

**City of Rochester Hills
Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION
March 11, 2005**

Grace Parc Subdivision	
APPLICANT	Grace Street Development, Inc. 47858 Van Dyke, Suite 410 Shelby Twp., MI 48317
AGENT	Franco Mancini
LOCATION	North of South Boulevard between Rochester & Livernois Roads
PARCEL NOS.	15-34-402-035 & -057
FILE NO.	04-011
ZONING	R-4 (One Family Residential) District
STAFF	Deborah Millhouse, AICP, Deputy Director
REQUESTS	Tree Removal Permit Tentative Approval of Preliminary Plat Recommendation

SUMMARY

The above referenced project involves a sixteen-lot single-family subdivision on 5.958 acres. The proposed Grace Parc Subdivision is located north of Grace Avenue and south of McComb. The development includes a connection with McComb and a stub street to the west. Although two lots front onto Grace Avenue, there is no direct vehicular connection.

Specific actions requested for consideration by the Planning Commission are a tree removal permit and a tentative approval of the preliminary plat recommendation to City Council.

BACKGROUND

At its February 1, 2005 meeting, the Planning Commission considered a proposed street and lot layout for Grace Parc Subdivision that involved 15 lots and a vehicular connection between McComb (a public street) and Grace Avenue (a private street). This item was postponed until the applicant prepared possible alternative layouts. After review of the three layouts submitted by the applicant, the Planning Commission requested at its February 15, 2005 meeting that the applicant submit a tentative preliminary plat consistent with alternative one.

TREE REMOVAL PERMIT

The development is proposing to preserve 18 (37.5 percent) of the 48 regulated trees on-site. Replacement of the 30 regulated trees to be removed requires the planting of at least 30 tree credits on-site or payment into the City's tree fund for any tree credits not planted on-site. The current Tree Replacement Plan indicates that five trees (9.5 tree credits) are to be planted in the proposed detention area.

The remaining 14 trees (22 tree credits) are to be planted on individual lots. As noted by the City's Landscape Architect in her memorandum dated March 3, 2005, replacement trees may not be planted within the limits of the individual lots, hence all replacement trees shown on the plan within the limits of individual lots must be relocated to a common area, such as the outer limits of the detention pond.

Proposed conditions of approval have been included with the first preprinted motion requiring that as many replacement tree credits as possible be planted in the common area along the outer limits of the detention pond, as approved by the City's Landscape Architect. The remainder of the tree credits will be paid into the City's Tree Fund. The Landscape Architect has recommended additional conditions of approval that are also included within this motion.

PRELIMINARY PLAT

A preliminary plat consistent with alternative one was submitted by the applicant on February 24, 2005 and distributed for review relative to technical compliance. As with the original submittal, the applicant is utilizing the lot size variations option permitted by Section 138-1112 of the City's Zoning Ordinance. This option allows lots to have an area and width not greater than 10 percent below that required by the R-4 zoning district. In other words, each lot must be at least 8,640 square feet in area and have a width at the minimum front setback of at least 72 feet for internal lots and 92 feet for corner lots.

All proposed lots meet or exceed these minimum requirements. Also, the average lot size of 11,589.21 square feet far exceeds the minimum requirement of 9,600 square feet. Further, the 2.7 lots per acre density is less than the maximum of 3.4 lots per acre permitted by the lot size variations option. In addition to the 16 lots, a detention area is being created and will be owned by the homeowners association.

Engineering Comments

In his memorandum dated March 9, 2005, the City's Staff Engineer did not recommend the plat for approval. However, he is willing to have his outstanding comments included as conditions of approval provided the items are adequately addressed prior to staff stamping the tentative preliminary plat as approval. All seven concerns have been included as conditions in the second preprinted motion within this report.

Landscape Comments

In her previously distributed memorandum dated January 26, 2005, the City's Landscape Architect notes that all trees on adjacent properties must be classified as protected trees and be protected with tree protective fencing. Grading or digging is not permitted within the dripline of a tree designated for preservation. To avoid digging within the dripline of trees on adjacent properties, it may be necessary to relocate the storm drain lines further away from the adjacent properties. Two conditions of approval have been included in the second preprinted motion relative to these comments.

