



Planning and Economic Development

Ed Anzek, AICP, Director

From: Sara Roediger, AICP
Date: 8/24/2016
Re: **Sanctuary in the Hills East PUD (City File #89-114.2)**
PUD Final Plan - Planning Review #1

The applicant is proposing a 14-unit owner occupied condominium Planned Unit Development (PUD) on 4.57-acres located on the east side of Sanctuary Boulevard, north of South Boulevard consisting of seven duplex buildings. The project was reviewed for conformance with the City of Rochester Hills Zoning Ordinance. With the exception of the tree survey, the comments in this and other review letters are minor in nature and can be incorporated into a final site plan submittal for review by staff following review and approval by the Planning Commission and City Council, however until a tree survey is provided as discussed in this letter, this item cannot be forwarded for public review by the Planning Commission and City Council.

1. **Background.** This project has received Preliminary PUD and Conceptual Plan approval from City Council on June 6, 2016 following a recommendation from the Planning Commission at their May 17, 2016 meeting with the following findings and conditions, applicable comments from staff are italicized.

Findings:

1. The proposed PUD Concept plan meets the criteria for use of the Planned Unit Development option.
2. The proposed PUD Concept plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
5. The proposed development provides adequate benefit that would not otherwise be realized including the development of a desired land use to provide diversity in housing options in the City.

Conditions:

1. Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan. *In compliance, the final plan is consistent with the approved concept plan.*
2. The site plans, including but not limited to landscaping, engineering, tree removal and wetland use/buffer modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan. ***Not in compliance, additional information is needed per this review letter.***
3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan. *In compliance, the final plan is consistent with the approved concept plan.*
4. Recommendation by the Planning Commission and approval by City Council of a Wetland Use Permit and submittal of an MDEQ Wetland Permit at Final PUD review, with the plans to address comments from ASTI's letter dated April 27, 2016. *Submitted as part of Final PUD submittal, the plans address the ASTI review letter; see updated review letter dated August 11, 2016 recommending approval.*
5. Approval of a Tree Removal Permit by Planning Commission at Final PUD review. ***Upon further review, this condition is not applicable as the site is part of an approved plat. As such, the condition for the tree removal permit is not required for this site. After field verification, the tree survey that has been provided is incomplete, as a number of regulated trees were observed that are not noted on the submitted tree survey (see attached photos) A complete existing tree survey including the location of all trees 6" or greater d.b.h. showing the tag number, size, species, and condition of all regulated trees located on the site must be provided in order to meet the site plan submittal requirements even though the site is exempt.***

6. Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review. *Submitted as part of Final PUD submittal, City staff and attorney recommend approval.*
 7. Address comments from the Engineering memo dated April 28, 2016 applicable to Final PUD submittal and any minor outstanding staff comments prior to Final Site Condo Plan submittal. *In compliance with Engineering review, refer to updated Engineering review letter dated August 16, 2016 recommending approval, **however additional information is needed per this review letter.***
 8. The addition of a sidewalk along the south side of the proposed road to connect to the wood chip path. ***Not in compliance, however there was discussion at the June 6, 2016 City Council meeting where some of the Council members questioned the need for a sidewalk for this development due to its size and isolation of the project and were comfortable supporting the project without the sidewalk, which is what the applicant has indicated a preference for.***
 9. Work with the Engineering Department to find an alternative access to the detention pond that removes the access drive off of Sanctuary Blvd. ***In lieu of construction the detention basin access road at this time, the Engineering Department has determined that the applicant can place \$10,000 in an escrow account in the home owners association to access the pond when maintenance is needed.***
 10. Approval of the vacation of Grant Rd. by a circuit court order or an agreement to hold the City harmless against any claims which include, but are not limited to an irrevocable letter of credit or bond as determined appropriate by the City, prior to issuance of a Land Improvement Permit. *This condition will be fulfilled.*
 11. That the purchase of the property shall be consummated prior to commencing any development, including the clearing of trees. *This condition will be fulfilled.*
 12. Construction traffic shall be restricted to Sanctuary Blvd. and South Boulevard. ***A note needs to be added to the plans limiting construction traffic accordingly.***
2. **PUD Requirements** (Section 138-7.100-108). The PUD option is intended to permit flexibility in development that is substantially in accordance with the goals and objectives of the City's Master Land Use Plan at the discretion of the City Council. The PUD development shall be laid out so that the various land uses and building bulk will relate to each other and to adjoining existing and planned uses in such a way that they will be compatible, with no material adverse impact of one use on another. The PUD option seeks to:
- Encourage innovation to provide variety in design layout
 - Achieve economy and efficiency in the use of land, natural resources, energy and the provision of public services and utilities
 - Encourage the creation of useful open spaces
 - Provide appropriate housing, employment, service and shopping opportunities

The PUD option can permit:

- Nonresidential uses of residentially zoned areas
- Residential uses of nonresidential zoned areas
- Densities or lot sizes that are different from the applicable district(s)
- The mixing of land uses that would otherwise not be permitted; provided that other objectives are met and the resulting development will promote the public health, safety and welfare

Review Process

The PUD review process consists of a two step process as follows:

- a. **Step One: Concept Plan.** The PUD concept plan is intended to show the location of site improvements, buildings, utilities, and landscaping with a level of detail sufficient to convey the overall layout and impact of the development. The PUD concept plan is not intended to demonstrate compliance with all ordinance requirements, but rather is intended to establish the overall layout of the development, including the maximum number of units which may be developed. This step requires a Planning Commission public hearing and recommendation to City Council followed by review by the City Council.

- b. **Step Two: Site Plan/PUD Agreement.** The second step in the process is to develop full site plans based on the approved PUD concept plan and to submit the PUD Agreement. At this time, the plans are reviewed for compliance with all City ordinance requirements, the same as any site plan. This step requires a Planning Commission recommendation to City Council followed by review by the City Council.
3. **Zoning and Land Use** (Section 138-4.300 and 138.7.103). The site is zoned R-4 One Family Residential District, however the applicant is proposing to develop the site with a PUD option. Refer to the table below for the zoning and existing and future land use designations for the proposed site and surrounding parcels.

