



# Department of Planning and Economic Development

Staff Report to the Planning Commission

December 4, 2024

## PSC2024-0002 and PTP2024-0006

### Cambridge Knoll Condominium

#### 165 and 185 E. Avon Road

<b>REQUEST</b>	Preliminary One Family Residential Detached Condominium Recommendation and Tree Removal Permit Approval
<b>APPLICANT</b>	Mark Gesuale Wolverine Building Company 14955 Technology Dr. Shelby Twp., MI 48315
<b>LOCATION</b>	165 and 185 E. Avon Rd., located on the north side of Avon Rd. and east of Rochester Rd.
<b>FILE NO.</b>	PSC2024-0002 and PTP2024-0006
<b>PARCEL NOS.</b>	15-14-351-020 and 15-14-351-058
<b>ZONING</b>	R-3 One Family Residential District with the MR Mixed Residential Overlay District
<b>STAFF</b>	Chris McLeod, AICP, Planning Manager

## Summary

The applicant is proposing to develop the two (2) properties noted above with a mixed residential development that is proposed to include sixteen (16) single family residential homes and related amenities and that will be serviced by a private roadway. The overall acreage of the site is slightly less than five (5) acres and it is located on the north side of E. Avon Road, east of Rochester Road. The site is currently zoned R-3 One Family Residential and also includes the Mixed Residential Overlay District. Additional approvals required for the project include a tree permit. This development was previously approved as discussed further on the next page.

The applicant is proposing to utilize the City's Mixed Residential Overlay District to develop the property. The Mixed Residential (overlay) district is intended to result in higher quality development by providing design flexibility in lot size, lot configuration, and building type within densities allowed by the Master Land Use Plan and existing zoning; to result in better buffers from major thoroughfares for residential development; the protection of natural features, and the creation of site amenities such as open space or parks. The development is proposed as a true condominium and therefore does not have any lots/units, but rather all those areas outside of the residential building footprints will be general common element. Elevations submitted show that several elevations may be possible for the proposed development. These elevations are primarily decorative brick and stone with the potential of some minor areas of siding. The floor plans provided show a floor plan of approximately 1,900-2,000 square feet, up to three (3) bedrooms and based on information provided in the revised EIS, the anticipated home prices, as of today, would be in the mid \$500's.

The landscape plan proposes the planting of 49 shade trees, 36 evergreen trees and 32 ornamental trees as a part of the overall landscaping scheme in addition to the proposed shrubs and other plant materials. In addition, another 47 replacement trees, 18 deciduous and 29 evergreens trees are also proposed. The tree replacement requirements are discussed further below. The landscape plan also proposes the installation of an evergreen screen within the front yard of the property on the south side of E. Avon Road. This is being provided in an attempt to reduce headlight glare that may project from the cars exiting from Cardiff Court onto E. Avon Road. The installation of this landscaping will require the consent of the property owner.

As a part of the development and as shown on the proposed landscape plan, buffering is required along the property lines abutting single family residential property. The buffering requirements are shown on sheet LA-1.0. Based on the calculations provided, a modification to the buffering requirements along the east property line is being requested. The Ordinance requires a total of 14 deciduous trees, the plan proposes 11 total (10 proposed + 1

existing), therefore the buffer is deficient 3 deciduous trees. However, within the same buffer area, the number of evergreen trees has been increased, above the minimum required number. The ordinance requires 14 evergreen trees and a total of 19 are proposed. The excess in evergreens exceeds the deficiency in deciduous trees and therefore, Planning staff has no objection to the proposed modification since the increased number of evergreen trees should create a more significant screen than typically required.

The applicant is proposing to develop a pathway system that runs along the western side of the development, behind units 1-8. This pathway system will also provide a total of seven (7) exercise stations as an additional amenity to the residents of the development. Details of these amenities are shown on site plan sheet LA-1.5. The pathway system will be integrated into the sidewalk system being proposed along both sides of the street. It is noted that the applicant is proposing four (4) foot wide sidewalks that are integrated into the edge of the roadway. This is a slight variation of the normal five (5) foot wide sidewalks that are typically developed within the street right-of-way. Dedicated crosswalks are being provided as a mid-block crosswalk across Cardiff Court (the proposed roadway), between the pathway system and the proposed pergola. Crosswalks are also being provided at the end of the Cardiff Court and across Arsenal. Finally, on the east side of Cardiff Court there is also a pergola planned that overlooks the stormwater pond for the overall development.

