

**City of Rochester Hills**  
**Department of Planning and Development**

**STAFF REPORT TO THE PLANNING COMMISSION**  
**June 7, 2005**

<b>Conditional Rezoning Request</b>	
<b>APPLICANT</b>	Metropolitan Property Management Inc. 42850 Schoenherr Rd. Sterling Heights, MI 48313
<b>AGENT</b>	<b>Gregory Cueter</b>
<b>PARCEL NOS.</b>	<b>15-24-100-009, 010 018 &amp; 19 &amp; 28 &amp; 29 &amp; 37 &amp; 38 &amp; 40</b>
<b>ACREAGE</b>	25.59± Acres
<b>LOCATION</b>	North of School Road, East of John R Road
<b>FILE NO.</b>	04-037
<b>ZONING</b>	R-3, One Family Residential
<b>STAFF</b>	Derek L. Delacourt
<b>REQUEST</b>	<b>Conditional Rezoning to RM-1, Multiple Family Residential</b>

**REVISION**

The applicant appeared previously before the Planning Commission requesting a rezoning from R-3, One Family Residential to RM-1 Multiple Family Residential. At that meeting there was several discussions regarding the merits of the request, the intended development and the full ranges of uses allowed in the RM-1 district, (see attached minutes for full discussion).

In response to the issues and concerns identified by the Planning Commission, the applicant has revised the rezoning request to include conditions for the proposed project. The applicant has included a draft development agreement offering conditions regarding the proposed rezoning, which are incorporated in the attached Addendum to the proposed rezoning under tab two, Zoning Use Agreement.

In addition, the applicant has assembled two supplementary parcels (2.69 & 2.48 acres) of land into the proposed request. The additional parcels increase the size of the proposed

**rezoning to a total of 25.59 acres. The parcels are identified on the revised location map attached to this report.**

**Further, based on discussion by the Planning Commission at its May 31 workshop meeting a joint meeting between the Commission and the City Council is being scheduled for June 14 to discuss the utilization of Conditional Rezoning by the City.**

**The application, public notice and scheduling of this item took place prior to the creation of that meeting.**

## **SUMMARY**

The referenced application involves a request to conditionally rezone nine parcels located northeast of the corner of John R and School Roads from R-3, One Family Residential to RM-1, Multiple Family Residential. The total acreage of the subject parcels is 25.59. Parcel identification maps have been included in attached materials. **Specific action requested for consideration by the Planning Commission is a conditional rezoning recommendation to City Council.**

## **EXISTING AND PROPOSED ZONING DISTRICTS**

The existing R-3 One Family Residential District is “designed to provide for one-family, low density dwelling sites and residentially related uses in keeping with the master plan of residential development in the city. The uses permitted by right and on special condition as conditional uses are intended to promote a compatible arrangement of land uses for homes, with the intent to keep neighborhoods relatively quiet and free of unrelated traffic noises.” Principal permitted uses within the existing R-3 District are specifically listed in Section 138-257 of the Zoning Ordinance, with conditional uses being listed in Section 138-258 and ancillary uses listed in Section 138-259.

The proposed RM-1 district is “designed to provide sites for multiple dwelling structures with height restrictions compatible with single-family residential districts, to serve the limited needs for the apartment type of unit in an otherwise single-family residential community, and to provide zones of transition. The RM-1 district is intended generally for the development of a planned complex of buildings on acreage parcels. Principal permitted uses within the existing RM-1 district are listed in Section 138-367, and conditional uses are noted in Section 138-368.

## **MASTER LAND USE PLAN CONSISTENCY**

The subject site (all parcels) is currently identified in the 1999 City of Rochester Hills Master Land Use Plan for future designation as Single Family Residential. All surrounding parcels, except for the parcels north of lots 1 & 2 of the requested rezoning, are master planned for Single Family Residential. The parcels north of subject lot 1 and a portion of lot 2 are zoned and

master planned for I-1 light industrial (please refer to the “residential development location map” of the applicants submitted materials for parcel identification).

## **ADJACENT LAND USES AND ZONING**

All of the parcels south and west of the subject properties are currently zoned and developed as single family residential. To the north of proposed parcel 1 and a portion of parcel 2 the property is zoned for I-1 Light Industrial, and is currently vacant, but a site plan has been reviewed and approved for a self-storage facility at that location.

North of the eastern portion of parcel 2 the property is zoned single family.

To the northeast of the subject property the parcel is zoned single family but was historically used by the City of Highland Park as a tree fill site for dead and diseased trees.

To the southeast of the subject parcels the property is zoned and developed as single family residential (please refer to the aerial photograph submitted with initial materials).

## **REASONS FOR REZONING REQUEST**

The applicant, in submitted materials, indicates that the request for rezoning is based on an appropriate transition between the Industrial to the north, the tree fill property to the north and east and the single family residential to south, west and east of the subject parcels. The applicant also indicates that they feel there may be a stigma attached to developing and buying single family homes in that area.

## **RECOMMENDATION**

Unless the applicant provides the Planning Commission with sufficient reasons to change the City’s desired one family residential development of this site, **staff recommends the following motion relative to City File No. 04-037:**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 04-037, the Planning Commission **recommends** to City Council **denial** of the request to conditionally rezone 25.59± acres, identified as Parcel Nos. **15-24-100-009, 010,018, 19, 28, 29, 37, 38, & 40**, from R-3, One Family Residential to RM-1, Multiple Family Residential.

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References: Addendum from Metropolitan Property Management, Inc. dated received 04/06/2005; Public Hearing Notice for 06/07/2005; PC Minutes dated 03/15/2005.

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