



Rochester Hills

Agenda Report

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File Number: 2006-0791

File Number: 2006-0791 **File Type:** Ordinance **Status:** For Introduction
Version: 5 **Reference:** 02-028 A **Controlling Body:** City Council
Regular Meeting
Requester: Planning/Development **Cost:** **Introduced:** 11/02/2006
File Name: Crooks and South Boulevard Rezoning (NE Corner) **Final Action:**

Title: Acceptance for First Reading - City File No. 02-028 A (Crooks and South Boulevard Conditional Rezoning Request). An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, Parcel Nos. 15-33-351-008, -009, -018, and part of -019 from R-4, One Family Residential to O-1, Office Business, MJMS, LLC, applicant.

Notes: MJMS, LLC
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Code Sections: **Agenda Date:**
Indexes: Rezoning **Agenda Number:**
Sponsors: **Enactment Date:**
Attachments: Agenda Summary.pdf, Map.pdf, Application.pdf, **Enactment Number:**
Plans.pdf, Rev. Staff Report 030607.pdf,
Ordinance.pdf, PC Minutes.pdf

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	12/05/2006	Postponed				
1	Planning Commission	01/16/2007	Discussed				
3	Planning Commission	03/06/2007	Recommended for Approval	City Council Work Session			Pass

Text of Legislative File 2006-0791

..Title
Acceptance for First Reading - City File No. 02-028 A (Crooks and South Boulevard Conditional

Rezoning Request). An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, Parcel Nos. 15-33-351-008, -009, -018, and part of -019 from R-4, One Family Residential to O-1, Office Business, MJMS, LLC, applicant.

..Body

Resolved that an Ordinance to Amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone 1.62± acres, known as Parcel Nos. 15-33-351-008, -009, -018 and part of -019 from R-4, One Family Residential to O-1, Office Business and to prescribe penalties for the violation thereof, is hereby **accepted** for First Reading with the following conditions.

Conditions:

1. The size of the building on the Property shall not exceed 10,000 square feet, unless otherwise approved by City Council after recommendation from the Planning Commission.
2. The Property shall comply with the floor area ratio requirements of the Flexible Use 1 category of the City's Master Land Use Plan.
3. The orientation of the building on the Property shall be at approximately a 45 degree angle to the intersection of Crooks Road and South Boulevard, as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
4. The height of the building on the Property shall be a minimum of 16 feet and a maximum of 30 feet as provided in the building height requirements of the Flexible Use 1 category of the City's Master Land Use Plan, and as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission
5. The elevations of the building on the Property shall substantially consist of brick, stone or similar materials approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
6. The architecture and surface materials of the buildings on the Property and the Adjacent Property shall be complimentary and compatible to each other as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
7. The perimeter street frontage type C requirements of the Flexible Use 1 category of the City's Master Land Use Plan will be used for both the Crooks Road and the South Boulevard frontages of the Property, as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
8. There shall be only a single access drive from South Boulevard to both the Property and the

- Adjacent Property, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
9. There shall be a cross access drive(s) between the Property and the Adjacent Property for vehicular access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by City Council after recommendation from the Planning Commission.
 10. There shall be a sidewalk(s) or other pathway(s) between the Property and the Adjacent Property for pedestrian access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by the Planning Commission, unless otherwise approved by City Council after recommendation from the Planning Commission.
 11. There shall be cross easements granted for vehicular and pedestrian access between the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
 12. A Level 1 Gateway sign shall be constructed at owner's expense at a location on the Property to be determined on the site plan for the Property approved by the Planning Commission, in accordance with the City of Rochester Hills Comprehensive Gateways Plan.
 13. Either (i) a single site plan for the Property and the Adjacent Property shall be submitted for approval; or (ii) separate site plans for the Property and the Adjacent Property shall be submitted simultaneously for approval, provided that elevations and floor plans for the Adjacent Property may be submitted and approved by the Planning Commission at a later time, prior to the issuance of any building permits for the Adjacent Property. In the event that a single site plan is submitted, and the owner of either the Property or Adjacent Property desires to amend the site plan as it applies to such owner's parcel in the future, then such owner may apply for a site plan amendment or modification without the consent of the owner of the other parcel being required, provided that such requested amendment does not affect the approved site plan for the other parcel.
 14. The landscaping for the Property and the Adjacent Property shall be complimentary and compatible, and the landscape materials and screening used to comply with the landscape screening and buffer requirements of Section 138-1216 of the City's Zoning Ordinance for the Property and the Adjacent Property shall be either substantially identical, or complimentary and compatible, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property unless otherwise approved by City Council after recommendation from the Planning Commission.
 15. The Property and the Adjacent Property shall share common storm water detention facilities to the extent permitted by the Oakland County Drain Commission, the City Engineer and any other applicable governmental authority with jurisdiction over the parcels, as approved by the Planning Commission as part of site plan review for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning

Commission.

16. Owners shall work with the City Engineer to investigate and consider the implementation of best storm water management practices and alternative storm water distribution and infiltration systems and methods that differ from or exceed the requirements of City Ordinances, provided, however, that owners shall only be required to comply with the City Ordinance requirements and engineering design standards in effect at the time of such submittal.