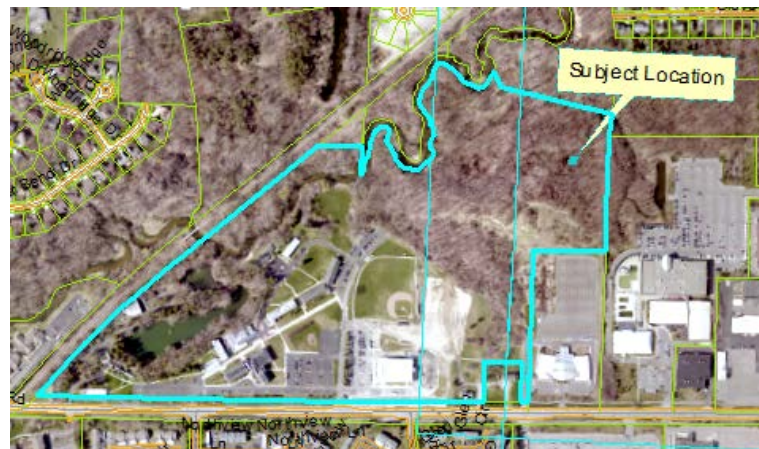


The Groves (aka Rochester University Townhomes)

REQUEST	PUD Agreement Recommendation Wetland Use Permit Recommendation Natural Features Setback Modification Tree Removal Permit Steep Slope Permit Recommendation Final Planned Unit Development Site Plan Recommendation
APPLICANT	Joe Skore Pulte Homes of Michigan 100 Bloomfield Hills Parkway, Suite 150 Bloomfield Hills, MI 48304
LOCATION	Rochester University Campus on Avon, east of Livernois
FILE NO.	19-022
PARCEL NO.	15-15-451-008 (Land Division Applied for new Parcel No.)
ZONING	SP Special Purpose with PUD Overlay
STAFF	Kristen Kapelanski, AICP, Planning Manager

Summary

The applicant is proposing 70, for-sale residential townhomes on 7.9 wooded acres with sloped topography on the University's campus. The campus has a PUD Overlay, which will need to be amended, and the applicant, Pulte Homes, has requested review of a new PUD drawn up between Pulte Homes and the City for the townhomes site. The original PUD for the University will need to be amended to exclude the subject townhomes site. Please see the accompanying staff report regarding recommendation of the First Amendment to the Rochester University PUD. Four acres immediately to the north of the development are proposed to be placed into a conservation easement, as agreed to by the University, and is being counted for tree preservation purposes. Public benefits required with a PUD include pedestrian connections from the campus, the development and Avon up and through the conservation easement to the Clinton River Trail and the City's green space area and the installation of missing pathway on Avon to the Trail pedestrian crossing at the west end of the campus. There will be a neighborhood gathering place on 0.16-acres of open space with a gazebo and benches and an additional 0.31-acres of open space around the perimeter. The site has wetland areas, which have been reviewed by ASTI Environmental. Please see the ASTI letter dated July 9, 2020. A Wetland Use Permit, Natural Features Setback Modifications, Tree Removal Permit, Steep Slope permit, PUD Agreement, and Final PUD Site Plan Recommendation are being requested. Several modifications were requested at the Preliminary PUD approval, which were approved by the Planning Commission and City



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Council.

The applicants appeared before the Planning Commission on February 18, 2020 and received recommendation of approval of the Preliminary PUD, which Council approved on March 16, 2020 with several conditions. Those included providing a shared agreement with the church for access to their parking lot (see Agreement attached); rerouting the path to be out of the detention pond (Sheet 3 of the Construction Plans shows the redrawn access path), providing a plan for a walking path from the church lot to the development (Sheet 32) and providing a no parking plan for Warrior's Way and Eagle's Way (see email from M. Noles dated July 1, 2020). Please see the response letter from the applicant dated July 1, 2020 in response to the most recent reviews by staff.

Mr. Staran has reviewed the PUD Amendment and has recommended approval, as have Engineering and Planning. A Conservation Easement was also submitted and approved.

If the Planning Commission agrees that the proposed project is consistent with the Preliminary PUD, below are motions for consideration:

Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	No outstanding comments	Approval
Engineering	Minor comments to be addressed during final review and/or construction plan review	Approval
Fire	Comments about fire suppression changes	Approval
Building	Minor comments to be addressed at building plan review	Approval
Forestry	No outstanding comments	Approval
Assessing	Minor comment	Approval

PUD Agreement Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 19-022 (Rochester University Townhomes PUD), the Planning Commission **recommends** that City Council **approves** the PUD Agreement dated received April 15, 2020 by the Planning and Economic Development Department with the following findings and subject to the following 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. City Council approval of the PUD Agreement.

