DATE: March 28, 2006

TO: John M. Lamerato, Acting City Manager

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

SUBJECT: AGENDA ITEM – ANNOUNCEMENT OF PUBLIC HEARING (APRIL 17, 2006) – REZONING APPLICATION – Proposed Medical Office, east side of Stephenson Highway, north of Fourteen Mile and south of Maple, Section 35 – R-C to O-M (Z 715)

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 March 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 Robbins Investments LLC.

Location of Subject Property:
The property is located on the east side of Stephenson Highway, north of Fourteen Mile and south of Maple, in Section 35.

Size of Subject Parcel:
The applicant originally applied to rezone a 16-acre parcel made up of three separate properties. One of the properties (466 Stephenson) approximately 3 acres in area was withdrawn from the application prior to the March 14, 2006 Planning Commission. The subject parcel is now comprised of the two remaining properties (500 and 550 Stephenson) and totals approximately 13 acres in area.

Current Use of Subject Property:
Two existing office buildings presently sit on the property.

Current Zoning Classification:
R-C Research Center.

Proposed Zoning of Subject Parcel:
O-M Office Mid-Rise.

Proposed Uses and Buildings on Subject Parcel:
The application indicates that the proposed use is medical office building.

Current Use of Adjacent Parcels:
North: R-C Research Center.
South: R-C Research Center.
East: R-C Research Center and O-1 Office Building.
West: M-1 Light Industrial.

Zoning Classification of Adjacent Parcels:
North: Office.
South: Office.
East: Office.
West: Light Industrial.

ANALYSIS

Range of Uses Permitted in the Proposed O-M Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

Any use permitted as a principal use in the O-1 Office Building.

Data processing and computer centers, including sales, service and maintenance of electronic data processing equipment.

Any use charged with the principal function of office-type research or technical training.

Other uses similar to the above uses.

Accessory structures and uses customarily incident to the above permitted uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

The following uses shall be permitted provided they are included in the office use structure or other principal structures as indicated in Section 25.20.00 "Principal Uses Permitted", or are attached to such structures by means of a fully enclosed structural attachment, and therefore shall not be permitted as freestanding structures. Such secondary structures shall be designed so as to provide a logical extension of the floor plan of the principal structures, and shall utilize exterior materials similar to or harmonious with such principal structures.

A) Personal service establishments which perform services on the premises including, but not limited to: barber shops, beauty parlors, tailor shops, and photographic studios.

B) Retail business establishments which supply commodities on the premises including, but not limited to: millinery shops, clothing shops, shoe shops, pharmacy or apothecary shops, interior decorating shops, flower shops, office supply and stationery shops, notion and gift shops.

C) Restaurants or other places serving food or beverage, except those having the character of an open front store, drive-in or carry-out establishment so called.

D) Entertainment and recreation facilities including, but not limited to: theaters, auditoriums, sports and health facilities.

E) Clubs, fraternal organizations and service clubs whose activities are not carried on as a business.

Such uses shall, in total, occupy no more than twenty (20) percent of the floor area of the building complex of which they are a part.

Utility sub-stations, transformer stations or gas regulator stations (without storage yards).

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:

Hotels or motels may be permitted by the City Council, following a report and recommendation by the Planning Commission.

Outside seating, assembly, and activity areas for restaurants and hotels, may be permitted by the City Council.

Mechanical or laboratory research involving testing or evaluation of products, or prototype or experimental product or process development.

Vehicular and Non-motorized Access:
Access to the property is provided from Stephenson Highway.

Potential Storm Water and Utility Issues:
The applicant proposes no additional construction on the property.

Natural Features and Floodplains:
The Natural Features Map indicates there are no significant natural features located on the property.

Compliance with Future Land Use Plan:
The Future Land Use Plan classifies this parcel as Office/Research. The Research classification has a primary correlation with the R-C District and a secondary correlation with the M-1, O-1, O-M and O-S-C Districts. The application is therefore consistent with the Future Land Use Plan. The area was designated Light Industrial on the Master

Land Use Plan in 1965, designated Industrial/Research on the 1971 Plan and then designated Office/Research on the 2002 Future Land Use Plan.