	Zoning	Existing Land Use	Future Land Use
Proposed Site	R-4 One Family Residential	Vacant	Residential 4
North	R-4 One Family Residential	Deerfield Elementary School	Residential 4
South	R-4 One Family Residential	Vacant	Private Recreation/Open Space
East	R-4 One Family Residential	Single family homes	Residential 4
West	RCD One Family Residential Cluster	Sanctuary in the Hills Condos	One Family Cluster

4. **Site Layout** (Section 138-5.100-101, Section 138-6.500-507 and Section 138-7.104). Refer to the table below as it relates to the area, setback, and building requirements for this project. For purposes of this review, the proposed plan was reviewed in accordance with the requirements of the MR Mixed Residential Option as that is the most similar zoning district for what is being proposed.

Requirement	Proposed	Staff Comments
Min. Parcel Area 10 acres	4.57 acres	In compliance with the approved PUD Concept Plan
Max. Density MR = 4.25 units per acre = 19 units	3.06 units per acre = 14 units	In compliance
Min. Front Perimeter Setback (Sanctuary Blvd.) 20 ft.	30 ft.	In compliance
Min. Side Perimeter Setback (north/south) 25 ft.	25 ft./38+ ft.	In compliance
Min. Rear Perimeter Setback (east) 60 ft.	20 ft.	In compliance with the approved PUD Concept Plan
Min. Front Interior Setback (front) 15 ft.	25 ft.	In compliance
Min. Side Interior Setback (one/total) 10/20 ft.	10/20 ft.	In compliance
Min. Rear Interior Setback (rear) 35 ft.	25+ ft.	In compliance with the approved PUD Concept Plan
Max. Height 2.5 stories/30 ft.	2 stories/30 ft.	In compliance
Garages Max. 25% of garage doors may be located at or in front of the front building wall of the building, with all other garage doors being located at least 10 ft. behind the front building wall of the unit or facing the side or rear of the unit	100% of garage doors are located in the front of the buildings	In compliance with the approved PUD Concept Plan
Unenclosed Front Porches Larger than 80 sq. ft. w/ roof may encroach up to 8 ft. into a required front yard	None	Not applicable
Individual Entrances Required Attached units shall have entrances that are directly accessible from the exterior of the building that include a minimum 30 sq. ft. unenclosed porch	30+ sq. ft. porches	In compliance
Max. # of Attached Units 4 dwelling units	2 dwelling units	In compliance
Stacked Flats Prohibited Attached units shall be separated by common	All units separated by common vertical walls	In compliance

Requirement	Proposed	Staff Comments
vertical walls		
Min. Floor Area 1,250 sq. ft	2,200+ sq. ft.	In compliance
Design Features Attached unit façades visible from a public right-of-way or private road shall include features such as columns, cornices, pediments, articulated bases, & fluted masonry covering a min. of 10% of the exterior wall	A number of design features are used including shutters, decorative vents with raised brick surrounds, window muntins, Queen Anne rood returns, gable rake soffits & frieze	In compliance
Architectural Requirements 1. All walls that face a street shall contain a min. of 25% of the wall area in windows or doors 2. Windows shall be provided with trim detailing or shall be recessed, shall not be flush with the exterior wall treatment & shall be provided with an architectural surround at the jamb 3. Exterior finishes shall primarily consist of natural, durable materials such as brick or stone. Max 33% wood or vinyl of any façade elevation & max. 10% EIFS or stucco on any façade elevation	1. Street façade contains 45% windows or doors 2. Trim detailing provided 3. The elevations consist of a primarily brick first floor with a mixture of "shake" and horizontal siding on the peaks & upper portion of the rear facades	In compliance with the approved PUD Concept Plan
Formal or Active Open Space Min. 5% of the gross lot area shall be dedicated to planned open space designed to complement the development = 0.23 acres open space	0.23 acres (5%) open space area with fire pit, benches and a wood chip path along the south property line, as well as two benches near the entrance of the development use by its residents	In compliance
Passive Open Space Any natural features determined by the PC to be of significant aesthetic or natural value that are located on the site shall be preserved		
Landscaping & Screening Type C Buffer between attached units & adjacent one-family residential zoning	Refer to Landscaping table in 6. below	

5. **Natural Features.** In addition to the comments below, refer to the review letters from the Engineering and Forestry Departments and the City's Wetland Consultant that pertain to natural features protection.
- a. **Environmental Impact Statement (EIS)** (Section 138-2.204.G) An EIS has been submitted for the project in accordance with ordinance requirements.
 - b. **Wetlands** (Section 126 Natural Resources, Article IV Wetland and Watercourse Protection). The site contains two wetland areas, one that is regulated by the city and MDEQ that is 0.68 acres and one that is not regulated accounting for 0.10 acres. As proposed, 1,680 sq. ft. (0.039 acres) of regulated wetlands will be impacted, 253 sq. ft. (0.006 acres) temporarily and 1,427 sq. ft. (0.033 acres) permanently, and a wetland use permit is required. Refer to the ASTI review letter dated August 11, 2016 for additional information.
 - c. **Natural Features Setback** (Section 138-9 Chapter 1). The 25 ft. natural features setback has been identified on the plans which indicate that a number of setback modifications are required. As recommended by ASTI, the city's wetland consultants an 18" boulder retaining wall has been provided along the boundary of the wetlands along units 2, 3 and 14 to prevent unplanned impacts to the wetlands. Refer to the ASTI review letter dated August 11, 2016 for additional information.
 - d. **Steep Slopes** (Section 138-9 Chapter 2). The site does not contain any regulated steep slopes.
 - e. **Tree Removal** (Section 126 Natural Resources, Article III Tree Conservation). The site is not subject to the City's tree conservation ordinance; however as part of the PUD development option, natural feature preservation is encouraged and a condition of the preliminary PUD concept plan approval included "approval of a Tree Removal Permit by Planning Commission at Final PUD review." **As has been indicated in all of our previous reviews, a partial tree survey has been provided, however a full tree survey is required in accordance with ordinance requirements. The site is heavily wooded and the tree survey does not accurately depict all of the trees on the site. In addition, there are areas labeled "landscaping" along the western property line, but it**

