

CITY OF ROCHESTER HILLS
DEPARTMENT OF PUBLIC SERVICES
ENGINEERING REPORT

Date: July 31, 2006

Prepared by: Roger P. Moore, Engineering Services

Subject: **Request to Vacate the Public Alley Adjacent to 1961,
1979 and 1995 Auburn Road
Section 25, Parcel No.'s 15-25-483-006, -008 and 009**

Heather Miserlian of LegalWise, on behalf of her clients Erich D. Becker and Peter C. Clauw, filed an Application and Request for Vacation of Streets, Alleys or Public Grounds (Article IV Section 94-171 City Code) with the City of Rochester Hills to vacate the alley north of lots 1409 through 1414, inclusive, of Supervisor's Plat of Brooklands Park No. 3 subdivision. The alley is located north of Auburn Road, and runs west off of Dequindre Road.

The alley was platted as 20-foot wide in 1937, according to the plat of Supervisor's Plat of Brooklands Park No. 3. The alley is not improved as a throughway, and has no record of it ever being one or of it being accepted by the City. It is grass from Dequindre Road to Hessel Avenue.

Mr. Clauw and Mr. Becker would like to have the alley vacated, with the ownership half to them and half to the owners of the parcels to the north.

Enclosed is a partial copy of the Supervisor's Plat of Brooklands Park No. 3.

EXISTING CONDITIONS:

- According to the Plat, the subject alley is 20-foot wide bounded on the south by Lots 1409 through 1414, and on the north by Lots 1491 and 1415. The east end of the subject alley is Dequindre Road, and the west end is Hessel Avenue.
- The alley is not improved; it is a grass surface from Dequindre to Hessel. As it exists today it is not being used as a traveled roadway, and is not being maintained by the City.
- There is an 8" sanitary sewer line, part of the 1978 Oakland County/Avon Township Extension 2, Contract 12, running down the center of the alley.
- Detroit Edison also has power poles and lines running down the north portion of the 20-foot wide alley.

FUTURE USES:

- The City has no immediate plans for improving the alley for vehicular traffic.
- The City does own and operate a sanitary sewer in the alley, and may need to use it for access for maintenance or repair/replacement.

- The Traffic Department pointed out that the City may need a portion of the right of way that is proposed for vacation for future Dequindre Road widening. There is also future pathway identified in the City's Master Pathway Plan. Dequindre Road was platted as 33-foot wide half width.
- The Planning and Development Department offered that while they "recognize the current under- utilization of the alleys, as part of the City's Master Plan the Olde Towne Sub Area Plan recognized the importance of the right of way for any future development of that area." The Master plan identifies them as an important element in the future of the parking and circulation solution for the district.
- According to the 1998 Master Thoroughfare Update, Dequindre Road is a priority transportation improvement project identified to be widened to a four-lane residential boulevard. Intersection improvements may increase the right of way needs to greater than 120 feet with a proposed half width right of way of 60 feet.

If Council determines that it is necessary for the health, welfare, comfort and safety of the people of the City of Rochester Hills to vacate the alley according to the method prescribed by the City Code, then there are the following **EASEMENT and RIGHTS OF WAY NEEDS:**

- If the alley is vacated, a sanitary sewer and public utilities easement must be retained over the entire 20-foot width.
- The Detroit Edison Company has requested that a public utilities easement be retained.
- If the alley is vacated, a minimum of at least the easterly 27 feet needs to be retained by the City for Dequindre Road. As the needs for the intersection have not yet been determined, Council may want to consider retaining 42 feet (would provide 75 foot half width).

RECOMMENDATION:

- The Clerks Office, Assessing Department, and the Fire Department, responded with a "No Objection" to the requested alley vacation.
- The City's Planning Director and Staff recommended against the alley vacation based on the language in the Olde Towne Sub Area Plan, due to the "City's need to leave all potential options open for future redevelopment or improvements of the Olde Towne Area."
- The City Traffic Engineer, based on the future needs for Dequindre Road widening and pathway requirements, recommends denial.

Enclosures: Supervisor's Plat of Brooklands Park No. 3
Aerial Photo of the area with the parcel lines shown.
Application

c: Roger Rouse, Director; Dept. of Public Services
Edward Anzek, Director; Planning & Development Department
Kurt Dawson, Assessor; Department of Assessing
Paul Davis, City Engineer
Paul Shumejko, Traffic Engineer
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