



ASSESSING DEPARTMENT
Kurt Dawson, Director

From: Nancy McLaughlin
To: Ed Anzek
Date: 4/25/13
Re: File No.: 13-001, Regal Estates Condos Review #1
Applicant: Roy Rathka, 70-15-25-352-022

No comment.



BUILDING DEPARTMENT
Scott Cope

From: Dick Lange, Building Inspector/Plan Reviewer, P.E.
Mark McLocklin, Ordinance Inspector
To: Jim Breuckman, Planning Department
Date: April 29, 2013
Re: Regal Estates Condos Review #1, 15-25-352-022, City File # 13-001

The site plan review for Regal Estates Condos Review #1, 15-25-352-022, City File # 13-001 was based on the following drawings and information submitted:

Sheet #1 - 3

Building Code Comments: Dick Lange *D.L.*

References are based on the Michigan Residential Code 2009

Approval recommended based on the following conditions being met prior to Final Approval:

1. Indicate proposed grade elevations at the corners of the building envelopes.
2. Indicate swales along side and rear yards with high point elevations noted. Swales shall slope 1% minimum. Lots shall be graded to fall away from the house foundation a minimum of 6" in the first 10 feet. (R 401.3)

Ordinance Comments: Mark McLocklin *M.M.*

No Comments

If there are any questions, please call the Building Department at 248-656-4615. Office hours are 8 a.m. to 5 p.m. Monday through Friday.





FIRE DEPARTMENT
Ronald D. Crowell

From: William Cooke, Lieutenant/Inspector
To: Planning Department
Date: July 30, 2013
Re: Regal Estates Condos

SITE PLAN REVIEW

FILE NO: 13-001

REVIEW NO: 3

APPROVED X

DISAPPROVED _____

Lt. William A. Cooke
Fire Inspector



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

From: Jason Boughton *M. TAUNT*
To: James Breuckman
Date: June 11, 2013
Re: Regal Estates Condo, Site Plan Review #1
City File #13-001, Sec. 25

RE: site plan received on April 11, 2013. The plans are not recommended for approval based on the following comments. I am assuming the Exhibit B for this condo will be based on these drawings.

The second to last course in the description is called out as Northeast on the drawing and Northwest in the description. The description closes using the Northeast direction.

The west 30' of the panhandle on lot 4 should be made dedicated ROW.

This lot should also have a callout "no access to Gravel Ridge Road".

Vertical datum is identified as NAVD88. The city uses NAV29. Identify source of elevation data i.e. City bench mark, company files, engineering plans, GPS, ect..

JB/sh

c: Allan E. Schneck, P.E.; DPS Director
Paul Davis, P.E., City Engineer/ Deputy Director; DPS
Tracey Balint, P.E., Public Utilities Engineer; DPS
Roger Moore, P.S., Stormwater Manager; DPS

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

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

From: Jason Boughton JB
To: Jim Breuckman
Date: July 3, 2013
Re: Regal Estates Condo, City File #13-001, Section 25
Site Plan Review #2

Engineering Services has reviewed the site plan received by the Planning Department on June 20, 2013, for the above referenced project. Engineering Services recommends site plan approval after the following comment has been addressed:

Traffic

- 1) Proposed 5' wide sidewalk should be shown for all lot frontages (Lot 1 on Demar) until such time a city waiver is requested and approved. Note: if a public sidewalk needs to be constructed with Demar R/W, the sidewalk will conflict with proposed open ditch slopes. Therefore Demar Street shall be reconstructed with a curb & gutter section fronting proposed development to eliminate the above conflict.

The comments below can be addressed during engineering construction plan review. Note that these comments are preliminary and a full construction plan review will be performed once construction plans are submitted.

Sanitary Sewer

- 1) The sanitary sewer needs to be constructed just off the existing road edge of Demar; the entire frontage maintaining 10 ft. horizontal separation with the existing water main. Four sanitary leads will need to be extended to the properties to the south, as stated in section H of the sanitary sewer engineering design standards.

