

City of Rochester Hills
Department of Planning and Development

STAFF REPORT TO THE PLANNING COMMISSION
January 9, 2004

City Walk Commercial Planned Unit Development	
APPLICANTS	Tienken Partners, L.L.C. & Frank Aragona Trust 37020 Garfield, Suite T-1 Clinton Township, MI 48036
AGENT	Paul Aragona
LOCATION	East of Rochester Road, South of Tienken
PARCEL NOS.	15-11-101-027, -029, -030
ACREAGE	12.4± Acres
FILE NO.	98-047.2
ZONING	ORT (Office, Research, Technology) District
STAFF	Deborah Millhouse, AICP, Deputy Director
REQUEST	Final PUD Recommendation

SITE DESCRIPTION

The subject site (formerly known as Holiday Village Square) is located at the southeast corner of Rochester and Tienken Roads. It consists of three parcels approximately 12.4 acres in size. There is a vacant 132,000 square-foot building on the site, with 72,000 square feet formerly occupied by a health club. The remaining 60,000 square feet has been vacant for almost five years. A location map is included in the staff report identifying the subject parcels.

SUMMARY

The applicants are proposing the redevelopment of the site through use of the Planned Unit Development (PUD) process permitted in Section 138-1004 of the Zoning Ordinance. In accordance with this procedure, the applicants had a pre-application workshop with the Planning Commission on December 17, 2002 in accordance with Section 138-1004[1]. Subsequent to this meeting, the applicants submitted a conceptual plan and draft PUD agreement on March 5, 2003.

A request to amend the underlying zoning (in accordance with Section 138-1004[2]) from ORT, Office-Research-Technology to B-2, General Business was also submitted at that time. It should be noted that an amendment to change the underlying zoning can be applied for and reviewed simultaneously with the PUD review, provided that action on the amendment to the underlying zoning occurs prior to final action on the PUD plan.

The next step was preliminary review by the Planning Commission and City Council in accordance with Section 138-1004[3] of the City's Zoning Ordinance. Following recommendations from the Planning Commission on May 6, 2003, City Council determined that both concept plans generally qualify for review and processing as a PUD rezoning project on May 21, 2003.

Traffic considerations were identified as a major issue associated with the proposed PUD's. Following several months of work, the proposed traffic improvements were presented at the City Council and Planning Commission Joint Work Session on October 22, 2003. These plans demonstrated that the improvements to the intersection, in conjunction with the proposed Papa Joe's and City Walk developments, would minimize, alleviate or improve the traffic situation.

Prior to final PUD review, the applicants and staff sought input from the Planning Commission at its December 16, 2003 meeting. The minutes of this meeting have been provided in your packet.

PROPOSED PROJECT

The applicants are proposing a collection of retail buildings to be newly constructed after demolition of the functionally and physically obsolete building on the site. The project will include approximately 107,367 square feet of floor area versus the 132,000 square feet that currently exists. According to the applicants, the concept is the application of lifestyle concepts to a convenience-oriented neighborhood shopping center at an intercept location. It will mimic downtown architecture with unique storefront designs and will have manicured landscape features, focal points, and highly accessible parking. It will feature uses concentrating on the day-to-day shopping and service needs of the population primarily within a three-mile radius of the center.

FINAL PUD APPROVAL

Section 138-1004 (4) a states that an application for final PUD approval includes plans, supporting documentation, and PUD Agreement. The PUD Agreement dated January 8, 2004 includes the plans and supporting documentation as exhibits. Exhibit B is the Final PUD Plan

and will consist of all 22 sheets dated received by the Department of Planning and Development on January 9, 2004 (as attached). Exhibit C is also attached and discussed in the PUD Agreement beginning on page 7. Exhibits D and E (i.e., Building Materials and Signage Concepts) will be presented by the applicants to the Planning Commission at the meeting.

Final PUD approval obligates the applicants to develop the site in accordance with the Agreement and allows administrative approval of the Site Plan as long as it is consistent with the approved PUD Agreement and Exhibits in accordance with Section 138-1004(4)f.

It should be noted that, except for the modifications to the Zoning Ordinance requirements noted in the PUD Agreement, the site plan will need to be in compliance with all applicable City Codes prior to administrative approval. Applicable County and State permits will also be needed prior to construction of the project.

It should be further noted that final approval of the PUD constitutes an amendment to Chapter 138 of the Code of Ordinances to rezone Parcel Nos. 15-11-101-027, -029 and -030 zoned ORT, Office, Research, Technology to B-2, General Business and to add the PUD overlay district to all three parcels.

RECOMMENDED MOTION

Staff recommends final PUD approval for City File No. 98-047.2 based on the following findings, with site plan conformance to be reviewed and approved administratively by the Department of Planning and Department staff.

Reference: Plans dated received by the Department of Planning and Development on January 9, 2004 (Sheets PUD-1 thru PUD-9 prepared by Atwell-Hicks, Inc.; Sheet Nos. SI-1 thru SL-6 prepared by GMBA/PDS; and, Sheet Nos. SPA-1 and A-1 thru A-6 prepared by JPRA Architects).

Attachments: Notice of Public Hearing; Planned Unit Development Agreement dated January 8, 2004; and, Tienken Partners, LLC letter dated December 19, 2003.

MOTION by _____, seconded by _____, in the matter of City File No. 98-047.2 (City Walk PUD), the Planning Commission **recommends** that City Council **approve** the Planned Unit Development. Such approval shall include the Planned Unit Development Agreement and Exhibits dated January 8, 2004 (as may be amended by City Council) and constitutes an amendment to Chapter 138 of the Code of Ordinances to rezone Parcel Nos. 15-11-101-027, -029 and -030 zoned ORT, Office, Research, Technology to B-2, General Business and to add the PUD overlay district to all three parcels.

Findings:

1. The proposed PUD has met the qualifications of Section 138-1002 of the Zoning Ordinance in that the proposed improvements to the intersection will minimize, alleviate or improve the traffic situation. Further, it provides for the appropriate redevelopment of parcels occupied by obsolete buildings.
2. Dedication of additional road right-of-way, intersection improvements at no cost to the City, increased design and aesthetic controls, and the ability to restrict undesirable uses are substantial public benefits of the proposed PUD that could not be achieved under the B-2 district alone.
3. The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment. Moreover, the proposed PUD will improve public utility and circulation systems. Further, preservation of a vast majority of the existing vegetation along the south and east property lines and additional proposed plantings should mitigate any negative impacts on adjacent properties.
4. A judicious effort has been used to preserve as many existing trees as possible on-site.
5. The proposed PUD has been designed to promote convenient vehicular and pedestrian circulation within the site. Proposed improvements to the intersection will minimize, alleviate or improve the traffic situation to the site.

Condition

1. Addition of a fifth Zoning Ordinance modification to the PUD Agreement stating that existing and proposed plantings will be used to meet the intent of the six feet opaque screening along the south and east property lines.