



CITY COUNCIL ACTION REPORT

DATE: January 12, 2010

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
R. Brent Savidant, Acting Planning Director

SUBJECT: Preliminary Site Condominium Approval (Extension) – Oak Forest Site Condominium, South side of Square Lake Road, between Willow Grove and John R Road, Section 11 – R-1C

City Council approved the Preliminary Site Condominium Plan for Oak Forest Site Condominium on January 26, 2009. The applicant seeks a one-year extension for Preliminary Site Condominium Approval. During this time, the applicant may submit a Final Site Condominium Plan to City Council for Final Site Condominium Approval.

The applicant is proposing a 76-unit site condominium on a 39.23 acre parcel. Access is provided to both Square Lake Road and John R Road. Two stub streets to the north on the east side of the Fetterly Drain and one stub street to the south on the west side of the Fetterly Drain are also proposed. The development will utilize the Lot Averaging Option (Section 34.10.00) which provides for up to a 10 percent reduction in lot areas and widths.

The applicant eliminated the walkway between Units 31 and 32, and added a ten-foot wide maintenance easement between units 70 and 71. Both items were conditions of approval by City Council on January 25, 2009. No other revisions are proposed.

The application meets all relevant regulations, including complying with Zoning Ordinance requirements. City Management recommends approval of Preliminary Site Condominium Plan for Oak Forest South Site Condominium.

Attachments:

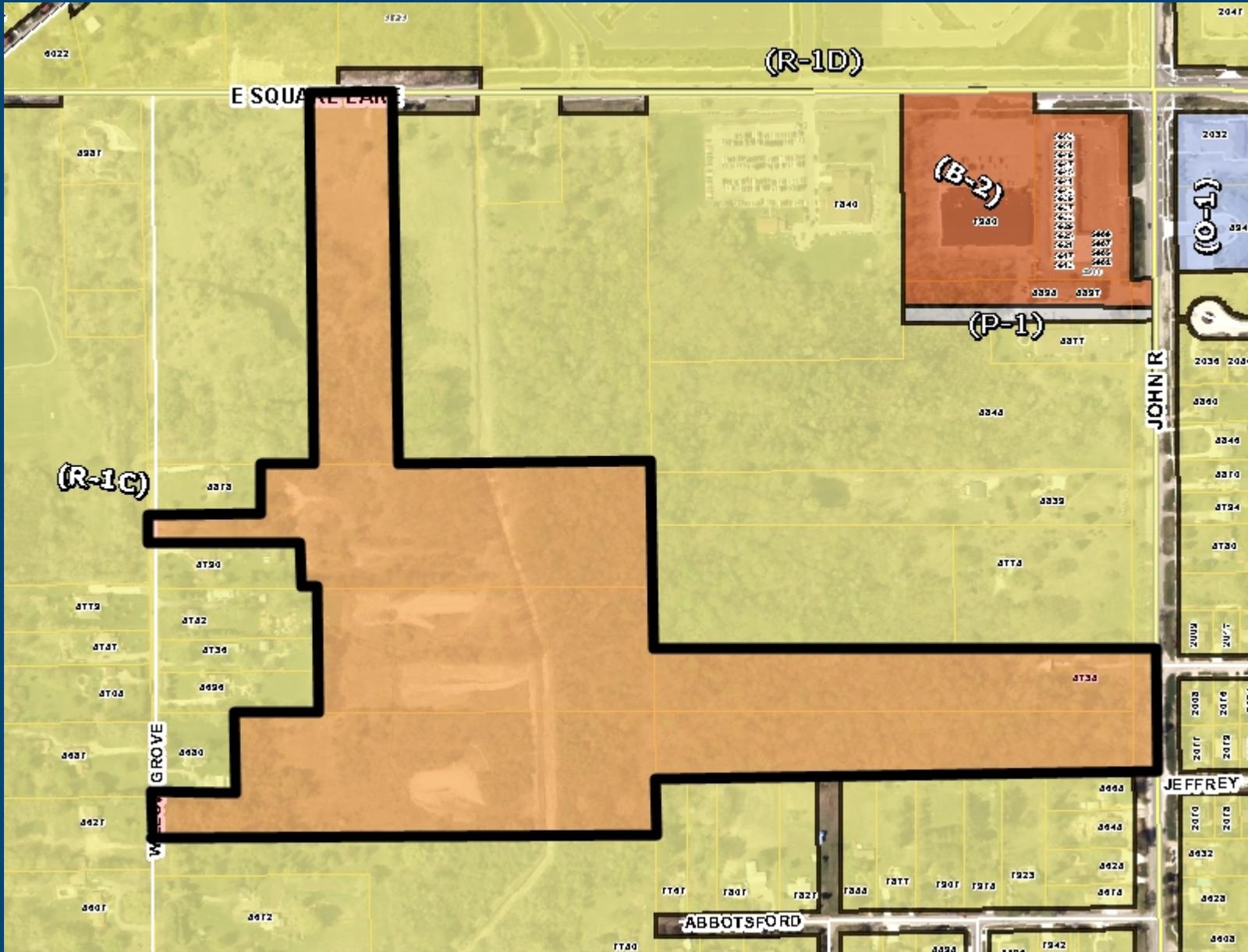
1. Maps.
2. Report prepared for Planning Commission dated December 3, 2008.
3. Minutes from the January 26, 2009 City Council Regular meeting.

