



Rochester Hills

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Master

File Number: 2015-0093

File ID: 2015-0093

Type: Project

Status: For Introduction

Version: 3

Reference: 15-003

Controlling Body: City Council
Regular Meeting

File Created Date : 02/24/2015

File Name: Rezoning 3841 S. Rochester Rd. B-5 to B-2

Final Action:

Title label: Acceptance for First Reading - An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Conditionally Rezone two parcels of land totaling approximately 1.06 acres, known as Parcel Nos. 15-35-352-019 and 15-35-352-067, located at 3841 S. Rochester Road and Vacant Parcel immediately to the north, south of M-59 from B-5 (Automotive Business) to B-2 (General Business) and to prescribe penalties for the violation thereof, Auto City Investments, Applicant

Notes:

Sponsors:

Enactment Date:

Attachments: 060115 Agenda Summary.pdf, Ordinance.pdf, Map aerial.pdf, Site Plans.pdf, EIS.pdf, Minutes PC 051915.pdf, Minutes PC 040715.pdf, Staff Report 051515.pdf, Staff Report 040715.pdf, Letter Leshock 042715.pdf, Letter-Leshock 031215.pdf, Auto City Service Letters.pdf, Letter of Intent.pdf

Enactment Number:

Contact: PLA 656-4660

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	03/17/2015					
1	Planning Commission	04/07/2015	Withdrawn				
2	Planning Commission	05/19/2015	Recommended for Approval	City Council Regular Meeting			Pass
3	City Council Regular Meeting	06/01/2015					

Text of Legislative File 2015-0093

Title

Acceptance for First Reading - An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Conditionally Rezone two parcels of land totaling approximately 1.06 acres, known as Parcel Nos. 15-35-352-019 and

15-35-352-067, located at 3841 S. Rochester Road and Vacant Parcel immediately to the north, south of M-59 from B-5 (Automotive Business) to B-2 (General Business) and to prescribe penalties for the violation thereof, Auto City Investments, Applicant

Body

Resolved, that the Rochester Hills City Council hereby accepts for First Reading an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to Conditionally Rezone two parcels of land totaling approximately 1.06 acres, located on the east side of Rochester Rd. (3841 S. Rochester Road and parcel directly to the north), south of M-59, Parcel Nos. 15-35-352-019 and 15-35-352-067 from B-5, Automotive Business to B-2, General Business and to prescribe a penalty for violations with the following findings and conditions:

Findings:

1. B-2 is an appropriate zoning district at this location as it is compatible with the goals and objectives of the Master Land Use Plan.
2. Approval of the proposed conditional rezoning will allow for uses that can compliment the existing, surrounding uses.
3. The proposed conditional rezoning is consistent with the criteria for approval of an amendment to the Zoning Map, listed in Section 138-1.200.D of the Zoning Ordinance.
4. Approval of the conditional rezoning would not facilitate all uses in the B-2 district, but those specifically outlined in the conditions.

Conditions:

1. The building would be no larger than 7,600 square feet.
2. There would be at most one drive-thru at the northern end on the building limited to a user such as a donut or coffee shop or ice cream parlor (no McDonald's, Burger King or similar heavy use).
3. All uses would be limited to the uses listed in the City's B-2 Zoning Ordinance with the exception of those excluded below.
4. A stand alone drive-thru for fast food operation would be prohibited. However, a stand alone bank or one with a drive-thru would be acceptable.
5. Applicant agrees to not lease to tattoo shops, adult entertainment uses of any kind, pool halls, bars and similar uses.
6. Medical/Professional offices would be acceptable.
7. There will be a six-foot solid wood fence and a row of hedges along the eastern side next to homes to block views and headlights, and the hedges would block or reduce any noise.
8. Hours of operation would be limited to 5 a.m. until midnight seven days a week.
9. Any call box for the drive-thru will be designed to ensure no noise would be heard by the residents.
10. Access will be limited to that which is approved by MDOT for Rochester Rd. and Eastlawn Dr. in enjoyment with the City Traffic Department.
11. Trash pick up will be limited from 8:00 a.m. to 8:00 p.m.
12. Loading and unloading deliveries will be limited from 8:00 a.m. to 8:00 p.m.

13. The drive through will have sound control shielding.
14. No outdoor storage would be allowed.
15. Submit a written agreement to be prepared and recorded at the Oakland County Register of Deeds setting forth the terms and conditions of the Conditional Rezoning.