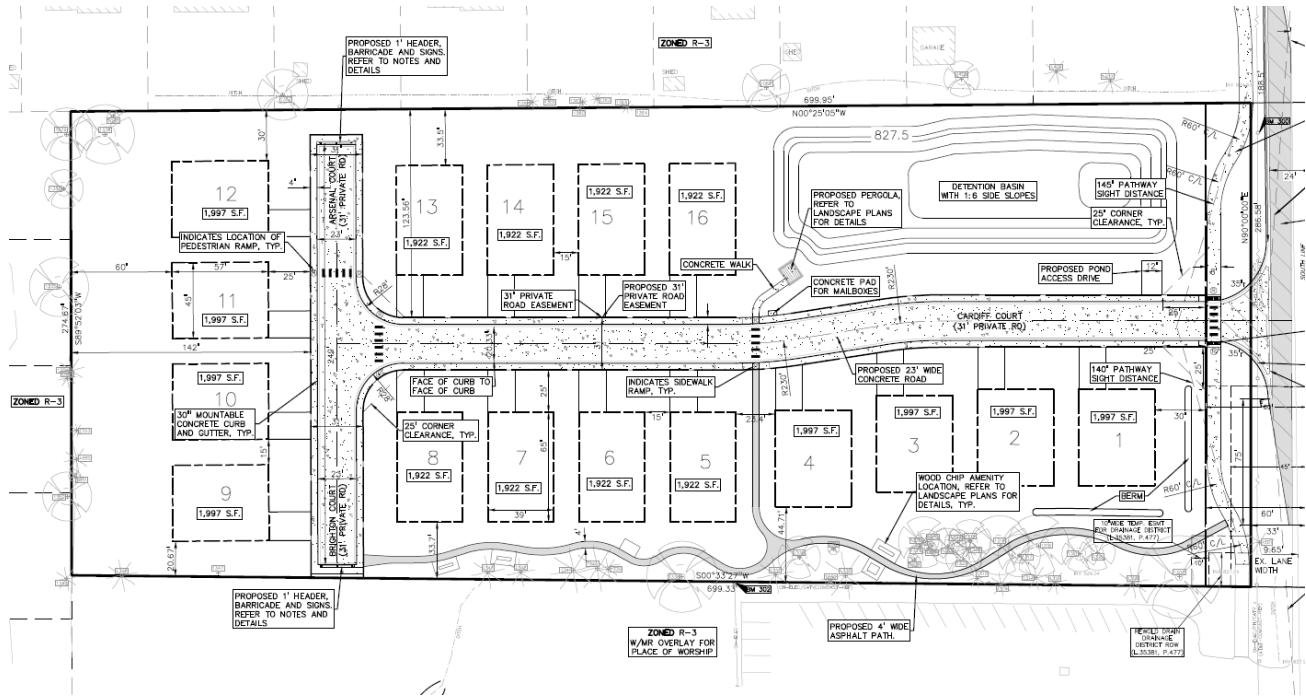
As noted above, the development proposes the use of private roads. The private roads (Cardiff Ct., Arsenal Ct, and Brighton Ct.) are proposed to be 23' in width and will have integrated sidewalks (4 feet wide) on either side, for the full extent of all streets. The roads will be located within a 31' wide private road easement, and therefore utilities that run along the roads will need to be contained within private utility easements rather than the right-of-way. This road cross section is not generally consistent with the City's public road standards and therefore will require engineering approval of the modified configuration. If the roadway configuration is not ultimately accepted by the City, the site will need to be significantly redesigned. Also, it should be noted that the City's latest Streets review has denied the plans. However, the Streets review deals solely with street naming and will not impact the overall layout or design of the development. Therefore, staff has determined this item can be addressed as part of the applicant's Final Condominium submittal and that review process.