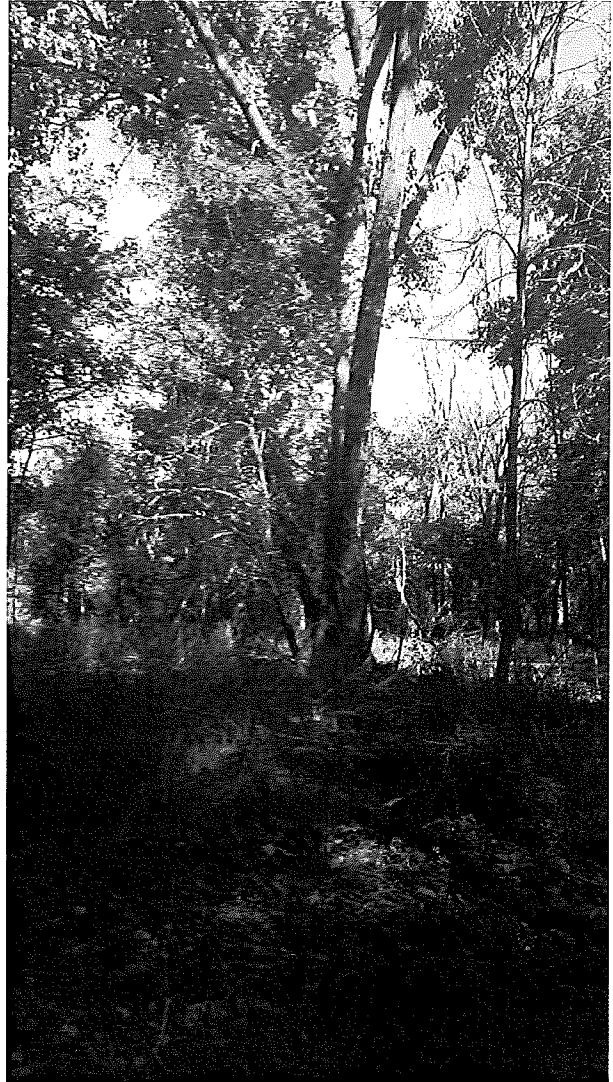
is not clear what is being preserved and what is being removed. The site plan must indicate the location of tree protective fencing to identify which areas are to be preserved, including along the southern portion of the property

6. **Landscaping** (Section 138-12.100-308). A landscape plan, signed and sealed by a registered landscape architect, must be provided. Refer to the table below as it relates to the landscape requirements for this project.

Requirement	Proposed	Staff Comments
Buffer C (north: 524 ft.) 20 ft. width + 2 deciduous + 1.5 ornamental+ 4 evergreen + 6 shrubs per 100 ft. = 10 deciduous + 8 ornamental + 21 evergreen + 31 shrubs		In compliance
Buffer C (south: 501 ft.) 20 ft. width + 2 deciduous + 1.5 ornamental+ 4 evergreen + 6 shrubs per 100 ft. = 10 deciduous + 8 ornamental + 20 evergreen + 30 shrubs		
Buffer C (east: 465 ft.) 20 ft. width + 2 deciduous + 1.5 ornamental+ 4 evergreen + 6 shrubs per 100 ft. = 9 deciduous + 7 ornamental + 19 evergreen + 28 shrubs	49 deciduous 12 deciduous (existing) 31 ornamental	
Right-of-Way (Sanctuary Blvd.: 452 ft.) 1 deciduous per 35 ft. + 1 ornamental per 60 ft. = 13 deciduous + 8 ornamental	79 evergreen 98 shrubs	
Stormwater (214 ft.) 6 ft. width + 1.5 deciduous + 1 evergreen + 4 shrubs per 100 ft. = 3 deciduous + 2 evergreen + 9 shrubs		
TOTAL	45 deciduous 31 ornamental 62 evergreen 98 shrubs	

- a. The site is heavily wooded, and it appears that most of the existing vegetation will be removed. **Staff strongly recommends keeping as much of the existing vegetation as possible, particularly along the eastern property line which abuts existing rear yards. The plans need to clearly identify existing vegetation that is proposed to remain and where the limits of clearing will extend towards the south property line and to the existing vegetation along Sanctuary Blvd.**
- b. If required trees cannot be planted due to infrastructure conflicts, a payment in lieu of may be made to the City's tree fund at a rate of \$205.50 per tree, however installation of required landscaping is preferred, particularly as it applies to required buffer requirements.







Maureen Gentry <gentrym@rochesterhills.org>

RE: Sanctuary in the Hills East PUD Agreement

1 message

John D. Staran <jstaran@hsc-law.com>
To: Maureen Gentry <gentrym@rochesterhills.org>

Thu, Jul 21, 2016 at 12:29 PM

I have no comments or changes relative to the PUD agreement.



John D. Staran

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Sylvan Lake, MI 48320

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From: Maureen Gentry [mailto:gentrym@rochesterhills.org]
Sent: Wednesday, July 20, 2016 8:31 AM
To: John D. Staran
Subject: Sanctuary in the Hills East PUD Agreement



FIRE DEPARTMENT

Sean Canto

Chief of Fire and Emergency Services

From: James L. Bradford, Lieutenant/Inspector
To: Planning Department
Date: August 8, 2016
Re: Sanctuary in the Hills East

SITE PLAN REVIEW

FILE NO: 89-114.2

REVIEW NO: 3

APPROVED X

DISAPPROVED _____

The Fire Department recommends approval of the above reference site plan contingent upon the following conditions being met:

1. The proposed construction type and square footage of each building require 1 fire hydrant every 500 feet, with a required fire flow of 1750 GPM. This requirement appears to have been met; however, a fire flow test is still required for this development to determine adequate fire flow is available. Please contact the Rochester Hills Engineering Department to schedule a flow test at (248) 656-4640.

Lt. James L. Bradford
Fire Inspector



ASSESSING DEPARTMENT
Kurt Dawson, Director

From: Nancy McLaughlin
To: Ed Anzek
Date: 8/1/16
Re: Project: Sanctuary in the Hills East, Review #1
Parcel No: 70-15-32-476-001, -002, -005, -006, -009, 15-32-477-009, -016
File No.: 89-114.2
Applicant: MacLeish Building, Inc.

The legal description provided differs from the parcel numbers provided.

