

Penelope's Place Apartments

REQUESTS	Preliminary Planned Unit Development - Site Plan Tree Removal Permit
APPLICANT	Ziad Kassab Penelope's Place LLC 1701 Northfield Dr. Rochester Hills, MI 48309
LOCATION	Parcels 15-30-302-034 and 15-30-302-036, located on the southeast side of Adams Rd. and north of Auburn Rd.
FILE NO.	PPUD2025-0001, PTP2026-0001
PARCEL NOS.	Parcels 15-30-302-034 and 15-30-302-036
ZONING	Zoned O Office Business District. The property is also subject to a consent judgement.
STAFF	Chris McLeod, AICP, Planning Manager

Summary

The applicant is proposing to develop a fifty-eight (58) unit apartment complex, made up of two (2), three (3) story buildings, each with twenty-nine (29) units. The proposed development, located on the south/east side of Adams Road consists of approximately four (4) acres of land and is currently zoned O Office Business District. The property is also regulated by a consent judgement (court order) that was the result of the Adams Road realignment. The consent judgement indicates that the property shall either be developed for office purposes or as a planned unit development (PUD) due to the irregularly shaped parcel that remained after the Adams Road realignment (see the attached judgement for details). The City's Master Plan indicates the property is designated for Mixed Use purposes which also supports housing. The applicant is proposing the multiple family development as a PUD.

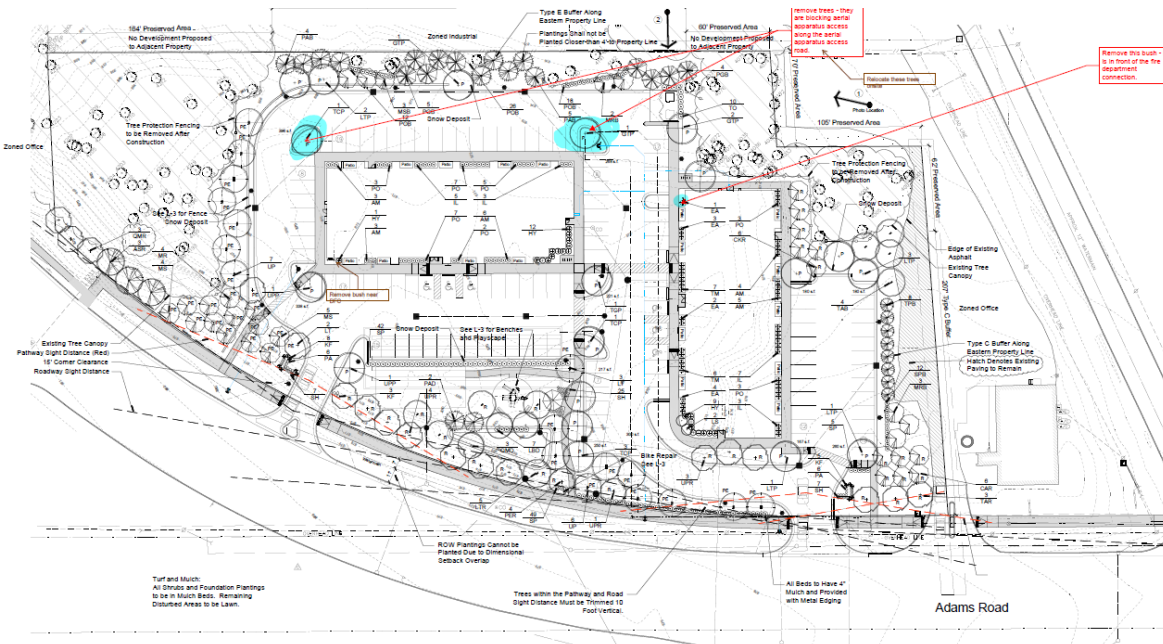


The proposed 58-unit apartment development requires a total of 116 parking spaces onsite and the applicant is proposing that same number, which is in compliance with ordinance requirements for a development of this nature. This total number of parking spaces includes parking for residents as well as guests.

Access to the site will be via a restricted driveway on the northern side of the site, which will allow right turns only for vehicles traveling northbound and right turn out for those residents/visitors leaving the site. A second access is also proposed at the south end of the site that will provide full turning movements and access. Originally a joint access with the site to the south was planned, however, agreement between the two owners could not be reached.

As a part of the site development, a significant amount of land balancing will need to occur at the center of the site due to the existing topography. The site will be raised approximately 9 feet at its highest point and then will largely return back to its natural grade near the property boundaries. This grade change will require the construction of a retaining wall that will also include a decorative wrought iron fence for those portions of the wall that are greater than 3 feet in height. The retaining wall will be at its highest (approximately 9 feet above grade) along the north end of the parking lot, adjacent to the preservation area.

