



Department of Planning and Economic Development

Staff Report to the Planning Commission September 15, 2017

Cedar Valley Apartments	
REQUEST	Revised Tree Removal Permit Revised Natural Features Setback Modifications Revised Site Plan Approval
APPLICANT	Bret Russell, SE Metro Property Services, LLC 31000 Telegraph Rd., Suite 145 Bingham Farms, MI 48025
LOCATION	East of Rochester Rd., north of Eddington Blvd.
FILE NO.	16-018
PARCEL NOS.	15-23-152-020 and -022
ZONING	R-4 One Family Residential with an FB-2 Flexible Business Overlay
STAFF	Kristen Kapelanski, AICP, Manager of Planning

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Summary

Cedar Valley Apartments originally received approval of a Site Plan to construct 86 apartment units in two buildings on February 21, 2017. They are now requesting a Revised Site Plan Approval for 99 units (expansion of Building B 40 feet to the east with parking and sidewalks; Building A will remain as is) and to install underground detention rather than above to accommodate the additional parking required totaling 149 spaces. The first submittal also included a Tree Removal Permit for 182 trees and a Natural Features Setback Modification. The Revised Permit request is for 223 trees, and a Revised Natural Features Setback Modification is being requested for 75 linear feet to construct a portion of the parking lot.

The proposed revised project consists of two apartment buildings totaling 99 units on 5.5 acres of vacant land located east of Rochester Road, between Avon and Hamlin Rds. Since the initial approval, the applicants have obtained the parcel immediately to the east, which was originally part of the Eddington Woods Subdivision. There are no plans for any development of that parcel, but some trees will be taken down for grading. Please see the attached correspondence regarding that parcel.

The site is zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay and will be developed using the FB-2 regulations, which permit multiple-family dwelling units as permitted uses. The site is bordered by R-4 zoning to the east, south, and northeast corner which are developed with homes or are vacant due to dedicated open space or used for a DTE Energy easement. To the west is Fifth Third Bank, zoned B-2 and to the north is an office complex zoned O-1 Office Business. The FB-2 Overlay borders the site to the north, south and west, and

as such this area is master planned for FB-2 flexible business uses. As part of the FB-2 Overlay, cross access with the properties to the west and south will need to be provided.

The City recently came into an agreement for the properties to the south to develop a continuous north-south road that will connect to an intersection with a traffic signal at a realigned Eddington Blvd. The site has been designed to connect to this future north-south road, and the applicant will coordinate with DTE Energy to obtain an access easement to construct this connection as part of the development.

Review Considerations

1. **Site Design and Layout.** As approved in February, a modification from the Planning Commission from the FB-2 regulations relating to the front yard setback along the east arterial (Rochester Rd.) was given. Staff recommended approval of the modified front yard setback because the proposed site is unique as it is located behind another parcel; the building is set back from the property line to accommodate adequate buffering and fire access around the building; the building is sited as close as possible to the front lot line while meeting other competing ordinance requirements; and the site is designed with the buildings as close to the front of the property as feasible to minimize views to the residential neighborhoods near the western portion of the property. Please refer to the Planning memo for the specific criteria, compliance and recommendations under paragraph 2a regarding the modification for the front yard setback. As mentioned, Building B will be extended 40 feet to the east and underground detention will be installed to leave room for parking.
2. **Access/Parking.** The site is accessed via an existing driveway that has a dedicated deceleration lane for right turns and a dedicated left turn lane on Rochester Road into the site. The site has been designed to connect to a continuous north-south road that will connect to an intersection with a traffic signal at a realigned Eddington Boulevard, and the applicant will coordinate with DTE Energy to obtain an access easement to construct this connection as part of the development. The connection to the future road to the south of the property will only improve traffic circulation to this site, giving the site access to a lighted intersection. As confirmed with the City's Transportation Engineer, with 99 units, this project does not warrant a traffic impact assessment or study. Further, to promote non-motorized travel, sidewalks into and throughout the site have been provided along with a bike rack at each building. 149 spaces are required for this use (1.5 spaces per unit) and 149 are being provided. Barrier free signage should be moved adjacent to the building.
3. **Outdoor Amenity Space.** All developments in the FB districts shall provide outdoor amenity spaces with a minimum area of 2% of the gross land area of the development, or roughly 3,107 sq. ft. for this project. Two outdoor amenity areas totaling 10,960 square feet are proposed north of the buildings and at the southwest corner near the future road connection, both containing walking paths, landscaping and seating benches.

Landscaping. A landscape plan has been provided. The ordinance allows the 20-foot buffer width for the south property line to be reduced to eight feet if a solid green wall consisting of plantings of sufficient size and spacing to cause a solid, opaque screen at least six feet high within three years of planting is provided. The applicant has indicated they will provide the required screen wall consisting of Arborvitae. Note that the deciduous and ornamental trees are still required. The plans are in compliance with ordinance requirements with the following conditions:

- a. Provide an irrigation cost estimate.
- b. Provide a landscaping bond in the amount of \$95,650 prior to temporary grade certification issued by Engineering.
- c. If required trees cannot fit and be planted due to infrastructure conflicts, a payment in lieu of may be made to the City's Tree Fund at a rate of \$205.50 per tree. The applicant states that 77 credits will be paid into the Tree Fund.
- d. Provide the required 20 ft. width for the Type C buffer along the east property lines along with the required deciduous and ornamental plantings.