<u>Parcel Number Provided</u>	<u>Current Legal Description</u>
70-15-32-476-001	Lot 96
70-15-32-476-002	Lot 97
70-15-32-476-005	Lot 95
70-15-32-476-006	Lot 94
70-15-32-476-009	92, 93, 98 & 99
70-15-32-477-009	82 & N 25 FT of Lot 83
70-15-32-477-016	S 135 FT of Lot 83 & N 86.25 FT of Lot 84

If the proposed legal description is meant to describe parts of Lots 92, 93 & 99, then a land division would be required.

If a land division is required, the owners of the property must sign the application, unless an attachment showing power of attorney or a purchase agreement contingent on approval.

Proposed:

<u>Parcel Number</u>	<u>Taxpayer on Record</u>
70-15-32-476-001	Deyonker Building Co Inc
70-15-32-476-002	Deyonker Building Co Inc
70-15-32-476-005	Deyonker Building Co Inc
70-15-32-476-006	Deyonker Building Co Inc
70-15-32-476-009	City of Rochester Hills
70-15-32-477-009	Kevin & Nancy McArthur
70-15-32-477-016	Kevin & Nancy McArthur



SRB

DPS/Engineering
Allan E. Schneck, P.E., Director

From: Jason Boughton AC, Engineering Utilities Coordinator
To: Sara Roediger, Manager of Planning
Date: August 16, 2016
Re: Sanctuary in the Hills East, City File #89-114.2, Section #32
Final PUD Site Plan Review #1 Revised

Engineering Services has reviewed the PUD site plan received by the Department of Public Services on July 25, 2016 for the above referenced project, with the addition of the detention basin calculations and detail sheet being emailed on August 1, 2016. Engineering Services **does** recommend site plan approval since the additional sheet was provided.

The applicant will need to submit for a Land Improvement Permit (LIP) application with engineer's estimate, fee and construction plans to get the construction plan review process started.

JRB/jf

c: Allan E. Schneck, P.E.; DPS Director
Paul Davis, P.E., Deputy Director/City Engineer; DPS
Tracey Balint, P.E., Public Utilities Engineer; DPS
Keith Depp, Staff Engineer; DPS

Paul Shumejko, MBA, M.S., P.E., PTOE, Transportation Engineer; DPS
Sheryl McIsaac, Office Coordinator; DPS
Sandi DiSipio; Planning & Development Dept
File

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To: Sara Roediger
From: Gerald Lee
Date: August 12, 2016
Re: Sanctuary in the Hills East
Review #1 Final PUD (Revised)
File No. 89-114.2

Forestry review pertains to public right-of-way (r/w) tree issues only.

Boundary and Topographic Survey, Sheet 3 of 6

Trees on the Sanctuary Blvd. r/w, adjacent to the site, are regulated. Please provide a survey of trees 6" diameter and larger and all formal landscape trees.

Landscape Plan, Sheet 3 of 3

The 25' corner clearance/sight distance triangle at the intersection of the proposed private road and the Sanctuary Blvd. r/w needs to be shown. The base of the triangle needs to extend from curb to curb. Trees or shrubs should not be planted in this area.

Norway maple and flowering pear can't be planted in the Sanctuary Blvd. r/w.

Please including the following statements on the plan.

Prior approval is required to plant any tree or shrub on the public right-of-way. All trees and shrubs must be planted at least 10' from the edge of the public road. (Trees must be planted at least 15' away from curb or road edge where the speed limit is more than 35 mph.) Shade trees and shrubs must be planted at least 5' from the edge of the public walkway. Evergreen and ornamental trees must be planted at least 10' from the edge of the public walkway. No trees or shrubs may be planted within the triangular area formed at the intersection of any street right-of-way lines at a distance along each line of 25' from their point of intersection. No trees or shrubs may be planted in the triangular area formed at the intersection of any driveway with a public walkway at a distance along each line of 15' from their point of intersection. All trees and shrubs must be planted at least 10' from any fire hydrant. Shade and evergreen trees must be at least 15' away from the nearest overhead wire. Trees must be planted a minimum of 5' from an underground utility, unless the city's Landscape Architect requires a greater distance.

Prior to the release of the performance bond, the City of Rochester Hills Forestry Division needs to inspect all trees, existing or planted, to identify any that pose a hazard to the safe use of the public right-of-way. Forestry may require the developer to remove, and possibly replace, any such trees.

All sheets submitted reflect the requirements included in the statements submitted.

GL/cf

cc: Sandi DiSipio, Planning Assistant
Maureen Gentry, Planning Assistant

Mailing Address:
P.O. Box 2160
Brighton, MI 48116-2160

800 395-ASTI
Fax: 810.225.3800

www.asti-env.com

August 11, 2016

Sara Roediger
Department of Planning and
Economic Development
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3033

**Subject: File No. 89-114.2 Sanctuary in the Hills East PUD;
Wetland Use Permit Review #5;
Plans received by the City of Rochester Hills on
July 25, 2016**

Applicant: MacLeish Building, Inc.

Dear Ms. Roediger:

The above referenced project proposes to construct seven residential buildings on eight parcels comprising 4.57 acres as a Planned Unit Development (PUD). The site is located along the east side of Sanctuary Boulevard, north of South Boulevard, and west of Crooks Road. The site includes wetland regulated by the City of Rochester Hills and likely the Michigan Department of Environmental Quality (DEQ).

ASTI has reviewed the site plans received by the City on July 25, 2016 (Current Plans) for conformance to the Wetland and Watercourse Protection Ordinance and the Natural Features Setback Ordinance and offers the following comments for your consideration.

COMMENTS

1. **Applicability of Chapter (§126-500).** The Wetland and Watercourse Protection Ordinance is applicable to the subject site because the subject site is not included within a site plan which has received final approval, or a preliminary subdivision plat which received approval prior to January 17, 1990, which approval remains in effect and in good standing and the proposed activity has not been previously authorized.

2. **Wetland and Watercourse Determinations (§126-531).** This Section lists specific requirements for completion of a Wetland and Watercourse Boundary Determination.
- a. This review has been undertaken in the context of a Wetland and Watercourse Boundary Determination previously completed by the applicant's wetland consultant in September 2015, which was confirmed in the field by ASTI on March 21, 2016. The site contains two wetland areas: a larger wetland in the western portion and a smaller wetland in the eastern portion.

