

2009-0393 Conditional Rezoning Recommendation Request (Public Hearing) - City File No. 04-013, located at the northeast corner of Hamlin and Livernois, Parcel Nos. 15-22-351-001, -002, from R-3 One Family Residential to O-1 Office Business; Signature Associates, applicant.

(Reference: Memo prepared by Ed Anzek, dated February 25, 2010 had been placed on file and by reference became part of the record thereof.)

Mr. Delacourt commented that at the last meeting Commissioners asked for clarification of the exact acreage and right-of-way property. The applicant is requesting conditional rezoning from R-3 Residential to O-1 Office for two parcels totaling 4.256 acres. Staff has verified this acreage is consistent with what was publicly noticed last month and what is shown on the legal description. The City has obtained all necessary right-of-way for the intersection either through an easement or a deed. If there are questions, Mr. Delacourt will respond.

Present for the applicant were Craig Chappell and Cathy Wilson, Signature Associates, One Towne Square, Suite #1200, Southfield, MI 48076. Mr. Chappell indicated the correct acreage has been verified and conditions of the rezoning have been refined.

MOTION by Brnabic, seconded by Yukon, in the matter of City File No. 04-013 (Signature Associates), the Planning Commission recommends to City Council approval of the request to Conditionally Rezone 4.2 acres, identified as Parcel Nos. 15-22-351-001 and 002, from R-3, One Family Residential to O-1, Office Business with the following conditions:

Conditions

1. That the proposed building will comply with all building elevation and design restrictions of the Planning Commission upon submission for site plan approval.
2. That any building proposed for the site will be limited to a maximum of two story and 32 feet.
3. That any proposed building will have a maximum first story floor plate of 28,000 square feet in size, and a maximum building square footage of 48,000 sq feet.
4. That 30% of the existing regulated trees defined in the City's Tree Conservation Ordinance will be maintained on site.
5. That any regulated trees removed from the site will be replaced in conformance with the City's Tree Conservation Ordinance.
6. That the developer will comply with right-of-way requirements as determined by the City of Rochester Hills.
7. That the raising and keeping of animals will not be proposed or permitted on the

site.

8. That roadside stands and markets and Christmas tree sales will not be permitted on or proposed on the site.
9. That wireless telecommunication facilities relating to monopole facilities will not be proposed or permitted on the site.
10. That transit passenger stations will not be proposed or permitted on the site.

A motion was made by Brnabic, seconded by Yukon, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion CARRIED by the following vote:

Aye 7 - Boswell, Brnabic, Hetrick, Hooper, Reece, Schroeder and Yukon

Absent 2 - Dettloff and Kaltsounis