



Department of Planning and Economic Development

Staff Report to the Planning Commission

October 17, 2014

Andover Woods Condominiums

REQUESTS Tree Removal Permit
 Wetland Use Permit Recommendation
 Natural Features Setback Modifications
 Site Plan Approval

APPLICANT Andover Woods, LLC
 2617 Beacon Hill Dr.
 Auburn Hills, MI 48326

AGENT Bruce Michael

LOCATION East and West Sides of Rochdale, North of Walton Blvd.

FILE NO. 98-025

PARCEL NOS. 15-09-476-035 and 15-09-451-002

ZONING RCD, One Family Cluster

STAFF ED Anzek, AICP, Director of Planning

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Background

The proposed attached condominium development has been in review for quite a number of years and is now ready for Planning Commission’s consideration of the Site Plans, Tree Removal Permit, Natural Features Setback Modifications and Wetland Use Permit Recommendation. The development consists of two parcels, on the east and west sides of Rochdale, north of Walton Blvd. The eastern parcel contains 9.37 acres and is proposed for 13 buildings consisting of 26 units (duplexes). The western parcel contains 17.2 acres and is proposed for eight buildings with 16 units. The sites include wetlands and a watercourse regulated by the MDEQ and the City of Rochester Hills. Sargent Creek bisects the property and flows along the northern boundary of the project, and the site is heavily wooded.

In 2005, City Council approved a Rezoning for the western parcel from R-3, One Family Residential and RM-1, Multiple Family to RCD, One-Family Cluster to be consistent with the east side of Rochdale and to allow cluster development, which would impact less of the wetlands and the natural features as reasonably possible. At the recommendation of Staff, in August 2012, the applicants met with the Planning Commission to seek guidance and input regarding the proposed development before proceeding to final plan development. A distance or proximity issue was raised by several neighbors, and the applicant met with them to work out a solution that was satisfactory (greater distances on the east and west sides).

The site is surrounded by single-family and multiple-family residences on the north, east and west and by retail, office, and a nursing home to the south. The site will be accessed from Rochdale to internal cul-de-sacs on both sides of the development. The Master Plan calls for attached housing in this location as a good transition from the office and retail to the south to the single-family homes, and it offers another diverse type of housing in the City.

Site Plan Review Considerations

1. **Site Plans.** The proposed site plan has been reviewed by City Staff on many occasions. Those reviews have required adjustments and changes made by the applicant to address issues identified by different departments. The currently submitted site plan has received recommendations for approval with conditions by all applicable City Staff. The following site plan item remains to be included/addressed prior to final site plan approval by Staff.
 - a. Provide an irrigation plan with a cost estimate, signed and sealed by a Landscape Architect.
 - b. Engineering recommends approval subject to a condition in the memo dated October 13, 2014.
2. **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 2,175 surveyed regulated trees. 651 of the 2,175 surveyed trees are proposed to be removed. Of these 651 trees over 500 are dead, decayed, or diseased trees. There is no minimum preservation percentage requirement applicable to the development, so as mentioned, the trees (only the healthy ones) to be removed must be replaced on a one-to-one basis. Sufficient replacement tree credits are proposed to replace the trees to be removed. A portion of land on the west property line (28 feet) is going to be deeded to an adjacent homeowner on Shagbark. There are about 30 trees that the applicant has agreed to remove for this neighbor, but they are not part of the development's woodland/tree removal plan.
3. **Wetland Use Permit/Natural Features Setback Modifications.** There are regulated wetlands on site, which have been verified by the City's Wetland Consultant. The proposed plans would impact .24 acres of the existing nine acres of MDEQ and City-regulated wetlands on the eastern parcel. The applicant must secure a DEQ wetland use permit prior to construction plans being approved. ASTI, the City's wetland consultant, has approved the plans with conditions for the Natural Features Setback Modifications. There will be several areas of Natural Features Setbacks impacted from the construction and grading activities. Those areas must be restored with original soils or equivalent soils and seeded with a City approved seed mix, where possible. The areas are outlined in the ASTI Environmental letter of October 3, 2014.
4. **Steep Slopes.** The site has some areas that meet our steep slope threshold. However, the applicant has redesigned the specific location of the structures to avoid any impacts to the steep slopes. Note that the slopes are steep but not very high. Along the roadway that serves the western portion a steep slope exists but it is man-made fill from the developments to the south and is

exempt from the steep slope ordinance.

5. **Sidewalks.** No sidewalks are shown for ten units (both cul-de-sacs on the south side of the roads) because of space limitations. A Sidewalk Waiver will be requested from City Council.

Summary

The proposed site plan 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. 98-025:

Tree Removal Permit Motion

MOTION by _____, seconded by _____, in the matter of City File No. 98-025 (Andover Woods Condominiums), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on October 1, 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. Of the 2,175 regulated trees, the applicant is removing up to 651 from the site (of which 508 of the trees are dead, decaying, or diseased).
3. The applicant is proposing to plant sufficient trees of sufficient size to meet the minimum required 143 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.

