

**Gunthar's Run Subdivision Homeowners  
Requesting Denial of Final Preliminary Plat Recommendation  
For City File No. 04-011 – Grace Parc**

July 16, 2013

Rochester Hills Planning Commission  
Mr. William Boswell, Chairperson  
1000 Rochester Hills Dr  
Rochester Hills, MI 48309

Dear Chairperson Boswell and Planning Commission Members:

We respectfully request that the Planning Commission deny Final Preliminary Plat Recommendation for City File No. 04-011 – Grace Parc, a subdivision that is proposed to be added at the southern end of our nine-house street, McComb Drive.

While we are not opposed to properly planned and executed residential development of the property in question, our reasons for this request are summarized below.

1. **Single Ingress/Egress Route.** The Preliminary Plat contemplates that an additional fourteen (14) houses would be tacked onto the existing nine (9) house Gunthar's Run Subdivision, raising the total number of homes to twenty-three (23), with only a single path of vehicle ingress and egress, being a southerly extension of McComb Avenue to tee into a proposed Verona Drive. As was the case with previously failed development plans, that poses safety concerns.

Prior plans for residential development of the subject property were denied due, in part, to lack of a second path of vehicle ingress and egress. Previous plans to create an ingress/egress route onto the eastern portion of Grace Avenue, south of the southern boundary of the property in question, failed because that portion of Grace Avenue is a private road, and its owners would not agree to permit its use.

2. **Potential Future Additional Ingress/Egress Route Is Unrealistic and Premature.** In an apparent acknowledgement of the private-road obstacle, the Preliminary Plat reflects a "stub" of Verona Drive dead-ending at the western edge of the subject property. This apparently suggests that a second ingress/egress route will be forthcoming in the future. That suggestion appears to be speculative at best and extremely premature.

Extension of the Verona Drive western stub into a second route of ingress/egress would require the developers to acquire a minimum of two – and possibly four – additional parcels<sup>1</sup> in order to exit onto either Shortridge Avenue or the western (public road)

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<sup>1</sup> All or part of parcels 15-34-402-023 and 15-34-402-055 in order to reach Shortridge Avenue, or all or part of parcels 15-34-402-023, 15-34-402-022 and 15-34-327-042.

portion of Grace Avenue (closer to Donaldson). That would be extremely expensive, even if the existing landowners were willing to sell to the developer.

Additionally, as illustrated on the accompanying diagram and poster, the additional parcels in question in appear to include a substantial amount of regulated wetlands that would require separate expensive and difficult-to-obtain State approvals, in addition to City approval, while adding very little, if any land for additional houses beyond the initial fourteen.

- 3. Proposed Detention Basin Outletting To and Over/Under a Private Road.** The natural slope of the subject land is west to east. The developer proposes to slope it southward to a proposed detention basin to be located adjacent to the southern boundary of the property in question. It also calls for that basin to outlet onto and either over or under a private road, Grace Avenue, to reach a ditch south of Grace Avenue. Given that the private road owners refused vehicular access to Grace, have they agreed to this proposed use of the private road?

Additionally, while the City *may* (we do not know) have an easement for public utilities over the private road, such an easement likely would not permit its use for a private development's storm water drainage system. If the Commission believes that an agreement or easement exists and that it is adequate to permit the proposed use of Grace Avenue, we would respectfully request that the City Attorney be asked to review the documents and opine as to their suitability and enforceability for the contemplated purposes.

- 4. Fire Lane Impact on Existing Gunthar's Run Subdivision Homeowners.** Sheet #1 of the Preliminary Plat drawings include a Note #1 indicating that "Fire lanes shall be designated by fire code official, and shall be conspicuously posted on both sides of fire lane, with fire lane signs..." If some version of the proposed Preliminary Plat is eventually approved, we do not object to having such signage and parking control on Verona Drive or Milano Court. However, conversion of McComb Drive into a no-parking zone would both change the character of the existing Gunthar's Run Subdivision and work a hardship on its along McComb Drive. Our driveways are not 100 feet and it on-street parking frequently is required for residents' vehicles and for even small family gatherings.

### **Conclusion**

For the reasons noted above, the Preliminary Plat does not reflect a safe or viable residential development. We therefore respectfully request that the Preliminary Plat be denied at this time and that any future consideration for its recommendation or approval postponed until

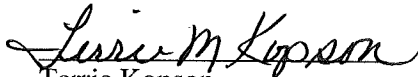
after: (a) the developer has acquired the additional property and regulatory approvals necessary to provide a safe secondary ingress/egress route and (b) all questions regarding the legality of the proposed detention basin location and its outletting onto, over or under the private road, Grace Avenue, have been adequately address by the City Attorney.


We respectfully request that a copy of this letter be entered into and made a part of the minutes of the Planning Commission meeting and applicable public hearing. We further respectfully request that we receive written notice of any subsequent consideration of, or action on, this matter by the Rochester Hills Planning Commission.


Thank you for your careful consideration of our objections and concerns when making your decision on this matter.

