



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

**1000 Rochester Hills Dr.
Rochester Hills, MI 48309
248.656.4630
www.rochesterhills.org**

Legislative File No: 2006-0649 V2

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Development

DATE: September 14, 2006

SUBJECT: Conditional Land Use for Lowe's (City File No. 05-037), a proposed 29,153 square-foot garden center on 18 acres, to be developed in conjunction with a 138,431 square-foot store on the east side of Rochester Road north of M-59.

REQUEST:

Conditional Land Use Approval for an outdoor garden center for Lowe's. Retail sales of plant material not grown on a site, and sales of lawn furniture and other garden supplies, when developed in a planned relationship with the B-3 zoning district, may be permitted by City Council, after review and recommendation by the Planning Commission per Section 138-568 (1) a. of the Zoning Ordinance.

BACKGROUND:

The 18-acre site is the former Pat Moran dealership on the east side of Rochester Road, south of Auburn. The applicant has entered into a long-term ground lease with the Pat Moran entity for 13± acres and will purchase an additional four acres from Meijer to expand the detention for the area. In March 2006, the applicant was granted approval by City Council to partially rezone a narrow parcel on the south side of the site from R-4 to B-3 and will use it for the buffering requirements, which have been met for the east and the south property lines. Surrounding zoning uses include Meijer to the north, the All Seasons Senior Congregate center to the south, the Wildflower subdivision to the east and commercial across Rochester Road. Lowe's will share an access drive to Rochester Road with Meijer, at which a traffic light is proposed.

The Planning Commission discussed the proposed project after the required Public Hearing at its September 5, 2006 meeting, and Lowe's received approval to construct a 138,431 square-foot store, and recommendation of approval for a 29,153 square-foot garden center with two conditions limiting the hours for truck deliveries and for operating the trash compactor. The applicant also received recommendation of approval for a Wetland Use Permit and was granted a Natural Features Setback Modification for impacts from grading and construction of a loading center. The Wetland Use Permit is also being considered by City Council. Based on comments by the Planning Commission, a proposed wooden fence is being replaced with an earth-tone vinyl, and the blue background and Lowe's lettering will be reduced on the front facade. Please refer to Planning Commission Minutes for more details.

The attached Staff Report, dated September 5, 2006 lists the five general requirements of Section 138-1306(d), upon which the Conditional Land Use request must be based. The Planning Commission established that the development will be compatible and appropriate in appearance and will not be detrimental to existing or future land uses, people, property or the environment.

RECOMMENDATION:

If City Council agrees with the Planning Commission that the proposed architecture, materials and operations are compatible and harmonious, and appropriate in appearance, with the existing character of the general vicinity and adjacent uses of land, Staff, the Planning Commission and the City's Planning Consultant recommend approval of the Conditional Land Use for Lowe's (City File No. 05-037).

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

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