Prepared by RBS/MFM

cc: Applicant
File/Oak Forest Site Condominium

Oak Forest Site Condominium

City of Troy Planning Department



Legend

-  I-75
-  Road Centerline
 -  Major Road
 -  Industrial Road
 -  Local Road
- Zoning**
 -  (PUD) Planned Unit Development
 -  (B-1) Local Business District
 -  (B-2) Community Business District
 -  (B-3) General Business District
 -  (R-C) Research Center District
 -  (C-F) Community Facilities District
 -  (C-J) Consent Judgment
 -  (E-P) Environmental Protection District
 -  (R-EC) Residential Elder Care
 -  (P-1) Vehicular Parking District
 -  (H-S) Highway Service District
 -  (M-1) Light Industrial District
 -  (O-1) Office Building District
 -  (O-M) Office Mid-Rise District
 -  (OSC) Office Service Commercial District
 -  (CR-1) One Family Residential Cluster District
 -  (R-1A) One Family Residential District
 -  (R-1B) One Family Residential District
 -  (R-1C) One Family Residential District
 -  (R-1D) One Family Residential District
 -  (R-1E) One Family Residential District
 -  (R-1T) One Family Attached Residential Distr
 -  (R-2) Two Family Residential District
 -  (R-M) Multiple Family Residential Medium De
 -  (RM-1) Multiple Family Residential District Lc
 -  (RM-2) Multiple Family Residential District (M
 -  (RM-3) Multiple Family Residential District (Hi
-  Hydrography Poly
-  Hydrography Arc
-  Parcels

Aerial Photos - 2008

-  Red: Band_1
-  Green: Band 2

Printed: 1/14/2010

792 0 396 792Feet

Scale 1: 4,750



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

DATE: December 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: PRELIMINARY SITE CONDOMINIUM REVIEW – Oak Forest Site Condominium, south side of Square Lake Road, between Willow Grove and John R Road, section 11 – R-1C

GENERAL INFORMATION

Name of Owner / Applicant:

The owner and applicant is Dale Garrett of Ladd's Inc.

Location of subject property:

The property is located on the south side of Square Lake Road, between Willow Grove and John R Road, in section 11.

Size of subject parcel:

The parcel is approximately 39.23 acres in area. It has access to both Square Lake Road and John R Road.

Description of proposed development:

The applicant is proposing a 76-unit site condominium, with access to both Square Lake Road and John R Road. Two stub streets to the north on the east side of the Fetterly Drain and one stub street to the south on the west side of the Fetterly Drain are also proposed.

This project received Preliminary Approval from City Council on April 18, 2005, and was granted a one-year extension on June 5, 2006. Preliminary Approval expired on April 18, 2007.

Current use of subject property:

Two single-family homes presently sit on the property.

Current use of adjacent parcels:

North: Single family residential and vacant.
South: Single family residential and vacant.
East: Single family residential and vacant.
West: Single family residential and vacant.

Current zoning classification:

The property is currently zoned R-1C One Family Residential.

Zoning classification of adjacent parcels:

North: R-1C One Family Residential.

South: R-1C One Family Residential.

East: R-1C One Family Residential.

West: R-1C One Family Residential.

Master Plan Designation:

The property is designated on the Master Plan as Single Family Residential.

ANALYSIS

Compliance with area and bulk requirements of the R-1C One Family Residential District:

Lot Area: Minimum lot area in the R-1C district is 10,500 square feet. However, the applicant is utilizing the Lot Averaging Option, which permits a 10 percent reduction in lot area to 9,450 square feet.

Lot Width: The minimum required lot width is 85 feet. The applicant has utilized the lot averaging option, which permits a 10 percent reduction in lot widths, to 76.5 feet.

Height: 2 stories or 25 feet.

Setbacks: Front: 30 feet.
Side (least one): 10 feet.
Side (total two): 20 feet.
Rear: 40 feet.

Minimum Floor Area: 1,200 square feet.

Maximum Lot Coverage: 30%.

The applicant meets the area and bulk requirements of the R-1C One Family Residential District.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

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

Storm water detention:

The applicant is proposing two storm water detention basins. One will serve the 38 units on the east side of the drain, one will serve the 38 units on the west side of the drain.

Natural features and floodplains:

The Natural Features Map indicates there are wetlands, woodlands and a drain on the property. The MDEQ has a draft wetland permit for the site but it has not been finalized. The applicant is required to receive a permit from the MDEQ prior to commencing any construction activity such as dredging, filling, or draining within a regulated wetland.