The larger wetland in the western portion is comprised of forested wetland in its southern two-thirds and of open water area with a scrub/shrub wetland fringe in its northern third. Dominant species observed in the forested portion included red maple (*Acer rubrum*), silver maple (*Acer saccharinum*), and cottonwood (*Populus deltoides*), with scattered American elm (*Ulmus americana*) and black willow (*Salix nigra*). Understory species were similar. Tree cover was robust and individuals ranged in size of approximately 6 inches diameter to 16 inches in diameter. Glossy buckthorn (*Frangula alnus*) was also observed in sparse amounts in the understory. Herbaceous cover was sparse at the time of inspection, with poison ivy (*Toxicodendron radicans*) being the dominant species. The open water portion of the western wetland exhibited a fringe of scrub/shrub wetland dominated by a dense gray dogwood (*Cornus racemosa*) colony. Herbaceous cover in the scrub/shrub fringe was sparse and was dominated by reed canary grass (*Phalaris arundinacea*). Overall, vegetation was dominated by native species with sparse invasive species cover throughout. The forested portion, the dense shrub cover in the wetland fringe of the open water area, and the open water area proper provide a locally diverse wildlife habitat. This wetland as a whole is a portion of a larger wetland system and is also partially within the 100-year flood plain of the Rouge River to the west/northwest and was observed to be actively detaining water on the day of the site inspection. Based on these factors, it is ASTI's opinion that the larger wetland in the western portion of the site is of high quality and function and should be considered a valuable natural resource to the City.

The smaller wetland, approximately 0.10 acres or less in size, in the eastern portion of the site was predominantly open water with a very minimal wetland fringe. Dominant vegetation observed within this wetland included scattered cottonwood saplings, glossy buckthorn, and poison ivy. This wetland appeared to be the result of a former disturbance on or around the site. No significant wildlife habitat, significant flood reducing, or water quality improvement properties were observed. Based on this wetland's small size, its isolation on-site, and lack

of vegetation, it is ASTI's opinion that this wetland is of little functional value, of low quality, and should not be considered a valuable natural resource to the City.

The larger wetland to the west is regulated by the City and likely the DEQ because it is larger than five acres in total size. The smaller wetland in the eastern portion of the site is not regulated by the City or likely the DEQ because it is less than two acres in size and is not within 500 feet of or directly connected to, an inland lake or stream regulated under Part 301.

ASTI agrees with the depiction of the on-site wetlands on the Current Plans based on the aforementioned site inspection. The applicant should be advised that wetland delineations are only considered valid by the DEQ and the City for a period of three years.

3. **Use Permit Required (§126-561).** This Section establishes general parameters for activity requiring permits, as well as limitations on nonconforming activity. This review of the Current Plans has been undertaken in the context of those general parameters, as well as the specific requirements listed below.
 - a. The Current Plans show all proposed impacts to City- and DEQ-regulated wetlands calculated and stated in square feet on revised plans. This is to ASTI's satisfaction.
 - b. The Current Plans show that 1,427 square feet of permanent impacts will result to the western wetland from the construction of the proposed private drive Sanctuary Court, a proposed retaining wall to the north and south of Sanctuary Court, and a proposed culvert beneath Sanctuary Court. The wetland in this area is part of a high quality wetland and any impacts to this wetland should be minimized. The placement of the proposed Sanctuary Court appears to be dependent on occurring within the western wetland. The Current Plans show the proposed Sanctuary Court crossing the smallest span of the western wetland, thereby minimizing wetland impacts for this proposed activity. The Current Plans show a retaining wall in this area. ASTI agrees with the construction of a retaining wall in this area, which should further minimize unplanned impacts to this wetland. Moreover, the Current Plans show the retaining wall and propose utilities per City Engineering standards. This is all to ASTI's satisfaction and ASTI recommends a Wetland Use permit be issued for this activity.

- c. The Current Plans show that 253 square feet of temporary impacts to the western wetland will result from the placement of a culvert to the proposed forebay south of Sanctuary Court.

This proposed action qualifies for an exception to the Wetland Use Permit provided that: (1) a prior written notice is given to the City Engineer and written consent is obtained from the City Mayor prior to work commencing; (2) the work is conducted using best management practices (BMPs) to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted; and (3) such that all impacts to the aquatic environment are minimized. Revised plans must note that BMPs will be implemented during the construction phase of the proposed project and that any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City-approved wetland seed mix. This is noted on the Current Plans to ASTI's satisfaction.

This action will require a Part 303 permit from the DEQ, which must be obtained and submitted to the City for review. This is noted on the Current Plans to ASTI's satisfaction.

- d. The Current Plans show that 720 square feet of temporary impacts to the western wetland will result from the placement of a culvert to the proposed detention basin east of Sanctuary Boulevard.

This proposed action qualifies for an exception to the Wetland Use Permit provided that: (1) a prior written notice is given to the City Engineer and written consent is obtained from the City Mayor prior to work commencing; (2) the work is conducted using BMPs to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted; and (3) such that all impacts to the aquatic environment are minimized. Revised plans must note that BMPs will be implemented during the construction phase of the proposed project and that any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City-approved wetland seed mix. This is noted on the Current Plans to ASTI's satisfaction.

This action will require a Part 303 permit from the DEQ, which must be obtained and submitted to the City for review. This is noted on the Current Plans to ASTI's satisfaction.

4. **Use Permit Approval Criteria (§126-565).** This Section lists criteria that shall govern the approval or denial of an application for a Wetland Use Permit. The following items must be addressed on a revised and dated Wetland Use Permit application and additional documentation submitted for further review:
 - a. A Wetland Use Permit from the City and a DEQ Part 303 Permit are required for this project as proposed. Once a DEQ permit is received by the applicant, it must be submitted to the City for review.

5. **Natural Features Setback (§21.23).** This Section establishes the general requirements for Natural Features Setbacks and the review criteria for setback reductions and modifications.
 - a. Should the City accept the applicant's proposal to develop the subject property as a PUD, subject to final review and approval as part of the site plan review process, the on-site Natural Features Setback regulations can be waived by the City at its discretion. The applicant should note that upon the request of the City, ASTI will re-evaluate any Natural Features Setback impacts if the City does not waive Natural Feature Setback regulations. The Current Plans show the Natural Features Setback areas to ASTI's satisfaction.

