

City of Rochester Hills
Department of Planning and Development

STAFF REPORT TO THE PLANNING COMMISSION
May 14, 2004

Rezoning Request	
APPLICANT	Bashar Bashir 111 South Street Rochester Hills, MI 48307
PARCEL NO.	15-15-426-020
ACREAGE	0.5± Acres
LOCATION	Northwest Corner of Rochester Road and Childress Avenue
CITY FILE NO.	04-010
ZONINGS	B-5, Automotive Service Business (0.1± acres) B-2, General Business (0.1± acres) R-4, One Family Residential (0.3± acres)
STAFF	Deborah Millhouse, AICP, Deputy Planning Director
REQUEST	Rezoning to B-2, General Business

SUMMARY

The referenced application involves a request to rezone 0.11± acres of Parcel No. 15-15-426-020 from B-5, Automotive Service Business District to B-2, General Business District and to rezone 0.29± acres of Parcel No. 15-15-426-020 from R-4, One Family Residential District to B-2 General Business District. **Specific action requested for consideration by the Planning Commission is a rezoning recommendation to City Council.**

BACKGROUND INFORMATION

The subject site (i.e., Anderson Sewing & Vacuum Center) is located at the northwest corner of Rochester Road and Childress Avenue. It consists of one parcel containing three separate zoning districts. Originally platted as four lots of the Yawkey & Chapman's Addition (property description map attached), lots 75, 77, and 78 were combined in 1988 to create Parcel No. 15-15-426-014. Lot 76 was added in 2000 to create the current parcel. These two combinations have resulted in a single parcel with multiple zoning districts.

As indicated on the attached current zoning map, the southeast portion of the site (formerly lot 75) is zoned B-2. The northeast portion (formerly lot 76) is zoned B-5, and the western portion (formerly lots 77 and 78) are zoned R-4. The request is to rezone the B-5 and R-4 portions of the site to B-2. This would result in the entire parcel being zoned General Business.

ADJACENT LAND USES AND ZONING

A Clark Station is located northeast of the subject site and is zoned B-5, Automotive Service Business. The parcel to the northwest is vacant and zoned I-1, Light Industrial. As indicated on the attached topographic map, the western portion of the site slopes severely downward to this industrially zoned property. Properties to the west and southwest are zoned R-4, One Family Residential. Although those north of Childress are currently vacant, most of the lots between Childress and Cloverport contain single-family residences. Two businesses (i.e., National Auto Glass and Physical Therapy Center), located on the west side of Rochester Road between Childress and Cloverport, and those located on the east side of Rochester Road north of Diversion (i.e., US Scuba and Rochester Commons) are zoned B-2, General Business. Two automobile dealerships (i.e., Crestview Cadillac and Mercedes Benz of Rochester) on the east side of Rochester Road south of Diversion are zoned B-3, Shopping Center Business. A map depicting the current zoning pattern is included in this packet.

EXISTING AND PROPOSED ZONING DISTRICTS

The existing B-5, Automotive Service Business District is “established to accommodate those uses which attract and generate a high volume of moving or standing vehicular traffic.” These districts are “designed to be located on major thoroughfares in the city, other than freeways, and are generally incompatible with residential vehicular traffic from secondary thoroughfares (86-foot right-of-way) and local thoroughfares (60-foot right-of-way).” Principal permitted uses within the B-5 district are specifically listed in Section 138-657 of the Zoning Ordinance, with conditional uses being listed in Section 138-658 as attached.

The existing R-4, 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 R-4 district are specifically listed in Section 138-257, with conditional uses being listed in Section 138-258 and ancillary uses listed in Section 138-259.

The proposed B-2 General Business District is “designed to cater to the needs of the larger consumer population than serviced by the B-1, Local Business District.” Principal permitted uses within the existing B-2 District are listed in Section 138-522, and conditional uses are noted in Section 138-523 as attached.

MASTER LAND USE PLAN CONSISTENCY

The parcel is currently identified in the 1999 City of Rochester Hills Master Land Use Plan for future designation as Retail Commercial and more specifically as Convenience or Comparison on page 62. Since the B-5 zoning district would be designated as Automotive Service Oriented, the Master Land Use Plan supports the proposed B-2 zoning of the entire subject parcel.

RECOMMENDATION

Since the rezoning request is in compliance with the City's Master Land Use Plan and would eliminate multiple zoning designations on a single parcel, **staff recommends the following motion relative to City File No. 04-010.**

References: Aerial; Property Description Map; Current Zoning Map; Topographic Map; Rezoning Request Map; Sections 138-256 thru 138-260 of the City of Rochester Hills Zoning Ordinance; Sections 138-656 thru 138-660 of the City of Rochester Hills Zoning Ordinance; Sections 138-521 thru 138-525 of the City of Rochester Hills Zoning Ordinance; Notice of Public Hearing; Application to Rezone; Location Map; Hertz Corporation letter dated 04/22/04; Bashar Bashir letter dated 04/22/04; Deed Escrow dated 12/05/03; Albert Anderson letter dated 4/27/04; and, Environmental Impact Statement.

MOTION by _____, seconded by _____, in the matter of City File No. 04-010, the Planning Commission **recommends** to City Council **approval** of the request to rezone 0.11± acres of Parcel No. 15-15-426-020 from B-5, Automotive Service Business to B-2, General Business and to rezone 0.29± acres of Parcel No. 15-15-426-020 from R-4, One Family Residential District to B-2 General Business District.