Compliance with Location Standards:
The location standards for the O-M Office Mid-Rise District in Article 25.40.00 may be applied when the application of such a classification is consistent with the intent of the Master Land Use Plan, and therefore involves (1) Areas indicated as mid-rise office (Article 25.40.02) or (2) Areas designated for higher intensity office development, when it is determined that the total community would be more effectively and property served by the application of O-M zoning than by the application of a more intense office district (Article 25.40.03).

While the property is not classified as mid-rise office on the Future Land Use Plan, the property is classified as Office/Research, which correlates with the O-M district. The application is consistent with the intent of the Future Land Use Plan.

Attachments:
1. Maps.
2. Minutes from March 14, 2006 Planning Commission Regular meeting.
3. Letter from applicant requesting withdrawal of 466 Stephenson from the subject parcel, dated March 13, 2006.
4. Supporting statement from applicant.

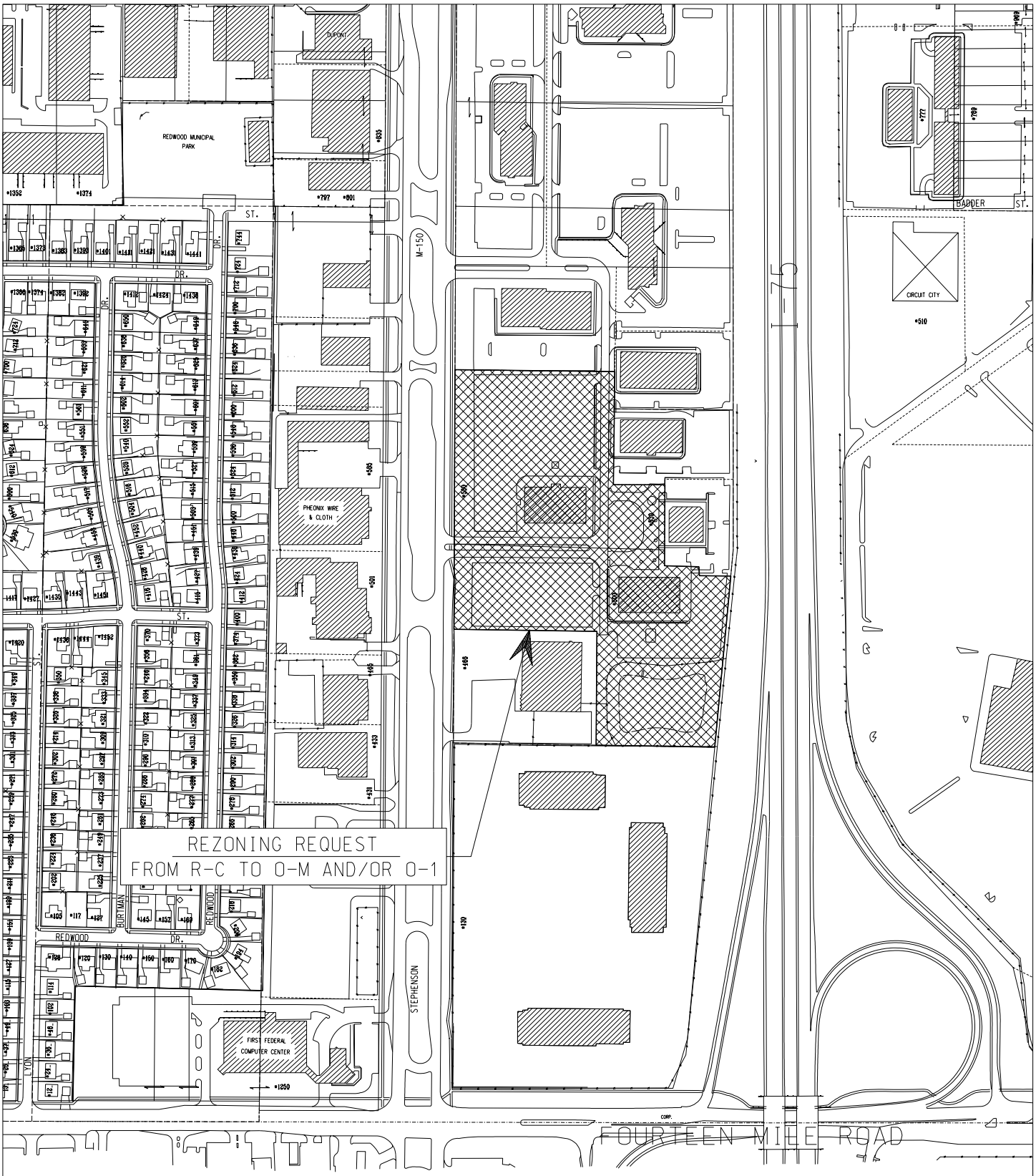
Prepared by RBS, MFM

cc: Applicant
File (Z 715)