Surveying Comments

In his previously distributed review dated January 12, 2005, the City's Survey Technician noted that a separate parcel for the road should be created and owned by the homeowners association. This would facilitate transferring title if Grace Avenue is extended across the existing easements as a public road at a future date. This parcel should be designated an outlot for roadway and utility purposes. Although a note so stating had been included on the original preliminary plat, it is missing on the most recent submittal. Therefore, a condition of approval has been included in the second preprinted motion to reinstate this notation.

In his most recent review, the City's Survey Technician notes that the north-south dimensions of lots 1 and 2 were incorrect. They have been corrected on the preliminary plat dated received March 9, 2005. He also references a few geometric concerns that will need to be addressed and have been included as a condition of approval.

Planning Comments

Planning has included a few conditions of approval to the second preprinted motion that need to be addressed on the preliminary plat.

Cul-de-Sac Length

The City's Subdivisions Ordinance defines a cul-de-sac as a short minor street having one end permanently terminated by a vehicular turnaround. Given this definition, it is staff's opinion that the cul-de-sac indicated on the preliminary plat (i.e., Milano Court) begins where the centerline of McComb meets the centerline of Verona Drive and is, therefore, roughly 370 feet in length.

Since it is less than 600 feet in length, staff does not feel that a formal cul-de-sac waiver by the Planning Commission is necessary. However, it is important to acknowledge that the distance from the center of Milano Court to Shortridge Avenue is approximately 1,100 feet. In other words, there will be only one access point (i.e., Shortridge) for lots 3 thru 16 until such time as the stub street is extended westerly to a second access point. A finding has been added to the second preprinted motion to acknowledge this.

Grace Avenue Sidewalk

Since there are sidewalks along both sides of McComb, there is no doubt that the Grace Parc development should provide sidewalks as indicated on the preliminary plat for lots 3 thru 16. A five-foot-wide concrete sidewalk is also proposed along the north side of Grace Avenue in front of lot 1, lot 2, and the detention pond area. This is in accordance with the requirements of the City's Subdivisions Ordinance.

However, it should be noted that there are currently no sidewalks along either side of Grace Avenue or along either side of Hazelton Avenue north or south of Grace. The Planning Commission may wish to comment on whether or not the applicant should request relief from City Council relative to construction of a sidewalk in front of lot 1, lot 2, and the detention pond area.

Compliance Criteria

Section 122-155(b) of the City's Subdivisions Ordinance states that tentative approval of the preliminary plat shall be based upon compliance with the following:

1. Applicable sections and regulations of this Code.
2. Availability and adequacy of utilities.
3. An acceptable comprehensive development plan.
4. A reasonable street and lot layout and orientation.
5. An environmental plan showing no substantially harmful effects.

RECOMMENDATION

Based on the review comments included in this report or contained within the attached, staff recommends approval of the following motions relative to City File No. 04-011 (Grace Parc Subdivision).

Reference: Plans dated received March 9, 2005 by the Department of Planning and Development (Sheets 1 of 5 thru 5 of 5 and 1 of 1 prepared by Apex Engineering Group Inc.).

Attachments: Assessing Department memorandum dated 03/08/05; Building Department memorandum dated 02/28/05; Fire Department memorandum dated 03/09/05; Parks and Forestry memorandum dated 03/08/05; Planning Department memorandum dated 03/03/05; and, Public Services memoranda dated 03/09/05, 02/25/05.

MOTION by _____, seconded by _____, in the matter of City File No. 04-011 (Grace Parc Subdivision), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Department of Planning and Development on March 9, 2005, with the following findings and subject to the following conditions.

FINDINGS:

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to preserve 37.5 percent of regulated trees on-site.
3. The applicant is proposing to replace as many as 30 regulated trees with replacement tree credits on-site and payment into the City's Tree Fund for those tree credits not located on-site.

