

**City of Rochester Hills  
Department of Planning and Economic Development**

**STAFF REPORT TO THE PLANNING COMMISSION  
July 20, 2010**

| <b>Rezoning Request</b> |   |
|-------------------------|---|
| <b>APPLICANT</b>        | Jack's Place for Autism Foundation<br>17360 W. 12 Mile Rd., Suite 204<br>Southfield, MI 48076 |
| <b>PARCEL NO.</b>       | 15-21-276-006   |
| <b>ACREAGE</b>          | 4± Acres  |
| <b>LOCATION</b>         | 1680 S. Livernois, South of Avon, West Side of Livernois                                      |
| <b>CITY FILE NO.</b>    | 99-026.2  |
| <b>ZONING</b>           | I, Industrial   |
| <b>STAFF</b>            | Derek Delacourt, Deputy Director of Planning and Economic Development                         |
| <b>REQUEST</b>          | <b>Rezoning to SP, Special Purpose</b>  |

**SUMMARY**

The applicant has filed a request to Rezone one parcel of land located on Livernois, south of Avon from I, Industrial, to SP, Special Purpose. The subject site totals approximately 4 acres and is developed with a single nonresidential building and associated site improvements.

**Specific action requested for consideration by the Planning Commission is a Rezoning Recommendation to City Council.**

**BACKGROUND INFORMATION**

Jack's Place for Autism is a non-profit foundation formed in 2002 to bring awareness of autism to families and individuals. It partners with Oakland University to deliver educational services and experiences to those with Autism and also health care professionals, educators, first responders and others who interact with people with this disorder. Since inception, over 4,000 individuals have been served through the program. A list of programs is enclosed.

The proposed use constitutes a combination of uses most appropriately placed in the Special Purpose district. The applicant states in the June 25, 2010 letter that the location is desirable because the site is on a major road and the ease of access makes it an ideal location for uses that cater to the general public. They intend to provide training rooms for physical activities and other unique activities, which are not allowed in an Industrial zoning district. The Special Purpose district is intended for uses that do not fit readily into other districts and are given special consideration; this is an influencing factor in the applicant's decision to request a rezoning to this district.

A rezoning discussion should include what uses would be acceptable and viable, with consideration of the Master Plan, and should not center on specific site plan issues of the proposed use. The applicants plan to move into the current building and do extensive remodeling of the interior. However, if the site is rezoned, all uses allowed in SP have to be evaluated in comparison to those allowed currently in the Industrial district. A table of permitted uses by district is included in Section 138-4.300 of the City's Zoning Ordinance.

The applicant's reasons for selecting this location also include the building's size and layout, and because of the proximity to Oakland University and southeast Michigan's many medical institutions and cancer centers for their support programs. Jack's Place would like to expand its outreach in the community and hopes to create a Physical Life Skills Training Center to build private and public support and to help individuals suffering from autism. The center will be designed to meet the needs of children with autistic spectrum disorders as they grow to adulthood, as well as their families. The applicants would like it to become a national model for helping people with autism become more independent and more a part of the community.

Jack's Place for Autism recently partnered with Oakland University's School of Education and Human Services to create one of the country's first campus-based centers for autism education. Oakland University will be offering seminars and autism-specific education classes for teachers as well as provide family counseling. It also plans to create day camps and programs for adults. Although it would be a non-profit, the center would hire employees and bring people from the region to Rochester Hills.

## **ADJACENT LAND USES AND ZONING**

The parcels surrounding the site to the north, west and south are zoned Industrial. To the immediate west is the City's Fire Station No. 1; to the north is EEI Global, and southward from that along Livernois are businesses zoned Industrial. Across Livernois, to the east, is the Rochester Glens Subdivision.

## **EXISTING AND PROPOSED ZONING DISTRICTS**

The existing I Industrial District is designed to primarily accommodate wholesale activities, warehouses, and industrial operations who external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I District is so structured as to permit, along with any specified uses, the

manufacturing compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material, it being the intent of the district that the processing of raw material for shipment in bulk form, to be used in an industrial operation at another location not be permitted. The general goals of this use district include, among others, the specific purpose to: Provide sufficient space, in appropriate locations, to meet the needs of the City's expected future economy for selected types of manufacturing and related uses; protect abutting residential districts from the negative impacts of industrial land uses by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development; promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation, and other hazards and from offensive noise, vibration, smoke, odor and other objectionable influences; promote the most desirable use of land in accordance with a well-considered plan; protect the character and established pattern of adjacent development and in each area conserve the value of land and buildings and other structures and protect the City's economic tax base.

The proposed SP Special Purpose District is established to provide for uses which cater to the general public and can require substantially larger sites. The Planning Commission would have to agree that SP uses, even if Jack's Place did not occupy the site, would be appropriate in this location and would offer transitional uses to the nearby subdivision.

The proposed location, if rezoned, would be surrounded on three sides by industrial zoning and separated by Livernois from the neighborhood across the street. The City has several instances of SP being a "stand alone" zoning district. It is designed to accommodate a wide range of uses and to blend with any surrounding land use or zoning district. It is Staff's opinion that this is an appropriate location for the Special Purpose district.

## **MASTER PLAN**

The Master Land Use map shows this parcel for future zoning as Regional Employment Center (REC), which will accommodate a wide range of business types such as light manufacturing, research and development and headquarters operations. It is intended to permit flexibility in the type of use that occurs within the buildings. The REC should also promote a mixture of uses, permit office uses in existing technology parks and an adjustment of setback requirements to permit the expansion of existing buildings or parking areas provided that landscaped street buffers are still maintained. The REC was proposed to promote flexibility in use and design. Based on its location, and the intent of the MLUP, it is Staff's opinion that the proposed use is supported by the Plan.

## **RECOMMENDATION**

It is Staff's opinion that this is an appropriate location for the proposed use and that the rezoning is supported by the MLUP. Therefore we recommend approval of the proposed rezoning request.

Staff has provided the standard motion to approve or deny.

References: Statement about Change (Letter), from L. Price, dated 06/08/10; letter from L. Price, dated 06/25/10; Jack's Place Overview; Environmental Impact Statement dated 06/14/10; letter of authorization from J. Miller dated 06/04/10; Background Information about Jack's Place; Aerial Map; Notice of Public Hearing.

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 99-026.2, the Planning Commission **recommends** to City Council **approval/denial** of the request to rezone Parcel No. 15-21-276-006 (4± acres) **from** I, Industrial, **to** SP, Special Purpose District.