DATE: August 7, 2006

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: Agenda Item – Rezoning Application (File No: Z 717) – Proposed Medical/General Office Building, Northwest Corner of Lovell and Rochester Road, Section 3 – R-1C to O-1

On June 19, 2006, City Council postponed this rezoning request. The petitioner, Franco Mancini, requested a further postponement to August 28, 2006.

Attachments:

1. Petitioner's letter, dated August 2, 2006.
2. City Management report, June 19, 2006.
3. Letters of opposition (2).

Prepared by RBS/MFM

cc: Applicant
File / Z 717

G:\REZONING REQUESTS\Z-717 Proposed Medical Office Bldg. Sec 3\CC Postponed Z-717 08 14 06.doc

RECD
APR - 2006
PLANNING DEPT.

CERTIFICATE OF SURVEY

Description of Parcel 'A':

Part of the Northeast Fractional 1/4 of the Northeast Fractional 1/4 except the West 2 acres of Section 3, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Said parcel being more particularly described as commencing at the East 1/4 Corner of said section 3; thence N 01° 46'00" W (Recorded as N 01° 21'08" W), along the east line of section 3, 1831.21 feet and S 88° 38'24" W 80.00 feet to the Point of Beginning being at the intersection of the west line of Rochester Road (M-150) and the north line of Lovell Ave.; thence continuing S 88° 38'24" W, along the north line of Lovell Ave., 221.00 feet; thence N 01° 46'00"W 195.90 feet; thence N 88° 38'24" E (Recorded as N 89° 03'37" E) 221.00 feet to the west line of Rochester Road; thence S 01° 46'00" E, along said west line, 195.90 feet to the Point of Beginning. Containing 0.994 Acres, more or less, and being subject to any easements of record or otherwise.

Description of Parcel 'B':

Part of the Northeast Fractional 1/4 of the Northeast Fractional 1/4 except the West 2 acres of Section 3, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Said parcel being more particularly described as commencing at the East 1/4 Corner of said section 3; thence N 01° 46'00" W (Recorded as N 01° 21'08" W), along the east line of section 3, 1831.21 feet and S 88° 38'24" W 301.00 feet to the Point of Beginning and the north line of Lovell Ave.; thence continuing S 88° 38'24" W, along the north line of Lovell Ave., 589.56 feet; thence N 01° 41'58"W 195.90 feet; thence N 88° 38'24" E (Recorded as N 89° 03'37" E) 589.33 feet; thence S 01° 46'00" E 195.90 feet to the Point of Beginning. Containing 2.651 Acres, more or less, and being subject to any easements of record or otherwise.

CERTIFICATION:

I, hereby certify that I have surveyed and mapped the land above platted and described on July 22, 2005, and that the ratio of closure of the unadjusted field observations of such survey was 1 in 19,000 and that all of the requirements of P.A. 132 of 1970 have been complied with.

George J. Ballard III, P.S. Date
City of Troy, Land Surveyor
500 W. Big Beaver Rd.
Troy, MI 48084

