

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

**STAFF REPORT TO THE PLANNING COMMISSION
August 2, 2005**

Hickory Ridge Site Condominiums	
APPLICANT	Bluewood Properties, LLC 1717 Stutz – Suite A Troy, MI 48084
AGENT	Joe Damico
LOCATION	East of Livernois between Hazelton and Shortridge
PARCEL NOS.	15-34-151-012, 15-34-151-014, 15-34-151-016, 15-34-176-001, 15-34-301-002, 15-34-301-007, 15-34-301-010
FILE NO.	05-006
ZONING	R-4 (One Family Residential) District
STAFF	Deborah Millhouse, AICP, Deputy Director
REQUESTS	Natural Features Setback Modification Preliminary Site Condominium Plan Recommendation

SUMMARY

The above referenced project involves a 42-unit single-family development on 21.57 acres. The proposed Hickory Ridge Site Condominiums includes 6.64 acres of open space and is accessed from both Livernois Road and Hazelton Avenue. This project was designed around a bur oak tree that is 63 inches in diameter and preserved in a 0.49-acre park east of Sierra Boulevard. With the exemption of one unit on Shortridge Avenue, all units front on the proposed internal street system.

Specific actions requested for consideration by the Planning Commission are a natural features setback modification and a preliminary site condominium plan recommendation to City Council.

NATURAL FEATURES SETBACK MODIFICATION

5.47 acres of open space is a regulated wetland. Although the wetland is located outside the building units, portions of the natural features setback is located within the rear yard setback of

units 6 thru 13. According to the attached ASTI Environmental letter, that portion of the natural features setback area located within the units will be permanently impacted by the development of sodded lawn area. ASTI recommends a natural features setback modification to allow this portion of the natural features setback to be sodded, subject to a prohibition of buildings, decks, patios, or other physical structures in the natural features setback area. However, the mowing and planting of native Michigan Plants would be permitted. These restrictions have been included as conditions in the preprinted motion for approval of the natural features setback modification.

PRELIMINARY PLAN

The applicant is utilizing the lot size variations option permitted by Section 138-1112 of the City's Zoning Ordinance. This option allows units to have an area and width not greater than 10 percent below that required by the R-4 zoning district. In other words, each unit 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 units meet or exceed these minimum requirements.

Further, the average lot size of 11,314.93 square feet far exceeds the minimum requirement of 9,600 square feet, and the 2.9 lots per acre density is significantly less than the maximum of 3.4 lots per acre permitted by the lot size variations option. In addition to the 42 units, a 0.54-acre detention basin and 6.1 acres of open space are proposed on-site.

Sidewalks

The applicant is requesting relief from the sidewalk requirement along the frontage of unit 42 on Shortridge Avenue and along the east side of Donaldson Road. Although City Council must grant this variance, the Planning Commission may choose to go on record relative to its opinion in this regard.

Landscape & Planning Comments

The City's Landscape Architect recommends approval with three conditions that have been included in the second preprinted motion. In its memorandum dated August 4, 2005, Parks and Forestry referenced four items of concern. They have also been included as conditions of preliminary plan approval, as have a few minor conditions recommended by the Department of Planning and Development.

Compliance Criteria

According to Section 122-367(b) of the City's One-Family Residential Detached Condominiums Ordinance, approval of a preliminary site condominium plan needs to 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 and information included in this report or contained within the attachments, staff recommends approval of the following two motions.

MOTION by _____, seconded by _____, in the matter of City File No. 05-006 (Hickory Ridge Site Condominiums), the Planning Commission **grants a Natural Features Setback Modification**, to permit sodded lawn within the natural features setback of units 6 thru 13 based on plans dated received by the Department of Planning and Development on September 1, 2005, with the following findings and subject to the following conditions.

FINDINGS:

1. A Natural Features Setback Modification is needed to maintain the natural features setback as sodded lawn.

CONDITIONS:

1. Although mowing and planting of native Michigan plants would be allowed, no buildings, decks, patios, or other physical structures will be permitted the natural features setback area.
2. The above restrictions will be included in the Master Deed as part of final site condominium plan consideration.

MOTION by _____, seconded by _____, in the matter of City File No. 05-006 (Hickory Ridge Site Condominiums), the Planning Commission **recommends** City Council **approve the preliminary site condominium plan**, based on plans dated received by the Department of Planning and Development on September 1, 2005, with the following findings and subject to the following conditions.

FINDINGS:

1. Upon compliance with the following conditions, the preliminary plan meets all applicable requirements of the Zoning Ordinance and One-Family Residential Detached Condominiums Ordinance.

2. Adequate utilities are available to properly service the proposed development.
3. The preliminary plan represents an acceptable comprehensive development plan that connects to Livernois Road and Hazelton Avenue.
4. The preliminary plan represents a reasonable street layout and lot orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

CONDITIONS:

1. Revise the number of trees planted on-site to 96 from 93 on Sheet 7/8 in the "Planting Summary" under the "Planting Schedule. Also adjust the Cost Estimate to total \$43,200.00 from \$41, 850.00.
2. Tree Protection Fencing must be installed, inspected, and approved by the City's Landscape Architect prior to issuance of the Land Improvement Permit for this development.
3. Provide a landscape bond for replacement trees in the amount of \$43,200.00 prior to issuance of a Land Improvement Permit for this development.
4. Shift the three trees south of the crosswalk at Sierra and Columbia to the south two feet or three feet.
5. Delete or plant the Norway spruce in the park area a minimum of 10 feet from the sidewalk.
6. Since the 10-foot tree lawns between the street and sidewalk are too narrow for the flowering dogwoods proposed along Donaldson, the dogwoods may be used in Sierra Boulevard provided they are kept 20 feet from the west and 10 feet from the east side of the boulevard. The shade trees can be planted in the tree lawns on either side of Sierra Boulevard provided they are kept out of the 25-foot side distance/corner clearance triangles. This triangle needs to be shown on both sides of Sierra Boulevard and the Columbia intersection.
7. A similar scenario could be used off Hazelton, if desired.
8. Revise the two notes on Sheet 5B/8 to reference City-approved wetland seed mix.
9. Correct Shortridge Drive to read Shortridge Avenue on all applicable preliminary plan sheets.

10. Correct the Environmental Impact Statement to reference 42 rather than 41 units.

Reference: Plans dated received by the Department of Planning and Development on September 1, 2005 (Cover Sheet, Sheets 2/8, 3A/8 thru 3D/8, 4/8 5A/8, 7/8 thru 8/8 prepared by Fazal Khan & Associates, Inc.).

Attachments: Assessing Department memorandum dated 02/17/05; Building Department memorandum dated 06/03/05; HRC letter dated 08/08/05; Fire Department memorandum dated 08/10/05; Parks and Forestry memorandum dated 08/04/05; Planning and Development Department memorandum dated 08/02/05; Communications Division memorandum dated 08/01/05; ASTI Environmental letter dated 08/24/05; Bluewood Properties letter dated 08/30/05; Road Commission for Oakland letter dated 02/23/05; Development Application dated 01/25/05; Environmental Impact Statement; Offers to Purchase Real Estate dated 06/23/04 & 06/21/04; and, Assessing Data for Parcels 15-34-301-002, 15-34-151-014, 15-34-301-012, 15-34-301-010, 15-34-301-007.