



Department of Planning and Economic Development

Staff Report to the Planning Commission December 12, 2014

Sanctuary at River's Edge Final PUD	
REQUESTS	Final PUD Agreement Recommendation Site Plan Approval Recommendation Tree Removal Permit Approval Wetland Use Permit Recommendation Natural Features Setback Modifications Approval Cul-de-Sac Waiver Approval
APPLICANT	MJ Ridgepointe, LLC 49587 Compass Pte. Chesterfield Township, MI 48047
AGENT	Jim Polyzois
LOCATION	North of Avon, East of Livernois, South of Harding
FILE NO.	14-008
PARCEL NOS.	15-15-403-010
ZONING	RCD, One-Family Cluster
STAFF	Ed Anzek, AICP, Director Sara Roediger, AICP, Manager of Planning

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Overview

The applicant is requesting Final Approval of a Planned Unit Development (PUD) to develop a 20-unit residential project. The site has an area of 6.19 acres, is wooded, has low quality wetlands located on the site, and is adjacent to the Clinton River Trail to the south. The applicant will be constructing two connections to the trail, both natural in their appearance to match the character of the trail. One will be from the development site, and one will be east of the property along the utility easement and will connect the trail to Helmand. In addition to abutting open space, open space is provided in various areas of the development, including Wetland C, for a total of 1.54 acres. The proposed units range from 2,500 to 4,500 square feet in area, and all units have 2-car garages. A private road cul-de-sac of 28 feet (50' ROW) with 5-foot sidewalks is also proposed. The cul-de-sac length exceeds the ordinance maximum length of 600 feet by approximately 27 feet, and the applicant is requesting a waiver. The site is surrounded by single-family and residential cluster zoning, and the site is zoned RCD, One Family Cluster.

The applicant received approval of the Preliminary PUD Agreement and exhibits from City Council on July 21, 2014 with conditions to be addressed prior to final approval. The final plan is consistent with the conceptual plan regarding road layout, design, landscaping and other proposed improvements. Please refer to the June 17, 2014 Planning Commission minutes for further details.

Standards for PUD Final Site Plan and Agreement Approval

Section 138-7.105(B) lists the standards of approval for final site plans, while *Section 138-7.107* lists the required information in a PUD contract. The final site plans are consistent with the proposed PUD agreement, and the PUD agreement has been reviewed and approved by the City Attorney.

PUD Contract and Final Site Plan Review Considerations

1. **PUD Agreement.** The proposed PUD agreement is attached and is consistent with the form and content of PUD agreements approved by the City in the past. The City Attorney has reviewed and approved the proposed revised PUD contract with the exception at the time of this report's preparation. It is anticipated this will be resolved prior to the meeting and staff will report on the status.
2. **Final Site Plans.** The proposed final site plan has been reviewed by City Staff on several occasions. Those reviews have required adjustments and changes made by the applicant to address issues identified by different departments, including a sidewalk along the south side of Helmand and internal to the site in addition to the extension of the sidewalk along the south side of Helmand to connect to the proposed off-site trail connection east of the site. Since the review letters were prepared, the applicant has submitted the required Environmental Impact Statement (EIS).

The currently submitted final site plan has received recommendations for approval with conditions by all applicable city staff. The final site plans that are revised to address the remaining conditions, as approved by city staff, will be included as exhibits in the PUD agreement.

3. **Tree Removal.** The Tree Conservation Ordinance regulates the site in that all regulated trees removed must be replaced on a one for one basis. There are 275 regulated trees; , all of which are proposed to be removed and replaced on site. There is no minimum preservation requirement applicable to the development, so the trees to be removed must be replaced on a one-to-one basis. Replacement tree credits exceeding requirements are proposed to replace the trees to be removed.
4. **Wetland Use Permit.** There are regulated wetlands on site (Wetlands A, B and C), which have been verified by the City's Wetland Consultant. The proposed plans would impact Wetlands A and B, and Wetland C would be left as open space. Approximately .20 acres of existing MDEQ and City-regulated wetlands. The applicant must secure a DEQ wetland use permit prior to construction plans being approved.
5. **Natural Features Setback Modifications.** The plans show approximately 870 linear feet of NFS to be impacted from the construction of several units and a portion of Flora Valley Court. ASTI recommends a modification to allow for these proposed actions because it was determined that the Natural Features Setback is of low ecological quality.
6. **Steep Slopes.** The applicants are not required to seek a permit for constructing on the slopes. The slopes are identified as man-made. This has been verified by the City's Engineering Dept.

Summary

The proposed PUD agreement and final site plan meet the requirements for final PUD approval. The proposed plans and agreement are consistent with the PUD concept plan, and the proposed final PUD has been reviewed by all applicable departments within the City and is recommended for approval or approval with conditions. Subject to any changes or conditions recommended by the Planning Commission, staff recommends approval of the following motions in reference to City File No. 14-008:

PUD Agreement Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 14-008 (Sanctuary at River's Edge PUD), the Planning Commission **recommends** that City Council **approves** the PUD Agreement dated received November 26, 2014 with the following findings and conditions.

Findings

1. The proposed Final PUD is consistent with the proposed intent and criteria of the PUD option.
2. The proposed Final PUD is consistent with the approved PUD Concept Plan.
3. The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment.
4. The proposed PUD promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.
5. The proposed plan provides appropriate transition between the existing land uses surrounding the property.

Conditions

1. The appropriate sheets from the approved final plan set shall be attached to the PUD agreement as exhibits, including the building elevations.
2. All other conditions specifically listed in the agreement shall be met prior to final approval by city staff.