6. **Additional Comments**
 - a. The previous plan submittal depicted a DEQ conservation easement in the western portion of the site. The applicant has provided a Termination of Conservation Easement document recorded at the Oakland County Register of Deeds on December 17, 2015. This valid written documentation that the DEQ has vacated the on-site conservation easement is to ASTI's satisfaction.

 - b. Due to the high quality of the City-regulated wetland proposed to be impacted, ASTI recommended during previous reviews that a retaining wall, fieldstone wall, or some other City-approved permanent structure at least 18 inches in height be constructed along the boundary of the wetland east of Unit 2, west of Unit 3, and west of Unit 14 to ensure no further unplanned impacts from lawn maintenance or residential activities occur. The Current Plans show a proposed 18 inch high boulder retaining wall in the area specified above. This action will prevent unplanned wetland impacts to this area and is in the spirit of the PUD. This is to ASTI's satisfaction.

RECOMMENDATIONS

ASTI recommends the City approve the Current Plans.

Respectfully submitted,

ASTI ENVIRONMENTAL



Kyle Hottinger
Wetland Ecologist



Dianne Martin
Director, Resource Assessment & Mgmt.
Professional Wetland Scientist #1313



42651 Woodward Avenue
Bloomfield Hills, MI 48304
Phone 248-338-7135
Fax 248-338-3045

June 17, 2016

Bryan Barnett
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Re: Vacation of Grant Road

I have reviewed the plat for South Boulevard Gardens. The Dedication provides "that the streets as shown on said plat are hereby dedicated to the public." The portion of Grant Road lying West of Lots 82, 83, and 84 and East of Lots 93, 94, and 95 appears to be a "paper road." Because the streets in the subdivision are dedicated to the public, provided we are furnished an appropriate Certificate of Abandonment by the Road Commission of Oakland County and a vacation by the City of Rochester Hills, that portion of Grant Road would become titled in the name of the owners of Lots 82, 83, 84, 93, 94, and 95.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Philip R. Seaver", written over a horizontal line.

Philip R. Seaver
President



Sara Roediger <roedigers@rochesterhills.org>

Proposed Sanctuary in the Hills East Development

RODNEY MEYER <rjmeyer100@sbcglobal.net>

Wed, Jun 1, 2016 at 5:40 PM

Reply-To: RODNEY MEYER <rjmeyer100@sbcglobal.net>

To: Ed Anzek <anzeke@rochesterhills.org>, Sara Roediger <roedigers@rochesterhills.org>

Cc: Susan Bowyer <bowyers@rochesterhills.org>, John Bailey <johnjbailey2012@gmail.com>

Ed and Sara.....The Sanctuary in the Hills (SITH) Board of Directors and the Co-Owners Advisory Committee for the proposed Sanctuary in the Hills East (SITHE) Development recently met with the SITH Co-Owners to provide an update regarding the SITHE project.

Generally, the Co-Owners are supportive of what MacLeish Building is proposing and feel that the SITH Board of Directors should explore, with the developer, incorporating SITHE into our Association. At the meeting the Co-Owners expressed two concerns/issues: First, the location of the proposed access to the retention ponds which we know is being addressed. Second, the need for a sidewalk within the planned community.

As you are aware, SITH was developed thru a PUD arrangement and the community was not planned with sidewalks. As we understand SITHE is being planned as an **extension** of the SITH PUD. Since SITH and SITHE are private road communities with no thru traffic and both are (or will be) maintained by the Association(s) **we do not support the need for a sidewalk along the proposed Sanctuary Court.** The cost to maintain a sidewalk in a community of only fourteen Co-Owner units doesn't make financial sense, especially if SITH cannot reach an agreement to incorporate SITHE into SITH and it is a stand alone condominium community.

We do support the planned sidewalk at the entrance of the Court connecting to the sidewalk on the east side of Sanctuary Blvd.

We hope that the Planning Commission and City Council will consider our request and not require that the Developer install sidewalk along Sanctuary Court.

Thank you for all of your time to meet with us in the past and for your consideration of our concerns.

Best Regards

Rod Meyer
President
Sanctuary in the Hills Condominium Association

John Bailey
Chairperson
Co-Owner Advisory Committee

2. The site plans, including but not limited to landscaping, engineering, tree removal and wetland use/buffer modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.
3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.
4. Recommendation by the Planning Commission and approval by City Council of a Wetland Use Permit and submittal of an MDEQ Wetland Permit at Final PUD review, with the plans to address comments from ASTI's letter dated April 27, 2016.
5. Approval of a Tree Removal Permit by Planning Commission at Final PUD review.
6. Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.
7. Address comments from the Engineering memo dated April 28, 2016 applicable to Final PUD submittal and any minor outstanding staff comments prior to Final Site Condo Plan submittal.
8. The addition of a sidewalk along the south side of the proposed road to connect to the wood chip path.
9. Work with the Engineering Department to find an alternative access to the detention pond that removes the access drive off of Sanctuary Blvd.
10. Approval of the vacation of Grant Rd. by a circuit court order or an agreement to hold the City harmless against any claims which include, but are not limited to an irrevocable letter of credit or bond as determined appropriate by the City, prior to issuance of a Land Improvement Permit.
11. That the purchase of the property shall be consummated prior to commencing any development, including the clearing of trees.
12. Construction traffic shall be restricted to Sanctuary Blvd. and South Boulevard.



Further Resolved, that Council does not find that Condition No. 8, the addition of a sidewalk along the south side of the proposed road to connect to the wood chip path, is necessary.

2015-0526

Request for Final Site Condominium Plan Approval - Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay; Pulte Land Company, Inc., Applicant

Sara Roediger, Manager of Planning, introduced Joe Skore, representing Pulte Homes. She noted that the development was located at the southwest corner of Hamlin and Livernois. She explained that when the plans were submitted for final review, there had been some small adjustments made to the engineering that increased the impact to the low-quality wetland area by 506 square feet.

