



CITY COUNCIL ACTION REPORT

DATE: May 28, 2010

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Steven J. Vandette, City Engineer
R. Brent Savidant, Acting Planning Director

SUBJECT: Rochester Road Access Management Plan – Project Overview and Memo of Understanding

The Southeast Michigan Council of Governments (SEMCOG) recently selected the consultant team of LSL Planning, Inc. and Parsons Bickerhoff, Inc. to develop the Rochester Road Access Management Plan. The intent of the project is to develop a multi-jurisdictional access management plan for the Rochester Road corridor in the cities of Royal Oak, Clawson, Troy, Rochester Hills and Rochester, Michigan. The plan will provide strategies for managing access along the corridor. SEMCOG is funding the project; the City of Troy bears no cost for participation. The project commenced in the Spring of 2010 and will be completed by Fall 2010 or Winter 2011.

On February 11, 2010, a representative of the City of Troy attended a Community Information Meeting, hosted by SEMCOG, to discuss the Rochester Road Access Management Plan project. Representatives of the cities of Troy, Rochester, Rochester Hills, Clawson and Royal Oak attended the meeting. All communities indicated a desire to participate in the process.

Representatives of SEMCOG made a presentation on the project to the Planning Commission at the April 27, 2010 Special/Study meeting. SEMCOG representatives will make a presentation on the project at the June 7, 2010 City Council Regular meeting.

City of Troy responsibilities include the following:

1. Adopt a resolution authorizing the Mayor to sign the Memorandum of Understanding.
2. Participation of City staff in Steering Committee meetings.
3. Make appropriate amendments to the Master Plan and Zoning Ordinance based on the Rochester Road Access Management Plan.
4. Coordinate implementation.

City Management recommends participation in this project. Further, City Management recommends that City Council adopts the Memorandum of Understanding.

Approved as to form and legality:

Lori Grigg Bluhm, City Attorney

Attachments:

1. Scope of Work, prepared by SEMCOG.
2. Memo of Understanding (MOU).

Prepared by RBS/MFM

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Objective

The Southeast Michigan Council of Governments (SEMCOG) requests the services of a consultant to develop an access management plan for the Rochester Road corridor in the Cities of Royal Oak, Clawson, Troy, Rochester Hills, and Rochester, Michigan.

The plan will provide strategies for managing access along the corridor and will include model ordinances for each community along the corridor. The ordinance is the primary implementation tool of access management controls and techniques, including coordinated site plan review and driveway permitting processes among state and local roadway agencies and communities.

The plan will also explore, where appropriate, how the access recommendations can be coordinated with principles of walkability and bikeability, transit accessibility, and low-impact development.

Selection Criteria

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| 1. Demonstrated understanding of the project | 15% |
| 2. Project approach, including technical strength, comprehensiveness, and innovation | 15 % |
| 3. Overall work plan and schedule | 25% |
| 4. Experience of the consulting team | 25% |
| 5. Cost considerations | 20% |

Scope of Work

Background

The Rochester Road corridor is a major north-south thoroughfare traversing Oakland County under the various jurisdiction of the local communities, the Road Commission for Oakland County (RCOC), and the Michigan Department of Transportation (MDOT).

The focus of this current study is the 15-mile portion of Rochester Road in the Cities of Royal Oak, Clawson, Troy, Rochester Hills, and Rochester from North Main Street in Royal Oak to Mead Road in Rochester Hills. However, effort should be made to coordinate the results of this study with communities to the north of Mead Road to facilitate a seamless approach to access management from one corridor to the next.

The corridor can benefit from application of sound access management techniques designed to improve traffic flow and safety and preserve past and future transportation investments. The plan should focus on retrofitting the existing urban/suburban landscape to accommodate access management techniques. The ultimate goal is establishing a corridor-wide framework within which to review, discuss, evaluate, and mitigate development and redevelopment of the corridor into the foreseeable future.

Project Tasks

The access management plan is a strategy for implementing access management through a combination of tools and techniques. One such technique is an adopted zoning

ordinance, including coordinated site plan review and driveway permitting processes, designed for each local jurisdiction involved. Another technique is adoption of a corridor overlay land use plan as part of each community master plan indicating locations where access modifications (e.g., driveway consolidations, frontage roads, etc.) could improve corridor conditions when implemented during planned roadway construction or parcel development/redevelopment.

