B-10 (with 2 additional memoranda)
&
B-11(with 1 additional memorandum)

August 25, 2004

To: John Szerlag, City Manager

From: Doug Smith, Director of Real Estate & Development
Mark Miller, Planning Director

RE: Approved Changes for Planning Commission Review

As you may recall in a number of communications earlier this year between the City Manager and the Planning Commission, including a meeting with the Planning Commission, management raised a serious issue with the Planning Commission about the Planning Commission's tendency to place conditions on approval of preliminary residential development, which had no basis in ordinance or statute. After a healthy discussion between management and Planning Commission it was agreed that the Planning Commission would provide approvals and recommendations based upon the authority in the zoning ordinance. In their review, if they found other items needing attention to during the engineering review process they would note these concerns as design considerations. This seemed to a reasonable compromise to allow the Planning Commission, to utilize their expertise and public input and still not hinder the overall development approval process. This course of action alerts management to take into account these design considerations at the appropriate time with the relevant staff. These design considerations will be helpful in considering options for proposed developments and the impact on the surrounding properties. If the Planning Commission's concerns can be documented in this type of process, they become very productive and a true sense of teamwork can be achieved between the commission and managment.

Within this same agreement structure staff will be scheduling in September City Council public hearings for three ZOTAS (Zoning Ordinance Text Amendments). One of these ZOTAS will require developers to provide additional information in their site plan submissions, that will provide for an improved and more detailed review process by the Planning Commission. This additional information will include grading, elevation, and floor plans. The intention of this memo is to simply alert council to the oncoming issue in hope they will give favorable consideration to it.

Date: August 30, 2004

To: John Szerlag, City Manager

From: Doug Smith, Real Estate and Development Director
Mark F. Miller, Planning Director

Subject: PRELIMINARY SITE CONDOMINIUM REVIEW – Timbercrest Estates Site Condominium, south side of Wattles, west of Fernleigh, section 24 – R-1C.

City Management prepared an alternate resolution that incorporates the Planning Commission's conditions into design considerations. These design considerations will not restrict the potential engineering design possibilities for the proposed site condominium. The alternate resolution meets the spirit and intent of Planning Commission's resolution and is attached for your consideration.

Attachment/Resolution C

PRELIMINARY SITE CONDOMINIUM REVIEW – Timbercrest Estates Site Condominium, south side of Wattles, west of Fernleigh, section 24 – R-1C.

Proposed Resolution C (an alternate recommended by City Management):

Resolution # 2004 –
Moved by
Seconded by

RESOLVED, that the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Timbercrest Site Condominium, as submitted and as recommended for approval by City Management, located on the south side of Wattles, west of Fernleigh, including 11 home sites, within the R-1C zoning district, being 4 acres in size, is hereby approved, with the following design considerations.

1. Petitioner work with the Engineering Department to design engineering plans that will not create or exacerbate storm water problems on the adjacent properties.

2. Petitioner work with the Parks and Recreation Department to adopt a Final Tree Preservation Plan that is in compliance with the Landscape Design and Tree Preservation Standards. Further, it is desirable to preserve the trees and their root structure along the eastern property line of the proposed site condominium. In addition, undesirable and unhealthy trees should be removed from the subject property.

City of Troy

Memorandum

To: Mayor Schilling and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Management
Tonni L. Bartholomew, City Clerk

Date: August 30, 2004

Subject: August 30, 2004 Agenda Item B-10 Substitution Resolution

---

Included in the City Council Agenda Packet of August 30, 2004 is the tabled motion from the August 23, 2004 Regular City Council meeting as Agenda item B-10. The motion is as proposed by the Planning Commission. Should City Council desire to modify the motion to reflect either the motion as recommended by City Management or as revised as indicated in the attached memorandum to include the Planning Commissions recommendations as conditions into design considerations, the motion should be removed from the table and then make the following substitution motion:

SUBSTITUTION MOTION #2004-08-:

Suggested Resolution
Resolution #2004-08-
Motion by
Seconded by

RESOLVED, That Resolution be amended by **SUBSTITUTING**:

Proposed Resolution as Recommended by City Management

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Timbercrest Estates Site Condominium, as submitted and as recommended for approval by City Management, located on the south side of Wattles, west of Fernleigh, including 11

home sites, within the R-1C zoning district, being 4 acres in size, is hereby **APPROVED**.

Or

<u>Proposed Resolution as to Incorporate the Planning Commission's Conditions into Design Considerations</u>

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Timbercrest Site Condominium, as submitted and as recommended for approval by City Management, located on the south side of Wattles, west of Fernleigh, including 11 home sites, within the R-1C Zoning District, being 4 acres in size, is hereby **APPROVED**, with the following design considerations:

1. Petitioner work with the Engineering Department to design engineering plans that will not create or exacerbate storm water problems on the adjacent properties.
2. Petitioner work with the Parks and Recreation Department to adopt a Final Tree Preservation Plan that is in compliance with the Landscape Design and Tree Preservation Standards. Further, it is desirable to preserve the trees and their root structure along the eastern property line of the proposed site condominium. In addition, undesirable and unhealthy trees should be removed from the subject property.

Yes:
No:

Date: August 30, 2004

To: John Szerlag, City Manager

From: Doug Smith, Real Estate and Development Director
Mark F. Miller, Planning Director

Subject: PRELIMINARY SITE CONDOMINIUM REVIEW – Proposed Presidential Place Site Condominium, 5 units/lots proposed, West side of John R Road, North of Square Lake Road, Section 2 – R-1D

City Management prepared an alternate resolution that incorporates the Planning Commission's conditions into design considerations. These design considerations will not restrict the potential engineering design possibilities for the proposed site condominium. The alternate resolution meets the spirit and intent of Planning Commission's resolution and is attached for your consideration.

Attachment/Resolution C

PRELIMINARY SITE CONDOMINIUM REVIEW – Proposed Presidential Place Site Condominium, 5 units/lots proposed, West side of John R Road, North of Square Lake Road, Section 2 – R-1D

Proposed Resolution C (an alternate recommendtion by City Management):

Resolution # 2004 –
Moved by
Seconded by

RESOLVED, that the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Presidential Place Site Condominium, as submitted, and as recommended for approval by City Management, located on the west side of John R Road, north of Square Lake Road, including 5 home sites, within the R-1D zoning district, being 2.236 acres in size, is hereby approved, with the following design considerations:

1. Petitioner obtain a MDEQ Wetlands Permit or a Jurisdictional Wetland Determination Document state authoritative status, prior to Final Approval.
2. Petitioner work with the Parks and Recreation Department to adopt a Final Tree Preservation Plan that is in compliance with the Landscape Design and Tree Preservation Standards, with attention to the removal of undesirable and unhealthy trees.
3. The petitioner and Engineering Department address the stormwater drainage concerns of the neighboring property owners in the preparation and approval of the engineering plans.