



CITY COUNCIL AGENDA ITEM

Date: December 11, 2013

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
R. Brent Savidant, Planning Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING (JANUARY 13, 2014) – REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

A public hearing for this item is scheduled for the January 13, 2014 City Council Regular meeting.

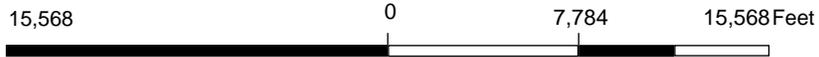
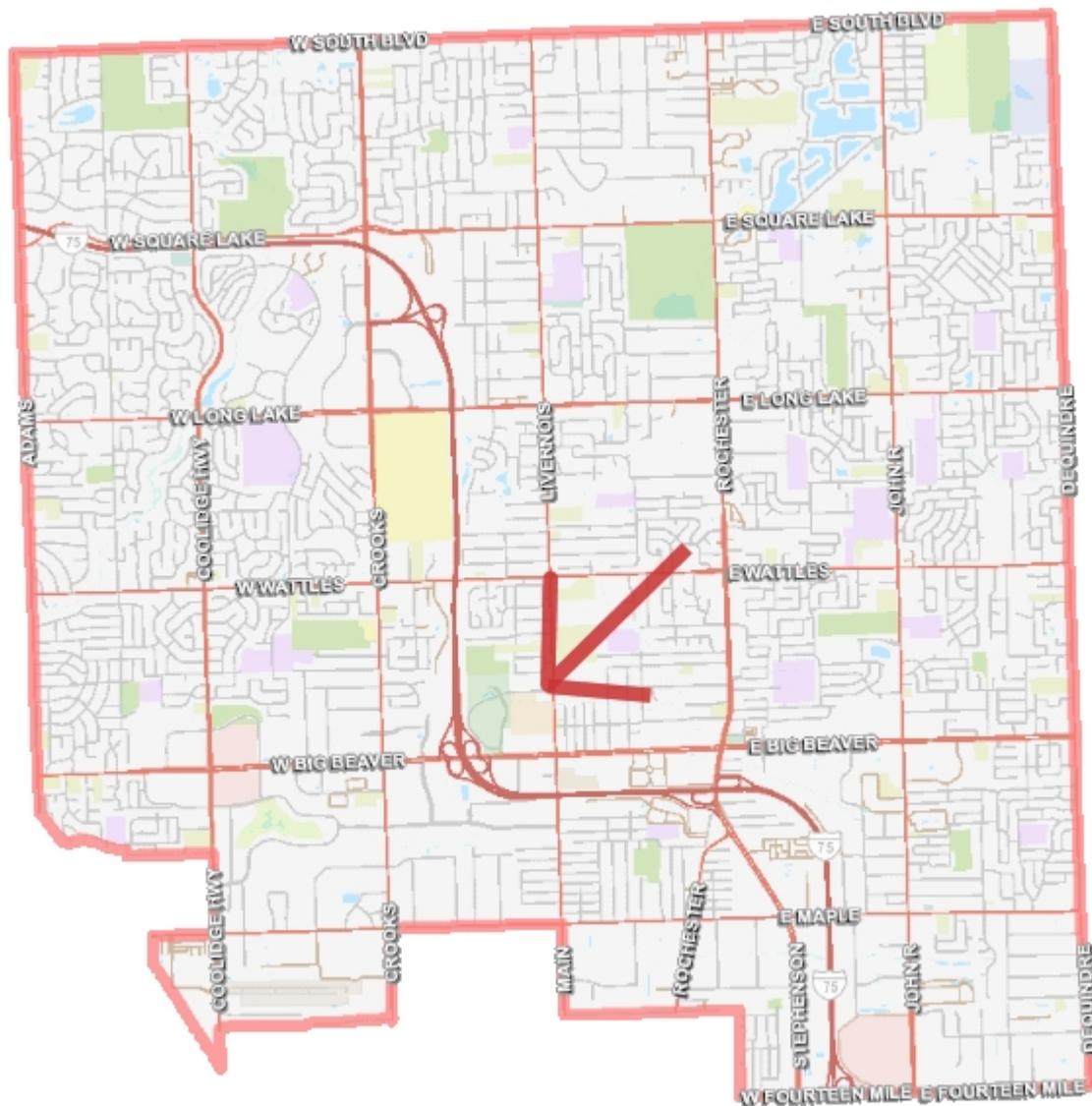
The agenda item from the December 10, 2013 Regular meeting is attached. The report prepared by Carlisle/Wortman Associates, Inc. summarizes the rezoning application.