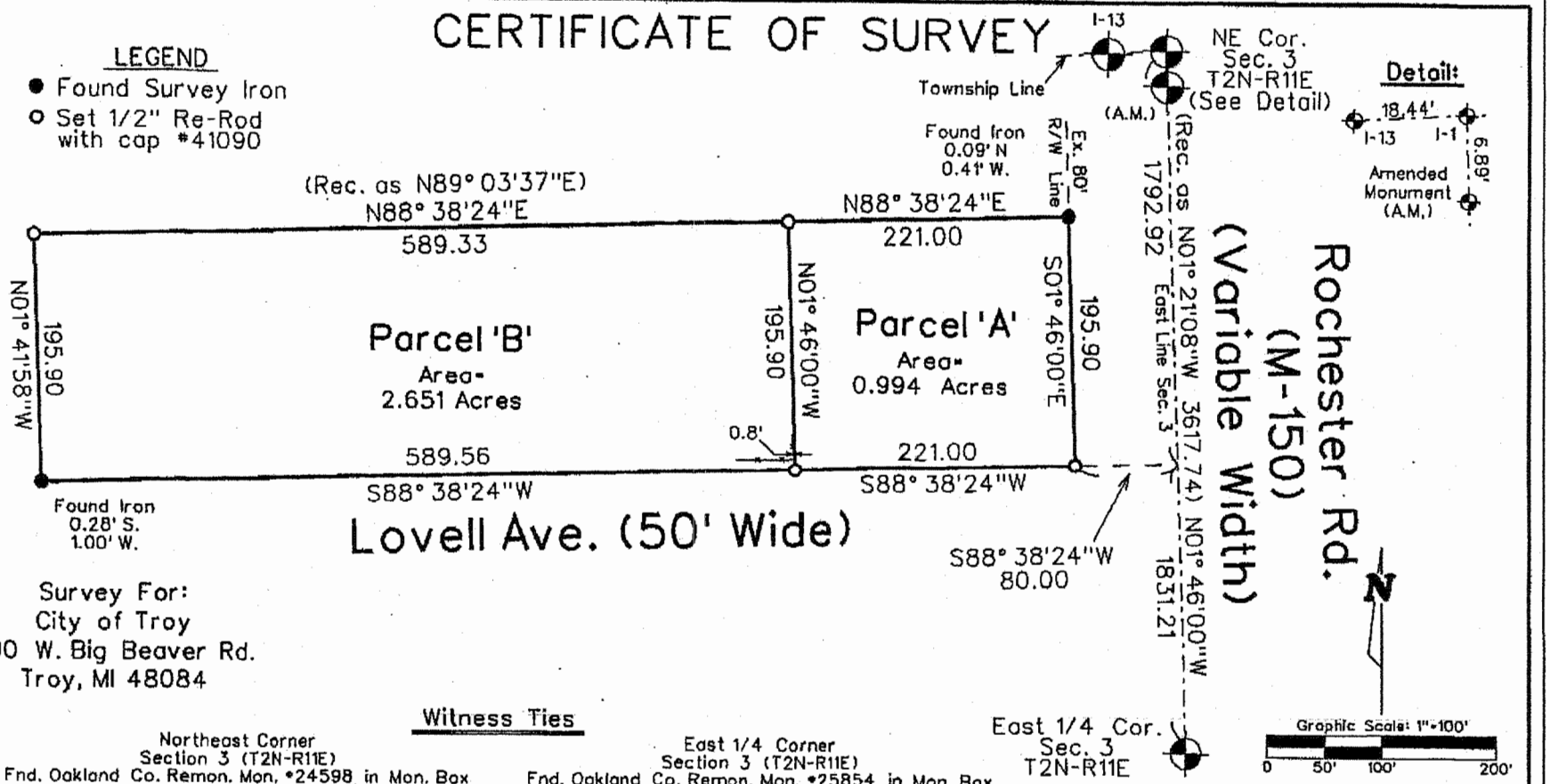
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084
(248) 524-3594

Date: 07-22-05 Scale:
Office: B.O., GJBIII Field: W.S., J.S.
Sheet 2 of 2

CERTIFICATE OF SURVEY

LEGEND

- ● Found Survey Iron
- ○ Set 1/2" Re-Rod with cap #41090



Survey For:
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084

Witness Ties

Northeast Corner
Section 3 (T2N-R11E)
Fnd. Oakland Co. Remon. Mon. #24598 in Mon. Box
at intersection of South Blvd. & Rochester Rd.
(as recorded in Liber 24871 Page 101)
S67° W 160.36, Top Nut of Fire Hyd.
N01° E 127.35, Top Nut of Fire Hyd.
S28° E 98.58, Top Nut of Fire Hyd.
S03° E 6.89, Remon. #25854 in Mon. Box

East 1/4 Corner
Section 3 (T2N-R11E)
Fnd. Oakland Co. Remon. Mon. #25854 in Mon. Box
in center turn lane of Rochester Rd.
(as recorded in Liber 17277 Page 651)
N40° E 61.30, Chisled 'X' SE-Rim MBT M.H.
S45° E 66.70, Remon. N/T #25854 NE-Face 24" Twin Elm
N80° W 43.47, Remon. N/T #25854 N-Face P.P.
N30° W 92.39, Remon. N/T #25854 NE-Face P.P.