CITY OF ROCHESTER HILLS
DEPARTMENT OF PUBLIC SERVICES

AMENDED ENGINEERING REPORT

Date: October 15, 2015

To: Mayor Bryan K. Barnett

Prepared by: Paul M. Davis, P.E., Engineering Services *PMD*

Subject: **Request to Vacate the 30' Public Right-of-Way for Dayton Road, immediately East of Sanctuary Blvd. and north of parcel #15-32-480-009**

This report has been amended per the Site Plan for Sanctuary in the Hills East, City File #89-114.2, received September 24, 2015. The plan shows that Lot 98, which abuts the Dayton Road Right-of-Way, has been excluded. The corrected length for the Right-of-Way to be vacated is noted below.

MacLeish Building, Inc., filed an Application and Request for Vacation of Streets, Alleys or Public Grounds (Article IV Sections 94-171--94-178 City Code) with the City of Rochester Hills to vacate a portion of Grant Road right-of-way in the South Boulevard Gardens subdivision. Also included with the vacation request, was a copy of Mr. MacLeish's proposed Sanctuary in the Hills East. During the review, it was noticed that Dayton road was being crossed, therefore the 30' right-of-way vacation request would require vacation in addition to the Grant Road right-of-way vacation request.

The existing public right-of-way is not improved as a throughway, and may have originally been intended to create a north-south roadway for the westerly lots of the South Boulevard Gardens Subdivision Plat. Please refer to the attached aerial drawing from the City Geographic Information System. It is unlikely that the existing Dayton Road right-of-way will be utilized as a north-south roadway connection in the future because Sanctuary Boulevard is adjacent to Dayton and a portion of Dayton's right of way is located in regulated wetland and floodplain.

Mr. MacLeish would like to have a segment of Dayton Road vacated, with the full 30-foot width being transferred to his proposed development, Sanctuary in the Hills East, City File #89-114.2, since it is within the South Blvd. Gardens subdivision plat.

Enclosed for reference is a copy of the South Blvd. Gardens subdivision plat.

EXISTING CONDITIONS:

- Dayton Road was platted and dedicated to the use of the public as a 30-foot wide "half" street in 1929 with the recording of the "South Boulevard Gardens" Subdivision. According to the Plat, the portion of Dayton Road right-of-way proposed for vacation is 30-foot wide and **253.48** feet long.

- The Dayton Road right-of-way is not improved within the **253.48** foot distance and appears to be an unimproved field and woods. As it exists today, it is not being used as a traveled roadway, and is not being maintained by the City.
- The right-of-way in part, is located in regulated wetland and floodplain.
- A sanitary sewer was constructed in the right-of-way in the late 1970's.
- DTE Energy and COMCAST have facilities located within the right-of-way.
- Sanctuary Boulevard was constructed and dedicated as a public road by the developers of the Sanctuary Condominium Development in 2001. It is located west of and adjacent to the Dayton Road right-of-way.

FUTURE USES:

- The City has no immediate plans for improving the existing Dayton Road right-of-way for vehicular traffic at the requested area of vacation.
- An Easement for Public Utilities should be reserved over the entire vacated portion. This will allow the City of Rochester Hills access to the sanitary sewer, and DTE Energy and Comcast access to their respective facilities located within the vacated area. DTE Energy was contacted and this would be an acceptable solution to their original objection on the right-of-way vacation.

If the City Council agrees to approve the public right-of-way vacation request, it is recommended that the approval be conditioned upon reserving a public easement over the entire 30-foot wide portion of Dayton Road to be vacated.

RECOMMENDATION:

- The Assessing Department, Fire Department and City Attorney John Staran, responded with a "No Objection" to the requested vacation.
- The Mayor's Office, Clerk's Office, Planning Department, Building Department, DPS-Traffic Division and DPS Roads Foreman were sent notifications of the vacation request. Responses back have not been received since the requested deadline of August 21, 2015.
- Notices were sent to the State of Michigan Office of Land Survey and the Water Resources Commission, with a requested deadline of August 24, 2015. The Water Resources Commission responded with a "No Objection". A response has not been received from the State of Michigan Office of Land Survey.
- Notices were sent to Consumers Energy, DTE Energy, AT&T, Comcast, WOW, and FiberLink, with a requested deadline of 8/24/15. Response of "No Objection" was received from WOW. DTE Energy and Comcast responded with "Objections", both have facilities located in the right-of-way area to be vacated. The other companies did not respond back.

- The City's attorney, John Staran was contacted regarding the reservation of a public easement over the entire area to be vacated. He confirmed that the easement would cover the needs of the utility companies, while also supporting the future development use.

It is recommended that the City Administration approve the request to vacate the Dayton Road right-of-way immediately east of Sanctuary Boulevard and north of parcel #15-32-480-012, reserving a public easement over the entire portion to be vacated. If approved, this item should be forwarded to City Council for the setting of a public hearing and final decision on the vacation request.