The plan developed under this contract will consist of an inventory of existing conditions, including land use, zoning, and traffic and safety analyses. It will discuss access management standards and methods within the context of current and planned corridor conditions. Finally, it will include an implementation section consisting of model zoning ordinances and corridor overlay land use plans. Effort should be made to incorporate concepts of walkability and bikeability, transit accessibility, and low-impact development into the access management plan, the goal being to coordinate various community sustainability efforts and better leverage available resources.

All data will be stored and analyzed in formats acceptable to SEMCOG.

Specific project tasks are detailed as follows.

Agency Coordination

The consultant, with assistance from SEMCOG, will form a Steering Committee to provide input and oversight throughout the planning process. The Steering Committee will include representatives of the corridor communities, RCOC, MDOT, Oakland County Planning and Economic Development Services, the Suburban Mobility Authority for Regional Transportation, and SEMCOG. SEMCOG will serve as the primary liaison between the consultant and the Steering Committee. The consultant will meet regularly with the Steering Committee and provide mechanisms to ensure community members are disseminating information to their respective city councils and planning commissions.

Inventory

1. Obtain “As Built” and proposed plans for the corridor and any information that is available for routes intersecting and extending at least 660 feet on either side of the corridor.
2. Secure the latest aerial photography from SEMCOG or other sources and complete a comparative review of the access control shown with the “As Built” and proposed plans. Perform a field review to note changes in land use or land activity from what is depicted in the aerial photography. Secure property line locations from right-of-way plans or community tax maps to determine lot frontage and depths along the corridor.
3. Secure and review MDOT’s *Access Management Guidebook* for guidelines on driveway spacing, turn lane requirements, deceleration lanes, and driveway/intersection design. Secure any existing access management regulations from corridor communities and adjacent communities.

4. Secure traffic volume and crash data for the corridor and determine any significant traffic generators or crash concentrations related to access issues.
5. Conduct additional data collection as required to fully understand the nature of the corridor (e.g., speed surveys, traffic counts, existing transit routes and plans, existing nonmotorized facilities and plans, etc.).
6. Utilize aerial photography to determine potential locations for driveway elimination/consolidation and/or joint driveway construction that would reduce the number of traffic conflicts and enhance access to adjacent land uses. Identify the potential for frontage or service roads which permit motorists/patrons to access other land uses along the corridor without re-entering the corridor. In undeveloped areas, determine desirable building setbacks allowing for service road and/or joint driveway access provisions. (Nonmotorized access to and between adjacent land uses should be considered during this exercise.)
7. Conduct a public information meeting, including formal presentations of the inventory and potential access modifications. Opportunities should be provided for commentary, both oral and written, during the meeting. The consultant will be responsible for advertising the meeting and providing the meeting schedule, agenda, minutes, and support materials.
8. Conduct a meeting with the Steering Committee (open to the public) to present the results of the inventory, comments received from the public, and recommendations for access modifications. The consultant will be responsible for providing the committee meeting schedule, agenda, minutes, and support materials.

Conceptual Access Management Plan

1. Secure and assemble existing and future land use and master plans for corridor communities. Update plans based on development which has occurred since adoption and input from local communities on any changes being discussed or proposed for official revision.
2. Secure and assemble zoning ordinances from corridor communities. Determine compatibility with assembled land use/master plans within each community, as well as among communities along the corridor. Review critical elements impacting access management, e.g., building, sign, and parking lot setback requirements; parking and sign regulations; access management provisions; and density and lot frontage requirements for commercial and industrial land uses.
3. Assemble a composite of community land use/master plans and zoning ordinances on aerial photography for the corridor. Overlay any future roadway construction plans. Note potential access/motorist conflict points and possible traffic and/or land use techniques that should be considered to resolve those conflicts.
4. Secure local tax maps to create an overlay file on aerial photography for the corridor. Define the front lot width and lot depth of each parcel, highlighting those parcels with common owners.
5. Develop a conceptual access management plan on aerial photography for the corridor. Indicate where frontage/rear roads, cross-access connections, shared driveways, or directional driveway designs are logical. Compare the access points

with MDOT's spacing and offset specifications, noting those parcels that do not or cannot meet them.