CONDITIONS:

1. Correct the "Tree Summary" chart on Sheet 4 of 5 to indicate that the total number of regulated trees is 48 rather than 52.
2. Delete the "Tree Inventory" chart from Sheet 5 of 5.
3. Clearly show tree protective fencing for tree #3255 on Sheets 5 of 5.
4. Indicate as many replacement tree credits as possible in the common area along the outer limits of the detention pond on Sheet 5 of 5, as approved by the City's Landscape Architect.
5. Add a note to Sheet 5 of 5 stating that the applicant will pay into the City's Tree Fund for any replacement tree credits not located in the common area.
6. Correct the note on Sheet 5 of 5 to indicate that the minimum spacing for both deciduous and evergreen trees is 10 feet on center.
7. Add a note to Sheet 5 of 5 indicating that tree protective fencing must be in place, inspected, and approved by the City's Landscape Architect prior to issuance of a Land Improvement Permit for this development.
8. Provide a performance guarantee in the amount of \$8,137.50, as adjusted if necessary by the City's Landscape Architect, to ensure the proper installation of replacement trees. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.

MOTION by _____, seconded by _____, in the matter of City File No. 04-011 (Grace Parc Subdivision), the Planning Commission **recommends** City Council **grant tentative approval** of the **preliminary plat**, based on plans dated received by the Department of Planning and Development on March 9, 2005, with the following findings and subject to the following conditions.

FINDINGS:

1. Upon compliance with the following conditions, the preliminary plat meets all applicable requirements of the Zoning Ordinance and Subdivisions Ordinance.
2. Adequate utilities are available to properly service the proposed development.
3. The preliminary plat represents an acceptable comprehensive plan for future development to the west.
4. The preliminary plat represents a reasonable street and lot layout and orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.
6. The City acknowledges that Shortridge is the only access point for lots 3 thru 16 until such time as the stub street is extended westerly to a second access point.

CONDITIONS:

1. Eliminate the sanitary sewer through Lot 1, eliminate the connection to Grace Avenue, and connect to the existing stub off McComb, as approved by Engineering Services.
2. Show the weighted runoff coefficient calculations, as approved by Engineering Services.
3. Since it varies from 50 feet to 55 feet, correct the call out of the Grace Avenue road easement as "easement varies" rather than 50-foot-wide easement.
4. Show a tee turnaround at the Verona stub street, as approved by Engineering Services.
5. Eliminate the sidewalk ramp that is proposed east of McComb heading south.
6. Show a sidewalk ramp on the south side of Verona Drive for the sidewalk crossing west of McComb.

7. Add a note to Sheet 1 of 4 stating the following: Alignment of the proposed McComb to the existing McComb will require reconstructing the existing McComb and driveways as necessary. Additionally, necessary drainage improvements along the existing McComb are required to facilitate the drainage from the existing ditch line to the proposed curb and gutter section. Reconstruction of the existing McComb roadway, existing driveways, and necessary drainage improvements along the existing McComb shall be the responsibility of the applicant and approved by Engineering Services.
8. Show trees on adjacent properties and tree protective fencing at the dripline of off-site trees on Sheet 5 of 5, if applicable and as approved by staff.
9. If necessary, relocate the storm drain lines further away from the adjacent properties to avoid any grading, digging, trenching or boring within the dripline of trees located on adjacent properties, as approved by staff.
10. Add a note to Sheet 1 of 4 indicating that the proposed 30-foot-wide parcel located adjacent to the south property line is a proposed outlot for roadway ingress/egress and public utilities to be owned by the Homeowner's Association and to be structured to be able to be dedicated to the City in the future.
11. Address the applicable geometric concerns referenced by the City's Survey Technician in his memorandum dated February 25, 2005.
12. Correct the proposed net density under Site Criteria on Sheet 1 of 4 to read 2.7 units per acre.
13. Determine and correct the proposed lot averaging table (Sheet 1 of 5) to accurately reflect the "lot width" at the setback line of all lots, as defined by Section 138-3 (page CD138:15) of the City's Zoning Ordinance.
14. Correct the width of lot 11 at the right-of-way line on the lot averaging table (Sheet 1 of 5).
15. Provide the existing building setbacks along the north side of Grace Avenue and correct the front building envelope of lot 1 and lot 2, as needed, in accordance with Section 138-1111(b) of the City's Zoning Ordinance.
16. Correct the name of the cul-de-sac (i.e., Milano Court) on Sheet 1 of 1.
17. Refer to Grace "Avenue" on all sheets of the preliminary plat.