



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2015-0093 V3

TO: Mayor and City Council Members

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

DATE: May 22, 2015

SUBJECT: Acceptance for First Reading – An Amendment to Chapter 138 of the Code of Ordinances of the City of Rochester Hills to Conditionally Rezone two parcels of land totaling 1.06 acres, located at 3841 S. Rochester Rd. and unaddressed parcel immediately north, south of M-59, Parcel Nos. 15-35-352-019 and -067, from B-5, Automotive Business to B-2, General Business, Auto City Investments, Applicant

REQUEST:

Accept for First Reading the request to Conditionally Rezone 1.06 acres of land located on the northeast corner of Rochester Rd. and Eastlawn Dr., just south of M-59 from B-5, Automotive Business to B-2, General Business.

The applicant has indicated his intent to convert the existing gas station into a small retail center with conditions as outlined in the attached resolution. The conditions limit the uses allowed in B-2 zoning, and the applicant has also offered other conditions for the operation and layout. A conceptual plan illustrating a maximum 7,600 sq. ft. building with one potential drive through window at the north end has been submitted. In addition, hours of operation will be limited; fast food restaurants and other impactful uses are prohibited; and other conditions have been submitted. MDOT and the City's Traffic Engineer will review the accesses onto Rochester Rd. and Eastlawn, and as proposed will close one current access on Rochester, going from three access points to two.

BACKGROUND:

The applicant appeared before the Planning Commission on April 21, 2015 with a straight rezoning request from B-5 to B-2. He advised that the gas station needed expensive updates, but he did not feel it would still be profitable at that point. He wished to do a retail center; however, with a straight rezoning, all uses in the B-2 district would have to be considered. The area is master planned for office, and although retail uses could serve the residents to the east and the surrounding businesses, if the applicant went away, any uses in B-2 could be developed. Consequently, several Commissioners expressed concern about the wide array of uses that could be permitted in the district. The applicant responded with an offer of a conditional rezoning request to build a small retail center with the conditions listed in the attached resolution.

The revised request came before the Planning Commission on May 19, 2015, and after discussion of the proposed conditional rezoning that addressed the previously voiced concerns, was unanimously recommended for approval to City Council.

RECOMMENDATION:

Staff and the Planning Commission recommend approval of the request to conditionally rezone two parcels of land, Parcel Nos. 15-35-352-019 and 15-35-352-067 from B-5, Automotive Business to B-2, General Business (City File No. 15-003) with the proposed set of conditions.

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

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