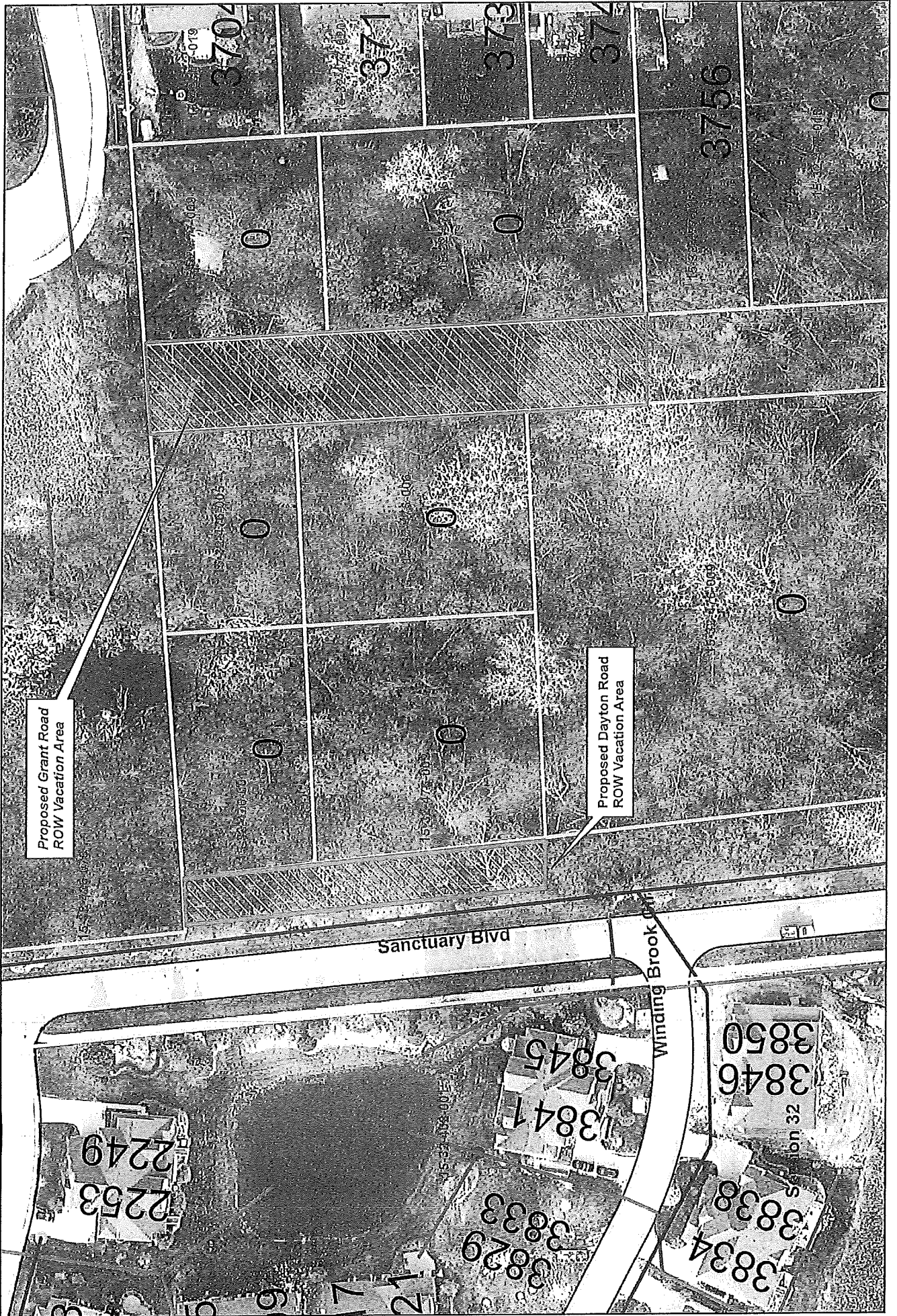
Enclosures: South Boulevard Gardens Subdivision Plat
Revised Aerial Photo of the area with the parcel lines shown.

PMD/AS/jf

c: Allan E. Schneck, P.E., Director of Public Services
Ed Anzek, AICP
Kurt Dawson, Director of Assessing
Tina Barton, City Clerk
Paul G. Shumejko, P.E., PTOE, Transportation Engineer
Scott Cope, Director of Building
Sean Canto, Fire Chief
Bob Lemon, General Foreman
John Staran, HSC, City Attorney
Adele Swann, Engineering Tech

City of Rochester Hills
Proposed ROW Vacation for
Grant and Dayton Roads

Revised 10/7/15





CITY OF ROCHESTER HILLS
1000 Rochester Hills Drive
Rochester Hills, MI 48309

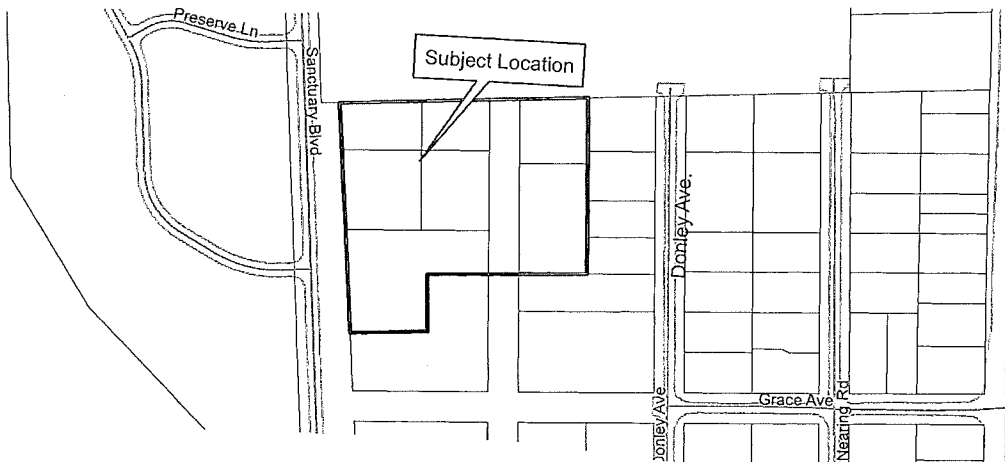
NOTICE OF PUBLIC HEARING

ROCHESTER HILLS PLANNING COMMISSION

REQUEST: In accordance with Section 126-565 of the Wetland and Watercourse Protection Ordinance, notice is hereby given that a request for a Wetland Use Permit Recommendation for impacts to up to 2,400 square feet associated with the construction activities for a 14-unit condominium development on 4.57 acres has been submitted to the City for review and recommendation by the Planning Commission. The area is zoned R-4 One Family Residential and affects Parcel Nos. 15-32-476-001, -002, -005, -006, -009, 15-32-477-009, and -016 (City File No. 89-114.2).

LOCATION: North of South Blvd., east of Sanctuary Blvd.

APPLICANT: Dan MacLeish
MacLeish Building, Inc.
650 E. Big Beaver Rd., Suite F
Troy, MI 48083



DATE OF PUBLIC HEARING: Tuesday, September 20, 2016 at 7:00 p.m.

LOCATION OF PUBLIC HEARING: City of Rochester Hills Municipal Offices
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Information concerning this request may be obtained from the Planning and Development Department, during regular business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, or by calling (248) 656-4660. Written comments concerning this request will be received by the City of Rochester Hills Planning and Economic Development Department, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, prior to the Public Hearing or by the Planning Commission at the meeting. This recommendation will be forwarded to City Council after the Public Hearing.

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is invited to contact the Facilities Division (656-2560) 48 hours prior to the meeting. Our staff will be pleased to make the necessary arrangements.