6. Conduct a meeting with the Steering Committee (open to the public) to review the composite land use/master plan-zoning ordinance map and conceptual access management plan. The goal of the meeting will be to resolve differences between the land use/master plans and zoning ordinances, and to reach consensus on the conceptual access management plan. The consultant will be responsible for providing the meeting schedule, agenda, minutes, and support materials.

Refined Access Management Plan

1. Based on comments from the Steering Committee, develop a corridor overlay land use plan and refine the access management plan for the corridor.
2. Develop recommendations for refining community zoning ordinances to be consistent with the respective overlay land use plan and access management plan, utilizing the sample ordinance language from MDOT's *Access Management Guidebook*.
3. Develop a draft interagency site plan review process for the corridor, which includes interagency agreements for driveway permit evaluation. The site plan review process will become an integral part of the model ordinances developed for each community. They will outline for developers and private land owners the step-by-step process for securing site plan approvals, rezonings, and zoning variances.
4. Develop recommendations for implementing the access management recommendations under a pilot project program that seeks to leverage funds for improvements outside the typical site plan review process (e.g., a DDA-funded program for voluntary driveway modifications not related to site modifications).
5. Present the refined access management plan to the Steering Committee for dissemination to their respective city councils and planning commissions for review. After allowing sufficient time for review, make formal presentations to each community's planning commission detailing their respective access management plan and model ordinance, ensuring full understanding of access management concepts, the proposed plan and ordinance, and their roles and responsibilities in terms of implementing the plan and adopting the ordinance. The consultant will be responsible for scheduling time on commission agendas, providing support materials, and drafting meeting summaries.

Final Access Management Plan

1. Based on comments received from the communities' planning commissions, prepare the final access management plan and model ordinance for the corridor, including exhibits pertaining to the corridor overlay land use plan.
2. Conduct a final meeting with the Steering Committee to present the final access management plan. The consultant will be responsible for providing the committee meeting schedule, agenda, minutes, and support materials.
3. Develop support materials (e.g., PowerPoint presentations, graphics, etc.) sufficient for presentation of the plan to the communities' city councils for

consideration, adoption, and implementation. SEMCOG will be responsible for meeting with the city councils using the materials prepared by the consultant.

Deliverables

1. A timeline of key events, meetings, and tasks.
2. A minimum of one public meeting to present the results of the respective inventory and solicit comments on proposed access modifications.
3. A minimum of three meetings with the Steering Committee to present and reach consensus on the respective inventory and proposed access modifications, conceptual access management plan, and final access management plan.
4. Meetings with each community's planning commission to ensure full understanding of the respective access management plan and model ordinance and the action required of each community.
5. Hard and digital copies of the refined access management plan, model ordinance, and supporting materials for the corridor for dissemination to the Steering Committee and community planning commissions for review.
6. Two hard copies and digital copies of the final access management plan for the corridor and support materials for each community and participating agency.
7. An access management plan for the corridor presented on aerial photography and mounted for display purposes.
8. Support materials for use in presenting the final access management plan to the corridor communities for review, adoption, and implementation.
9. Any data collected, either from existing sources or by the consultant, in electronic format.

MEMORANDUM OF UNDERSTANDING

BACKGROUND:

- A. Local Governments are authorized by planning, zoning, and land division enabling acts to regulate land use adjacent to public highways within their jurisdictions; and
- B. The Road Commission for Oakland County (hereafter referred to as "RCOC") and the Michigan Department of Transportation (hereafter referred to as "MDOT") are authorized under various state laws to provide for and maintain a road and highway system in Michigan and under PA 200 of 1969, as amended, to regulate access to the road and highway system; and
- C. The coordinated regulation of vehicular access to public highways is necessary to maintain the efficient and smooth flow of traffic, to reduce the potential for traffic crashes, to protect the functional level of roadways, to optimize traffic capacity, and to protect public health, safety and general welfare; and
- D. The cities of Troy, Clawson, Royal Oak, Rochester and Rochester Hills (hereafter referred to as "Cities") desire to provide for the coordinated planning, regulation, and improvement of vehicular access between the road and abutting land for the section of the Rochester Road Corridor between North Main Street in Royal Oak and Mead Road in Rochester Hills, which is within the jurisdiction of the Agencies; and

