

City of Rochester Hills
Department of Planning and Development

STAFF REPORT TO THE PLANNING COMMISSION
November 26, 2003

Rezoning Request	
APPLICANT	Salvatore J. Palazzola 5995 19 Mile Road Sterling Heights, MI 48314
PARCEL NOS.	15-28-226-023, -024, & -025
ACREAGE	5.5± Acres
LOCATION	Southwest Corner of Hamlin and Livernois
FILE NO.	03-020
ZONING	R-3, One Family Residential
STAFF	Ed Anzek, AICP, Director
REQUEST	Rezoning to RM-1, Multiple Family Residential

SUMMARY

The referenced application involves a request to rezone three vacant parcels located at the southwest corner of Hamlin and Livernois from R-3, One Family Residential to RM-1, Multiple Family Residential.

Specific action requested for consideration by the Planning Commission is a recommendation to rezone Parcel No. 15-28-226-023 (1.87± acres), Parcel No. 15-28-226-024 (1.87± acres), and Parcel No. 15-28-226-025 (1.80± acres) from R-3 to RM-1.

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, Multiple Family Residential 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 proposed RM-1 District are listed in Section 138-367, conditional uses are noted in Section 138-368, and ancillary uses in Section 138-369. All of the above-referenced sections have been included in this packet for your consideration.

MASTER LAND USE PLAN CONSISTENCY

All three parcels are currently identified in the 1999 City of Rochester Hills Master Land Use Plan for future designation as Single Family Residential. Since the Master Plan distinguished between single family residential and multiple family residential developments, the City’s Master Plan does not support the proposed RM-1 zoning.

ADJACENT LAND USES AND ZONING

All adjacent parcels to the south and west are zoned R-3, One Family Residential, and contain single-family residences. Properties along the east side of Livernois both north and south of Hamlin are also zoned R-3. With the exception of five vacant parcels immediately south of Hamlin and one immediately to the north, single-family residences are also located on these properties. The northwest corner of Hamlin and Livernois is zoned I-1, Light Industrial and developed accordingly. Please refer to the attached map for existing zoning designations.

REASONS FOR REZONING REQUEST

According to the attached information provided by the applicant, the intent is to develop approximately 40 brownstone condominiums with two-car attached garages on the subject site. However, any request to rezone should be considered in the context of all uses that could be permitted under the existing and proposed zoning designations.

In the letter submitted dated October 20, 2003, the applicant is requesting the rezoning for the following reasons:

- Changing the zoning from R-3 to RM-1 is consistent with the current and future land use pattern along the corner of Hamlin and Livernois;

- RM-1 zoning is consistent with other corners and buffers used in the City between busy roads, commercial or industrial zoning, and a residential zoning;
- The change would consolidate the zoning pattern similar to Rochelle Park Condos (to the west of the property) and the condos at the corner of Crooks and Hamlin as a transitional buffer to the industrial property to the north and busy traffic at Hamlin and Livernois;
- This type of housing would be a fresh and stately look designed with adequate buffers and architecture which would guarantee its success as opposed to R-3 zoning which would have over six or seven curb cuts on Hamlin Road (we would only have one), and not a very desirable location for single residential homes; and,
- A change to RM-1 would be less intense on traffic and schools than the current R-3 zoning as statistics have proven.

As the Planning Commission is aware, the portion of Hamlin Road from Crooks to Livernois is scheduled for widening to a 4-lane boulevard. This work will also result in improvements to the intersection of Livernois and Hamlin in all directions in order to make the necessary transition from a boulevard to two lane roads. This work is currently scheduled to commence with ROW acquisition in 2006. The only uncertainty is federal construction dollars for 2007.

This roadway improvement discussion is offered in light of the alternative. When staff met with the applicant we concurred that a single access point would work much better with the boulevard than multiple curb cuts.

According to Marc Matich of the City's Traffic Division, the trip generation rate for a single-family home in Oakland County is averaging around 16 per day. The national average is 12. A condominium project generates 6 to 7 trips per day and an apartment complex generates 5 trips per day. Given that information we could expect 17 homes to generate 272 vehicle trips per day (tpd); a condominium project assuming 44 units would generate 308 tpd; and an apartment complex of 44 units would generate 208 tpd.

RECOMMENDATION

The 1999 Master Land Use Plan does not support the request and simply stated could be the basis for a denial.

However, staff does concur that there is solid merit in the request given the Hamlin Road corridor does have a strong industrial identity as one moves through it and an apartment complex would be an appropriate transition to the residential areas further south. Secondly, the roadway improvements will be diminished with numerous residential curb cuts. Third, the vehicle trips generated by an apartment complex would be less than if constructed as a single-family development. And last, controlling the vehicle movement into this 5.5 acre tract from a single access point is much safer than cars backing into Hamlin from the 6 or 7 homes that could be built along the Hamlin frontage (and perhaps a few more on Livernois).

References: Aerial; Existing Zoning map; Sections 138-256 thru 138-259 of the City of Rochester Hills Zoning Ordinance; Sections 138-366 thru 138-369 of the City of Rochester Hills Zoning Ordinance; Notice of Public Hearing; Application to Rezone dated 10/15/03; Palazzolo Brothers letter dated 10/20/03; Environmental Impact Analysis; Commitment for Title Insurance Number 63-501934; Liber 7160, page 493 & 496; Liber 10758, page 869, 872, & 873; and, Liber 10759, page 011 & 012.

MOTION by _____, seconded by _____, in the matter of City File No. 03-020, the Planning Commission **recommends** to City Council _____ of the request to rezone 5.5± acres, identified as Parcel Nos. 15-28-226-023, -024, and -025, from R-3, One Family Residential to RM-1, Multiple Family Residential.