Note: Bearing basis is as per description provided along the east line of section 3.

City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084
(248) 524-3594

Date: 07-22-05 Scale:
Office: B.O., GJBIII Field: W.S., J.S.
Sheet 1 of 2

Rochester Professional Building, LLC

47858 Van Dyke Suite 410 ● Shelby Twp, MI 48317

(586) 726-1501 ● Fax 726-1007

August 2, 2006

City of Troy – Planning Dept.
Troy, MI 48085

Re: File No. Z-717

Dear Planning Dept.,

Please accept this letter of request for postponement of August 14, 2006 Council meeting regarding file no. Z-717 – proposed medical/general office on Lovell and Rochester Rd. Please replace this date with the upcoming council meeting set for August 28, 2006

Best Regards,

Franco C. Mancini/cgl

Franco C. Mancini/Petitioner

DATE: June 9, 2006

TO: John M. Lamerato, Acting City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: Agenda Item – Public Hearing – Rezoning Application (File No: Z 717) – Proposed Medical/General Office Building, Northwest Corner of Lovell and Rochester Road, Section 3 – R-1C to O-1

RECOMMENDATION

The Planning Commission recommended approval of this application at the May 9, 2006 Regular meeting. City Management agrees with the Planning Commission and recommends approval of the rezoning application.

JUSTIFICATION FOR RECOMMENDATION

The application does not comply with the Future Land Use Plan nor does it meet the Location Standards of Section 24.40.00.

However, the application is compatible with existing zoning districts and land uses. The property to the north is an attached condominium development, to the south a retail use and a single-family residence. Across Rochester Road to the east sits a restaurant and an attached condominium development. To the west is a City-owned detention basin. Note that the two parcels to the south front on Rochester Road and are used for retail and office uses.

The subject parcel is relatively isolated from other single-family homes. There is not a strong relationship between the subject parcel and the existing homes on Lovell. The residences on the south side of Lovell front on Hannah and have driveways on Hannah; their back yards abut Lovell. The detention basin to the west serves as a significant buffer between the subject parcel and the houses on the north side of Lovell to the west.

Additionally, the Planning Commission is considering an amendment to the Future Land Use Plan that would create a Rochester Road Overlay District and permit a range of uses to serve as a transition between Rochester Road and the abutting single-family residential neighborhood. This application appears to be consistent with this direction.

GENERAL INFORMATION

Name of Owner / Applicant:
The owner and applicant is Franco Mancini.

Location of Subject Property:
The property is located on the northwest corner of Lovell and Rochester Road, in Section 3.

Size of Subject Parcel:
The parcel is approximately 0.994 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:
O-1 Office Building.

Proposed Uses and Buildings on Subject Parcel:
The applicant is proposing to develop the property as a medical and general office building.

Current Use of Adjacent Parcels:
North: Sandalwood Condominium.
South: Retail and single family residential.
East: Alibi Restaurant and Woodside Bible Church/Northwyck PUD.
West: Detention basin (City-owned).

Zoning Classification of Adjacent Parcels:
North: R-1T One Family Attached.
South: B-1 Local Business.
East: B-3 General Business and PUD #1.
West: R-1C One Family Residential.

ANALYSIS

Range of Uses Permitted in Proposed O-1 Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

Office Buildings for any of the following occupations: executive, administrative; professional; accounting; writing; clerical stenographic; drafting; and sales.

Medical office, including clinics.

