

January 21, 2008

Mr. Paul Davis, P.E., City Engineer
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

**RE: 1331 New Love Lane - Kathryn Gruits
1345 New Love Lane - Patricia Radcliffe
1350 New Love Lane - Patrick Gruits**

Dear Mr. Davis:

Pursuant to City requirements, as identified in Rochester Hills codified ordinance Section 114, Article III, please accept this letter as further documentation on the above referenced project to address the 13 items listed under Section 114-159c of said ordinance. Below we have restated the ordinance requirement and our disposition concerning said requirement:

Section 114-159.(c).(1) - Private or community need for the proposed facility or use

The proposed projects were initiated at the request of the City of Rochester Hills to mitigate concerns of historical filling which occurred on the properties. The proposed floodplain mitigation creates a surplus of 89 cys of additional floodplain storage which is of significant benefit to the community.

Section 114-159.(c).(2) - Importance of a proposed waterfront location

New Love Lane was platted and approved by Avon Township (City of Rochester Hills) as a single family residential development. The property owners, the Heartpeace Homeowners Association, and the abutting residents, desire to have the subdivision completed as originally intended. The current proposal is consistent with the above stated objectives and is important for the overall enjoyment of the properties.

Section 114-159.(c).(3) - Alternative locations not subject to flooding

The proposed development plans carefully considered the placement location for proposed structure to assure impact to the floodplain area was minimized. Alternate locations on the lots were considered, but those locations would have impacted the floodplain more severely.

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Section 114-159.(c).(4) - Compatibility with existing and proposed floodplain development and use

In that the subject property is zoned for residential purposes, the intended use is compatible with the master plan for this region. Additionally, areas upstream from this location have been developed in a manner which is consistent with what is proposed for the above referenced properties and is therefore compatible with existing and proposed floodplain development and use.

Section 114-159.(c).(5) - Relationship to comprehensive plans and the floodplain management program

The above properties are zoned for the intended purpose and have received all required outside agency approvals including floodplain fill from MDEQ and CLOMR from FEMA. The proposed plan increases the overall flood storage volume which is a goal of the floodplain management program.

Section 114-159.(c).(6) - Environmental compatibility

The proposed plan incorporates a proposed wetland mitigation that harmoniously compliments the existing wetlands system located in proximity to the development. Therefore, the proposed plan is environmentally compatible.

Section 114-159.(c).(7) - Danger to life and property due to increased flood heights or velocities caused by encroachments

There is no net increase in flood heights or velocities as a result of the proposed plan and therefore no danger to life and property due to increased flood heights or velocities caused by encroachments.

Section 114-159.(c).(8) - Danger from materials swept downstream

No structures are proposed within the floodway or floodplain and therefore there is no danger from materials swept downstream.

Section 114-159.(c).(9) - Ability of public utilities to function during floods and the prevention of disease and contamination

All public utilities within this area have previously been constructed and are removed from the project area. Therefore, public utilities will be able to function during floods and will be isolated to prevent disease and contamination.

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Section 114-159.(c).(10) - The susceptibility of the proposed facility and its contents to flood damage

Any structures proposed as a part of this development will have their lowest level finish floor a minimum of 2 feet above the existing floodplain and therefore will not be susceptible to flood damage.

Section 114-159.(c).(11) - Potential flood heights, velocities, duration, rate of rise and sediment transport

Flood heights, velocities, duration and rate of rise will remain constant or will be reduced as a result of the proposed plans. Sediment transport will also remain constant and soil erosion and sedimentation control devices will be installed by the lot owners and monitored by OCDC as the permitting authority.

Section 114-159.(c).(12) - Accessibility to ordinary and emergency vehicles

The proposed plan is consistent with Rochester Hills development standards and accessibility to ordinary and emergency vehicles is already provided for in New Love Lane and will be unaltered as a part of the proposed plans.


Section 114-159.(c).(13) - Such other factors as may be relevant to the proposed use and the purpose of this article

There are no known "other factors" that are relevant to the proposed use and purpose of purpose to Article III of Section 114 that need be considered as a part of this project.

We trust the above, along with the documentation previously submitted for these lots, satisfies the requirements of the City of Rochester Hills and that the project can now be placed on the City Council agenda for approval.

If you should have any questions or comments, please feel free to contact me at any time.

Sincerely,



Jeffrey J. Huhta, P.E., P.S.
Vice President

cc: Patricia Radcliffe
Patrick Gruits
Kathryn Gruits