Wetland Use Permit Recommendation

MOTION by _____, seconded by _____, in the matter of City File No. 98-025 (Andover Woods Condominiums), the Planning Commission **recommends** City Council **approves a Wetland Use Permit** to impact approximately .24 acres for the construction and grading of the cul-de-sac of Rochdale Court and of Units 5, 6, 11 and 12, based on plans dated received by the Planning Department on October 1, 2014, with the following findings and subject to the following conditions.

Findings:

1. Of the approximately 9 acres of City-regulated wetlands on site, the applicant is proposing to impact approximately 10,600 square feet (.24 acre).
2. The impacted areas of Wetlands B and C are of low quality and not considered by to be a vital natural resource to the City.
3. The applicant has minimized potential wetland impact by incorporating a retaining wall to the north of the cul-de-sac of Rochdale Court and will use best management practices during

construction to avoid impacts to Sargent Creek.

Conditions:

1. That the applicant receives all applicable DEQ permits prior to issuance of a Land Improvement Permit.
2. 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.
3. Provide proof that the artesian well north of proposed Unit 26 has been abandoned to confirm that it does not contribute water to the wetland nearby, prior to final approval by Staff.
4. Verification by ASTI that conditions from the October 3, 2014 letter are addressed on revised site plans prior to final approval by Staff.

Natural Features Setback Modifications

MOTION by _____, seconded by _____, in the matter of City File No. 98-025 (Andover Woods Condominiums), the Planning Commission **grants Natural Features Setback Modifications** for the permanent and temporary impacts to as much as 1,526 linear feet of natural features setbacks associated with the construction and grading of units, Detention Basin A and its outlet, Detention B and its outlet, the outlet for Detention Basin C, construction of a vegetated storm water overflow swale from Detention Basin B, and the cul-de-sac Rochdale Court, based on plans dated received by the Planning Department on October 1, 2014, with the following findings and subject to the following conditions.

Findings:

1. Natural Features Setback Modifications are needed to construct ten units, the Detention Basins and the cul-de-sac Rochdale Court.

Conditions:

1. All restoration to natural features areas will utilize native seed and vegetation, to be reviewed and approved by the City's Wetland Consultant prior to Final Approval by Staff.
2. Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.
3. That ASTI verifies that conditions from the October 1, 2014 letter were addressed on the current plans, prior to Final Approval by Staff.

Site Plan Approval Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 98-025 (Andover Woods Condominiums), the Planning Commission **approves the Site Plan**, dated received October 1, 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 Site Plan promotes the goals and objectives of the Master Plan that the City provides a variety of housing.

Conditions:

1. All remaining engineering issues identified in the memo dated **October 17, 2014** be addressed prior to issuance of a Land Improvement Permit.
2. All comments from the Building Dept. memo dated September 16, 2014 to be addressed prior to obtaining building permit approval.
3. Provision of a performance guarantee in the amount to be determined based on the landscaping cost estimate submitted, as adjusted if necessary by the City, plus landscape inspection fees, 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.
4. Submittal of an irrigation plan and cost estimate, prior to Final Approval by Staff.
5. Provide cross access easement from office development to the south (western parcel) and property transfer to Andover Woods, prior to Final Approval by Staff.
6. Show proof of property deeded to homeowner to the west, prior to Final Approval by Staff.
7. Obtain a Sidewalk Waiver from City Council for Rochdale Ct. and Rochdale Pond Ct., prior to issuance of a Land Improvement Permit.
8. That a Landscape Performance Bond of \$84,575 be posted. This amount is to be adjusted upward once the cost estimate for the irrigation plan is provided. (condition #4)

Attachments: *Site Plans dated received 9/02/14: Preliminary Site Plan, Sheet 1; Existing Conditions Plan Overall, Sheet 2; Existing Conditions Plan West, Sheet 3; Existing Conditions Plan East, Sheet 4; Layout Plan West, Sheet 5; Layout Plan East, Sheet 6; Grading Plan West, Sheet 7; Grading Plan East, Sheet 8; Utility Plan West, Sheet 9; Utility Plan East, Sheet 10; Woodland Plan West, Sheet 11; Woodland Plan East, Sheet 12; Tree List, Sheets 13 and 14; Stormwater Management Analysis, Sheet 15; Steep Slope Analysis, Sheet 16; Building Elevations, Sheet 17, prepared by Greentech Engineering, Inc.; First Floor Plan, Sheet A2; Floor Plan, Sheet 18; Second Floor Plan, Sheet A3; Elevations, Sheet 19, prepared by D'Anna Associates; Landscape Plan, Sheet L-1; Landscape Plan, Sheet L-2; Landscape Details, Sheet L-3, prepared by Allen Design; Wetland Impact Plan West, Sheet 23; Wetland Impact Plan East, Sheet 24; Wetland Delineation West, Sheet 25, Wetland Delineation East, Sheet 26, prepared by Greentech Engineering, Inc.*

Assesing memo dated 1/18/13; Building memo dated 9/16/14; Parks & Forestry memo dated 6/11/14; DPS/Engineering memo dated 10/13/14; Fire Department memos dated 6/4/14; ASTI Environmental letter dated 10/3/14; EIS dated received 9/29/14; Planning Commission Minutes dated 08/21/12; Wetland Use Permit Notice; Tree Removal Notice; Letter from E. Mann, dated 10/17/14.