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

Motion to Recommend a Wetland Use Permit

MOTION by _____, seconded by _____, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission **recommends to City Council** approval of a Wetland Use Permit to permanently impact approximately 3,175 square feet to construct and grade access roads, based on plans dated received by the Planning and Economic Development Department on June 8, 2020 with the following findings and subject to the following conditions.

Findings

1. Of the 5,227 s.f. of wetland area on site, the applicant is proposing to impact approximately 3,175 s.f.
2. Because the wetland areas are mostly low quality and the small, higher quality wetland will be minimally impacted, the City's Wetland consultant, ASTI, recommends approval.

Conditions

1. City Council approval of the Wetland Use Permit.
2. If required, that the applicant receives and applicable EGLE Part 303 Permit 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 any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible and implement best management practices, prior to final approval by staff.

Motion to Approve a Natural Features Setback Modification

MOTION by _____, seconded by _____, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission **grants natural features setback modifications** for approximately 400 linear feet for permanent impacts for construction activities, based on plans dated received by the Planning and Economic Development Department on June 8, 2020 with the following findings and conditions:

Findings

1. The impact to the Natural Features Setback area is necessary for construction activities.
2. The proposed construction activity qualifies for an exception to the Natural Features Setback per the ASTI Environmental letter dated July 9, 2020, which also states that the areas are of low ecological quality and function and offer little buffer quality.

Conditions

1. Work to be conducted using best management practices to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted.
 2. Site must be graded with onsite soils and seeded with City approved seed mix.
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Motion to Approve a Tree Removal Permit

MOTION by _____, seconded by _____, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning and Economic Development Department on June 8, 2020 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 remove up to 737 trees on site and replace in the development area and in areas around the Rochester University Campus.

Conditions

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.
2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund at a rate of \$304 per tree.

Motion to Recommend a Steep Slope Permit

MOTION by _____, seconded by _____, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission **recommends to City Council approval of a Steep Slope Permit** to impact approximately 84,700 s.f., of steep slopes and steep slope setbacks based on plans dated received by the Planning Department on June 8, 2020 with the following findings and subject to the following conditions.

Findings

1. The proposed activity and the manner in which it is to be accomplished are in accordance with the findings and purpose set forth in Section 138-9.200
2. The proposed activity and the manner in which it is to be accomplished can be completed without increasing the possibility of creep or sudden slope failure and will minimize erosion to the maximum extent practicable.
3. The proposed activity and the manner in which it is to be accomplished will not adversely affect the preservation and protection of existing wetlands, water bodies, watercourses and floodplains.
4. The proposed activity and the manner in which it is to be accomplished will not adversely affect adjacent property.
5. The proposed activity and the manner in which it is to be accomplished can be completed in such a way so as not to adversely affect any threatened or endangered species of flora or fauna.
6. The proposed activity is compatible with the public health and welfare.
7. The proposed regulated activity cannot practicably be relocated on the site or reduced in size so as to eliminate or reduce the disturbance of the steep slope area.
8. The applicant has demonstrated compliance with the requirements of Article 9, Chapter 2, Steep Slopes.

Conditions

1. City Council approval of the Steep Slope Permit.

Final Site Plan Approval Recommendation Motion

MOTION by _____, seconded by _____, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission **recommends** that City Council **approves** the **Final Site Plan**, dated received June 8, 2020 by the Planning and Economic Development Department, with the following findings and subject to the following 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 the driveway 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 development.
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 by providing an alternative housing option.

Conditions

1. City Council approval of the Final Site Plans.
2. Provide landscape bond in the amount of \$131,885.00, plus inspection fees, for landscaping and provide irrigation plan and its cost estimate, as adjusted as necessary by the City, prior to the preconstruction meeting with Engineering Services.
3. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.
4. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.

Reference: Plans dated received by the Planning Department on June 8, 2020; PUD Agreement dated received April 15, 2020; Colored Renderings, Road Access and Shared Parking Agreements dated received April 15, 2020.

Attachments: Assessing Department memo dated 4/29/20; Building Department memo dated 4/24/20; DPS/Engineering memo dated 6/23/20; Planning Department Memo dated 6/23/20; Fire Department memo dated 6/22/20; Parks & NR memo dated 4/21/20; ASTI letter dated 7/9/20; PC Minutes 2/18/20; Emails from J. Staran, and P. Shumejko and memo from Engineering dated 4/28/20 regarding the PUD Agreement; Wetland Use Permit, Steep Slope Permit, PUD Agreement, and Tree Removal Permit notices.

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