Tree Removal Permit Motion

MOTION by _____, seconded by _____, in the matter of City File No. 14-008 (Sanctuary at River's Edge PUD), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on November 24, 2014, with the following findings and subject to the following conditions.

Findings

1. The proposed removal and replacement of regulated trees on-site is in conformance with the Tree Conservation Ordinance.
2. The applicant is removing up to 275 regulated trees from the site.
3. The applicant is proposing to provide at least 275 replacement credits.

Conditions

1. All tree protective fencing must be installed, inspected and approved by city staff, prior to issuance of a Land Improvement Permit.

Natural Features Setback Modifications

MOTION by _____, seconded by _____, in the matter of City File No. 14-008 (Sanctuary at River's Edge PUD), the Planning Commission **grants Natural Features Setback Modifications** for the permanent impacts to as much as 870 linear feet of natural features setbacks associated with the construction and grading of units and the cul-de-sac Flora Valley Court, based on plans dated received by the Planning Department on November 24, 2014, with the following findings and subject to the following conditions.

Findings

1. Natural Features Setback Modifications are needed to construct several units and a portion of the cul-de-sac Flora Valley Court.
2. The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.

Conditions

1. Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.
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Wetland Use Permit Recommendation

MOTION by _____, seconded by _____, in the matter of City File No. 14-008 (Sanctuary at River's Edge PUD), the Planning Commission **recommends** City Council **approves** a **Wetland Use Permit** to impact approximately 8,713 square feet for the construction of several units and a portion of Flora Valley Ct., based on plans dated received by the Planning Department on November 24, 2014, with the following findings and subject to the following conditions.

Findings

1. Of the approximately .21 acres of City-regulated wetlands on site, the applicant is proposing to impact approximately the same amount of wetlands.
2. The wetland areas are of medium to low ecological quality and should not be considered a vital natural resource to the City.

Conditions

1. City Council approval of the Wetland Use Permit.
2. If required, that the applicant receives all applicable DEQ permits prior to issuance of a Land Improvement Permit.
3. That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.
4. That ASTI verifies that condition 3.a from its December 3, 2014 letter is addressed, prior to final approval by city staff.

Cul-de-Sac Waiver

MOTION by _____, seconded by _____, in the matter of City File No. 14-008 (Sanctuary at River's Edge PUD), the Planning Commission **approves** a **Cul-de-Sac Waiver** of 27 feet for Flora Valley Ct., based on plans dated received November 24, 2014 by the Planning and Development Department, with the following findings.

Findings

1. A Cul-de-Sac Waiver is requested for the length and layout of the street Flora Valley Ct. to eliminate having extra long driveways on the south side.
2. The proposed cul-de-sac length and lot layout have been reviewed and recommended for approval by both the City's Public Services and Fire Departments.
3. The proposed street design incorporates a cul-de-sac bulb that meets City's Standards allowing for easier movement of fire vehicles.

Site Plan Approval Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 14-008 (Sanctuary at River's Edge PUD), the Planning Commission **recommends** that City Council **approves** the **Site Plan**, dated received November 24, 2014 by the Planning and Development Department, with the following findings and conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards and requirements can be met subject to the conditions noted below.
2. The location and design of driveways providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site and on adjoining streets.
3. There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
4. The proposed development does not have an unreasonably detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.
5. The proposed Final Plan promotes the goals and objectives of the Master Plan.

Conditions

1. Work with the Engineering Department to design and locate the sidewalk within the right-of-way along the south side of Helmand to connect to the proposed off-site trail connection east of the site.
2. Provision of a performance guarantee based on the landscaping cost estimate, as adjusted if necessary by the City, to ensure the proper installation of trees and landscaping. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.
3. Payment of \$200 per lot into the City's Tree Fund (\$4,000.00).
4. Addressing all applicable comments from City departments and outside agency review letters, prior to final approval by staff

Attachments: Site Plans dated received 11/24/14: Cover Sheet, Sheet SP 1.0; Site Plan, Sheet SP 1.1; Open Space Plan, Sheet SP 1.2; Existing Site Conditions, Sheet SP 1.3; Tree Survey, Sheet SP 1.4; Tree List, Sheet SP 1.5; Woodland Analysis, Sheet SP 1.6; Steep Slopes Analysis, Sheet SP 1.7; Landscape Concept Plan, Sheet LA 1.0; Landscaping Details, Sheet LA 1.1; Landscaping Details, Sheet LA 1.2; Site Section, Sheet LA 1.3; Entrance Amenities, Sheet LA 1.4; Entrance Landscaping Plan, Sheet LA 1.5; Entrance Section and Amenity Details, Sheet LA 1.6; Specifications & Details, Sheet LA 2.0; Landscape Cost Estimates, Sheet LA 2.1; Preliminary Grading Plan, Sheet E-1; Overall Utility Plan, Sheet E-2, prepared by Design Team +; Irrigation Plan, Sheet IR-1, prepared by John Deere Landscapes; Architectural Concept Elevations, Sheet A-1; Architectural Concept Plans, Sheet A-2, prepared by TR Design Group.

PUD Agreement dated received 11/26/14; Assessing memo dated 10/15/14; Building Dept. memo dated 12/11/14; Parks & Forestry memo dated 12/5/14; DPS/Engineering memo dated 12/8/14; Fire Department memo dated 12/9/14; ASTI Environmental letter dated 12/3/14; EIS, dated received 12/11/14; Planning Department memo dated 12/8/14; Street Committee memo dated 11/25/14; Planning Commission Minutes dated 06/17/14; Wetland Use Permit Notice; and Tree Removal Notice.

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