of 57 regulated trees have been identified on the site with all proposed to be removed. All required tree replacements will be planted on site. **A note leftover from a previous submission refers to \$650.25 to be paid into the tree fund. This should be deleted with the next submittal.**
 - e. **Wetlands** (Section 126 Natural Resources, Article IV Wetland and Watercourse Protection). The site contains 0.7 acres of non-regulated wetlands of low ecological quality. A wetland use permit from the City is required. For additional information, consult the ASTI review dated September 10, 2018.
10. **Dumpster Enclosure** (Section 138-10.311). Dumpsters are indicated along or near the north property line. Screening to match the proposed elevations has been provided. Consideration should be given to relocating the dumpsters further away from the Pine Ridge apartments.
11. **Equipment Screening** (Section 138-10.310.J). All heating, ventilation and air conditioning mechanical equipment located on the exterior of the building shall be screened from adjacent streets and properties.
12. **Landscaping** (Section 138-12.100-308). Refer to the table below as it relates to the landscape requirements for this project. This information is provided to aid the applicant in preparation of step two site plan submittal.

Requirement	Proposed	Staff Comments
Right of Way (Livernois.: 250 ft.) 1 deciduous per 35 ft. + 1 ornamental per 60 ft. = 7 deciduous + 4 ornamental	0 deciduous 0 ornamental	Utility conflicts prevent plantings – applicant will pay into the City's tree fund
Right of Way (Auburn: 886 ft.) 1 deciduous per 35 ft. + 1 ornamental per 60 ft. = 23 deciduous + 15 ornamental	0 deciduous 0 ornamental	Utility conflicts prevent plantings – applicant will pay into the City's tree fund
Front Yard in FB District Arterial (Auburn: 886 ft.) 10 ft. width + 2 deciduous + 4 ornamental + 12 shrubs per 100 ft. = 16 deciduous + 36 ornamental + 106 shrubs	8 deciduous 36 ornamental 108 shrubs	Applicant requesting a waiver for 8 deciduous plantings due to lack of space
Front Yard in FB District Minor (north/south drive between multiple family residential buildings: 225 ft.) 5 ft. width + 3 ornamental + 8 shrubs per 100 ft. = 7 ornamental + 18 shrubs	Information to be provided	
Interior Street Trees (north/south drive between multiple family residential buildings: 225 ft.) Minor: 1 deciduous per 35 ft. = 6 deciduous	6 deciduous	In compliance
Parking Lot: Interior 5% of parking lot + 1 deciduous per 150 sq. ft. landscape area = 5,000 sq. ft. + 34 deciduous	5,500 sq. ft. 34 deciduous	In compliance
Parking Lot: Perimeter 1 deciduous per 25 ft. + 1 ornamental per 35 ft. + hedge of deciduous or evergreen shrubs = 8 deciduous + 6 ornamental + hedge	8 deciduous 6 ornamental Hedge	In compliance

- a. A landscape planting schedule has been provided including the size of all proposed landscaping, along with a unit cost estimate and total landscaping cost summary, including irrigation costs, for landscape bond purposes.
- b. If required trees cannot fit or planted due to infrastructure conflicts, a payment in lieu of may be made to the City's tree fund at a rate of \$216.75 per tree. Existing healthy vegetation on the site may be used to satisfy the landscape requirements and must be identified on the plans.
- c. All landscape areas must be irrigated. This has been noted on the landscape plan. An irrigation plan must be submitted prior to staff approval of the final site plan. A note specifying that watering will only occur between the hours of 12am and 5am has been included on the plans.
- d. Site maintenance notes listed in Section 138-12.109 have been included on the plans.
- e. A note stating "Prior to the release of the performance bond, the City of Rochester Hills must inspect all landscape plantings." has been included on the plans.

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- f. **It does not appear that the landscape cost estimate has been updated to include the additional northern property line plantings. This should be clarified and addressed, if necessary.**
13. **Architectural Design** (*Architectural Design Standards*). The proposed buildings appear to be generally attuned with the City's Architectural Design Standards. Elevations indicate mostly aluminum and masonry facades. Additionally, the Planning Commission should consider whether the proposed buildings are compatible with the adjacent existing multi-family development. The applicant is encouraged to provide material samples for the Planning Commission meeting.
14. **Signs.** (*Section 138-8.603*). A note has been included on the plans that states that all signs must meet *Section 138-8.603* and *Chapter 134* of the City Code of Ordinances and be approved under a separate permit issued by the Building Department.



DPS/Engineering
Allan E. Schneck, P.E., Director

JAB

From: Jason Boughton, AC, Engineering Utilities Coordinator
To: Kristen Kapelanski, AICP, Planning Manager
Date: July 9, 2019
Re: Rochester Hills Trio PUD, City File #18-016, Section 27
PUD Plan Review #7

Approved

Engineering Services has reviewed the site plan received by the Department of Public Services on June 21, 2019, for the above referenced project. Engineering Services **does** recommend site plan approval due to the following comments:

Storm Sewer

1. Provide soil borings to show the types of soils that exist and the ground water elevation. This will determine how deep the underground detention system can be proposed.

Grading

1. The proposed retaining wall adjacent to the north property line may require an offsite temporary construction easement to construct the wall. This will be determined with the engineering of the retaining wall at the construction phase of the project.