In regards to amenities and public benefits required as part of a proposed PUD, the applicant is providing a dog park, a play structure, and a pavilion for residents of the development. If developed pursuant to the City's multiple family zoning district, passive and active recreation areas would also be required, totaling at least 5% of the development area. In addition, the applicant is also working with SMART transit to enhance the transit stop that is located slightly north of the site. One of the pedestrian pathways accessing the site will also provide a pull off for pedestrians and bikers, as well as a bike fixing station. Finally, in addition to the pathway along the applicant's own frontage, the applicant is proposing to extend the pathway system to the south to complete the pathway gap between the subject site and the Clinton River Trail.

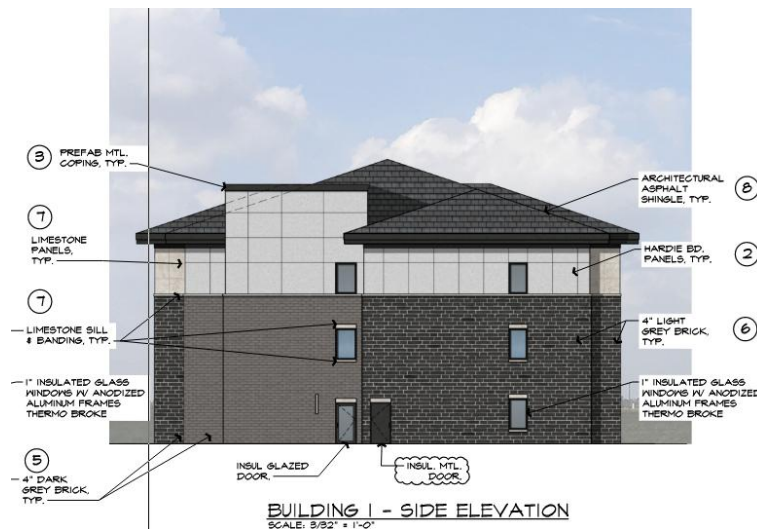


The applicant is proposing to plant a total of seventy (70) deciduous trees, 30 ornamental trees, and 28 evergreen trees in addition to a number of shrubs and plants. It is noted that the Fire Department in their last review required two (2) of the trees be moved from their proposed locations. Those trees shall be located elsewhere onsite. The applicant has also proposed to plant some of the required right of way and parking lot perimeter trees elsewhere on the site as well. This is mainly due to the extensive clear vision requirements for the driveways and how they relate to the pathways along Adams and Adams Road itself. It is noted that the correct number of trees is being provided, just not necessarily along the front portion of the site where they would normally be anticipated. Within the southeast corner, the applicant is seeking approval to utilize existing vegetation as a part of the landscape buffering for that area. In addition, to satisfy tree preservation requirements, the applicant is proposing to leave the northern portion (approximately the northern 140 feet) of the site undeveloped.

Stormwater management for the site is largely being provided via an underground storage system. A small bioretention pond for water quality measures is also being provided near the front of the site to provide required water quality measures. As a part of the engineering comments that remain, the applicant will be required to conduct soil borings for the site to determine the actual permeability of the site and how that may impact infiltration requirements for stormwater. It is noted that the applicant and City DPS Department has agreed this action can be conducted prior to final site plan approval and is not fully necessary at this time.

As noted previously, the two (2) buildings are three stories with a total overall height of 45'-6". The height to the midpoint, which is height measurement utilized by the Zoning Ordinance to determine height of a peaked roof building, is 39'-7". If developed pursuant to the underlying O Office Business District, the building could be three (3) stories and forty-two (42) feet in height. Therefore, the proposed height appears to be consistent with the height that could otherwise be developed at this location.

The proposed elevations of the building reflect a modernistic design aesthetic and utilize a mixture of several different grey brick tones, Hardie Board panels (also in a grey tone) and limestone panels. The roof is proposed to be pitched and utilize both an architectural asphalt shingle as well as standing seam metal roofing in a dark grey/black tone. The unit configurations will include 1 bed/1 bath and 2 bed/2 bath (two different size unit offerings). Units that face on the long side of each building will include covered balconies of approximately 40 square feet.





Review Process

As noted previously, the site is regulated by a consent judgement that indicates the site may be submitted for consideration pursuant to the City's Planned Unit Development (PUD) provisions. Absent a PUD application, the site shall be permitted to be developed pursuant to the City's Office Business or former ORT Office Research requirements. The applicant has chosen to submit an application for a Planned Unit Development.

