



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

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Legislative File No: 2005-0481 V2

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Development, ext. 2572

DATE: August 5, 2005

SUBJECT: Acceptance for First Reading – An Amendment to Chapter 138 of the Code of Ordinances of the City of Rochester Hills to rezone two parcels totaling approximately 4.2 acres, located at the northeast corner of Hamlin and Livernois, from R-3 (One-Family Residential) to O-1 (Office Business), Talon Development Group, Inc. applicant.

REQUEST:

Accept for first reading the request to rezone two parcels of land at the northeast corner of Hamlin and Livernois from R-3, One Family Residential, to O-1, Office Business. As indicated in the attached Staff Report, the subject parcels are zoned and master planned residential, and the surrounding parcels, with the exception of the northwest corner of Hamlin and Livernois, are also master planned for single-family. There is light industrial to the west and churches to the north and east of the subject parcels.

BACKGROUND:

In April, 2005, the applicant went before the Planning Commission to discuss the possibility of using Conditional Rezoning to develop the site with offices and a daycare center, but the Commission had not had enough time to review the new law and no policies or Ordinances for Conditional Rezoning had been written for the City. On July 19, 2005, the applicant appeared before the Commission requesting a rezoning to O-1, in which offices and daycare are permitted. The request was unanimously denied and Staff recommended denial based upon the master plan designation for the site. Please refer to the July 19 Planning Commission Minutes for more information.

The applicant proposes that the requested O-1 zoning is consistent with the surrounding land uses and will create a more appropriate transition to the east and west and in relation to Livernois and Hamlin, which are scheduled for widening, the light industrial and the churches. The applicant must fully address why the residential zoning will not remain viable. It should be noted that the O-1 district also allows uses such as retail businesses, banks and funeral homes. Please refer to Section 138-752 and 138-753 of the Ordinance (attached) for uses permitted.

RECOMMENDATION:

The Planning Commission recommends denial of the request to rezone two parcels of land known as 15-22-351-001 and -002, located at the northeast corner of Hamlin and Livernois.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

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