The MDEQ typically requires conservation easements over mitigated wetlands that are approved under the MDEQ wetland permit. These areas are owned and maintained by the property owner but enforced by the MDEQ, under the parameters set up by the MDEQ conservation easement. All mitigation areas to be regulated by MDEQ conservation easements need to be clearly indicated as such prior to being reviewed by City Council.

Subdivision Control Ordinance, Article IV Design Standards

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

Streets: The proposed development has direct vehicular access to both John R and Square Lake Roads. The paved portion of all proposed streets will be 28 feet wide, located within a 60-foot wide public right-of-way.

The applicant has provided two future connections to the north and one to the south.

Sidewalks: The applicant is proposing sidewalks on both sides of the proposed streets. In addition, a 12-foot wide pedestrian connection is provided to the south, between units 31 and 32.

Utilities: The parcel is served by public water and sewer.

CITY MANAGEMENT RECOMMENDATION

The applicant provides a 12-foot wide pedestrian connection with the Holm Street right of way to the south, between units 31 and 32. At the request of the Planning Department, the applicant provided an alternate layout showing a vehicular connection in place of the pedestrian connection. Interconnecting neighborhoods using paths or streets is generally considered a sound planning

principal. In this instance, the Holm Street right of way (platted in 1928) is unimproved and there are no plans to construct Holm between Abbotsford and the northern property line. The right of way essentially serves as the backyard for two homes in an established residential neighborhood. If a path or street is extended to the southern property line, it is unclear if and when it will ever be connected to the right of way to the south. It seems wasteful to have the applicant construct a path or street that ends at the property line. The applicant proposes five points of ingress/egress for this development, with sidewalks on both sides of all interior streets. For these reasons, City Management would support the elimination of a pathway or street at this location.

City Management recommends approval of the Oak Forest Site Condominium application, subject to the following:

1. All mitigation areas to be regulated by an MDEQ conservation easement need to be clearly indicated as such on all plans prior to being reviewed by City Council.

Furthermore, City Management requests that the Planning Commission make a determination on whether to have a pathway connection, a vehicular connection or neither, between units 31 and 32 to the Holm Street right of way to the south.

cc: Applicant
File/Oak Forest Site Condominium

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E-9 Preliminary Site Condominium Review – Oak Forest Site Condominium, South Side of Square Lake Road, between Willow Grove and John R Road, Section 11 – R-1C

Resolution

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the Preliminary Site Condominium Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One Family Residential Development) for the development known as Oak Forest Site Condominium, located on the south side of Square Lake Road, between Willow Grove and John R. Road in Section 11, including 76 units on 39.23 acres within the R-1C zoning district, with the following conditions:

- A. All areas noted as mitigation areas on the attached plan shall be included as MDEQ regulated conservation easements, and shall be reflected on the final site condominium plan; and
- B. If feasible in the sole determination of the City Engineer, there shall be an easement granted to the City that shall provide access to City land, and that land that shall be located between Units 70 and 71; and
- C. The walkway between Units 31 and 32 on the attached preliminary site condominium plan is eliminated; and
- D. A public meeting will be held with Engineering and surrounding residents to review the final engineering plans before final site condominium plan is submitted to City Council; and
- E. MDEQ approval will be obtained with all necessary assessment and permit documents prior to the final site condominium plan submitted to City Council; and
- F. The Oakland County Water Resources Commissioner shall approve the site condominium plan prior to the final site condominium plan submittal to City Council.

Vote on Resolution to Amend Resolution to Approve the Preliminary Site Plan for Oak Forest Site Plan Condominium

Resolution #2009-01-011

Moved by Eisenbacher

Seconded by Beltramini

RESOLUTION, That Troy City Council hereby **AMENDS** the resolution to *Approve Preliminary Site Plan for Oak Forest Site Plan Condominiums* by **ADDING** “proposed” before “Units” in Item B and C, and by **STRIKING** “walkway” and **INSERTING** “concrete sidewalk” in Item C.

Yes: All-7

MOTION CARRIED

Vote on Resolution as Amended

Resolution #2009-01-012

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the Preliminary Site Condominium Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One Family Residential Development) for the development known as Oak Forest Site Condominium, located on the south side of Square Lake Road, between Willow Grove and John R. Road in Section 11, including 76 units on 39.23 acres within the R-1C zoning district, with the following conditions:

- A. All areas noted as mitigation areas on the attached plan shall be included as MDEQ regulated conservation easements, and shall be reflected on the final site condominium plan; and
- B. If feasible in the sole determination of the City Engineer, there shall be an easement granted to the City that shall provide access to City land, and that land that shall be located between proposed Units 70 and 71; and
- C. The concrete sidewalk between proposed Units 31 and 32 on the attached preliminary site condominium plan is eliminated; and
- D. A public meeting will be held with Engineering and surrounding residents to review the final engineering plans before final site condominium plan is submitted to City Council; and
- E. MDEQ approval will be obtained with all necessary assessment and permit documents prior to the final site condominium plan submitted to City Council; and
- F. The Oakland County Water Resources Commissioner shall approve the site condominium plan prior to the final site condominium plan submittal to City Council.

Yes: All-7

MOTION CARRIED