Banks, credit unions, savings and loan associations, and similar uses. Such uses may include drive-in facilities only as an accessory use.

Publicly owned buildings, exchanges, and public utility offices.

Other uses similar to the above uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:
Uses customarily supporting or serving the Principal Uses permitted in this District, such as pharmacies or drug stores, optical services, copy services, office supplies, book stores, art galleries, or restaurants.

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

Technical training uses.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:
Mortuary establishments.

Private service clubs, fraternal organizations and lodge halls.

Private ambulance facilities.

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

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

Child care centers, nursery schools, or day nurseries (not including dormitories).

Vehicular and Non-motorized Access:
The parcel fronts on Rochester Road.

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 wetlands, woodlands and floodplain located on the property.

Compliance with Future Land Use Plan:
The parcel is classified on the Future Land Use Plan as Medium Density Residential. The Medium Density Residential classification correlates with the R-1T, R-2, R-M and

R-EC zoning districts. The application therefore does not comply with the Future Land Use Plan. The parcel has been planned for Medium Density Residential since 1999.

Compliance with Location Standards
Section 24.40.00 includes Location Standards to apply to rezoning requests:

24.40.00 LOCATION STANDARDS

24.40.10 Location Standards: the O-1 (Office Building) District may be applied when the application of such a classification is consistent with the intent of the Master Land Use Planning and policies related thereto, and therefore involves the following types of areas:

24.40.11 Areas indicated as low-rise office.

24.40.12 Portions of areas designated as community service centers or neighborhood service centers.

24.40.13 Areas designated for commercial or other non-residential development, or higher intensity office development, when one or more of the following determinations are made:

A. When the adjacent area and/or the total community would be more effectively served by the application of O-1 zoning than by the application of a commercial or other non-residential zoning District of a more intense office District.

B. When development in accordance with O-1 zoning would serve as a transitional element and would thus be more compatible with adjacent properties than would development under commercial or other office classifications.

The application does not meet the Location Standards of Section 24.40.00.

Attachments:
1. Maps.
2. Letter from applicant, dated April 5, 2006.
3. Letters of opposition (2).

