



**City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS**

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**Legislative File No: 2007-0777 V2**

**TO:** Mayor and City Council Members

**FROM:** Ed Anzek, Director of Planning and Development, ext. 2572

**DATE:** June 1, 2008

**SUBJECT:** Request for approval of the Open Space Plan for Clear Creek Subdivision No. 5 (City File No. 89-156.5)- phase 5 of the Clear Creek Subdivision in Section 2

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**REQUEST:**

The request is for approval of the Clear Creek Subdivision Open Space Plan, for the fifth phase of the Clear Creek Subdivision, located north of Tienken and east of Sheldon Road. The entire five-phase development has been designed using the Open Space Plan Option of the Zoning Ordinance, Section 138-1112(b).

**BACKGROUND:**

It is intended that the subject land for Clear Creek No. 5 would be added as the Fourth Amendment to the Subdivision Open Space Agreement, the provision of which is a condition of approval. City Council previously accepted the original document, as well as the three subsequent amendments thereto. The maximum density in an Open Space subdivision is 1.7 units per acre and phase five proposes a density of 1.03 units per acre. The lots all meet the minimum area and setback requirements. The applicant is proposing 23.3 total acres of open space in Clear Creek, mainly in wetlands or wetland mitigation areas. Section 122-1112(b)(4) of the Subdivisions Ordinance requires that at least four contiguous acres of upland open space suitable for recreation be provided in the development. There is sufficient contiguous upland open space in the overall Clear Creek Subdivision to meet the Ordinance requirement.

The findings listed on the enclosed Resolution state the criteria that must be met in order to utilize the Open Space Plan, and the Planning Commission recommended that City Council approve the Plan at its April 1, 2008 meeting.

**RECOMMENDATION:**

The Planning Commission and Staff recommend that City Council approve the Open Space Plan for Clear Creek Subdivision No. 5, 58 lots as the final phase of the Clear Creek Subdivision.

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**RESOLUTION**

**NEXT AGENDA ITEM**

**RETURN TO AGENDA**

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<b>APPROVALS:</b>	<b>SIGNATURE</b>	<b>DATE</b>
<b>Department Review</b>		
<b>Department Director</b>		
<b>Mayor</b>		
<b>City Council Liaison</b>		

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