



CITY COUNCIL ACTION REPORT

January 17, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Mark F. Miller, Planning Director

SUBJECT: Preliminary Site Condominium Review – Brycewood Site Condominium, 9 units/lots proposed, east side of Evanswood Road, North of Square Lake Road, Section 1 – R-1D

Background:

- The Planning Commission recommended approval of Brycewood Preliminary Site Condominium Plan at the January 8, 2008 Regular meeting.
- The applicant is proposing a 9-unit site condominium on a 3.376-acre parcel. The development will utilize the Lot Averaging Option which provides for reduced lot widths. The applicant proposes a 28-foot wide paved street, terminating in a cul-de-sac, within a 40-foot private easement.
- For parcels 5 acres or less in area, access may be provided by way of 28 foot wide streets constructed to City Public Street Standards, within 40 foot private easements for Public Access, when in the opinion of the City Council the property configuration is such that the provision of 60 foot public rights-of-way would be overly restrictive and would make the provision of conforming dwelling unit parcels impractical (Section 34.30.04).
- At the request of the Planning Department the applicant provided an alternate layout with a stub road terminating at the southern property line. This layout also yields 9 units.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

- City Council has the authority to act on this application.

Policy Considerations:

- Approval of the site condominium would be consistent with City Council Goal I (Enhance the livability and safety of the community) and Goal III (Retain and attract investment while encouraging redevelopment).

Options:

- City Council can approve the Preliminary Site Condominium Plan as submitted or with conditions.
- City Council can deny the Preliminary Site Condominium Plan.

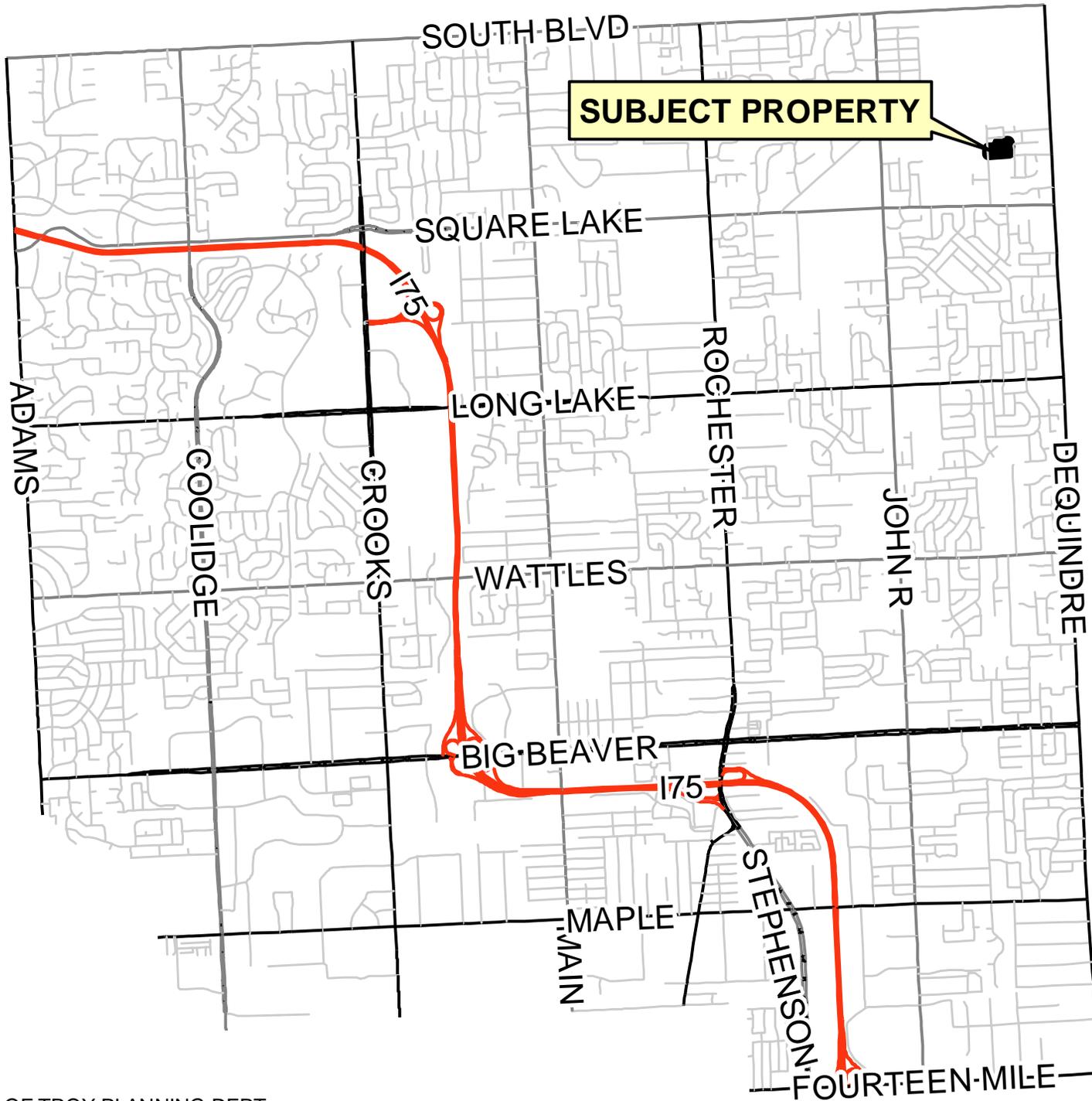
Attachments:

1. Maps.
2. Report prepared for January 8, 2008 Planning Commission Regular meeting.
3. Minutes from January 8, 2008 Planning Commission Regular meeting.
4. Public comment.

Prepared by RBS/MFM

cc: Applicant
File/Brycewood Site Condominium

CITY OF TROY



SANCTUARY LAKE GOLF COURSE

SITE PLAN REVIEW
PROPOSED BRYCEWOOD SITE CONDOMINIUM
E SIDE OF EVANSWOOD, N OF SQUARE LAKE
(6308 EVANSWOOD)
SEC. 1 (9 UNITS/LOTS ZONED R-1D)

TROY SCHOOL DISTRICT
PROPERTY

ROBART

MARILYN

RANIERI

RONALD

FLORA

DINA

SUBJECT PARCEL

EVANSWOOD

DEQUINDRE

TROY SCHOOL DISTRICT
PROPERTY

CHIPPEWA

SEMINOLE

CHIPPEWA
CT

MOHICAN

MEADOWLARK

SONGBIRD

MANORWOOD



SANCTUARY LAKE GOLF COURSE

C-F

SITE PLAN REVIEW
PROPOSED BRYCEWOOD SITE CONDOMINIUM
E SIDE OF EVANSWOOD, N OF SQUARE LAKE
(6308 EVANSWOOD)
SEC. 1 (9 UNITS/LOTS ZONED R-1D)

ROBART

MARILYN

RANIERI

TROY SCHOOL DISTRICT
PROPERTY

RONALD

FLORA

TROY SCHOOL DISTRICT
PROPERTY

SUBJECT PARCEL

DINA

R-1D

EVANSWOOD

DEQUINDRE

CHIPPEWA

SEMINOLE

CHIPPEWA
CT

MOHICAN

MANORWOOD

MEADOWLARK

SONGBIRD



DATE: January 3, 2008

TO: The Planning Commission

FROM: Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Ronald Figlan, Planner
Paula Preston Bratto, Planner

SUBJECT: SITE CONDOMINIUM SITE PLAN REVIEW – Brycewood Site Condominium, 9 units/lots proposed, east side of Evanswood Road, North of Square Lake Road, Section 1, Zoned R-1D

This item was considered by the Planning Commission at the November 13, 2007 Regular meeting. At this meeting, the Planning Commission passed the following resolution:

RESOLVED, That this item be postponed until the petitioner submits a plan that incorporates some of the comments made at tonight's meeting.

The applicant submitted revised plans for the Planning Commission's consideration.

GENERAL INFORMATION

Name of Owner / Petitioner:

The application indicates that the owner and applicant is Mike Cappuso, Brycewood LLC.

Location of subject property:

The property is located on the east side of Evanswood, north of Square Lake Road, in section 1.

Size of subject parcel:

The parcel is approximately 3.376 acres in area.

Description of proposed development, including number and density of units:

The applicant is proposing to develop a 9-unit site condominium. The proposed development will have a 28-foot wide paved private road located within a 40 foot easement off of Evanswood. The road will terminate in a cul-de-sac.

