



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

**1000 Rochester Hills Dr.
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Legislative File No: 2006-0045

TO: Mayor and City Council Members

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

DATE: February 2, 2006

SUBJECT: **Acceptance for First Reading** – City File No. 05-037 – An amendment to Chapter 138 of the Code of Ordinances to rezone a portion (.50 acre) of parcel 15-35-100-035 from R-4, One Family Residential to B-3, Shopping Center Business, Rochester Avon Properties, LLC, representing Lowe’s, applicant.

REQUEST:

The request is to rezone the western portion of a parcel of land located west of Rochester Road and north of M-59 (just south of the former Pat Moran’s dealership), totaling approximately .5 acres from R-4, One Family Residential, to B-3, Shopping Center Business. The remaining .34 acre will remain R-4, as indicated on the attached Exhibit B.

BACKGROUND:

The parcel, an L-shaped, narrow, orphan piece totaling .84 acres, was purchased at a tax sale with the intention of combining .5 acre of it with the parcel to the north (known as the former Pat Moran’s dealership) and redeveloping the site with a Lowe’s Home Center. The applicant would use the extra width to help comply with the City’s Zoning Ordinance, which requires a 50-foot buffer when B-3 zoning abuts residential zoning (the proposed Lowe’s site is zoned B-3 and the senior center to the south is R-4). The remaining .34 acre abuts the Wildflower Subdivision and will remain residentially zoned. Please refer to letter of intent from applicant dated October 12, 2005.

The subject parcel is unable to be developed under any Zoning district within the City and cannot support a single-family residential development. Although the parcel is identified in the Master Plan for future use as single-family residential, the size of the parcel makes it impossible to develop as zoned. Based on the parcel’s inability to be developed as zoned and planned, and because the proposed area to be rezoned abuts a B-3 district, the Planning Commission recommended approval of the rezoning request at its January 17, 2006 meeting. Please refer to those Minutes for more detail.

RECOMMENDATION:

Staff and the Planning Commission recommend City Council rezone .5 acre of Parcel No. 15-35-100-035 from R-4 to B-3 (City File No. 05-037).

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

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