Prepared by RBS/MFM

cc: Applicant
File / Z 717

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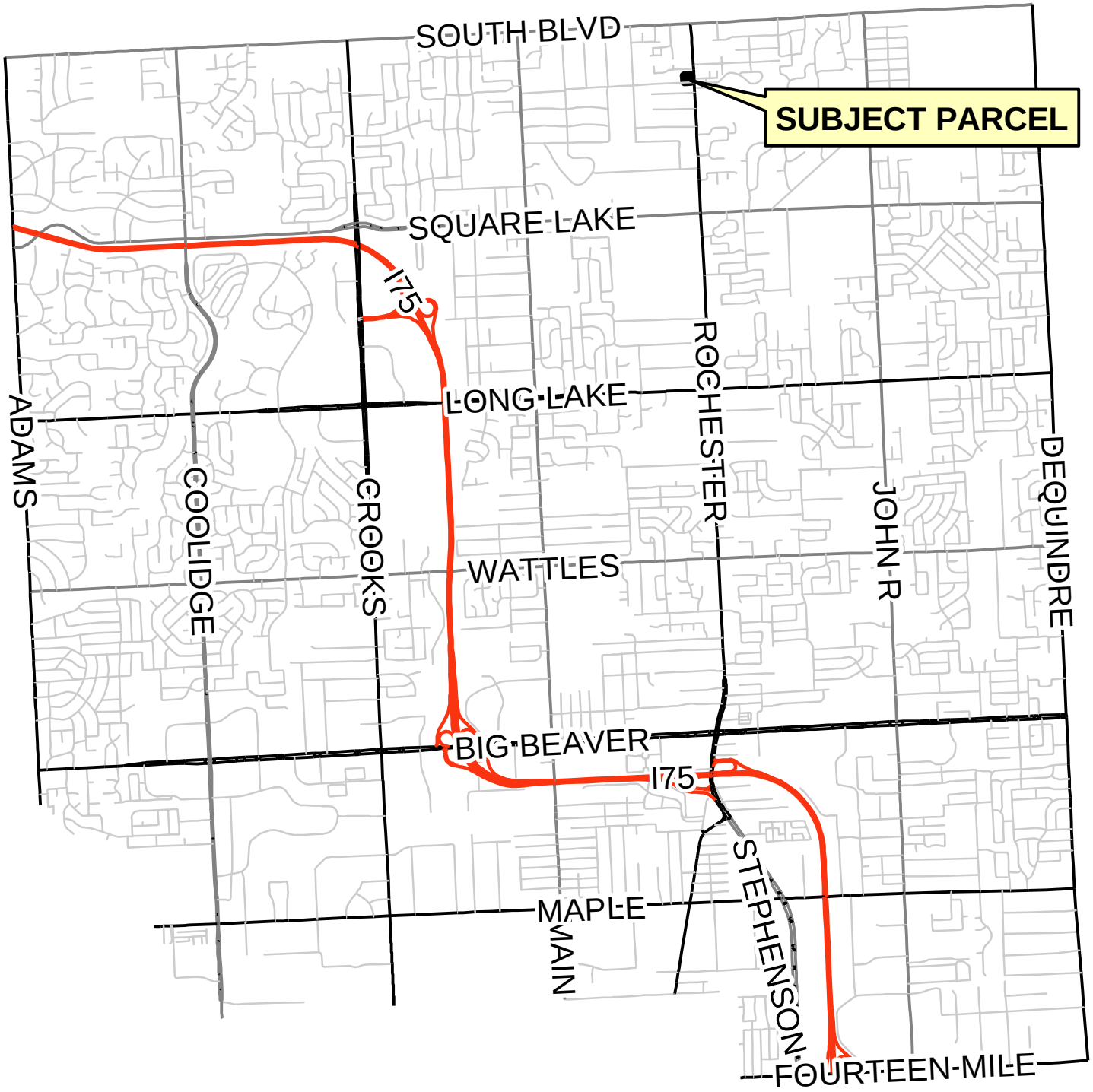
CITY OF TROY