PARTICIPATION:

Troy agrees to voluntarily participate in a comprehensive, cooperative, and continuing planning process to prepare, adopt, and implement a comprehensive and mutually acceptable Access Management Plan for the Corridor (hereafter referred to as the "Plan") for the purposes above recited and as further detailed as follows:

- 1. A Corridor Steering Committee is established and all Cities agree to appoint members who will diligently participate as members of the Committee. The Troy City Manager shall appoint one member to the Corridor Steering Committee. The remaining members will consist of two members from MDOT, and one member each from RCOC, Oakland County Planning and Economic Development Services (hereafter referred to as "PEDS"), and the Southeast Michigan Council of Governments (hereafter referred to as "SEMCOG").
- 2. The Corridor Steering Committee shall direct the development of a conceptual Plan following the guidelines established in the Access Management Guidebook published by MDOT in October 2001. The

conceptual Plan shall be presented to the Steering Committee for review, comment, and consensus. The conceptual Plan shall be refined to reflect comments received and to include an overlay land use plan, recommended zoning ordinance language, and an interagency site plan review process. The refined Plan shall be presented to the planning commission of each Local Government involved in its preparation, for review, comment and suggested revision and modification. The refined Plan shall be presented to the governing body of each Local Government, RCOC, PEDS, and the MDOT office(s) involved in its preparation, for review, comment and suggested revision and modification. The final Plan shall be provided to the governing body of each Local Government, RCOC, PEDS, and the MDOT office(s) involved in its preparation.

3. Troy shall reasonably cooperate in the implementation of the Plan, including the overlay land use plan, and recommended zoning ordinance language.
4. Insofar as authorized by law and local ordinance, vehicular access to the Corridor shall be permitted by the Agency (or Agencies) having jurisdiction only when such access is in compliance with the Plan for the Corridor, with PA 200 of 1969, MCL 247.321 as amended, and any administrative rules or guidelines established to implement Act 200, with adopted local access management regulations, and with this Memorandum of Understanding.
5. Accesses which were in existence in compliance with Act 200 of 1969 as amended prior to the effective date of this Memorandum of Understanding may continue in existence until such time as a change in the access is required by Act 200, or by pertinent regulations of Local Governments. When closure, modification, or relocation of access is required, the Agency (or Agencies) having jurisdiction shall utilize appropriate legal processes to effect such action.
6. The Memorandum of Understanding is based upon and is intended to be consistent with Act 200 of 1969, as amended, and all administrative rules and guidelines established pursuant to it, as now or hereafter constituted. An amendment to either Act 200 or its administrative rules which becomes effective after the effective date of this Memorandum of Understanding and which conflicts irreconcilably with an express provision of this Memorandum of Understanding shall, to that extent, supersede the conflicting provision.
7. This Memorandum of Understanding is non-binding and does not create any obligation for Troy, financial or otherwise. Any future financial obligation shall be subject to the execution of an appropriate encumbrance document, where required. This Memorandum of Understanding does not require any signatory to forego the exercise of any of its legal authority, powers, or obligations.

8. This Memorandum of Understanding is intended to facilitate cooperation between the Cities, RCOC, PEDS, the MDOT office(s), and SEMCOG. It is not intended to deny any City or agency of its ultimate legal authority to independently administer and enforce its laws, rules, and ordinances.
9. No portion of this Memorandum of Understanding shall be deemed to constitute a waiver of any immunities the parties or their officers or employees may possess, nor shall any portion of this Memorandum of Understanding be deemed to have created a duty of care which did not previously exist with respect to any person not a party to this Memorandum of Understanding.
10. Troy may rescind this Memorandum of Understanding following 30 days written notice from the Troy City Manager to SEMCOG of an intention to withdraw.

The undersigned City of Troy agrees to the terms and conditions of this Memorandum of Understanding.

Mayor, City of Troy

Date

City Clerk

Date