G:\REZONING REQUESTS\Z-715 Robbins INvestments Sec. 35\Announcement of CC Public Hearing Z 715 4 17 06.doc

CITY OF TROY

PREPARED BY CITY OF TROY PLANNING DEPT.



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Z-715 / SEC. 35 / 02-21-06

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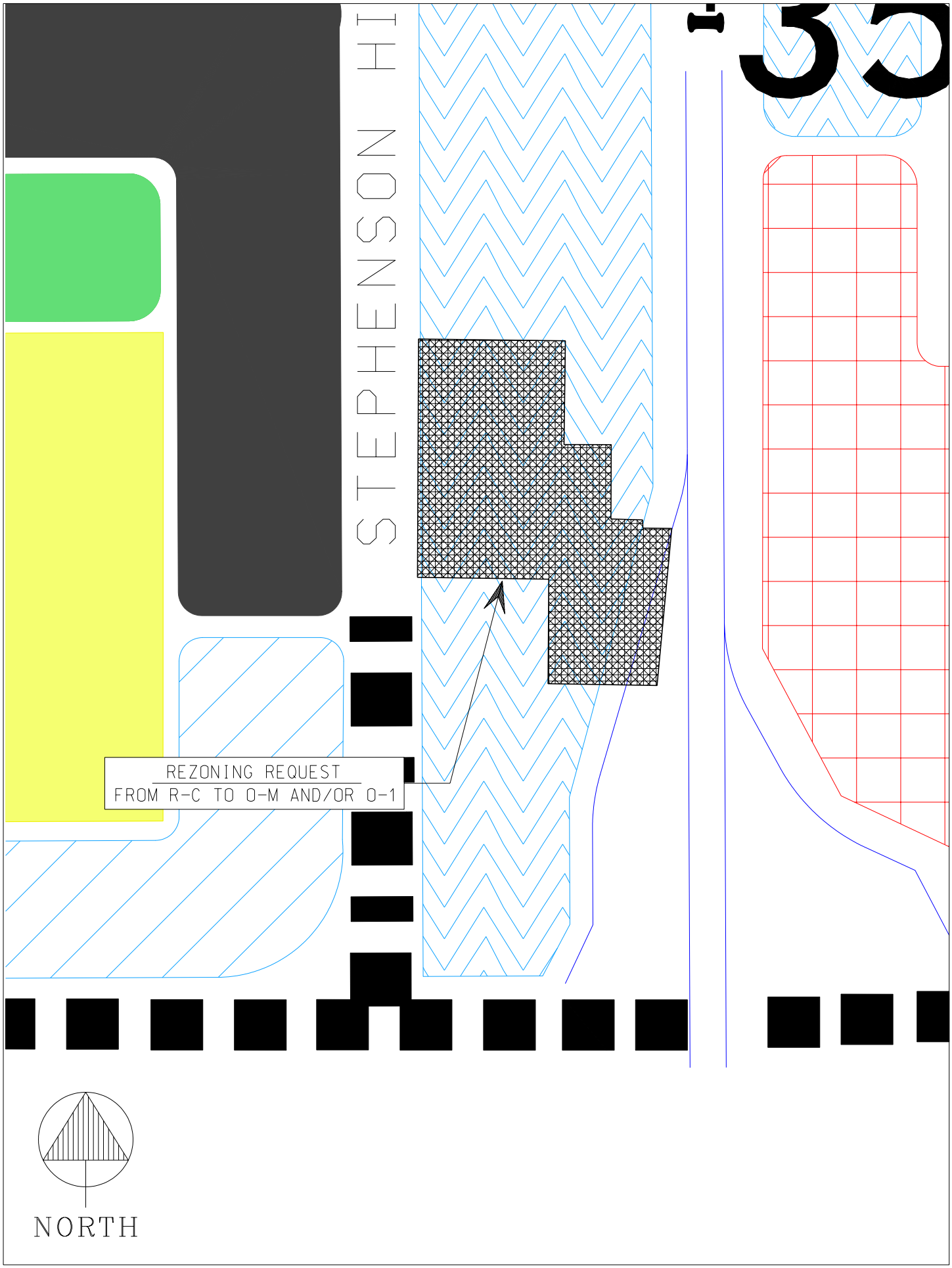
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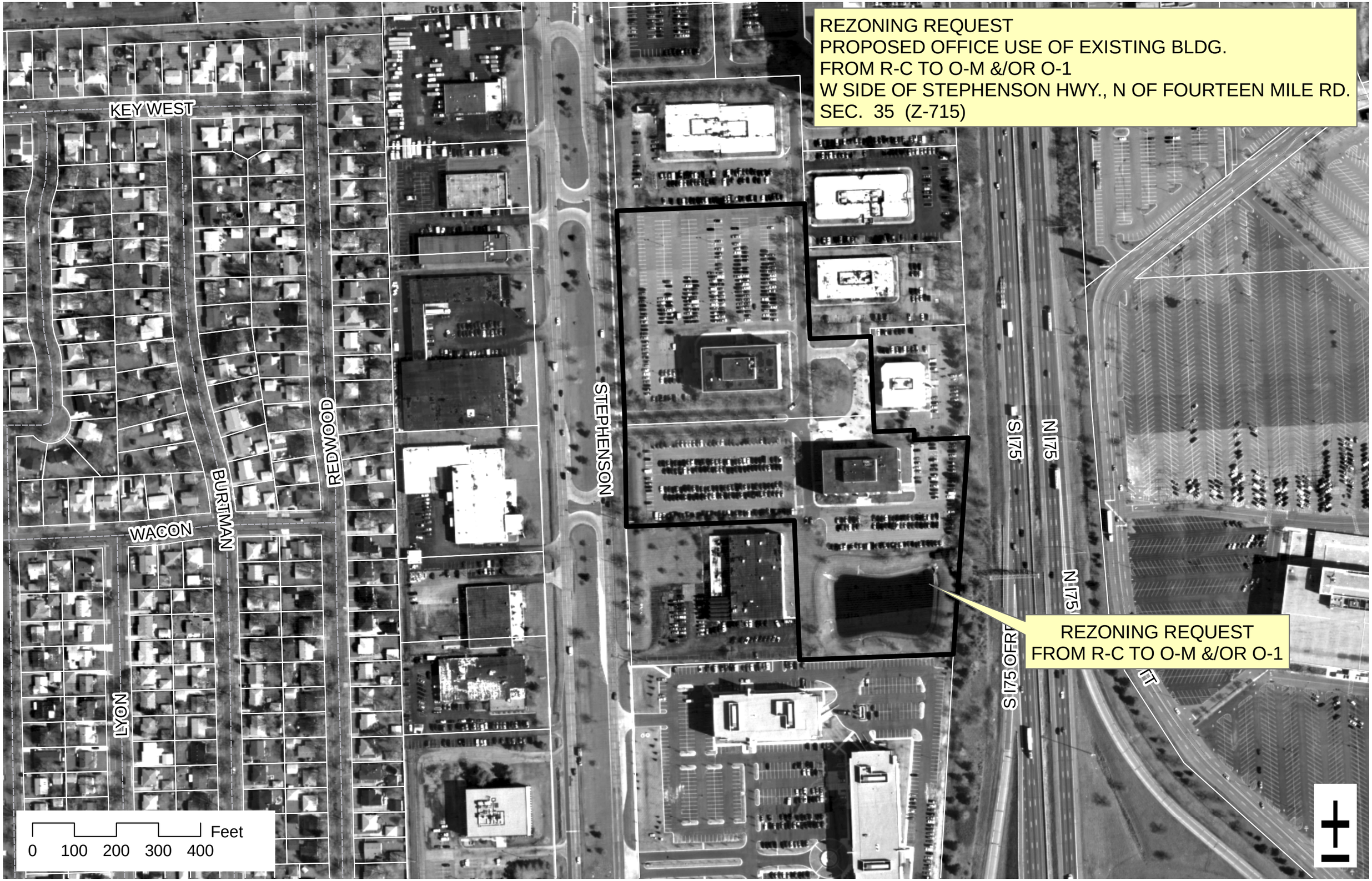