SOUTH BLVD
SUBJECT PARCEL
SQUARE LAKE
I75
LONG LAKE
ADAMS
COOLIDGE
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JOHN R
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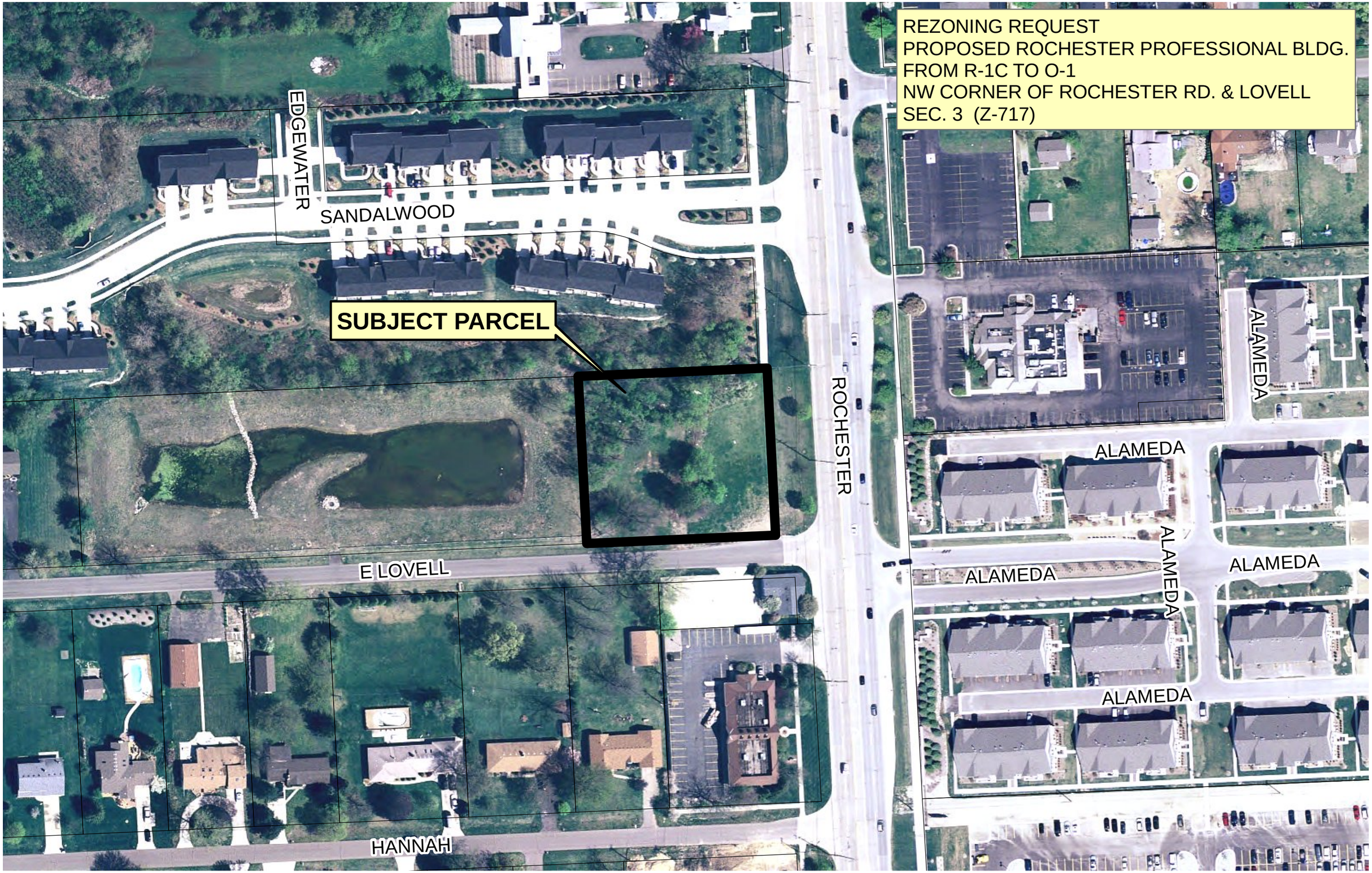
WATTLES
BIG BEAVER
I75
STEPHENSON
MAPLE
MAIN
FOURTEEN MILE


