



Department of Planning and Economic Development

Staff Report to the Planning Commission June 12, 2015

Cumberland Pointe Final Site Condominium Plan

REQUEST	Recommendation for Approval of a One-Family Residential Detached Condominium Final Plan (aka Site Condo Plan)
APPLICANT	Greg Windingland Lombardo Homes 51237 Danview Technology Ct. Shelby Twp., MI 48315
LOCATION	East side of Livernois, north of M-59
FILE NO.	14-001
PARCEL NO.	15-27-151-003
ZONING	R-3 One-Family Residential with MR Mixed Residential Overlay
STAFF	Sara Roediger, AICP, Manager of Planning

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Summary

The proposed project is for an 18-unit one-family detached site condominium project on 9.25 acre acres, located on the east side of Livernois, north of M-59. The applicant appeared before the Planning Commission on July 22, 2014 and received a recommendation of the Preliminary Site Condominium Plan and approval of a Tree Removal Permit. City Council subsequently approved the Preliminary Site Condominium Plan on August 11, 2014.

The site is zoned R-3 One Family Residential with a MR Mixed Residential Overlay district and master planned Mixed Residential. One-family detached dwellings are permitted by right in the R-3 district per the zoning ordinance and the One-Family Detached Site Condominium Ordinance. The parcel is surrounded by R-3 zoning and developed with homes.

Development Layout

The development is using the lot size averaging option, with lot widths ranging from 89.96 to 144.05 feet and areas ranging from 11,485 to 29,534 square feet. The development proposes a density of 1.9 units per acre; the maximum required is 2.9 units per acre, so the density is substantially less than required.

Access will be from Livernois and the existing Corbin from the east (from Cumberland Hills Subdivision) and Corbin will be extended west to Livernois. Four units will front another internal street, Carlisle Dr., which is stubbed to the south for potential future development. Storm drainage will be detained onsite and released to the swale on Livernois to the west.

Review Considerations

1. **Department Reviews.** The plans have received a recommendation of approval from the City's engineering department, fire, and building subject to procedural conditions (i.e. easements, permits, etc.) and the Building Department memo dated May 1, 2015. Engineering has no issues with the development layout or utility design. The City Surveyor's memo has conditions to be addressed related to construction plan approval.
2. **Tree Removal.** The Tree Conservation Ordinance applies to this development. There are 621 regulated trees on-site, and the applicant is proposing to preserve a total of 232 trees, 37% of the regulated trees on site. 389 regulated trees are proposed to be removed, requiring 389 tree replacement credits. The applicant has proposed 184 tree replacement credits will be accounted for by replacement plantings; therefore the remaining 205 credits are to be accounted for via a payment into the city's tree fund at a rate of \$200 per tree, for a total of \$41,000 for this site.
3. **Landscaping.** The overall site exceeds the number of planting requirements.
 - 1) An irrigation plan must be submitted prior to staff approval of the final site plan. Add a note specifying that watering will only occur between the hours of 12am and 5am.
 - 2) Posting of landscaping bonds based on the landscape cost estimate and a deposit of \$3,600 with the City's Tree Fund to plant one street tree per lot is required prior to issuance of a land improvement permit.
4. **Architecture.** The applicant has provided sample colored renderings of the homes to give the City an example of the type of homes that will be constructed.
5. **Condominium Documents.** The applicant has submitted the proposed Master Deed and Bylaws, which have been reviewed and approved by the City Attorney.

Site Plan Summary

Section 122-368 of the Code of Ordinances requires that approval of a final one-family detached site condominium plan shall include all the information required in the approved preliminary plan and shall also be based upon compliance with the applicable sections and regulations of the Land Division article of the Code of Ordinances, obtaining state and county agency approvals, including utilities, water supply, sewage disposal, drainage, wetlands and roads, and submission of a Master Deed and Bylaws. The plans are technically compliant, and staff therefore recommends that the Planning Commission grant a recommendation of approval to City Council, subject to conditions. A motion for consideration follows.

Motion to Recommend Final Condominium Plan Approval

MOTION by _____, seconded by _____, in the matter of City File No. 14-001 (Cumberland Pointe Site Condominiums), the Planning Commission recommends that City Council **grants Approval** of the **Final Site Condominium Plan**, based on plans dated received by the Planning Department on April 23, 2015, with the following findings and subject to the following conditions.

Findings

1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.
3. The final plan represents a reasonable and acceptable plan for developing the property.
4. The final plan is in conformance with the preliminary plan approved by City Council on August 11, 2014.

Conditions

1. Engineering approval of all permits and agreements prior to issuance of a land improvement permit.
1. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a land improvement permit.
2. Post a landscape and irrigation bond in the amount of \$53,735 plus \$1,962 for inspection fees, as adjusted as necessary by the City, prior to issuance of a land improvement permit.
3. Submit an irrigation plan with a note specifying that watering will only occur between the hours of 12am and 5am prior to approval by staff.
4. Payment of \$3,600 into the tree fund for street trees prior to issuance of a land improvement permit.
5. Payment into the City's Tree Fund of \$41,000 in lieu of replacement tree credits, prior to issuance of a land improvement permit.
6. Compliance with the Building Department memo dated May 1, 2015 and Engineering Department memo (surveyor) dated May 8, 2015.

Reference: Final Site Condo Plan dated received by the Planning Department 4/23/15: Sheets 0-6, prepared by Community Civil Engineering & Surveying and Sheets 7-9, prepared by Donald C. Sestphal Associates.

Attachments: Assessing Dept. memo dated 4/27/15; Building Dept. memo dated 5/01/15; Fire Dept. memo dated 4/30/15; DPS/Engineering memos dated 5/15/15 and 5/11/15; Planning Dept. memo dated 5/29/15; and Parks & Forestry memo dated 5/11/15.