Note that for parcels that are 5 acres or less in area, access may be provided by way of 28 foot wide streets constructed to City Public Street Standards, within 40 foot private easements for Public Access, when in the opinion of the City Council the property configuration is such that the provision of 60 foot public rights-of-way would be overly

restrictive and would make the provision of conforming dwelling unit parcels impractical (Section 34.30.04).

At the request of the Planning Department, the applicant submitted an alternative layout that stubs at the southern property line. In this layout, the road is located within a 60 foot public right-of-way. The paved street is 28 feet wide. This layout also yields 9 units.

City Management prefers the alternative layout, with potential interconnectivity to the south.

Current use of subject property:

A single family home presently sits on the property.

Current use of adjacent parcels:

North: Single family residential.

South: Vacant.

East: Single family residential.

West: Single family residential and Troy School District Nature Area.

Current zoning classification:

R-1D One Family Residential

Zoning classification of adjacent parcels:

North: R-1D One Family Residential

South: R-1D One Family Residential

East: R-1D One Family Residential

West: R-1D One Family Residential

Future Land Use Designation:

The parcel is designated as Low Density Residential on the Future Land Use Plan.

ANALYSIS

Compliance with area and bulk requirements:

Lot Area: The minimum lot area in the R-1D district is 8,500 square feet. The smallest proposed lot is 9,348 square feet.

Lot Width: The minimum required lot width in the R-1D district is 75 feet in width. The applicant is utilizing the Lot Averaging Option which permits a 10% reduction in lot sizes, to 67.5 feet.

Height: The maximum height is 2 stories and 25 feet.

Minimum Yard Setbacks: Front: 25 feet. 25 feet provided.
Rear: 40 feet. 40 feet provided.
Side (at least one): 8 feet. 10 feet provided.
Side (total two): 20 feet. 20 feet provided.

Minimum Floor Area: The minimum floor area per unit is 1,000 square feet.

Maximum Lot Coverage: 30%.

Off-street parking and loading requirements:

The development will be required to provide two (2) off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

A Tree Preservation Plan was submitted as part of the application.

A Preliminary Wetland Evaluation prepared by King & MacGregor Environmental Inc. on October 3, 2007 indicates that no wetlands were identified on the subject property.

Storm Water detention:

The applicant is proposing to provide storm water detention on the south side of the proposed street, abutting Evanswood Road.

Natural features and floodplains:

The Natural Features Map indicates there are no significant natural features located on the property.

Subdivision Control Ordinance, Article IV Design Standards

Lots: All units meet the minimum area and bulk requirements of the Zoning Ordinance.

Streets: The street is proposed to be 28-foot wide and is located within a 40-foot wide private street easement. A 5-foot wide sidewalk easement will be provided on both sides of the street.

Sidewalks: The applicant is proposing to construct 5-foot wide sidewalks on both sides of the proposed street and on the east side of Evanswood Road. The site plan indicates that they intend to seek a sidewalk waiver from the Traffic Committee.

Utilities: The development will be served by public water and sewer.

CITY MANAGEMENT RECOMMENDATION

City Management recommends approval of the preliminary site plan application, alternative version with 9 units and 60-foot wide right-of-way, terminating at the southern property line.

cc: Applicant
File/Brycewood Site Condominium

G:\SUBDIVISIONS & SITE CONDOS\Brycewood Site Condo Sec 1\Brycewood Site Condo PC Report 01 08 08.doc

SITE CONDOMINIUM SITE PLAN

7. SITE CONDOMINIUM SITE PLAN REVIEW – Brycewood Site Condominium, 9 units/lots proposed, East side of Evanswood, North of Square Lake, Section 1, Zoned R-1D (One Family Residential) District

Mr. Miller presented a summary of the Planning Department report on the proposed site condominium revised submittal, and summarized the differences between the two proposed alternative plans. Mr. Miller reported it is the recommendation of City Management to approve the preliminary site plan application version with a 60-foot wide right of way terminating at the southern property line to allow future connectivity. He noted it is the preference of the petitioner to go forward with the cul-de-sac version.

Mr. Strat disclosed a business relationship with the civil engineer for this project, but indicated there is no financial interest in the project.

Mr. Forsyth stated that would not constitute a true conflict of interest.