4. **Tree Removal.** The site is regulated by the Tree Conservation Ordinance. 223 regulated trees are proposed to be removed; 146 replacement tree credits are proposed on site and the remaining 77 credits will be paid into the City's Tree Fund. Please see Sheet L100 for details.
5. **Wetlands.** There are City and DEQ-regulated wetlands on site for which ASTI Environmental reviewed the plans. There are no wetland or watercourse impacts proposed, and therefore, a Wetland Use Permit is not required. Please refer to ASTI's letter dated January 27, 2017.
6. **Natural Features Setbacks.** Approximately 75 linear feet of Natural Features Setback will be permanently impacted from the proposed grading and construction of the parking lot in the northeast corner of the site. ASTI recommends that modifications be allowed for this activity because the Natural Features Setback in this area is dominated by invasive species and is of poor floristic quality and it offers minimal buffer quality to the on-site watercourse. Please refer to ASTI's email dated August 30, 2017.
7. **Architectural Design.** The building materials proposed are designed to meet the intent of the Architectural Design Standards and are not changing. The materials consist primarily of stone veneer and fiber cement board and sap cladding with a metal canopy. Colored renderings have been included.
8. **Other Reviews.** The plans have received a conditional recommendation of approval from the City's engineering department subject to traffic conditions identified in their applicable review letter which will not impact the site layout, and which may be handled during construction plan review. Please refer to the appropriate attached reviews.

Site Plan Recommendation

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by all applicable City departments. Based on the review comments included in this report or contained within the enclosed information, and if the Planning Commission agrees that the proposed, modified development will be harmonious and compatible with surrounding development, staff recommends approval of the following motions relative to City File No. 16-018 (Cedar Valley Apartments), subject to any changes or conditions recommended by the Planning Commission.

Motion to Approve a Revised Tree Removal Permit

MOTION by _____, seconded by _____, in the matter of City File No. 16-018 (Cedar Valley Apartments), the Planning Commission **grants a Revised Tree Removal Permit**, based on plans dated received by the Planning Department on August 23, 2017, 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 replace 223 regulated trees with 146 tree credits and pay 77 credits into the City's Tree Fund.

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. Payment of \$15,823.50 for replacement tree credits that cannot be provided on site, prior to temporary grade certification issued by Engineering.

Motion to Approve Revised Natural Features Setback Modification

MOTION by _____, seconded by _____, in the matter of City File No. 16-018 (Cedar Valley Apartments), the Planning Commission **grants Revised Natural Features Setback Modifications** for permanent impacts to approximately 75 linear feet associated with construction of a portion of the parking lot, based on

plans dated received by the Planning Department on August 23, 2017, with the following findings and condition.

Findings

1. Natural Features Setback Modifications are needed to construct the parking lot.
2. Because the Natural Features Setbacks are of poor floristic quality, sparsely vegetated and offer minimal buffer quality to the linear wetland, the City's Wetland consultant, ASTI, recommends approval.

Condition

1. Any temporary impacts must be restored to original grade with original soils and seeded with a City approved seed mix, where possible, prior to final approval by staff.

Motion to Approve a Revised Site Plan

MOTION by _____, seconded by _____, in the matter of City File No. 16-018 (Cedar Valley Apartments), the Planning Commission **approves the Revised Site Plan** based on plans dated received by the Planning Department on August 23, 2017, 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 requested front yard setback is modified based upon the Planning Commission's determination that the proposed project is set back appropriately for a unique site located behind another parcel; the building is located appropriately on the site and is set back from the property line to accommodate adequate buffering and fire access around the building; the building is sited as close as possible to the front lot line while meeting other competing ordinance requirements; and the site is designed with the buildings as close to the front of the property as feasible to minimize views to the residential neighborhoods near the western portion of the property.
3. Off-street parking areas have been designed to avoid common traffic problems and promote safety.
4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
6. The proposed development will provide an alternate housing option, as outlined in the City's Master Plan.

Conditions

1. Provide all off-site easements and agreements for approval by the City prior to issuance of a Land Improvement Permit.
2. Coordinate with DTE Energy to obtain an access easement to construct a continuous north-south road that will connect to an intersection with a traffic signal at a realigned Eddington Boulevard on the DTE property.
3. Provide a landscape bond for landscaping, irrigation and replacement trees in the amount of \$95,650, plus inspection fees, as adjusted by staff if necessary, prior to temporary grade certification issued by Engineering.
4. Payment into the City's Tree Fund of \$15,823.50 for trees that cannot be replaced on site, prior to temporary grade certification issued by Engineering.
5. Revise proposed Buffer C along the east property line to show a buffer of at least 20 ft. in width, in addition to the required deciduous and ornamental trees, prior to final approval by staff.

6. Compliance with applicable department memo comments, prior to final approval by staff.

Reference: Plans dated received by the Department of Planning and Development on August 23, 2017, prepared by Designhaus Architecture.

Attachments: Assessing Department memo dated 12/27/16; Planning Department memo dated 9/11/17; Building Department memo dated 9/15/17; Fire Department memo dated 8/28/17; DPS/Engineering Department memos dated 9/8/17; Parks & Forestry memo dated 9/8/17; Cuthbertson Law, PLC Letter dated 8/23/17; ASTI Environmental email dated 8/30/17; Tree Removal Permit Notice; and Planning Commission Minutes dated 2/21/17.

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