It is important to remember that the applicant seeks only a rezoning at this time. Although a concept sketch was provided in the application, it is not binding and is provided only to illustrate what the applicant intends to develop on the site if rezoned. The applicant will be required to submit a complete development application, including an accurate site plan, prior to construction.

The Planning Commission held a public hearing on this item on the December 10, 2013 Regular meeting and recommended approval of the rezoning request.

Attachments:

1. Map
2. Planning Commission agenda item from December 10, 2013 Regular meeting (excerpt)
3. Draft minutes from December 10, 2013 Regular meeting (excerpt)



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

DATE: December 6, 2013

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PUBLIC HEARING - REZONING APPLICATION (File Number Z 745) –
Proposed Amber Town Center Townhomes and Lofts, West side of
Livernois, North of Town Center (3409 Livernois), Section 21, From O
(Office) District to BB (Big Beaver) District

The applicant, Amber Properties Company, seeks a rezoning of the subject parcel from O (Office) District to BB (Big Beaver) District. The applicant provided a concept sketch and statement.

The site is within the Big Beaver classification in the City of Troy Master Plan. This classification supports residential development along the Big Beaver Corridor.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the rezoning request. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and agrees with the recommendation.

Please be prepared to discuss this item at the December 10, 2013 Planning Commission Regular meeting.

Attachments:

1. Maps
2. City of Troy Master Plan (excerpt)
3. Report prepared by Carlisle/Wortman Associates, Inc.
4. Correspondence from Dennis G. Cowan, Plunkett Cooney
5. Rezoning statement and concept sketch

G:\REZONING REQUESTS\Z 745 Amber Town Center Townhomes and Lofts\PC Memo 12 10 2013.doc

PROPOSED RESOLUTION

REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

Resolution # PC-2013-12-

Moved by:

Seconded by:

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O to BB rezoning request, located on the west side of Livernois, north of Town Center (3409 Livernois), in Section 21, being approximately 1.22 acres in size, be approved, for the following reasons:

- 1) The request complies with the Master Plan
- 2) The Form-Based District would permit greater flexibility in use and development of the property.
- 3) The abundance of Office District property in the City has been well documented.
- 4) The rezoning would be compatible with surrounding zoning and land use.
- 5) The site can be adequately served with municipal water and sewer.

Yes:

Absent:

MOTION CARRIED / FAILED



Legend:

Street Name Text

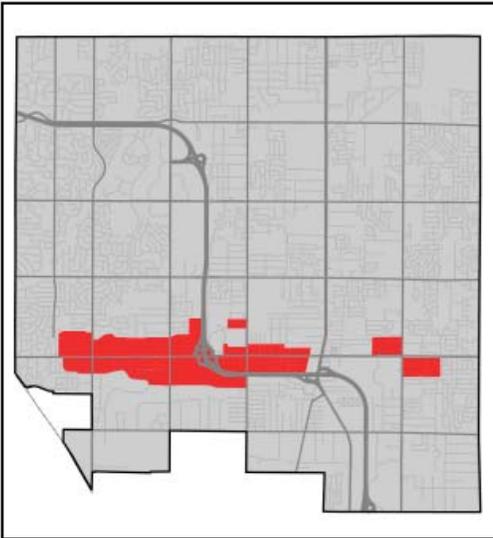
188 0 94 188Feet

Scale 1: 1,128

Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 11/19/2013

Big Beaver Road: A World Class Boulevard



- *Home to large, landmark projects and mixed-use regional destinations.*
- *Central gathering area of the community.*
- *A collection of international corporations, local companies, and establishments which complement these high-visibility uses.*

The Big Beaver Road corridor is responsible for the first impression many people have throughout Michigan when they think of the City of Troy. The high-rise buildings, Somerset Collection, and its immediate proximity to I-75 are frequently the main elements visitors remember about the Corridor and the City. **In order to remain competitive and continue to be a leader in economic development in Southeast Michigan, Troy must plan for this Corridor to evolve in light of a changing economy.** In that spirit, the City adopted the key concepts of the Big Beaver Corridor Study in 2006:

- Gateways, Districts and Transitions
- Trees and Landscape as Ceilings and Walls
- Walking Becomes Entertainment - Much to Observe & Engage In
- Mixing the Uses Turns on the Lights - Energetic Dynamic of Mixed Uses with a Focus on Residential

- The Automobile & Parking are No Longer #1.
- Civic Art as the Wise Sage of the Boulevard

The uses and character of this future land use category are driven by the recommendations of the Big Beaver Corridor Study and subsequent efforts of the Planning Commission to create new zoning techniques to implement those recommendations.