The City's Mixed Residential Overlay District requires a minimum of ten (10) acres to qualify for using the option. The proposed site is approximately 4.7 acres. The Planning Commission may modify the dimensional requirements if it finds that another standard would be more reasonable due to existing site or neighborhood conditions, or because the site cannot physically comply with one or more of the requirements listed. In making a determination, the Planning Commission shall review the proposed development against the standards for approving a conditional use as follows:

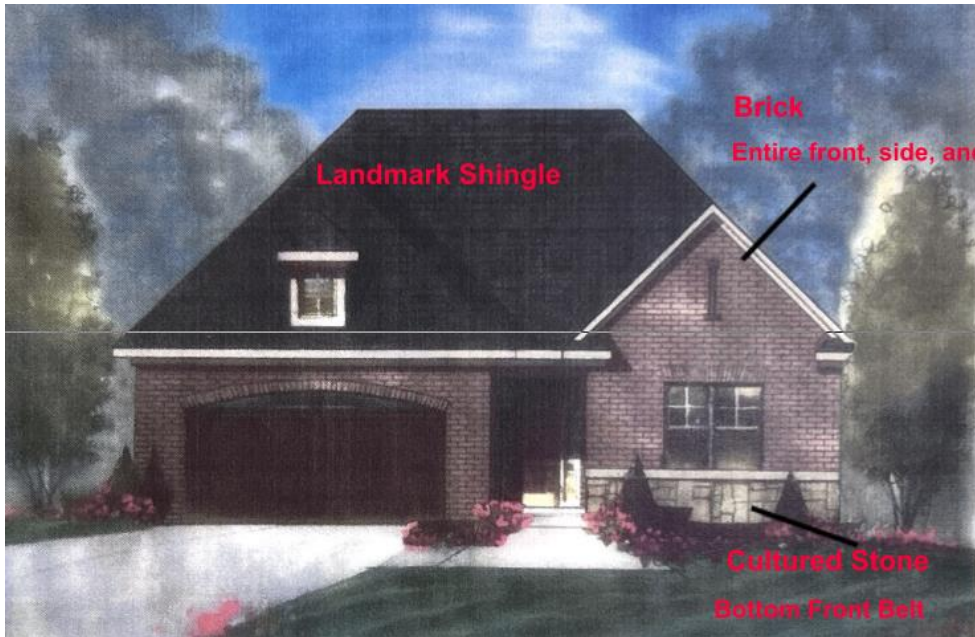
- Promote the intent and purpose of this ordinance.
- Be designed, constructed, operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole.
- Be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.
- Not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.
- Not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