REZONING REQUEST
PROPOSED OFFICE USE OF EXISTING BLDG.
FROM R-C TO O-M &/OR O-1
W SIDE OF STEPHENSON HWY., N OF FOURTEEN MILE RD.
SEC. 35 (Z-715)
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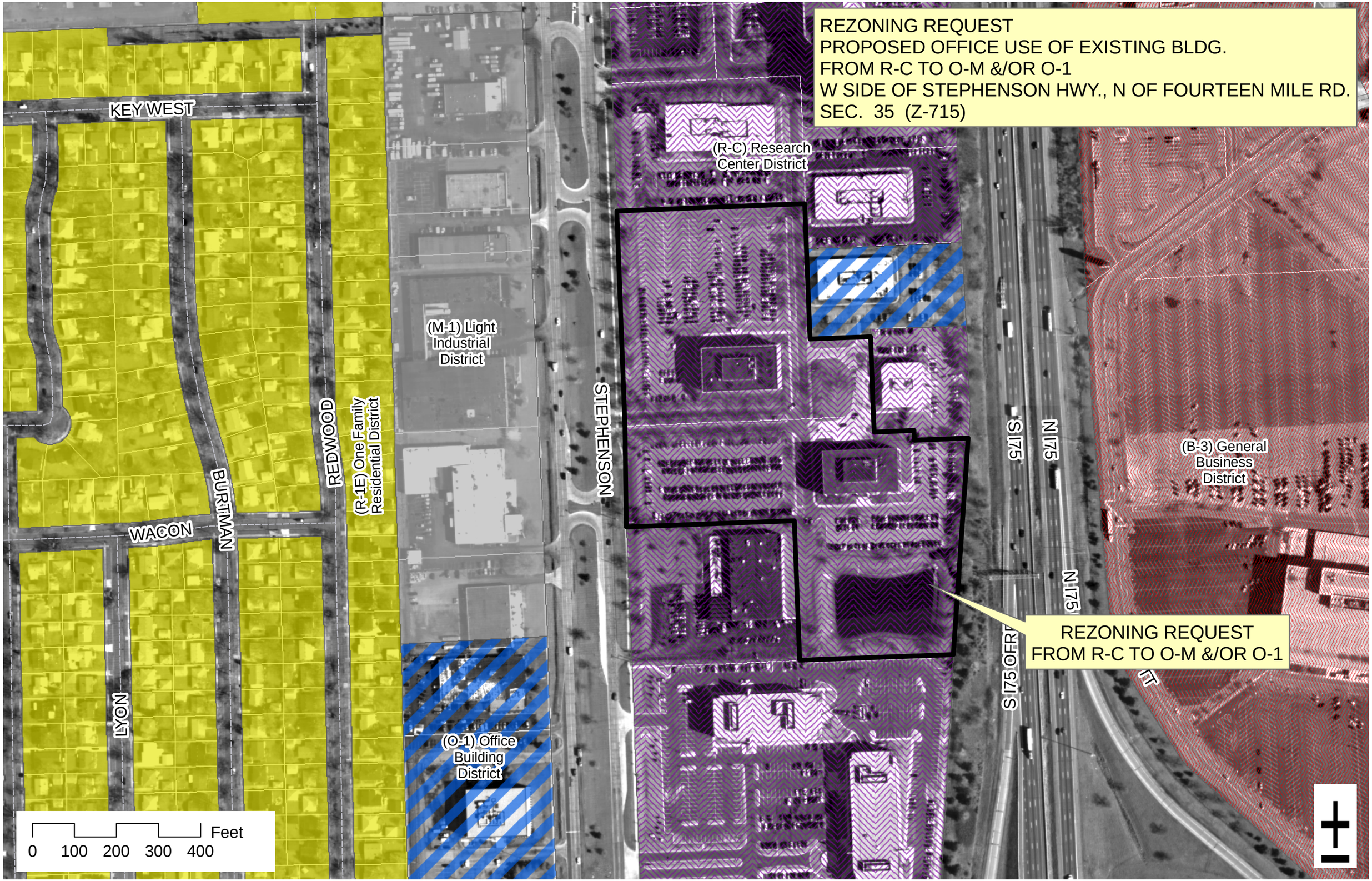
REZONING REQUEST
PROPOSED OFFICE USE OF EXISTING BLDG.
FROM R-C TO O-M &/OR O-1
W SIDE OF STEPHENSON HWY., N OF FOURTEEN MILE RD.
SEC. 35 (Z-715)
KEY WEST
WACON
BURTMAN
REDWOOD
LYON
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(M-1) Light Industrial District
STEPHENSON
(R-C) Research Center District
(O-1) Office Building District
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(B-3) General Business District
REZONING REQUEST
FROM R-C TO O-M &/OR O-1
0 100 200 300 400 Feet