This Study provided a comprehensive analysis of the existing and potential characteristics of this important area. The planned future land uses in the Big Beaver Corridor are in large part considered mixed-use, to allow for a wave of new residential development and the redevelopment of individual sites to make a more meaningful contribution to the quality of life of the City. The main difference between the various mixed-use districts planned in the Study is building height. The intended characteristics of the various districts are also very different, and are the topic of in-depth analysis in the Study. Some important recommendations of that Study are listed below.

- Moving toward the creation of distinct physical districts by building from lot line to lot line along the right-of-way rather than continuing to be a collection of isolated towers.
- Becoming flexible with land use relationships. The use of vertically integrated mixed-use commercial, office and residential towers should be promoted. The use of prominent ground floor retail, restaurants and cafes allows visual interest and activity for visitors and residents.
- Contain parking in structures that are shared by surrounding developments. Do not allow off-street parking to be visible from major thoroughfares.
- Landscape Big Beaver and intersecting thoroughfares with rows of mature trees.

DESIGN CONCEPT

- This will be a vibrant high-rise business and residential district.
- Pedestrian use will be promoted through massive landscaping, wide sidewalks, outdoor cafes, and public art.
- The Big Beaver Corridor Study and Big Beaver Development Code provide for a specific land development pattern.
- Architectural design must create an interesting visual experience for both sidewalk users at close range and for those viewing the skyline from a distance.

SITE DESIGN ATTRIBUTES

- Parking should be located in rear yards.
- Development should include intense street tree planting along Big Beaver.
- Cafes, plazas, parks and similar amenities to draw pedestrians will be encouraged.
- Buildings will frame the street network by building to the front and side property lines. Exceptions for cafes, plazas and access roads may be permitted.

BUILDING DESIGN ATTRIBUTES

- Buildings should rise in height toward Crooks Road in the east-west direction.

- Buildings should rise in height toward Big Beaver in the north-south direction.
- Ground level stories should be a minimum of twelve feet in height; with large expanses of transparent glass.
- Fenestration at the ground level should be highlighted through the use of awnings, overhangs or trim detailing, and building caps or roofs should provide a visually interesting skyline.



Big Beaver Corridor Study; Birchler Arroyo Associates, Inc.



Concept Sketch from the Big Beaver Corridor Study; Birchler Arroyo Associates, Inc.



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

Date: December 5, 2013

Land Use and Zoning Analysis For Amber Properties - Troy, Michigan

GENERAL INFORMATION

Applicant	Amber Properties
Project Name:	Amber Town Center
Location:	Northwest Corner of Town Center Dr. and Livernois Rd.
Zoning:	O, Office Building District
Action Requested:	Rezoning to Big Beaver Formal Based District
Required Information:	Provided

