



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.
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Legislative File No: 2013-0365

TO: Mayor and City Council Members

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

DATE: October 10, 2014

SUBJECT: Request for a Sidewalk Waiver for Regal Estates Site Condominiums – a nine-unit site condominium development on 3.5 acres located on DeMar, east of John R and north of Auburn.

REQUEST:

That City Council grants a Waiver of the sidewalk requirement for Regal Estates Site Condominiums, a proposed nine-unit site condominium development on 3.5 acres located on DeMar, east of John R, north of Auburn. The waiver procedure is in accordance with Article III, Subdivisions, Sec. 122-95, Waiver of Sidewalk Requirements of the Land Division Ordinance.

BACKGROUND:

At the August 20, 2013 meeting, the Planning Commission unanimously recommended approval of the Preliminary Site Condominium Plan for a nine-unit site condo development called Regal Estates Site Condominiums with findings and minor conditions. City Council granted approval of the Preliminary Site Condo Plan at its September 16, 2013 meeting, and the applicant asked that Council consider a Sidewalk Waiver at a subsequent meeting.

In accordance with Section 122-95 of the Subdivisions Ordinance, City Council may authorize a Waiver from the requirement that all single-family residential developments provide sidewalks. In determining whether a Waiver shall be granted, City Council shall determine that the development meets either or both of the following factors:

1. The proposed sidewalk would not currently connect with any established non-motorized vehicle-pedestrian pathway or sidewalk, nor would it be likely to connect to any non-motorized vehicle-pedestrian pathway or sidewalk in the future.
2. The proposed sidewalk would not currently connect with any established non-motorized vehicle-pedestrian pathway or sidewalk, and there are identifiable conditions which may present a hazard at the unconnected end of a sidewalk.

There are no existing sidewalks abutting the property along DeMar, and DeMar dead ends to the east next to the backyard of a home. DeMar connects to Gravel Ridge to the west, which has no sidewalks. Similar Waivers have been granted for site condos along other streets in the City in the past few years. An attached aerial (2011) presents the site showing no adjacent sidewalks.

RECOMMENDATION:

That City Council grants a Sidewalk Waiver for Regal Estates Site Condominiums due to the finding that there are no other sidewalks in the subdivisions on either side to connect, and no likelihood that it will happen in the future.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

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