REZONING REQUEST

6. PUBLIC HEARING – PROPOSED REZONING (Z 715) – Proposed Office Use of Existing Buildings, West side of Stephenson Hwy, North of Fourteen Mile Road, Section 35 – From R-C (Research Center) to O-M (Office Mid-Rise) and/or O-1 (Office Low Rise) District

Mr. Miller identified three pieces of correspondence distributed to the members prior to the beginning of tonight's meeting; i.e., written request from the petitioner to withdraw one parcel from the rezoning request; a proposed Resolution to correspond to the exclusion of that parcel, and a boundary survey showing the withdrawn parcel.

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning and noted that the rezoning was advertised for both O-M and O-1. Mr. Miller reported it is the recommendation of City Management to approve the revised rezoning request.

The petitioner, Michael Surnow of Robbins Investments LLC, 7115 Orchard Lake Road, West Bloomfield, was present. Mr. Surnow said the property is needed for medical office use.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Mr. Motzny confirmed the rezoning request as revised does not need to be re-advertised and the members could proceed with the request.

Resolution # PC-2006-03-043
Moved by: Littman
Seconded by: Schultz

WHEREAS, The applicant has requested that a parcel approximately 3.047 acres in size, described in the legal description as Lot 1 of Robbins Executive Park West, referred to as 466 Stephenson Highway, be withdrawn from the rezoning application, and

WHEREAS, The applicant wishes to proceed with the rezoning of the remaining portion of the property, described in the legal description as Lot 2 and part of Lot 3 of Robbins Executive Park West, referred to as 500 and 550 Stephenson Highway.

BE IT FURTHER RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-C to O-M rezoning request, located on the west side of Stephenson Highway, north of Fourteen Mile Road, within Section 35, being approximately 13 acres in size, be granted.

Yes: All present (7)
No: None
Absent: Drake-Batts, Khan

MOTION CARRIED

ROBBINS INVESTMENTS, LLC

March 13, 2006

City of Troy
Planning Department
500 West Big Beaver
Troy, MI 48083

Re: Robbins Investments Proposed Re-zoning Z – 715

Dear Mr. Miller:

Please be advised that I wish to withdraw from our request for re-zoning that portion of the parcel commonly known as 466 Stephenson Highway. Accordingly, the re-zoning request should now consist solely of the parcels commonly known as 500 and 550 Stephenson Highway respectively.

Thank you for your cooperation.

Very truly yours,

Michael S. Surnow

MSS/cmp

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7115 ORCHARD LAKE ROAD, SUITE #220 • WEST BLOOMFIELD, MICHIGAN • 48322
PHONE: (248) 865-3000 • FAX: (248) 865-9665

Supporting Statement

Although Troy enjoys a reputation as a good community in which to live, work, and operate a business; it has recently experienced a sharp decline in its office market due to the overall negative trend in the regions automotive industry.

The current office market vacancy is roughly 25% and continues to spiral downward as a substantial portion of the area's office tenants are automotive related. As an example, our building at 466 Stephenson Highway has remained vacant for in excess of three years despite an aggressive marketing campaign.

Given the evaporation of many traditional office users, landlords are confronted with the daunting task of finding new and attractive alternative uses for traditional office buildings if they are to remain occupied.

By rezoning from the present RC to the OM district allows us greater latitude in attracting some non-traditional office tenants and thus provides additional opportunities for occupancy that simply do not exist under the more restrictive RC classification. Clearly, these troubled economic times call for increased cooperation between government and landowners to develop alternative uses for existing distressed properties in order to achieve long term growth and stability.

RE

JAN 30 2006

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