Water Main

- 1) A gate valve needs to be added onto the end of the proposed water main on Unit 9.

Storm Sewer

- 1) The soil borings show the existing ground water table is at the same elevation as the proposed bottom of the detention pond. Adjust the pond bottom to be above the ground water table.

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

JB/sh

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
Paul Shumejko, P.E., PTOE, Transportation Engineer; DPS
Roger Moore, Stormwater Manager; DPS
Sheryl McIsaac, Office Coordinator; DPS
Joe Aprile, Engineering Aide; DPS
Sandi DiSipio; Planning & Development Dept.
File

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Parks & Forestry
Michael A. Hartner, Director

From: Gerald Lee
To: James Breuckman
Date: April 15, 2013
Re: Regal Estates Condos
Review #1
File No. 13-001

This review pertains to right-of-way tree issues only.

No comments at this time.

GL/kd

cc: Sandi DiSipio, Planning Assistant

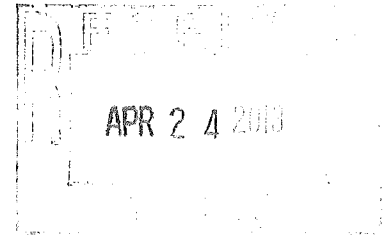
Mailing Address:
P.O. Box 2160
Brighton, MI 48116-2160

800 395-ASTI
Fax: 810.225.3800

www.asti-env.com

April 22, 2013

Mr. James Breuckman
Department of Planning
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3033



**Subject: City File No. 13-001 Regal Estates Condominiums;
Wetland Use Permit Review #1;
Preliminary site plans received by the
City of Rochester Hills on April 9, 2013**

Applicant: Roy Rathka.

Dear Mr. Breuckman:

The above-referenced project proposes to construct a 9-unit residential housing complex on parcel 15-25-352-022 comprised of 3.51 acres along Demar Road, east of Gravel Ridge Road (Property). The Property includes one wetland regulated by the City of Rochester Hills.

ASTI has reviewed the site plans received by the City on April 9, 2013 (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 valid Wetland and Watercourse Boundary Determination previously completed by ASTI for the Property as stated in the ASTI Wetland and Watercourse Boundary Determination letter (ASTI letter) dated January 21, 2013 and as depicted in the associated Figure 1 – Approximate Wetland Boundaries map (Figure 1). ASTI agrees with the boundary of the on-site wetland (Wetland A) as shown on the current plans. ASTI determined Wetland A is regulated by the City of Rochester Hills because it is a portion of an off-site wetland system greater than two acres in size. ASTI also determined Wetland A was not likely regulated by the Michigan Department of Environmental Quality (DEQ) because it is less than five acres in size and is not within 500 feet of a water body or stream regulated under Part 301, Inland Lakes and Streams. It must be noted, however, that the DEQ has final authority on the regulation of wetlands, lakes, and streams in the State of Michigan.

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. All wetlands/watercourses and all impacts to them must be depicted and stated in square feet on revised plans. No Impacts are proposed to Wetland A; this is to ASTI's satisfaction.
 - b. The current plans depict Wetland A as "Existing Wetland Line." Wetland A, and flagging applied by ASTI (A-1 through A-4) must be labeled on revised plans to reflect the labeling in the ASTI letter and as depicted in the associated Figure 1.

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. As proposed, it is ASTI's opinion the project does not require a Wetland Use Permit from the City and does not require a Part 301, Inland Lakes and Streams, or Part 303, Wetlands Protection permit from the DEQ.


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. The current plans depict the City-required Natural Features Setback area named as "25' Wetland Buffer." Revised plans must depict this area as "Natural Features Setback." The area of the Natural Features Setback along the boundary of Wetland A is shown on the current plans to ASTI's satisfaction. Additionally, ASTI acknowledges the note on Sheet 3 of the current plans stating "Natural Features Setback to be demarcated with onsite orange construction fencing and silt fence during construction for Lot 5." This note is to ASTI's satisfaction concerning protection of the Natural Features Setback area in Lot 5. However, any areas of temporary Natural Features Setback impacts from construction activities associated with Lot No. 5, the proposed detention pond to the south of Lot No. 5, or the proposed drainage Level Spreader structure located within Lot No. 5 must be restored to original grade with original soils or equivalent soils and seeded with a City-approved seed mix. ASTI also recommends revised plans stipulate to a prohibition of buildings, decks, patios, or other physical structures in the Natural Feature Setback area. Planting of native Michigan plants can be allowed.