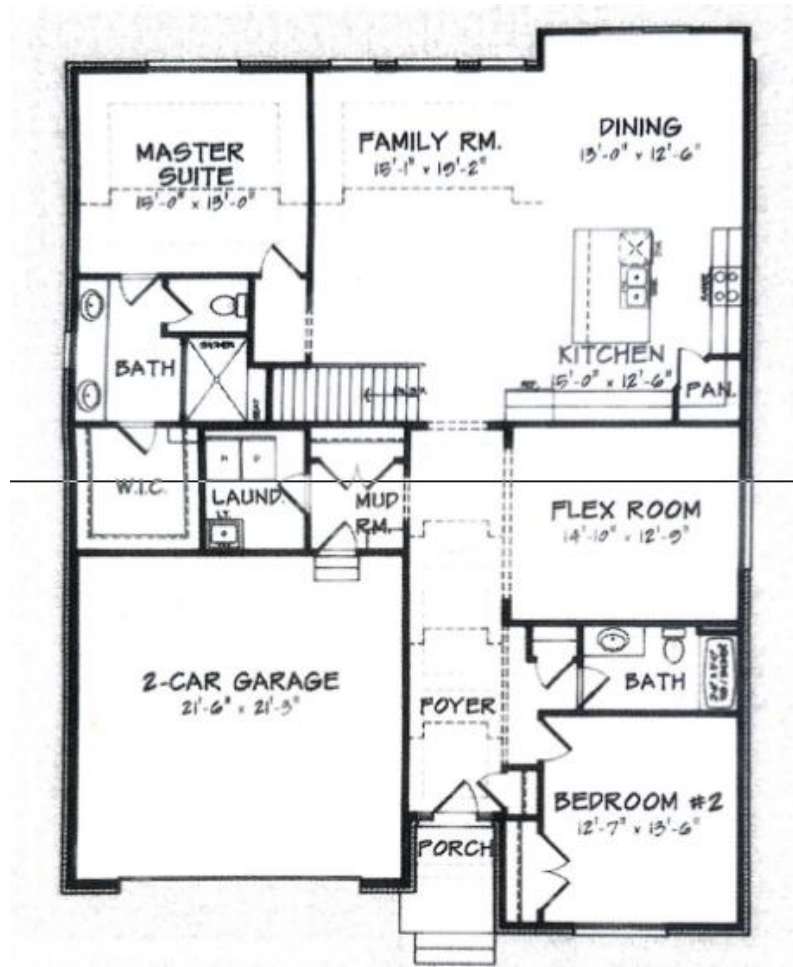
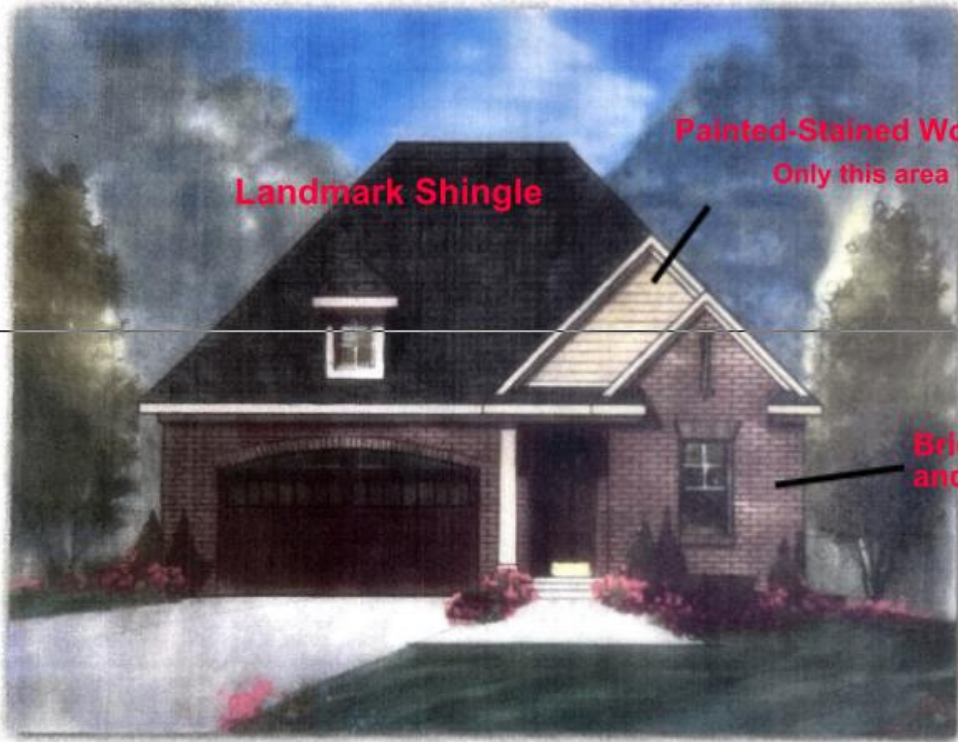
The site was previously granted a waiver to the minimum development size requirement in the Zoning Ordinance and the plans were approved by the Planning Commission and City Council, ultimately at the December 2020 City Council meeting (refer to Legislative file [2020-0444](#) for details). The development also received the vast majority of its permits. However, the applicants did not commence construction and therefore the original approvals became null and void. The proposed plans are substantially the same as those that were previously approved.