Mr. Savidant announced that written communication and photographs received from Cathy Carolan of 6322 Evanswood, Troy, were distributed to Planning Commission members prior to the beginning of tonight's meeting.

Mr. Miller indicated that all property owners adjacent to the subject site were notified of the Public Hearing. Mr. Miller also noted that City Council has final authority to permit the private road.

Carol Thurber of Fazal Khan & Associates, 43279 Schoenherr Road, Sterling Heights, was present to represent the petitioner. Ms. Thurber said there was a meeting with residents and specifically the homeowner to the north to discuss the potential to moving the road to the south end of the property. Mr. Carolan, the homeowner to the north, agreed to run the road on the north side of the property because it offers him the opportunity to divide his parcel in the future. Ms. Thurber indicated that is why no alternate plan showing the road to the south was submitted, as requested. She noted the plan indicates their intent to apply for a sidewalk waiver. Ms. Thurber asked for a favorable recommendation on the layout with the cul-de-sac.

There was discussion on:

- Private road rights.
- Communication from Cathy Carolan, homeowner to the north.
- Dialogue/communication between developer and residents.
- Stormwater control / impact.
- Submittal plans showing alternate road layouts.

Ms. Thurber addressed in detail the proposed retention pond. She indicated that the site plans were provided to the developer with the understanding they would be given to the Carolan's.

Chair Schultz opened the floor for public comment.

Mike Carolan of 6322 Evanswood, Troy, was present. Mr. Carolan, the homeowner to the north of the proposed site condominium project, indicated he did not receive the plans from the developer, but visited City Hall to view the recent submittal. He brought attention to the photographs of existing standing water. Mr. Carolan addressed the potential to provide sewer leads, the utilization of the retention pond in the future, a change in the proposed landscaping, his desire to not have a sidewalk and the type of fencing.

Discussion followed on:

- Potential for sewer leads and receptiveness of developer to provide them.
- Retention pond and its accommodation of future water.
- Landscape revisions to replace arborvitae with junipers.
- Creativity and/or enhancement of the retention pond.

Chair Schultz closed the floor for public comment.

Resolution # PC-2008-01- [motion withdrawn]

Moved by: Vleck
Seconded by: Wright

RESOLVED, That the Planning Commission recommends to City Council, that the Preliminary Site Condominium Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Brycewood Site Condominium, including 9 units, including a 28-foot wide road located within a 60-foot wide public right-of-way, terminating into a stub at the southern property line, located on the east side of Evanswood, north of Square Lake Road, Section 1, within the R-1D zoning district, be granted.

FURTHERMORE, the following **design recommendations** are provided to City Management:

1. Sewer leads and retention access shall be given to potential developable lots to the north.
2. A sidewalk waiver be granted abutting the property to the north.
3. Negotiate with the property owner to the north for alternative screening with the possibility of including a screen fence.

Discussion on the motion on the floor.

Mr. Hutson said he is not in favor of the motion because (1) a cul-de-sac provides for a water feature and (2) a stub street would prohibit creativity for future development of the acreage to the south.

Mr. Vleck requested to revise the motion on the floor to recommend the cul-de-sac version.

Mr. Wright withdrew his second.

Mr. Vleck withdrew the resolution on the floor.

Resolution # PC-2008-01-006

Moved by: Vleck
Seconded by: Hutson

RESOLVED, That the Planning Commission recommends to City Council, that the Preliminary Site Condominium Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Brycewood Site Condominium, including 9 units, including a 28-foot wide road within a 40-foot wide private street easement, terminating in a cul-de-sac, located on the east side of Evanswood, north of Square Lake Road, Section 1, within the R-1D zoning district, be granted.

FURTHERMORE, the following **design recommendations** are provided to City Management:

1. Sewer leads and retention access shall be given to potential developable lots to the north.
2. A sidewalk waiver be granted abutting the property to the north.
3. The petitioner shall negotiate with the property owner to the north for alternative screening with the possibility of including a screen fence.

Yes: Hutson, Schultz, Strat, Tagle, Vleck
No: Wright
Absent: Littman, Troshynski

MOTION CARRIED

Paula P Bratto

From: Carolan Family [carolanfamily@wowway.com]
Sent: Tuesday, January 08, 2008 12:41 PM
To: Paula P Bratto
Subject: Brycewood Condo Proposal
Attachments: Evanswood Flooding Pictures.doc

** Please forward this email to ALL Planning Commission Members **

Dear Planning Commission Members,

I am not able to attend tonight's Planning Commission Meeting, so please consider this email as my comments on the Brycewood Condo Proposal.