RECOMMENDATION

ASTI recommends the City approve the above-referenced project on the condition the items contained in Comments 3.b and 5.a have been addressed on revised site plans submitted to the City for further review.

Respectfully submitted,

ASTI ENVIRONMENTAL



Kyle Hottinger
Wetland Ecologist



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



WRC
WATER RESOURCES COMMISSIONER

Jim Nash

April 18, 2013

Mr. Jim Breukman, Manager of Planning
Planning and Economic Development
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3033

Reference: **Regal Estates Condos**
Part of the Southwest ¼ of Section 25, City of Rochester Hills

Dear Mr. Breukman:

This office has received one (1) set of drawings for the referenced projects. These plans were submitted by your office for review.

Our review indicates that the proposed project will involve the Ireland Drain, a legally established drain under the jurisdiction of this office. Therefore, a storm drainage permit will be required from this office. Please submit 2 (two) sets of drawings along with a request for services application to this office.

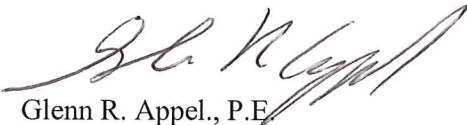
The sanitary sewer is within the Clinton-Oakland Sewage District System. Proposed sewers of 8" or greater will require a permit through this office.

Furthermore, permits, approvals or clearances from federal, state or local authorities, the public utilities and private property owners must be obtained as may be required.

Related earth disruption must conform to applicable requirements of Part 91, Soil Erosion and Sedimentation Control of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994. **An application should be submitted to this office for the required soil erosion permit.**

If there are any questions regarding this matter, contact Joel Kohn at 248-858-5565.

Sincerely,



Glenn R. Appel, P.E.
Chief Engineer



ENVIRONMENTAL IMPACT STATEMENT

PROPOSED SITE CONDOMINIUM REGAL ESTATES DEMAR ROAD

Part of the SW ¼ of Section 25
City of Rochester Hills
Oakland County, Michigan

Prepared for:
Roy Rathka, Sr.
11684 Majestic Ct.
Shelby Township, MI 48315
(586) 291-2522

Prepared by:
Fenn & Associates, Inc.
14933 Commercial Drive
Shelby Township, MI 48315
(586) 254-9577

Fenn Job No. C13-009

April, 04, 2013

PART I ANALYSIS REPORT

The subject property is located in the southwest quarter of Section 25, on the north side of Demar Road, east of John R. and north of Auburn Road. The site may be accessed directly from Demar Road and at the time of this report, no structures exist on the property.

For the subject property involved in this development, the zoning is R-4, one family residential. The zoning is also R-4 to the north, south, east, and west of the property.

The National Flood Insurance Rate Map, Community Panel No. 26125C0413F effective September 29, 2006, indicates that there is no floodplain located on the site. Wetlands on the site were flagged by ASTI Environmental, Inc., and mapped by Fenn & Associates, Inc. The tree survey indicates 47 trees over 6-inch diameter located on-site. The land is generally higher at the southwest corner of the site with a very gradual slope to the north, northeast.

From the Soil Survey of Oakland County, Michigan, by the United States Department of Agriculture, Soils Conservation Service, the site is largely Wasepi sandy loam, then classified as Thomas muck in the northeast corner toward the wetland.

All utilities are available to the site. Storm drainage will be detained, and released to the Ireland Drain to the southeast corner of the site. There are sanitary sewers and water mains in Gravel Ridge Road and Demar Road, respectfully. Other utilities such as natural gas, electricity and telephone serve the surrounding residence, and are available for the development of the site.