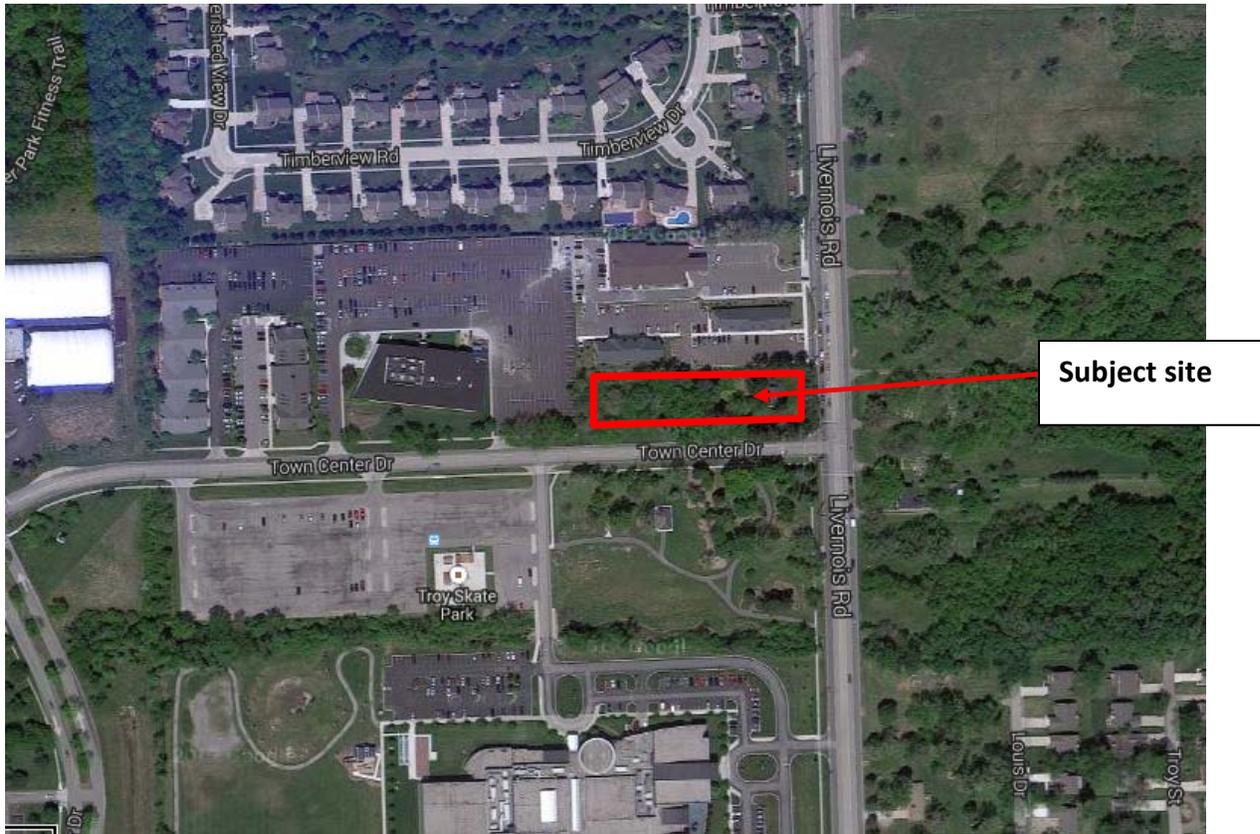
SITE DESCRIPTION

The applicant is requesting a rezoning of a 1.21 acre vacant parcel from O – Office to Big Beaver (Form Based) District. The applicants' intent is to construct a residential project on the property which would be permitted in the Big Beaver District, based on the site and street types.

Although a concept plan has been supplied, it is purely illustrative. A more detailed site plan and other documents are required for preliminary site plan approval.

NEIGHBORING ZONING AND LAND USE

The neighboring zoning and use to the north and west are Office, to the south is Community Facilities, and used as a park and across Livernois is residential but largely vacant.



MASTER PLAN

The site is located within the area designated as Big Beaver in the Master Plan. The Big Beaver designation responds to the recommendations set forth in the Big Beaver Corridor Study, which promotes higher density, vertically integrated mixed-use commercial, office, and residential uses. The Plan encourages increased residential units along and in proximity to Big Beaver. Development of residential uses should be designed with a strong orientation towards the roadway corridor to support pedestrian activity and frame the street.

Neighboring zoning, land use, and master plan designations are summarized in the following chart:

	NORTH	South	East	West
Zoning	O	CF	R-1F	O
Land Use	Office	Park	Vacant/Res.	Office
Master Plan	Big Beaver	Public	Residential	Big Beaver

NATURAL RESOURCES

The site is vacant and appears to have been previously graded. There, it is devoid of any significant natural features.

DEVELOPMENT POTENTIAL

The City has an abundance of land zoned and used for office purposes. With the current vacancy rate, it is unlikely that office use of the property is reasonable.

The full development potential of the site within the form based district will be determined through submission of a site plan. However, this specific property is required to be designated as a Site Type C using Town Center (a collector) as its principal frontage. Therefore, residential use is permitted. In addition, Building Forms A-D are permitted.

TRAFFIC IMPACT AND SITE ACCESS

Due to the principal and sole access from Town Center, traffic impact is not expected to be an issue. The location of access points on Town Center Drive will be reviewed during the site plan review process. Cross-access to the north will be required in order to distribute traffic.

ESSENTIAL FACILITIES AND SERVICES

The site is served by municipal water and sewer. All utility locations, as well as stormwater management will be considered during site plan review.

OTHER

The applicant has submitted a Concept Plan. A Concept Plan is illustrative and not required to provide the detail necessary for a site plan review. If the rezoning is granted, the applicant is encouraged to thoroughly review the building form requirements as set forth in Section 5.03 and design standards set forth in Section 5.04 E. The Concept Plan does not reflect consideration of all of these standards, including parking location along Livernois, ground story activation, and pedestrian orientation. These are details that will be considered during the site plan review process, provided the rezoning is approved.

RECOMMENDATIONS

We would recommend approval of the subject rezoning for the following reasons:

- 1) The request complies with the Master Plan
- 2) The Form-Based District would permit greater flexibility in use and development of the property.
- 3) The abundance of Office District property in the City has been well documented.

- 4) The rezoning would be compatible with surrounding zoning and land use.
- 5) The site can be adequately served with municipal water and sewer.

Please contact me if you have any questions.



CARLISLE/WORTMAN ASSOC., INC.
Richard K. Carlisle, PCP, AICP
President

225-02-1336



December 2, 2013

Planning Commission
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084

Re: Amber Properties Company
3409 Livernois, Troy, Michigan

Dear Planning Commission Members:

The undersigned and our Firm represent Amber Properties Company (“Amber”), the applicant for rezoning to the Big Beaver District designation for the property at 3409 Livernois. The site is located at the northwest corner of Livernois and Town Center. This letter is written in support of Amber’s rezoning request.

As stated below, the rezoning request meets the goals and objectives of the Troy Master Plan.

Rezoning is Consistent with Troy’s Master Plan

The Troy Master Plan supports housing options for Troy residents in the Big Beaver Corridor, as stated:

Only recently has the City begun to fully embrace more “urban” housing styles, by encouraging their development as part of a mixed use, planned unit development projects. The City of Troy must recognize the importance of having a variety of housing styles represented within the community, and describes how having these units will help Troy become a more vibrant place. While not all knowledge–economy workers and their families are seeking urban lifestyles, this is an area where Troy has room to grow. (p. 83)

The Amber Apartments are an upscale, urban housing style which fits into the niche which the City recognizes. The proposed project will include townhomes, loft-style and studio apartments. Recent Amber developments in Oakland County are well known for their “urban” interior design, including wood floors, open ceilings, metal stairways and

other design elements that attract a variety of workers including those in health-care and knowledge-based industries.

The Troy Master Plan in its discussion of Big Beaver Road encourages new residential development. The proposed Amber Apartments project will be within walking distance of many of the shopping areas and restaurants on Big Beaver Road. The development will be adjacent to the Troy Community Center which will allow greater utilization by the apartment residents.

Rezoning will not be Detrimental to the Property of Other Persons Located in the Vicinity

The Amber Apartment project will be part of an existing mixed-use area, blending in and not creating any conflict with surrounding office, residential, commercial and municipal uses.

The immediate vicinity already encompasses:

- A) Office uses to the north;
- B) Single family homes to the north;
- C) Commercial buildings to the west; and
- D) Troy Community Center and park to the south.

Clearly, there already exists a variety of uses in the immediate vicinity, and the proposed multi-family use will enhance the mixed-use nature of the area. Adequate on-site parking is provided for the Amber Apartment project and there are nearby off-site parking options as well.

Rezoning Will Meet Goals of Big Beaver District

The proposed Amber Apartment project will meet the goals of Section 5.04 (Big Beaver District) of the Zoning Ordinance to:

1. Establish a development pattern in which new buildings and building modifications enhance the character of the existing built environment.

2. Orient building entrances and storefronts to the street to add visual interest, increase pedestrian traffic, and to reduce crime through increased surveillance.
3. Enhance a sense of place and contribute to the sustainability of the City.
4. Allow a pattern of development which will encourage transportation alternatives (walking, biking, and transit) to reduce automobile dependence and fuel consumption.
5. Add value to property along the Big Beaver Corridor.

All of the above criteria are met by the proposed rezoning and project. In particular, the residential presence will increase walkability and bicycle usage to Big Beaver Road and the Troy Community Center.

Such Rezoning is Consistent with Adjacent Zoning Districts

The rezoning of the subject property is a natural extension of the adjacent Big Beaver District, which is directly to the south. The rezoning will be consistent with nearby residential subdivisions, but provide a different and desirable housing option.

Amber's Proposed Project

The requested zoning designation will allow Amber to apply for approval to construct an upscale, multi-family building at this location. The project will include townhome, 1 and 2 bedroom loft and studio units. They will have wood floors, exposed ceilings, in-unit washer/dryer and other amenities. Amber intends to provide necessary off-street parking and does not anticipate having to request variances.

Amber has completed seven new projects in the last seven years in Royal Oak and Clawson. The two newest buildings, Amber Corners and Amber Crossing, have very positive tenant demographics. At both locations, about 80% of residents hold a Bachelors, Masters or Ph.D./J.D./M.D. degree. Average monthly income is in excess of \$60,000. Monthly rentals for these properties are between \$800 and \$1,800 depending on the unit. We believe Amber's tenants are the future residents Troy wishes to attract to the community.

Planning Commission
City of Troy
December 2, 2013
Page 4

Amber has been a family operated business since 1960. It now owns and manages 1,200 apartment units in Royal Oak, Clawson, Berkley and Troy. Amber properties are well kept and its apartments have a very positive reputation in the community. Two of its recent projects have demonstrated that building a quality product in close proximity to businesses, stores and restaurants attracts great interest and tenants.

On behalf of Amber Properties Company, we respectfully request your approval of the rezoning application at your December 10th meeting. We look forward to attending the meeting. In the meantime, if you have any questions or issues you want addressed at the meeting, please let us know.

Sincerely,

PLUNKETT COONEY

A handwritten signature in black ink, appearing to read "Dennis G. Cowan", written in a cursive style.

Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

DGC/cmw
cc: Jerry Amber

Open.19331.70425.13504404-1

**STATEMENT OF AMBER PROPERTIES COMPANY
IN SUPPORT OF REZONING REQUEST**

REZONING IS CONSISTENT WITH TROY'S MASTER PLAN

The Troy Master Plan supports housing options for Troy residents in the Big Beaver Corridor, as stated:

Only recently has the City begun to fully embraced more “urban” housing styles, by encouraging their development as part of a mixed use, planned unit development projects. The City of Troy must recognize the importance of having a variety of housing styles represented within the community, and describes how having these units will help Troy become a more vibrant place. While not all knowledge – economy workers and their families are seeking urban lifestyles, this is an area where Troy has room to grow. (p. 83)

The Amber Apartments are an upscale, urban housing style which fits into the niche which the City recognizes. The proposed project will include townhomes, loft-style and studio apartments. Recent Amber developments in Oakland County are well known for their “urban” interior design, including wood floors, open ceilings, metal stairways and other design elements that attract a variety of workers including those in health-care and knowledge-based industries.

The Troy Master Plan in its discussion of Big Beaver Road encourages new residential development. The proposed Amber Apartments project will be within walking distance of many of the shopping areas and restaurants on Big Beaver Road. The development will be adjacent to the Troy Community Center which will allow greater utilization by the apartment residents.

**REZONING WILL NOT BE DETRIMENTAL TO THE PROPERTY OF
OTHER PERSONS LOCATED IN THE VICINITY**

The Amber Apartment project will be part of an existing mixed-use area, blending in and not creating any conflict with surrounding office, residential, commercial and municipal uses.

The immediate vicinity already encompasses:

- A) Office uses to the north;
- B) Single family homes to the north;
- C) Commercial buildings to the west; and

D) Troy Community Center and park to the south.

Clearly, there already exists a variety of uses in the immediate vicinity, and the proposed multi-family use will enhance the mixed-use nature of the area. Adequate on-site parking is provided for the Amber Apartment project and there are nearby off-site parking options as well.

In addition, the proposed Amber Apartment project will meet the goals of Section 5.04 (Big Beaver District) of the Zoning Ordinance to:

1. Establish a development pattern in which new buildings and building modifications enhance the character of the existing built environment.
2. Orient building entrances and storefronts to the street to add visual interest, increase pedestrian traffic, and to reduce crime through increased surveillance.
3. Enhance a sense of place and contribute to the sustainability of the City.
4. Allow a pattern of development which will encourage transportation alternatives (walking, biking, and transit) to reduce automobile dependence and fuel consumption.
5. Add value to property along the Big Beaver Corridor.

All of the above criteria are met by the proposed project. In particular, the residential presence will increase walkability and bicycle usage to Big Beaver Road and the Troy Community Center.

SUCH REZONING IS CONSISTENT WITH ADJACENT ZONING DISTRICTS

The rezoning of the subject property is a natural extension of the adjacent Big Beaver District, which is directly to the south. The rezoning will be consistent with nearby residential subdivisions, but provide a different and desirable housing option. The rezoning and multi-family residential use will be consistent with the goals of the Troy Master Plan and Big Beaver Corridor Study.

Dated: November 6, 2013

Prepared by: Dennis Cowan
Plunkett Cooney



SHW GROUP
ARCHITECTS | ENGINEERS | PLANNERS

CONSULTANTS:

11/8/2013 9:51:31 AM
**FOR REVIEW
NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION**

**AMBER PROPERTIES
COMPANY**

**AMBER TOWN CENTER
TOWNHOMES AND LOFTS
TROY, MI**

CHECKED:
SCALE: As indicated
© 2009 SHW Group

ISSUE:

SHEET TITLE:
**ARCHITECTURAL SITE
PLAN**

SHW Project:

AS01

7113.037.00

SITE INFORMATION:

EXISTING SITE: LAND SITUATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN IS DESCRIBED AS FOLLOWS:

LOT 5, EXCEPT THE SOUTH 5 FEET FOR ROAD, "SUPERVISOR'S PLAT NO. 26", AS RECORDED IN LIBER 57, PAGE 59, OF PLATS, OAKLAND COUNTY RECORDS.

TAX ID: 20-21-426-010;
SUPERVISOR'S PLAT NO. 26, LOT 5 EXC. S.
10 FT. TAKEN FOR RD.

SITE AREA: 53,780 SQ FT (+/-) 1.231 ACRES
CURRENT ZONING: OFFICE DISTRICT
PROPOSED ZONING: BIG BEAVER DISTRICT
PROPOSED USE: MULTIPLE FAMILY

PROPOSED MULTIPLE FAMILY RESIDENTIAL USE
2 BEDROOM TOWNHOMES, STUDIO APARTMENTS, AND
LOFT TERRACE UNITS (RENTAL).

60 UNITS PROPOSED - 2 PARKING SPACES / EACH DWELLING UNIT (REQUIRED)
1 PARKING SPACE / EACH EFFICIENCY DWELLING UNIT (REQUIRED)

PARKING REQUIRED: 100 SPACES

PARKING PROVIDED: 98 SPACES +
2 SPACES BARRIER FREE =
100 TOTAL SPACES

PROPOSED BUILDING FOOTPRINT: 17,366 SQ FT

PROPOSED OPEN SPACE: 8,560 SQ FT (OPEN) / 53,780 SQ FT (SITE) = 15.91%

*15% REQUIRED OPEN SPACE BASED ON TABLE 5.03.B.2 BUILDING FORM B

BUILDING SITE COVERAGE: 17,366 SQ FT (GROUND FLOOR OF BLDG) / 53,780 SQ FT (SITE) = 33.08%

BUILDING INFORMATION:

OCCUPANCY USE: R-2
CONSTRUCTION TYPE: 3B

FIRST FLOOR AREA: 17,366 GROSS SQ FT
SECOND FLOOR AREA: 17,366 GROSS SQ FT
THIRD FLOOR AREA: 17,366 GROSS SQ FT
FOURTH FLOOR AREA: 17,366 GROSS SQ FT
FIFTH FLOOR AREA: 17,366 GROSS SQ FT
MEZZANINE FLOOR AREA: 5,763 GROSS SQ FT
TOTAL: 86,830 GROSS SQ FT*

*MEZZANINES DO NOT CONTRIBUTE TO EITHER THE BUILDING AREA OR THE NUMBER OF STORIES AS REGULATED BY MBC SECTION 503.1

SETBACK INFORMATION:

PROPERTY SETBACKS SUBJECT TO SETBACK REQUIREMENTS AS FOLLOWS PER TABLE 5.03.B.2 BUILDING FORM B, UNLESS OTHERWISE ALLOWED BY THE PLANNING COMMISSION:

FRONT: MINIMUM: N/A
REAR: MINIMUM: 30'-0"
SIDE: MINIMUM: N/A
MAXIMUM: 60'-0"
MAXIMUM: NONE
MAXIMUM: NONE

THE PROPOSED BUILDING SETBACKS ARE:
FRONT: 10'-0" TO FACE OF BALCONIES
REAR: 48'-0"

BUILDING HEIGHT INFORMATION:

HEIGHT IN THE BIG BEAVER DISTRICT, PER BUILDING FORM B IS SUBJECT TO A 6-STORY AND 72'-0" MAXIMUM BUILDING HEIGHT REQUIREMENT, ACCORDING TO TABLE 5.03.B.2 BUILDING FORM B.

THE PROPOSED BUILDING HEIGHT IS 60'-6".

BARRIER FREE REQUIREMENTS:

BARRIER FREE PARKING:
2% OF THE TOTAL NUMBER OF SPACES REQUIRED OR PORTION THERE OF, (MIN OF 1)
(2 BARRIER FREE SPACES ARE REQUIRED FOR THE 100 SPACES PROVIDED.)

BARRIER FREE DWELLING UNITS:
2% OF TOTAL UNITS ARE REQUIRED TO BE TYPE A* (MIN OF 1) PER MBC 1107.6.2.1.1. THESE 2 UNITS ARE LOCATED ON THE FOURTH FLOOR AND ACCESSED BY THE BUILDING ELEVATOR.

THE 18 OTHER FOURTH FLOOR SINGLE STORY UNITS ARE ALL TYPE B* PER MBC 1107.6.2.1.2 AND ACCESSED BY THE BUILDING ELEVATOR.

THE 20 FIFTH FLOOR LOFT TERRACE UNITS WITH MEZZANINE ACCESSED BY THE BUILDING ELEVATOR WILL MEET TYPE B* REQUIREMENTS ON THE PRIMARY ENTRY FLOOR PER MBC 1107.7.2.

THE 20 TOWNHOME (MULTISTORY UNITS) ACCESSED ON THE FIRST LEVEL, ARE NOT REQUIRED TO BE BARRIER FREE PER MBC 1105.1.6 EXCEPTION 2 AND 1107.7.2.

APARTMENTS TYPES	UNIT TYPE	QUANTITY
STUDIO	(0)	20
LOFT TERRACE	(1LT)	20
TWO BEDROOM TOWNHOME	(2TH)	20
		60 UNITS



A1 ARCHITECTURAL SITE PLAN
1" = 20'-0"

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REZONING REQUEST

6. **PUBLIC HEARING – REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District**

Mr. Carlisle reviewed the Rezoning Request application. He informed the Board the Rezoning Request only is before the Board this evening; the conceptual site plan provided by the applicant is illustrative only and should not be considered in the Board's decision. Mr. Carlisle recommended approval of the Rezoning Request for the reasons as stated in his report, dated December 5, 2013.

Mr. Hutson advised the Board that his firm in previous years has represented the applicant but he feels there is no conflict of interest on his part. It was the consensus of the Board that no conflict of interest exists.

Present were the applicant, Jerome Amber of Amber Properties Company, and Dennis Cowan of Plunkett Cooney.

Mr. Cowan said his firm is excited to represent the Amber Properties Company proposed development in Troy. He said contact was made with the property owners within the radius of the public hearing notification and to date no responses or comments were received. Mr. Cowan stated that Amber Properties Company develops only residential projects.

Mr. Amber briefly shared the history of his company and property ownership in nearby communities. He addressed the tenant draw, architecture and style of the proposed development. Mr. Amber said if the rezoning request is approved, it is his intent to submit a Preliminary Site Plan application in time for the Planning Commission February meeting.

There was discussion on:

- Subject property as relates to Master Plan and Office district designation.
- Proposed five-story building height in relation to adjacent properties.
- Rezoning Request only before Board; not conceptual site plan.
- Walkability / attraction to Civic Center area.

Mr. Amber circulated pictures of an existing development in Royal Oak and addressed the five-story building height. He said a line of sight outline demonstrating the shadowing effect would be provided at the time of site plan review.

PUBLIC HEARING OPENED

Craig Goldin of Cosmetic Dentistry Institute, 3415 Livernois, voiced opposition to the proposed rezoning. He voiced concerns with the building height as relates to shadowing effect, street visibility and setbacks.

PUBLIC HEARING CLOSED

Discussion continued on:

- Allowable building heights and required setbacks for Office and Big Beaver zoning districts.
- Double frontage of subject property; applicant determines front, side yards.
- Flexible uses allowed in the Big Beaver zoning district.
- Parcel(s) inclusive of the Big Beaver zoning designation in the Master Plan.
- Intent of Zoning Ordinance to place building(s) closer to street.
- Challenge of infill development.

Mr. Carlisle addressed the conceptual site plan in terms of building form, parking and proposed site access point. He indicated those details would be considered during site plan review, provided the Rezoning Request is approved, and he is confident the issues could be resolved. Mr. Carlisle also noted that the applicant would be encouraged to pull the building closer to the presence on Town Center.

Mr. Savidant said the proposed Rezoning Request would be announced to the City Council at their December 16 meeting and a Public Hearing would be scheduled on January 13, 2014.

Resolution # PC-2013-12-097

Moved by: Edmunds

Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O (Office) to BB (Big Beaver) rezoning request, located on the west side of Livernois, north of Town Center (3409 Livernois), in Section 21, being approximately 1.22 acres in size, be approved, for the following reasons:

1. The request complies with the Master Plan.
2. The Form-Based District would permit greater flexibility in use and development of the property.
3. The abundance of Office District property in the City has been well documented.
4. The rezoning would be compatible with surrounding zoning and land use.
5. The site can be adequately served with municipal water and sewer.

Discussion on the motion on the floor.

Mr. Schultz said he would not support the rezoning request because he has serious concerns with the type of use and development that could end up on the property. He does not think the proposed development is a good and reasonable development as outlined, and would have preferred that a conditional rezoning application be submitted by the applicant.

Vote on the motion on the floor.

Yes: Edmunds, Hutson, Kempen, Krent, Strat, Tagle
No: Sanzica, Schepke, Schultz

MOTION CARRIED

Mr. Schultz said his earlier comments reflect the basis for his no vote.

Mr. Schepke said he has concerns with the building height and potential of other uses on the property.

Mr. Sanzica said he would have preferred more plan details and would have considered a conditional rezoning request.