Traffic/Roads

1. MDOT and RCOC right-of-way use permits are required prior to site plan approval

Pathway/Sidewalk

1. A CITY ROW use permit will be required for the proposed pathway prior to construction commencement.

JB/KD

c: Allan E. Schneck, P.E., Director; DPS
Tracey Balint, P.E., Public Utilities Engineering Mgr.; DPS
Keith Depp, Project Engineer, DPS
Adele Swann, Engineering Technician-Utilities; DPS
File

Paul Davis, P.E. City Engineer/Deputy Director; DPS
Paul G. Shumejko, P.E., PTOE, Transportation Eng. Mgr.; DPS
Jenny McGuckin, ROW/Survey Technician; DPS
Russ George, ROW Permit Technician; DPS



FIRE DEPARTMENT

Sean Canto

Chief of Fire and Emergency Services

From: William A. Cooke, Assistant Chief / Fire Marshal
To: Planning Department
Date: July 8, 2019
Re: Rochester Hills Trio PUD

SITE PLAN REVIEW

FILE NO: 18-016

REVIEW NO: 7

APPROVED X

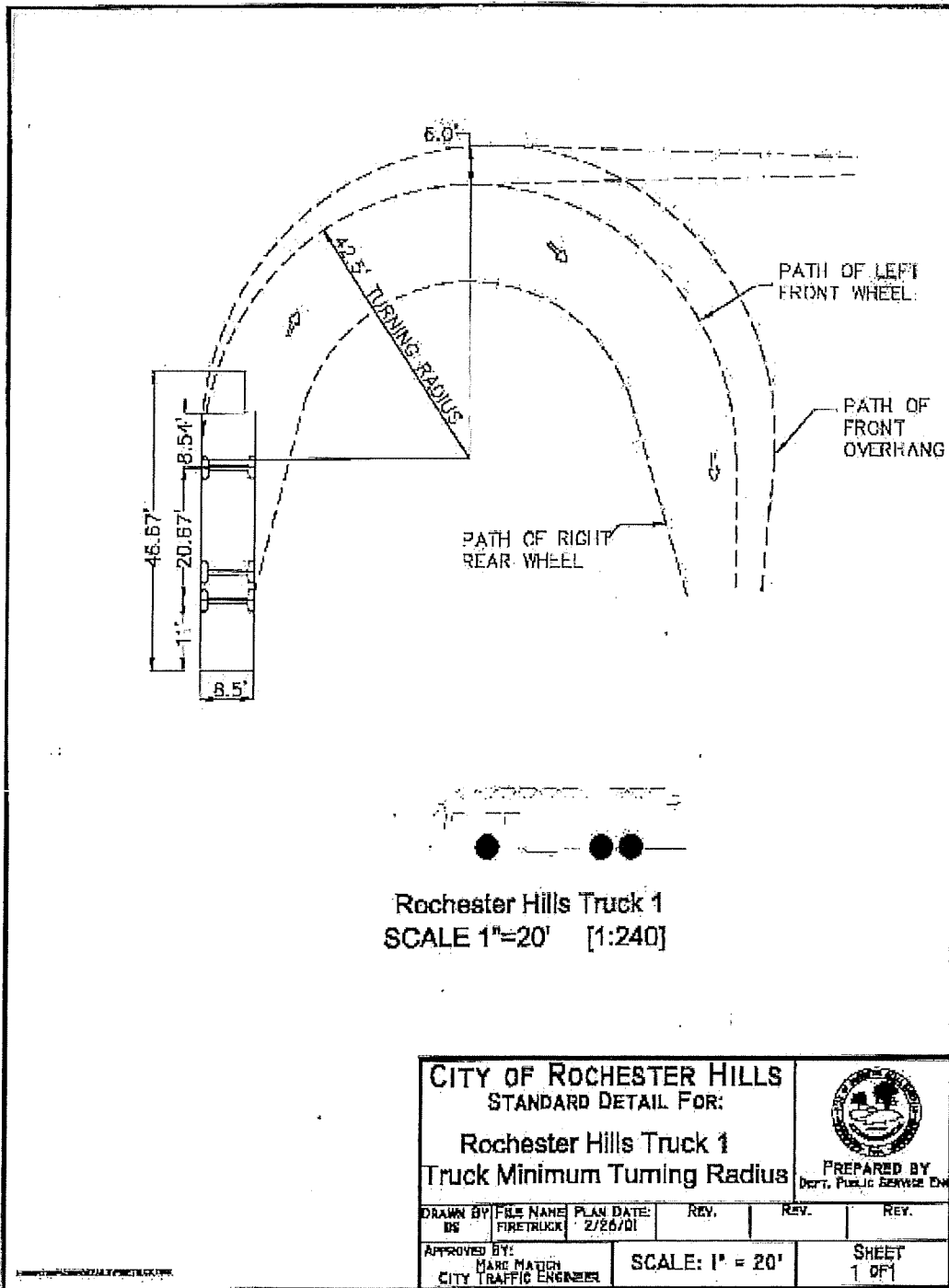
DISAPPROVED _____


The Fire Department recommends approval of the above reference site plan contingent upon the following conditions being met:

1. Please provide the fire truck overlay on sheet S100 so that the minimum fire truck radius requirements have been satisfied. Please pay special attention to the drive to the south of Building "A" since the site configuration has changed as well at the area east of Building "C" since the width of drives have changed. The minimum fire truck dimensions have been attached to this review for your use.

Note: The Fire Department did not review documents for reviews 4 through 6. This comment is for informational purposes only and is to assist in clarifying why our department's reviews are not sequential.

William A. Cooke
Assistant Chief / Fire Marshal



CITY OF ROCHESTER HILLS				
STANDARD DETAIL FOR:				
Rochester Hills Truck 1				PREPARED BY DEPT. PUBLIC SERVICE DIV.
Truck Minimum Turning Radius				
DRAWN BY	FILE NAME	PLAN DATE	REV.	REV.
DS	FIRETRUCK1	2/26/01		
APPROVED BY:		SCALE: 1" = 20'	SHEET	
MARE MATON CITY TRAFFIC ENGINEER			1 OF 1	