PART II THE PLAN - SMALL RESIDENTIAL

The proposed project is site condominium, consisting of 9 single-family homes. All ranch-style homes are planned for the community. Prices are expected to range from \$250,000 to \$325,000. The southeast Michigan, Metro-Detroit area generally absorbs one to two units per month on similar new construction developments. This indicates a one (1) year build-out of this development.

This development proposes to have access to Demar Road at one (1) point of intersection. Residential traffic would be characterized by 12 trips per day for site condos, for a total of about 110 trips per day. The Road Commission for Oakland County (RCOC) has given the average daily traffic of 8520 trips per day for the Auburn Road and Dequinder Road intersection. The 110 trips per day generated by this development would increase the traffic by 1.29%. According to RCOC standards an increase less than 10% does not require widening the thoroughfare or additional lanes. However, any requirements requested by RCOC will be implemented according to their standards.

PART III IMPACT FACTORS

The property consists of a vacant 3.51 acres parcel. The proposed development will be done selectively, to disturb the least amount of land possible. The road right-of-ways will be prepared. The front 25 feet of the lots will be disturbed to the front setback lines of the proposed home sites, which will each be developed individually, to help save trees. Only storm sewer will be placed in the rear yards. Altogether, about 3.3 acres will be disturbed during development operations.

ASTI, Inc. delineated approximately 0.1 acres of contiguous wetland to the north of the site. This area will be utilized for an emergency overflow for the detention pond and will be protected by the 25' buffer strip.

A detention pond and forebay is planned near the northeast end of the site. The forebay will be designed to pre-treat storm drain discharge by removing sediment and pollutants. Vegetation along the banks and within the proposed safety bench of the detention pond will enhance pollution removal, reduce algal growth, limit erosion, improve aesthetics, create habitat, and reduce water warming.

Approximately 3.5 acres of watershed is to be detained in the proposed detention pond. The basin will have a restricted gravity outlet and emergency overflow spillway to the wetlands to the north of the pond. Approximately 0.4 acres of private open space will be provided in the proposed detention facilities and access lane off Demar Road. No public open space is proposed.

As previously mentioned in this report, all utilities are available to serve the site. All of the storm drainage will be detained and released to the north. There are sanitary sewers and water mains in Gravel Ridge Road and Demar Road. Other utilities such as natural gas, electricity and telephone serve the surrounding residence, and are available for the development of the site.

The planning status of the project, at the time of this report, is that Site Plan submittal will be forthcoming. The engineering of the site will take place through 2013. All construction permits should be in place to begin construction in fall 2013. Construction of the infrastructure should be complete by winter 2013, ready to begin on residence construction. Typical to Southeast Michigan, and Metro-Detroit, residences in new developments are typically consumed at one to two units per month. Full build-out of this development may be one to two years.

The existing topography is gradual across the site. The detention basin will be located at the northeast end of the site, adjacent to the existing low-lying wetlands. The roads will be constructed by cutting and filling only where necessary, to best fit the existing grades at the interior of the proposed lot areas. Most home sites will remain in pristine condition. Only those sites requiring earthwork will be cut or filled to best utilize the roads.

All surrounding uses are single-family residences. Being a single-family development, this project should not adversely impact the region.

No adverse impacts are anticipated during the construction of the development. It is anticipated that normal operations are to be observed in the construction of the infrastructure and buildings. All nearby structures have water and sanitary facilities. No impact to the ground water should affect any residences or businesses. Soil erosion and sedimentation control must be maintained under permit through Oakland County, so such pollutants will be controlled on-site.

The existing uses being largely residential, and proposed operations being industry standard, no existing pollutants should be encountered, nor should pollutants be introduced, by construction.

From the proposed development of the site, some physical changes to the area, and their benefits, or adverse impacts, may include:

Air quality should remain unchanged. The addition of 1% of the average daily traffic should not degrade the air quality, and the amount of landscaping distributed through the site will act to help clean the air of carbon mono- and di-oxides.