The planned unit development process includes a number of reviews at Administrative, Planning Commission and City Council levels. The Preliminary Planned Unit Development review process requires review and recommendation by the Planning Commission to the City Council for their consideration. If the application is approved by the Planning Commission and City Council, the applicant will be required to draft a PUD agreement to be reviewed by the City Attorney. Once in a form acceptable to the City administrative reviews, the PUD agreement and the final site plans shall be reviewed in their entirety by the Planning Commission and the Planning Commission shall make a recommendation to City Council for their consideration.

As a part of the review of any Planned Unit Development, the following criteria is utilized to qualify the PUD. However, as noted, the existing consent judgement indicates that a Planned Unit Development is the appropriate method of potentially developing this site. However, the criteria below can be utilized by the Planning Commission as a guide in reviewing the specifics of this this particular PUD proposal.

SECTION 138-7.103 - Criteria for Qualification

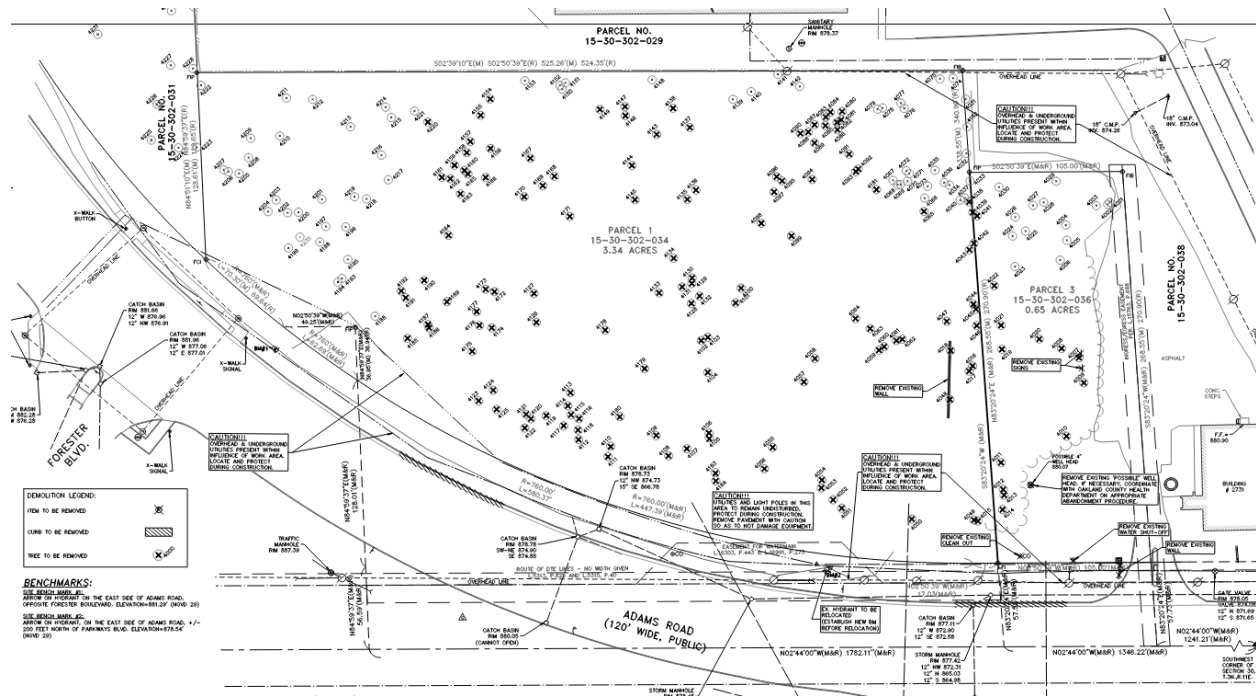
The PUD option may be used in any zoning district classification; however, in order to qualify for the PUD option, it must be demonstrated that all of the following criteria will be met:

- A. The PUD option shall not be used for the sole purpose of avoiding applicable requirements of this ordinance. The proposed activity, building or use not normally permitted shall result in an improvement to the public health, safety and welfare in the area affected.
- B. The PUD option shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards.
- C. The PUD option may be used only when the proposed land use will not materially add service and facility loads beyond those contemplated in the master land use plan. The applicant must demonstrate to the satisfaction of the City that the added loads will be accommodated or mitigated by the applicant as part of the PUD.
- D. The PUD shall meet as many of the following objectives as may be deemed appropriate by the City:
 - 1. To preserve, dedicate or set aside open space or natural features due to their exceptional characteristics or their environmental or ecological significance in order to provide a permanent transition or buffer between land uses, or to require open space or other desirable features of a site beyond what is otherwise required in this ordinance.
 - 2. To guarantee the provision of a public improvement that would not otherwise be required to further the public health, safety or welfare, protect existing uses or potential future uses in the vicinity of the proposed development from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.
 - 3. To promote the goals and objectives of the master land use plan and other applicable long-range plans such as the master thoroughfare plan.
 - 4. To facilitate development consistent with the Regional Employment Center goals, objectives, and design standards in the City's master land use plan.
 - 5. To preserve and appropriately redevelop unique or historic sites.
 - 6. To permanently establish land use patterns that are compatible with or will protect existing or planned uses.
 - 7. To provide alternative uses for parcels that can provide transition or buffers to residential areas and to encourage redevelopment of sites where an orderly transition or change of use is desirable.
 - 8. To enhance the aesthetic appearance of the City through quality building design and site development.

