



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2011-0495 V2

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Economic Development

DATE: January 3, 2012

SUBJECT: Request for Approval of the Final Preliminary Plat for Clear Creek Subdivision No. 5 (City File No. 89-156.5), located east of Sheldon, north of Tienken

REQUEST:

The request is for approval of the Final Preliminary Plat for Clear Creek Subdivision No. 5, the fifth phase of a single-family subdivision located east of Sheldon and north of Tienken. The City Council approved an Open Space Plan, Wetland Use Permit and the Tentative Preliminary Plat on June 16, 2008 (See also File Nos. 2007-0778 and 2007-0777).

BACKGROUND:

Clear Creek Subdivision No. 5 consists of 58 lots on 56 acres, and is the final phase of this development. The entire subdivision consists of 322 lots on 221 acres, which is zoned R-1, One-Family Residential. The Master Plan for the area is single-family residential, and it is surrounded by R-1 and RE, Residential Estate zoning. The subdivision will be accessed from Mead and Sheldon Roads, and internal stub streets of phases 3 and 4 will be connected to the new subdivision. Clear Creek started in the early 1990's with Phase 1.

The 5th Phase site contains approximately 15.3 acres of wetland regulated by the DEQ and the City of Rochester Hills. Several areas of wetland and natural features impacts will occur from construction of the site and installation of roads and pathways, for which the City has approved a Permit. The wetland area that is to be disturbed is 1 acre in size. A draft MDEQ 303 Permit from the State has been issued, subject to finalizing the offsite mitigation agreed to by the applicant for approximately 1.3 acres.

In May 2009, after discussions with the City, the developer nominated the western portion of the site for consideration by the City's Greenspace Committee as a possible acquisition. The site was considered of value but sufficient grants could not be secured. During the due diligence period Elro Corporation had submitted alternative plans along with the continued processing of this Final Preliminary Plat. The Final Preliminary Plat has been approved by all reviewing departments with some conditions. The conditions are included in the Resolution for Council consideration.

The Final Preliminary Plat is the same as the Tentative Preliminary Plat with the exception of the following:

- MDEQ has asked that wetland mitigation occur at an off-site land bank wetland instead of on-site. It is Staff's opinion that the offsite mitigation is preferred, since the parcels that will abut the upland areas that were proposed to be mitigation areas will now remain intact with

no disturbance. All trees and most brush will be preserved furthering a protection of the existing wetlands.

- The developer is proposing to jointly dedicate the wetlands via a Conservation Easement to the Clear Creek Homeowner's Association AND the City of Rochester Hills. This addition of the City in the dedication furthers the City's efforts for the preservation of high quality environmental areas.

At the January 3, 2012 Planning Commission meeting, after a Public Hearing, the Commission unanimously recommended approval of the Final Preliminary Plat with several conditions included in the Resolution. Noticing all plats and condo plans as a Public Hearing before the Planning Commission is now a requirement per State Law that re-established the Planning Commission (approved by City Council in July 2011).

During the meeting, the Planning Commission added a condition that the City's Traffic Engineer evaluate the benefits and recommend what, if any, traffic calming systems be incorporated in the roadways (both Sheldon and internal streets) while under construction. Staff will advise the City Council at the January 9, 2012 meeting as to the recommendations of the Traffic Engineer.

As an additional point of information the developer will be paving Sheldon road from the northern terminus of asphalt (north parcel line of Stoney Creek High School) northward to a point just north of Placid Court. Placid Court is the cul-de-sac that serves 4 proposed lots.

Should Council approve the Final Preliminary Plat, the applicant must bond for and construct all infrastructure systems to the City's approval. Upon completion of the construction plans or satisfactory bonding for the infrastructure (streets, water, sewers, sidewalks, drainage systems, mitigation areas, landscaping, etc.) the applicant can file the appropriate documents, including Covenants, Deeds and Restrictions for Final Plat review and approval by Staff and City Council.

RECOMMENDATION:

Staff recommends that City Council approve the Final Preliminary Plat for Clear Creek Subdivision No. 5, located north of Tienken and east of Sheldon, consisting of 58 lots, based on plans dated received by the Planning and Development Department on October 24, 2011.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		