Water effects will be restricted to the detention basin at the northeast end of the development. No nearby structures rely on the ground water for water service or septic infiltration. Therefore, no adverse impact is anticipated in causing the ground water table to be raised or lowered. All on-site, and some off-site drainage will be directed to the detention facilities, to be treated for pollutants & sedimentation, prior to its restrictive discharge, which controls flooding downstream.

Wildlife habitat may be displaced by this development. Trees within the wetland will remain. ASTI Environmental, Inc. classified the existing wetland. No other indication has been given that there is any special habitat on this site, outside of the delineated wetlands, which will remain intact. The 25 feet natural features setback will further protect the wetlands from impact. No storm sewer will be placed adjacent to the wetlands.

Tree preservation is required. Development of the site will be done to minimize the amount of disturbance, and tree removal. Tree replacement will be to City requirements, determined by the landscaper.

Noise should not be adversely impacted. The relation to the major thoroughfares lessens the impact of any proposed noise pollution, due to the normal daily traffic noise. The proximity of the proposed residences to the existing residences should not create undue disturbance as the garages will cause the buildings to block engine noise from reaching them.

Night-light will not be an issue. Lighting would be limited to residential style porch, patio and garage lighting. Any lighting at the entrance to the development would be for the aid of motorists, and glare would be shielded from traffic and neighboring residences.

Socially adverse or beneficial changes brought about by this development may include:

Traffic along Gravel Ridge Road will be directed east and west to the major thoroughfares and commercial districts. Traffic should be absorbed without much evident impact.

Modes of transportation will vary. Automobile traffic has access to both M-59 and I-75, and other major thoroughfares, via nearby John R and Dequinder Roads. Auburn Road is within one mile, a distance easily biked or walked, to access existing businesses.

Accessibility of residents to recreation is limited within this development. The detention facilities and wetlands can be viewed from the rear of certain lots only. Accessibility to schools is provided along the existing bus routes. Shopping and employment opportunities are provided in commercial areas to the west and east, along Auburn Road, and further along other major roads in the area. There are several hospitals nearby, in Rochester Hills, and the adjoining communities.

Economical adverse or beneficial changes brought about by this development may include:

- Influence on surrounding land values should be favorable, as it is with any new residential development.
- Growth inducement potential may be minimal, due the development of all land adjacent to this site. However, it is normal to see increased commerce develop around new residential projects.
- Off-site costs of public improvements will be limited to the extension of some facilities onto the site.
- Proposed tax revenues will be increased from zero residences to 9. The City stands to gain much in taxable revenue, over the current land uses.
- Availability or provisions for utilities, as mentioned previously, all utilities are available to service the site. The revenue from the City tap fees, alone, will be beneficial.

The existing land uses surrounding the proposed development should not be adversely impacted. Other surrounding lands are built-out, so impact to future uses would not be anticipated.

Replacing the vegetative cover, as mentioned previously, will be done through extensive landscaping of the site. Areas not paved or built upon will be stabilized and re-vegetated.

No alternative plans for this property are currently being considered.

PART IV THE SUMMARY

Should the project be approved, any adverse environmental impact will be limited to construction operations in the short-term. Once completed, and the land stabilized and landscaped, the potential for further adverse environmental impact will be very low.

In the long-term, some ecological impact will result from the removal of the second-growth trees, however, 0.1+ acres of contiguous wetlands will remain intact, along with all trees within its delineation and the 25-foot natural features setback. This wetland area is contiguous with existing wetlands and forested areas to the north, providing habitat to fauna displaced by this development.

The beauty of the development that will be provided in landscaping and tasteful architecture will improve the appearance of the property.

The Economic impact to the City will be beneficial, through a 9-fold increase in residences over the subject property. Local businesses will further benefit from the additional patronage.

This development is compatible with the existing zoning and with the City Master Land Use Plan.