Tree Removal Permit

The applicant has provided a site plan that shows there are a total of 219 regulated trees onsite. Of these total number of identified regulated trees, 27 are located within the building envelope and are therefore exempt from the 40% preservation calculation; however, these still require replacement. The applicant is proposing to remove a total of 110 regulated trees and 5 specimen trees and preserve 77 regulated trees, therefore preserving forty (40%) of the regulated trees onsite. The majority of the preserved trees are located within the main preservation area at the north end of the site, along with the groupings of trees at the southeast corner of the site, which are also intended to serve as buffering trees. Based on

the number of preserved trees onsite, the number and type of trees being removed, the applicant is required to provide a total of 159 tree credits as a part of the overall development. The applicant is proposing to plant 6 trees onsite and pay 153 trees into the City's Tree Fund. Due to limitations from clear vision requirements, requirements of no planting on underground stormwater detention areas, preservation areas and overall general tree spacing requirements, the opportunities for additional plantings onsite are somewhat limited. It would be advantageous for the applicant to continue to work to try to plant as many of the required replacement trees onsite, rather than planting into the City's Tree Fund.



Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	<ul style="list-style-type: none"> Land combination being obtained prior to LIP approval. Coordinate with SMART regarding bus stop improvements. Coordinate with Friends of the Clinton River trail regarding improvements. Landscape irrigation plan being provided. 	Approval

Department	Comments & Waivers/Modifications	Recommendation
Engineering	<ul style="list-style-type: none"> • Comments noted on site plan to be handled at construction plan review. • Follow MDOT details for right in and right out. • Revisions to slope of pedestrian ramps as noted. • Engineering calculations for retaining wall. • Soil borings and infiltration information being provided prior to final site plan approval. • Inspection manholes being provided at all 4 corners of underground detention. 	Approval
Fire	<ul style="list-style-type: none"> • Remove or relocate trees as noted on plans. 	Approval
Building	<ul style="list-style-type: none"> • Play area and benches compliant with ADA requirements. 	Approval
Forestry		Approval
Assessing		Approval

Motion for Preliminary Planned Unit Development / Site Plan Recommendation

MOTION by _____, seconded by _____, in the matter of City File No. PPUD2025-0001 Penelope's Place, the Planning Commission **recommends** to the City Council **Approval** of the **Preliminary Planned Unit Development and Site Plan**, based on plans dated received by the Planning Department on April 13, 2026, 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 proposed project will be accessed from Adams Road, thereby promoting safety and convenience of vehicular traffic both within the site and on the adjoining street. Further, the plan restricts the turning movements for the northern driveway based on transportation standards and best practices.
3. Adequate utilities are available to the site.

4. The preliminary plan represents a reasonable site layout and orientation.
5. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity, particularly to the west.
6. 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.
7. The proposed use for multiple family is consistent with the City's Master Plan which designates the site for mixed use, including multiple family.
8. The Planning Commission has considered and found that the proposed Preliminary Planned Unit Development and site plan meets the stated criteria for qualifying a Planned Unit Development within Section 138-7.103.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final site condominium site plan approval.
2. Provide a landscape bond in the amount of \$117, 955.00, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.
3. The applicant shall develop an acceptable PUD agreement and apply for Final Planned Unit Development approval as prescribed in the Zoning Ordinance.

Motion to Approve a Tree Removal Permit

MOTION by _____, seconded by _____, in the matter of File No. PSP2023-0010 (Penelope's Place) the Planning Commission **grants** a **Tree Removal Permit (PTP2026-0001)**, based on plans received by the Planning Department on April 13, 2026, 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. Based on the site plan provided, there are a total of 219 regulated trees onsite, 27 trees are located within the building envelope.
3. The applicant is proposing to remove 110 regulated trees and 5 specimen trees and preserving 77 regulated trees, therefore preserving forty (40%) of the regulated trees onsite.
4. Based on the number of preserved trees onsite, the number and type of trees being removed, the applicant is required to provide a total of 159 tree credits as a part of the overall development. The applicant is proposing to plant 6 trees onsite and pay 153 trees into the City's Tree Fund.

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 153 replacement trees identified on the site plan.