## Site Plan

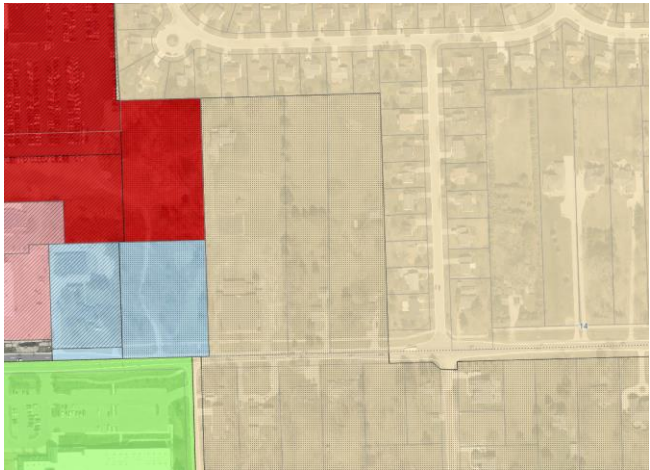


## Single Family Residence Elevations and Floor Plan

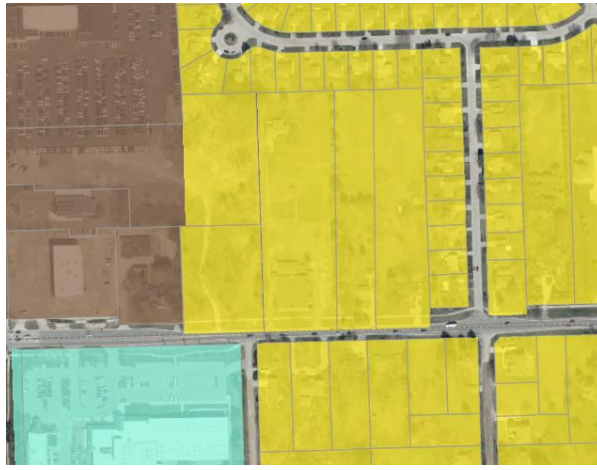




**Zoning Map** **Master Land Use Plan**



- RE One-Family Residential District
- R-1 One-Family Residential District
- R-2 One-Family Residential District
- R-3 One-Family Residential District
- R-4 One-Family Residential District
- RCD One-Family Residential Cluster District
- RM-1 Multiple-Family Residential District
- RMH Manufactured Housing Park District
- NB Neighborhood Business District
- CB Community Business District
- HB Highway Business District
- BD Brooklands District
- O Office District
- I Industrial District
- SP Special Purpose District
- EC Employment Center District
- FB Flex Business Overlay District
- MR Mixed Residential Overlay District
- PUD Overlay



- Estate Residential
- Residential 2
- Residential 2.5
- Residential 3
- Residential 4
- Residential 5
- Mixed Residential Overlay
- Multiple Family
- Residential Office Flex
- Auburn Road Corridor
- Commercial Residential Flex - 2
- Commercial Residential Flex - 3
- Office
- REC Workplace
- REC Technology and Office Image Corridor
- REC Interchange
- Regional Commercial
- Industrial
- Special Purpose
- Park/Public Open Space
- Private Recreation/Open Space

	Zoning	Existing Land Use	Future Land Use
<b>Site</b>	R-3 One Family Residential District and MR Mixed Residential Overlay District	<b>Single Family Residential Homes</b>	<b>Residential 4</b>
<b>North</b>	R-3 One Family Residential District	Single Family Residential Homes	Residential 4
<b>South (across Avon)</b>	R-3 One Family Residential District and MR Mixed Residential Overlay District	Single Family Residential Homes	Residential 4
<b>East</b>	R-3 One Family Residential District	Single Family Residential Homes	Residential 4
<b>West</b>	R-3 One Family Residential District and MR Mixed Residential Overlay District	Place of Worship	Residential 4

**Tree Removal Permit**

The applicant has provided a tree survey that indicates a total of 120 trees onsite initially qualified as regulated trees. Of those a total of 21 trees were actually offsite and 15 were identified as being dead, and 4 were located in building envelopes. Of the remaining 80 qualified regulated trees, a total of 34 are proposed to be saved during development. This includes 16 regulated trees and 18 specimen trees. The applicant is requesting a tree removal permit to remove a total of 33 regulated trees and another 17 specimen trees. Based on City requirements and the number of trees proposed to be removed, a total of 144 replacement trees (33 trees (regulated) + 111 trees (specimen)) are required for the site. The applicant is proposing to plant 59 replacement trees on site and pay the equivalent of 67 trees into the City's tree fund.

## Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	<ul style="list-style-type: none"> <li>Requires modification to MR Mixed Residential minimum acreage requirement</li> <li>Requires modifications to required greenbelt requirements</li> <li>If access is not granted by homeowner on south side of Avon (180 E. Avon), the landscaping shall not be a requirement of the approval</li> </ul>	Approval
Engineering	<ul style="list-style-type: none"> <li>Land Improvement Permit is required</li> </ul>	Approval
Traffic	<ul style="list-style-type: none"> <li>Road Commission of Oakland County Permit to be Provided</li> </ul>	Approval
Fire	<ul style="list-style-type: none"> <li>Ensure plantings do not interfere with fire hydrant locations</li> </ul>	Approval
Building	<ul style="list-style-type: none"> <li>Revise references to current codes</li> </ul>	Approval
Forestry		Approval
Assessing		Approval
Streets review	<ul style="list-style-type: none"> <li>Street names to be revised</li> </ul>	Denial

The application has been notified to the general public via the City's website and information distribution outlets along with specific physical notices that were sent to those abutting the site for the purposes of the tree removal permit. The Planning Department has received one telephone call regarding the proposed application that raised concerns over the need for the development.

## Motion for Preliminary One Family Residential Detached Condominium Plan Recommendation

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. PSC2024-0002 Cambridge Knoll Condominium, the Planning Commission **recommends approval of the Preliminary One Family Residential Detached Condominium Plan**, based on plans dated received by the Planning Department on November 4, 2024, with the following findings and subject to the following conditions.

### Findings

1. The site plan and supporting documents demonstrate that the proposed development will promote the intent

and purpose of the ordinance, as well as other City Ordinances, standards, and requirements; and those requirements can be met with the exception of the acceptable modifications shown below and subject to the conditions listed below.

2. The site plan and supporting documents demonstrate that the proposed development will be designed, constructed, operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole. The proposed project will be accessed from Avon Road, thereby promoting safety and convenience of vehicular traffic both within the site and on adjacent roadways. The preliminary plan represents a reasonable street, building and lot layout and orientation.
3. The development will be served adequately by essential public facilities and services, such as major roadways, streets, police and fire protection, drainageways, refuse disposal, and utilities.
4. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.
5. The proposed development will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
6. The proposed improvements should have a satisfactory and harmonious relationship with the development onsite as well as existing development in the adjacent vicinity and act as a transitional use from the nonresidential development to the west and the residential development to the east.
7. The proposed modification to the landscape buffer required along the eastern property line has been found acceptable since the number of evergreen trees proposed, which are in excess of the ordinance requirements, exceeds the number of deciduous trees that are deficient and the resultant effective screening will be greater than the Zoning Ordinance requirements.
8. The proposed reduction in the required amount of land area to utilize the MR Mixed Residential Overlay District has been found acceptable due to the limited number of units and overall consistency of land use to the east and the presence of nonresidential uses to the west, which allows the MR Mixed Residential Overlay District to be utilized as a logical transition of land uses.

### **Conditions**

1. Address all applicable comments from other City departments and outside agency review letters, including the Fire Department Streets review, prior to final detached condominium approval.
2. Provide a landscape bond in the amount of \$92,738, plus the cost of inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

## **Motion to Approve a Tree Removal Permit**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. PTP2024-0006) (Cambridge Knoll Condominium Tree Removal Permit) the Planning Commission **grants a Tree Removal Permit (PTP2024-0006)**, based on plans received by the Planning Department on November 4, 2024, 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 City's Tree Conservation Ordinance.
2. The applicant is proposing to remove 33 regulated trees and 17 specimen trees, and provide 59 replacement trees onsite, with the remaining trees to be paid into the City's Tree Fund.
3. The applicant has increased the size of plantings in certain areas of the site to reduce the number of replacement trees required and to provide additional plantings and screening onsite above and beyond ordinance requirements.

### **Conditions**

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.

2. Provide payment, equal to the current required fee for replacement trees, along with any additional fees associated with such, into the City's Tree Fund for the remaining 67 trees identified on the site plan.