City of
ROCHESTER HILLS

1000 Rochester Hills Drive, Rochester Hills, Michigan 48309-3033

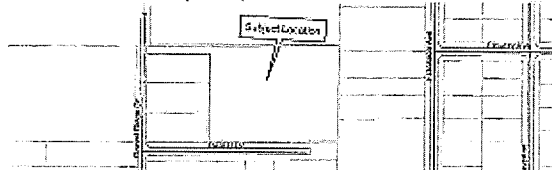
NOTICE OF PUBLIC HEARING

ROCHESTER HILLS PLANNING COMMISSION

REQUEST: Preliminary Site Condominium Plan Recommendation.
Pursuant to the requirements of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801; the Land Division Act, Public Act 288 of 1967, MCL 560.101, and to Article 1, Section 130-38 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, which requires the Rochester Hills Planning Commission to conduct a Public Hearing before making a recommendation to the City Council. The proposal is for Regal Estates Site Condominiums, a 9-unit single-family development on 3.5 acres, Parcel No. 15-25-352-022, zoned R-4 (One Family Residential), City File No. 13-001.

LOCATION: North of Auburn, east of John R

APPLICANT: Roy E. Rathka, Jr.
11684 Majestic Ct.
Shelby Township, MI 48315



DATE OF PUBLIC HEARING: Tuesday, August 20, 2013 at 7:00 p.m

LOCATION OF PUBLIC HEARING: Rochester Hills
Municipal Offices
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

Information concerning this request may be obtained from the Planning 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 Department, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, prior to the public hearing or by the Planning Commission at the public hearing. This request will be forwarded to City Council after review and recommendation by the Planning Commission.

**William F. Boswell, Chairperson
Rochester Hills Planning Commission**

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 (856-2560) 48 hours prior to the meeting.

Publish August 5, 2013



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

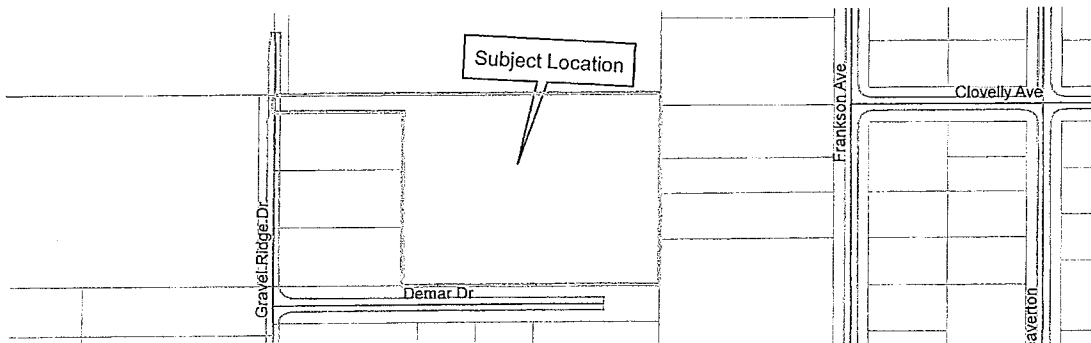
PUBLIC NOTICE

ROCHESTER HILLS PLANNING COMMISSION

REQUEST: Pursuant to the Tree Conservation Ordinance, Chapter 126, Article III, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, a minimum of seven days' notice is hereby given to all adjacent property owners regarding the request for a Tree Removal Permit for the removal and replacement of as many as 23 regulated trees associated with the proposed construction of a 9-unit single-family development. There are a total of 47 regulated trees on site. The property is identified as Parcel No. 15-25-352-022 (City File No. 13-001).

LOCATION: East of John R, North of Auburn

APPLICANT: Roy Rathka
11684 Majestic Court
Shelby Township, MI 48315



DATE OF MEETING: Tuesday, August 20, 2013 at 7:00 p.m.

LOCATION OF MEETING: City of Rochester Hills Municipal Offices
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

The application and plans related to the Tree Removal Permit are available for public inspection at the City Planning Department during regular business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday or by calling (248) 656-4660.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

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 (656-4673) 48 hours prior to the meeting. Our staff will be pleased to make the necessary arrangements.
I:\pl\develop\2009\09-002 tree removal pnn 08-18-09.doc.