Respectfully Submitted,

| Name  | Address     |
|---|-------------|
| <br>Mark Kopson | 3655 McComb |

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| <br>Terrie Kopson | 3655 McComb |
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| <br>Samantha Kopson | 3655 McComb |
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| <br>Steve Hess | 3654 McComb |
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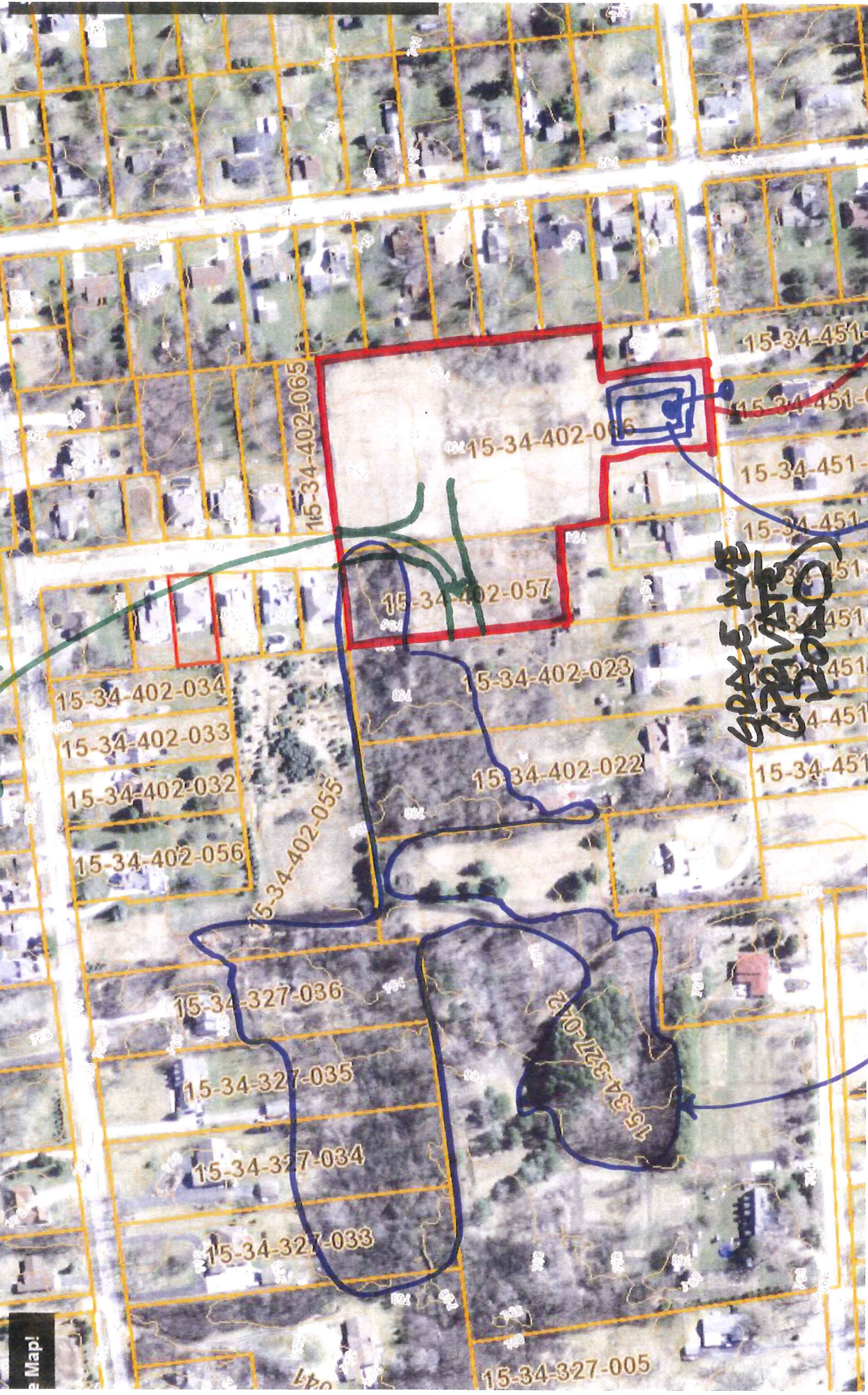
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| <br>Kim Hess | 3654 McComb |
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| <u>AMANDA HAMMOU</u>     | <u>3668 McComb</u> |
| <u>Ashley Hammou</u>     | <u>3668 McComb</u> |
| <u>Arthur Hammou</u>     | <u>3668 McComb</u> |
| <u>Andrea Hammou</u>     | <u>3668 McComb</u> |
| <u>Irene Hammou</u>      | <u>3668 McComb</u> |
| <u>JAMIE</u>             | <u>3784 McComb</u> |
| <u>Theresa Cassa</u>     | <u>3683 McComb</u> |
| <u>IRENA JUNCAJ</u>      | <u>3698 McComb</u> |
| <u>Lou Ann Morton</u>    | <u>3669 McComb</u> |
| <u>Andrew Pierce</u>     | <u>3640 McComb</u> |
| <u>Jessie M. Kaperon</u> | <u>_____</u>       |
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APPROX. LOCATION OF STIONS  
ROAD HOW WILL 2nd FT OF ACCESS EVER BE ACHIEVED



PROJECT BOUNDARY

DETACHMENT  
BASIN OUTLETTING  
TO FLEWATE ROAD  
OFF 151 ROAD V. INK

GRAVE AVE  
PRIVATE  
ROAD

REQUESTED  
WETLANDS?

Map