

City Council Agenda Summary Sheet (Non Purchases)

Agenda No: 2004-0537: Acceptance for First Reading – a request to rezone the rear portion of Parcel No. 15-34-227-010, located south of Auburn, north of Hickory Lawn, and west of Rochester Road, from R-3 (One Family Residential) to B-3 (Shopping Center Business); Viviano Land Company, L.L.C., Applicant.

Date: July 12, 2004

Prepared By: Deborah Millhouse, AICP, Planning and Development Department

City File No: 04-008

Meeting Date: July 21, 2004

PURPOSE:

To discuss the request to rezone 0.35± acres of Parcel No. 15-34-227-010 from R-3, One Family Residential District to B-3, Shopping Center Business District. The parcel is located south of Auburn, north of Hickory Lawn, and west of Rochester Road

DISCUSSION:

The subject site is 0.35± acre in size and consists of the rear portion of a residentially zoned lot fronting Hickory Lawn. According to the City's information, Lot 20 of the Avoncrofts Subdivision is 0.99± acre in size, with an existing residence located on the front of the lot. The portion under consideration is located immediately south of the Auburn Center and west of the Meadowbrook Dodge dealership. Since the B-3 zoning district requires a parcel be at least five acres in size, the subject site would need to be combined with the current Meadowbrook Dodge site (i.e., Parcel 15-34-227-037) if rezoned.

As indicated on the attached current zoning map, Meadowbrook Dodge to the east is zoned B-3 (Shopping Center Business), while Auburn Center to the north is zoned B-2 (General Business). Adjacent properties to the south and east are zoned R-3 (One Family Residential), as are the properties located on the opposite side of Hickory Lawn.

According to the Environmental Impact Statement (EIS) submitted with the rezoning application, the 0.35 acres will supplement the current operations at Meadowbrook Dodge by providing additional parking for new car inventory. However, any request to rezone needs to be considered in the context of all uses that could be permitted under the existing and proposed zoning districts.

The intent of each district is provided in the attached Staff Report. Principal permitted uses within the existing R-3 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. Principal permitted uses within the proposed B-3 district are specifically listed in Section 138-567 of the Zoning Ordinance, with conditional uses being listed in Section 138-568.

The parcel is currently identified in the 1999 City of Rochester Hills Master Land Use Plan to continue its designation as Single Family Residential. Therefore, the City's Master Land Use Plan does not support the proposed B-3 zoning.

Unless the City feels that there are sufficient reasons or that there is a compelling argument to change its future residential designation of the rear portion of the parcel, staff recommended denial in its Staff Report dated June 24, 2004. Following the public hearing held at its June 29, 2004 meeting, the Planning Commission unanimously recommended denial of the rezoning request. Please refer the attached Planning Commission minutes for more information relative to this action.

FISCAL INFORMATION:

None.

RECOMMENDATION:

The Planning Commission recommends denial of the request to rezone 0.35± acres of Parcel No. 15-34-227-010 **from** R-3 (One Family Residential) **to** B-3 (Shopping Center Business).

ATTACHMENTS:

Maps – Aerial and Current Zoning
Minutes PC 20040629
Report Staff 20040624

Department Authorization: Ed Anzek, Director of Planning and Development

Reviewed by:

Fiscal: *Jean Farris*

Clerks: *Susan Koliba-Galeczka*

Approved by: *Pat Somerville*

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA