DATE: February 17, 2006

TO: John Szerlag, City Manager

FROM: Douglas J. Smith, Real Estate and Development Director
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM – ANNOUNCEMENT OF PUBLIC HEARING (MARCH 20, 2006) – REZONING REQUEST – East side of Livernois, south of Wattles, Section 22 – R-1C to C-F (Z-713)

RECOMMENDATION

The application is consistent with the intent of the Future Land Use Plan and compatible with existing zoning districts and land uses. The Planning Commission recommended approval of this item at the February 14, 2006 Regular meeting. City Management agrees with the Planning Commission and recommends approval of the rezoning application.

GENERAL INFORMATION

Name of Owner / Applicant:
The owner and applicant is Walsh College.

Location of Subject Property:
The property is located on the east side of Livernois, south of Wattles, in Section 22.

Size of Subject Parcel:
The parcel is approximately 2.84 acres in area.

Current Use of Subject Property:
The property is presently vacant.

Current Zoning Classification:
R-1C One Family Residential.

Proposed Zoning of Subject Parcel:
C-F Community Facilities.

Proposed Uses and Buildings on Subject Parcel:
Walsh College intends to expand its educational facilities, including additional library and classroom space. The subject property is intended to provide additional parking for the expansion.

Current Use of Adjacent Parcels:
North: St. Lucy Croation Catholic Church.
South: Walsh College.
East: Walsh College.
West: Single family residential.

Zoning Classification of Adjacent Parcels:
North: E-P Environmental Protection and R-1C One Family Residential.
South: C-F Community Facilities.
East: C-F Community Facilities.
West: R-1C One Family Residential.

ANALYSIS

Range of Uses Permitted in the Proposed C-F Community Facilities Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

One-family dwelling units developed according to the standards of the One-Family residential (R-1A through R-1E) District in effect immediately prior to the application of the C-F District.

Publicly owned and operated offices, public safety facilities, libraries, museums, fine and performing arts facilities, conference and meeting facilities, parks, and recreational facilities.

Cemeteries in locations where such would not abut platted and developed residential land.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Private non-commercial recreational, cultural and arts facilities, institutional or community recreation centers.

Publicly-owned service buildings, public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, gas regulator stations, and water and sewage pumping stations, without storage yards.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:

Churches and other facilities normally incidental thereto.

Childcare centers, nursery schools or daycare nurseries (not including dormitories).

General hospitals.

Special purpose hospitals.

Colleges, universities, and other institutions of higher learning, both public and private, offering courses in general, technical or religious education, and established as non-profit corporations in accordance with State law.

Vehicular and Non-motorized Access:
The subject parcel is contiguous to Walsh College, which has access to Livernois.

Potential Storm Water and Utility Issues:
The applicant will have to provide on-site storm water detention and all other utilities.

Natural Features and Floodplains:
The Natural Features Map indicates there are some woodlands located on the property.

Compliance with Future Land Use Plan:
The Future Land Use Plan classifies the parcel as Public and Quasi Public/Community Facilities. The parcel has had this classification since 1999. This correlates with the Community Facilities Zoning District in the Future Land Use Plan. The rezoning application complies with the Future Land Use Plan.

Compliance with Location Standards
There are no location standards for the C-F Community Facilities District.

Attachments:
1. Maps.
2. Letter from Walsh College.
3. Minutes from February 14, 2006 Planning Commission Regular Meeting.

cc: Applicant
File (Z-713)

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CITY OF TROY

PREPARED BY CITY OF TROY PLANNING DEPT.

REZONING REQUEST
PROPOSED PARKING LOT EXPANSION
FROM R-1C TO C-F
E SIDE OF LIVERNOIS, S OF WATTLES RD.
SEC. 22 (Z-713)
REZONING REQUEST
FROM R-1C TO C-F
W WATTLES
E WATTLES
RUTHLAND
MIRACLE
LIVERNOIS
RUTHLAND
SCOTTSDALE
WENDELTON
KIRK
0 100 200 400
Feet

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KIRK
(R-1B) One Family Residential District
(E-P) Environmental Protection Distric
(C-F) Community Facilities District
(R-1C) One Family Residential District
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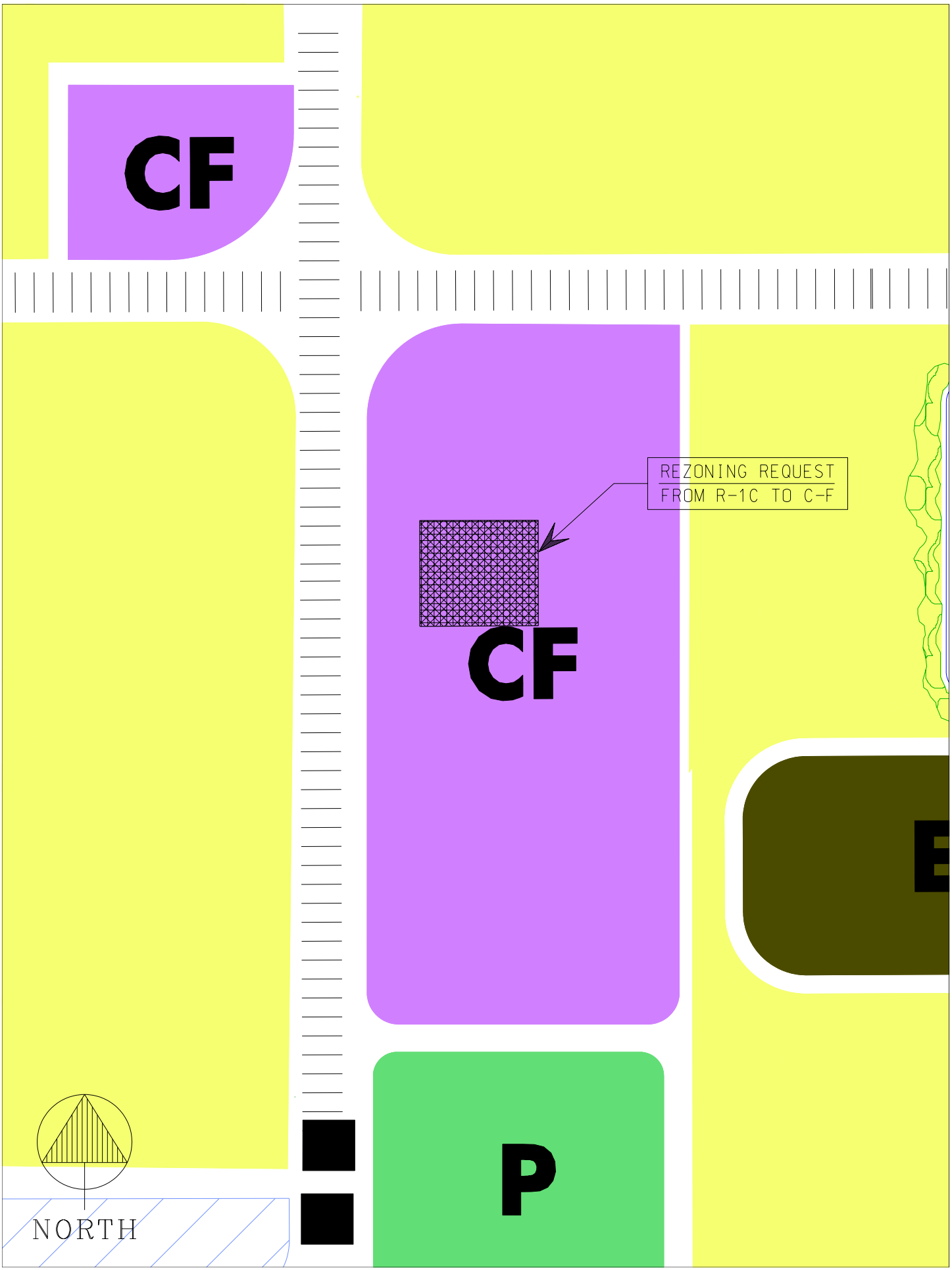
Feet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REZONING REQUEST
FROM R-1C TO C-F
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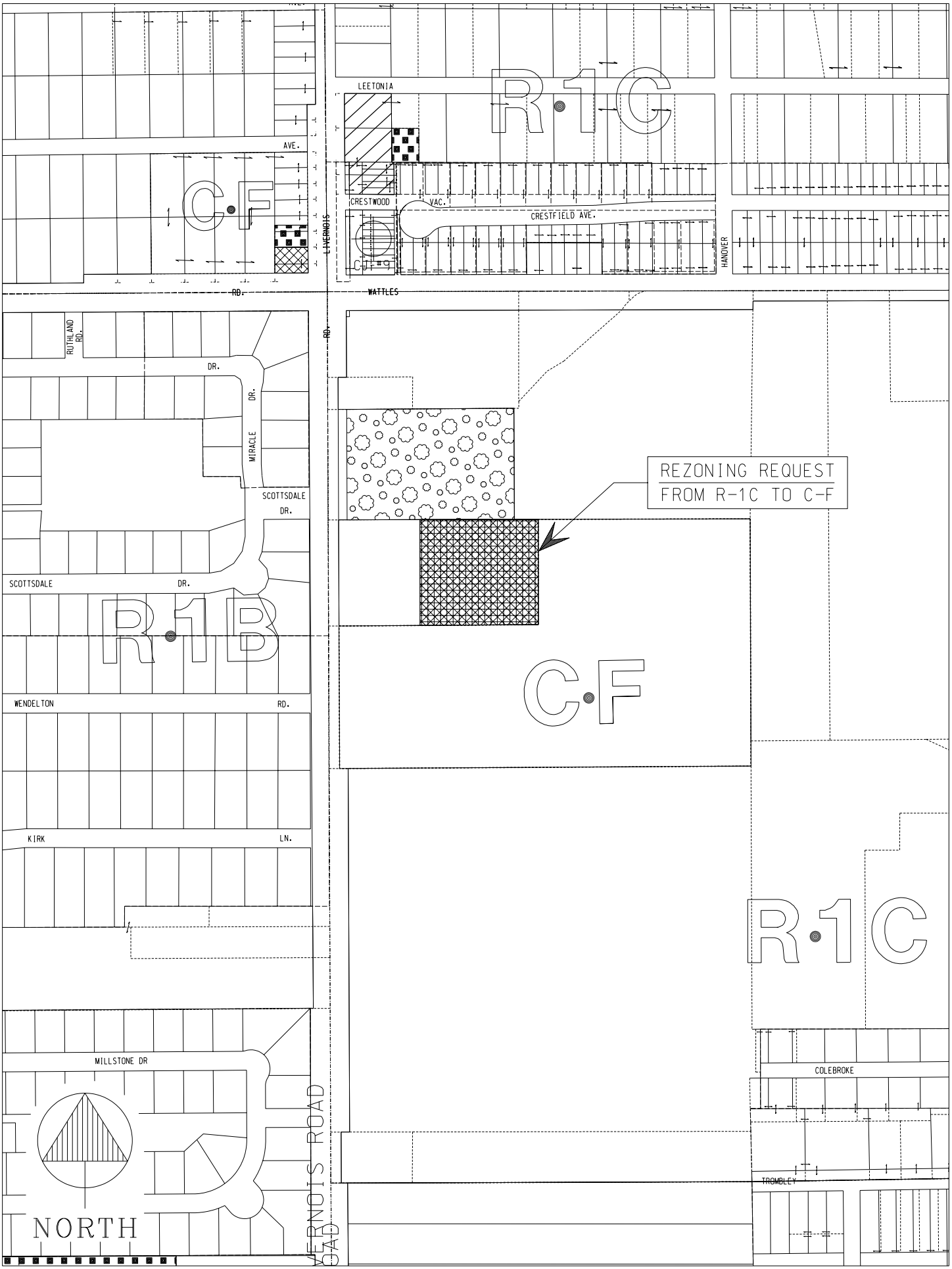
R-1C
LEETONIA
AVE.
C-F
CRESTWOOD
VAC.
CRESTFIELD AVE.
LIVERNOIS
HANOVER
RD.
WATTLES
RD.
RUTHLAND RD.
DR.
DR.
MIRACLE
SCOTTSDALE
DR.
SCOTTSDALE
DR.
R-1B
REZONING REQUEST
FROM R-1C TO C-F
C-F
WENDELTON
RD.
KIRK
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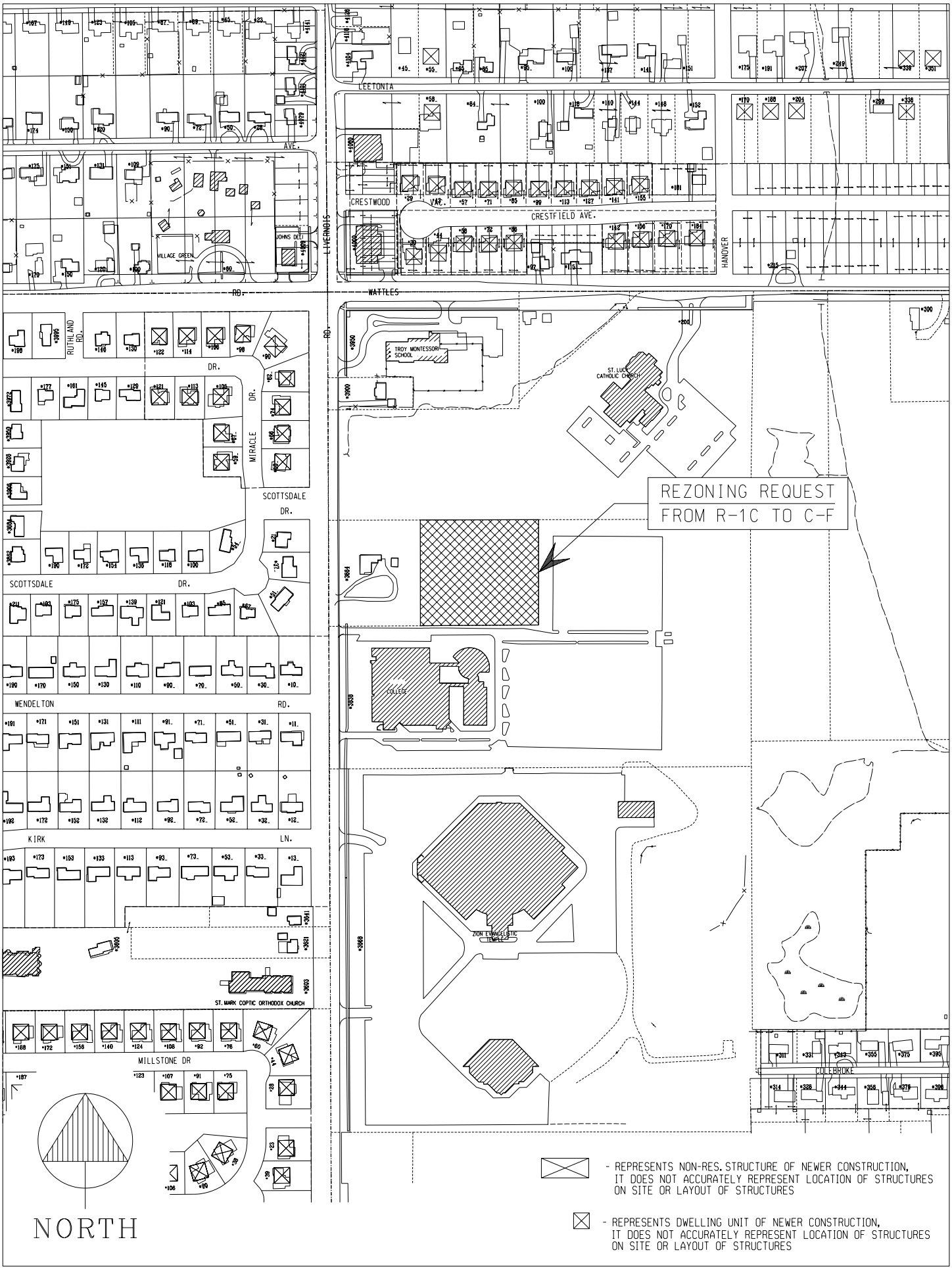
R-1C
MILLSTONE DR
COLEBROKE
TROMBLEY
NORTH
LIVERNOIS ROAD



Z-713 / SEC. 22 / 01-18-06

STATEMENT IN SUPPORT OF REQUEST FOR REZONING

Walsh College respectfully requests that the City rezone a parcel of vacant land, consisting of approximately 2.84 acres, from R-1C to C-F (community facilities). Walsh College operates an educational facility at 3838 Livernois Road, which is on the east side of Livernois and south of Wattles. Walsh College seeks to expand its educational facilities and, subject to City site plan approval, proposes to build an addition to its facility on its current property. The property at issue was purchased in connection with Walsh College's expansion plans and is intended to serve as additional parking for the College.

The property at issue abuts Walsh College on the south (also zoned C-F), vacant property on the east (zoned C-F), the St. Lucy Croatian Catholic Church to the north and an existing single-family residence to the west along Livernois. Future access to the property would be through Walsh College's existing property. The property is master-planned for CF uses in the City's current Future Land Use Plan. Thus, the rezoning is consistent with the City's planning and is compatible with surrounding land uses and will not be a detriment to those surrounding land uses. The land is necessary to allow Walsh College to expand its facilities to provide more comprehensive education opportunities and to remain a strong and vital educational institution and asset to the community.

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7. PUBLIC HEARING – PROPOSED REZONING (Z 713) – Walsh College Proposed Parking Expansion, East side of Livernois, South of Wattles, Section 22 – From R-1C (One Family Residential) to C-F (Community Facility) District

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning request and reported it is the recommendation of City Management to approve the rezoning application.

Alan Greene, legal counsel for the petitioner, 39577 North Woodward Avenue, Bloomfield Hills, was present. Mr. Greene indicated the petitioner would like to proceed with the approval process, and that representatives from Walsh College are present should there be any questions. He asked for the Commission's support in the first stage of the Walsh College renovation expansion plan.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2006-02-026
Moved by: Khan
Seconded by: Waller

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to C-F rezoning request, located on the east side of Livernois, south of Wattles, within Section 22, being approximately 2.84 acres in size, be granted, for the following reasons:

1. The rezoning is consistent with the intent of Future Land Use Plan and is compatible with the existing zoning districts and land uses.

Discussion on the motion on the floor.

Mr. Littman identified that he was at one time a member of the President's Advisory Council at Walsh College.

Mr. Waller disclosed that he is a current member of the President's Advisory Council at Walsh College.

Ms. Bluhm said it is the discretion of the Commission to exclude Messrs. Littman and Waller from voting on the matter should they feel there is some prejudice or inability to act impartially.

It was the consensus of the members that there were no conflicts of interest.

Vote on the motion on the floor.

Yes: All present (6)
No: None
Absent: Strat, Vleck, Wright

MOTION CARRIED