My name is Cathy Carolan and I live at 6322 Evanswood Rd. (the property directly to the north of the proposed condos). Since the last meeting, I do not believe anything has changed. My husband (Mike Carolan) contacted the developers and they refused to meet with any of the neighbors to hear our concerns. He was told that we would be provided with the updated proposals, but never were. My husband went to Troy City Hall and looked at the plans on his own - there was very little change.

I am still very concerned about the water issue, as I type this email the ditches are rapidly filling up along Evanswood. Nine homes would greatly impact the problems that already exist and there needs to be further study before this plan is approved.

I understand that you CAN approve this plan as it stands because it may meet the standard requirements under the residential zoning, however, it is definitely NOT in the best interest of the city of Troy. First of all, the developers refusal to meet with the neighbors to even hear their concerns shows that they have no interest in the future of our city, they are obviously only concerned with making their money and getting out.

My family is very concerned over this issue, and it will have an undue economic hardship on us. By turning our property into a corner lot, we will either be forced to put up a privacy fence at the cost of \$20,000 or reserve ourselves to the fact that our beautiful property will now be used as a public park, not to mention a toilet for every dog that moves in with a family in the new development. Of course, if the developers continue with the purchase of the property, they have a right to develop it, however, no one is considering what rights we have. We have lived in Troy for a very long time and paid more than our fair share of property taxes, and to have our property so negatively impacted is a definite infringement of our rights.

Please see the attached document with recent photos of Evanswood's flooding problems. This happens all the time, it is NOT a rare occurrence. With the addition of 9 homes, our basements will definitely be flooding and we will be replacing sump pumps much more often than right now which is averaging once every 2 years at least.

Please give this matter careful consideration before making a decision tonight. Our family and the entire neighborhood will be greatly affected by this development if it is allowed to continue. These developers will continue on and out of our great city and we will be left to deal with the aftermath - where are our rights as current property owners?

Sincerely,

Cathy Carolan
6322 Evanswood Rd.
Troy, MI 48085
(248) 879-8919
carolanfamily@wowway.com



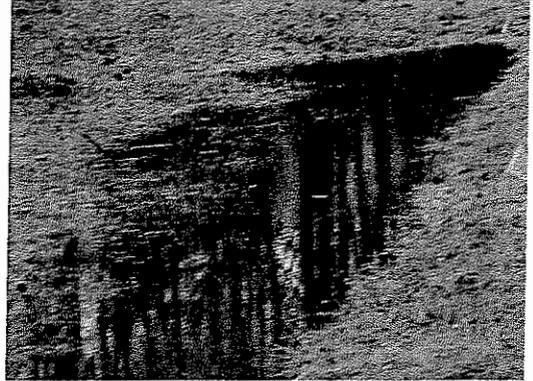
Northwest corner of subject property



6308 Evanswood retaining LARGE amounts of water



6308 Evanswood retaining LARGE amounts of water



Front yard (not ditch) of 6308 Evanswood



6308 Evanswood retaining LARGE amounts of water



Directly across the street from 6308 Evanswood – completely flooded



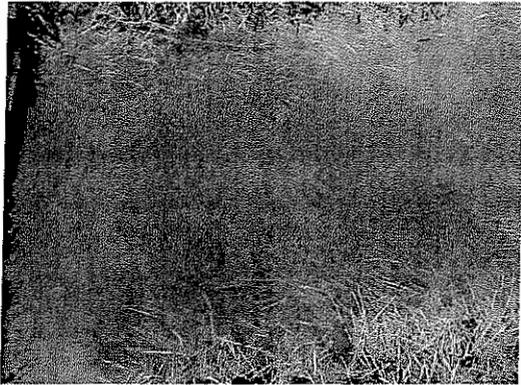
6308 Evanswood retaining LARGE amounts of water



Directly across the street – driveway already under water



Nature Preserve across the street – note sign says “Foot Traffic Only” – would you walk here???



Again, large amounts of standing water everywhere!

Brycewood Site Condominium
Preliminary Plans
are included with Council's agenda packets
and available for public viewing at the
City Clerk's Office and the Troy Public Library