REZONING REQUEST
PROPOSED ROCHESTER PROFESSIONAL BLDG.
FROM R-1C TO O-1
NW CORNER OF ROCHESTER RD. & LOVELL
SEC. 3 (Z-717)
SUBJECT PARCEL
EDGEWATER
SANDALWOOD
E LOVELL
HANNAH
ROCHESTER
ALAMEDA
ALAMEDA
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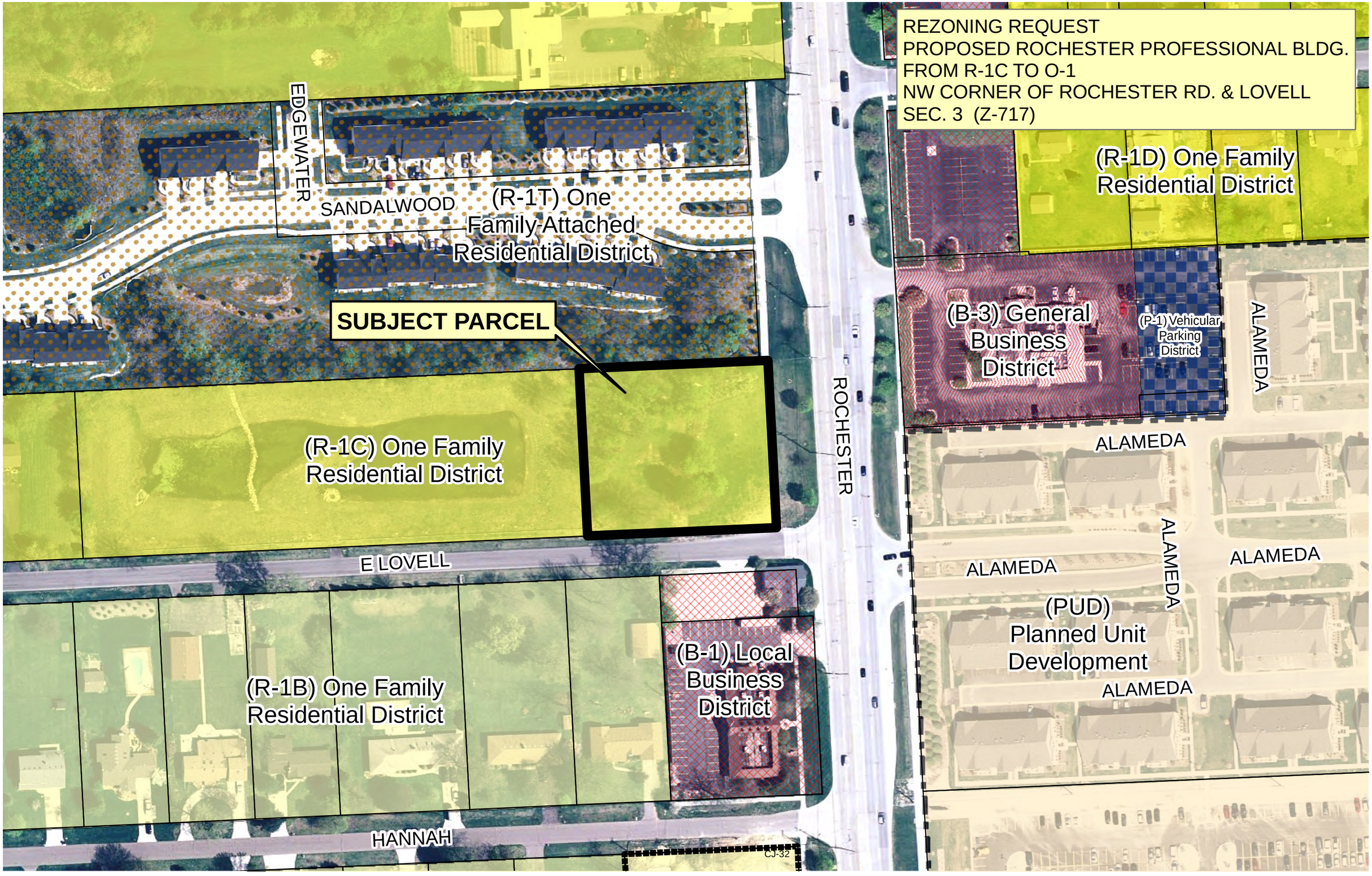
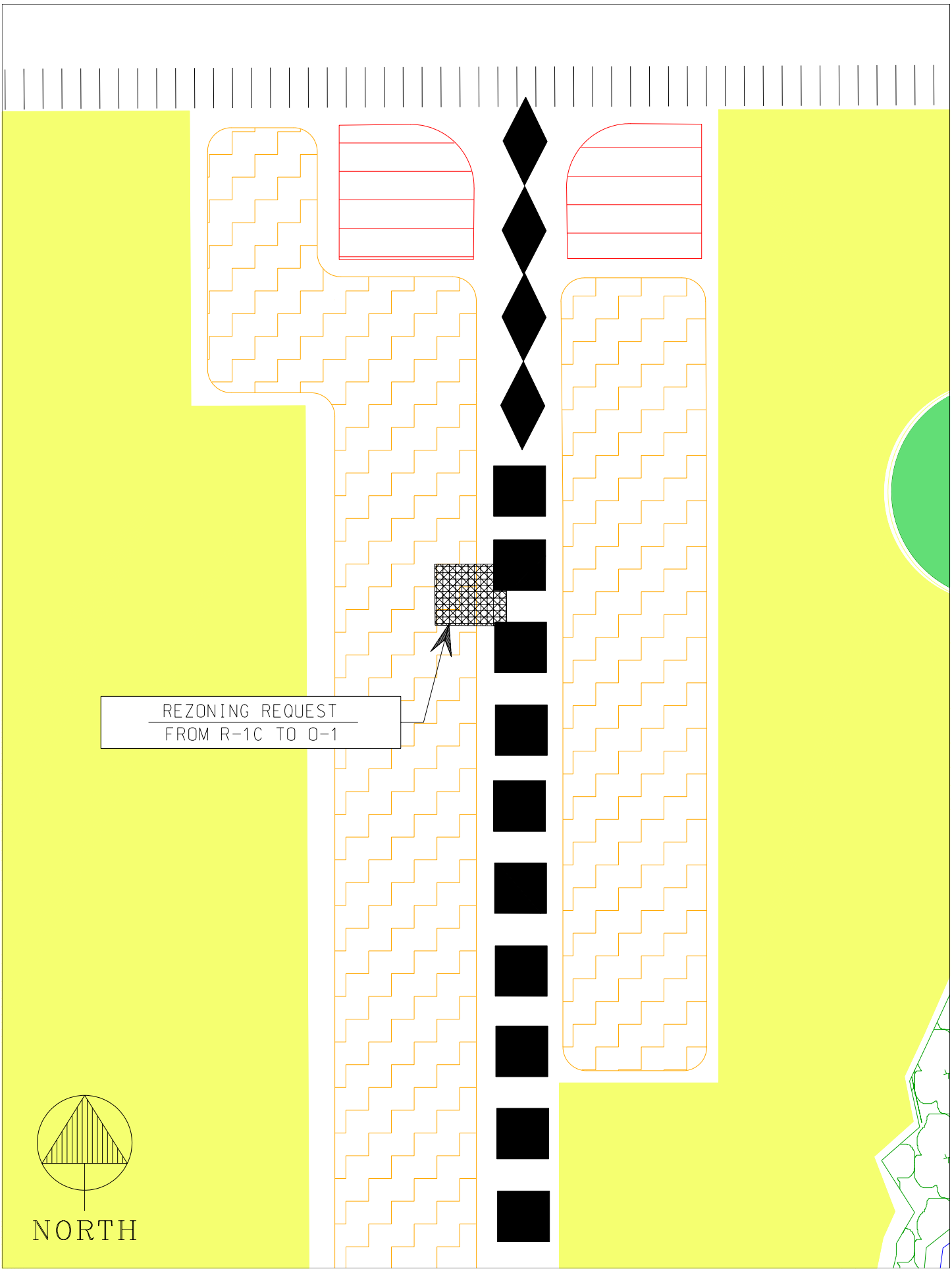

REZONING REQUEST
PROPOSED ROCHESTER PROFESSIONAL BLDG.
FROM R-1C TO O-1
NW CORNER OF ROCHESTER RD. & LOVELL
SEC. 3 (Z-717)
EDGEWATER
SANDALWOOD
(R-1T) One Family Attached Residential District
SUBJECT PARCEL
(R-1C) One Family Residential District
E LOVELL
(R-1B) One Family Residential District
(B-1) Local Business District
HANNAH
ROCHESTER
(R-1D) One Family Residential District
(B-3) General Business District
(P-1) Vehicular Parking District
ALAMEDA
ALAMEDA
ALAMEDA
ALAMEDA
ALAMEDA
(PUD) Planned Unit Development
ALAMEDA
CJ-32


REZONING REQUEST
FROM R-1C TO O-1
NORTH

APEX
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS

47745 VAN DYKE AVENUE
SHELBY TOWNSHIP, MI 48317

TELEPHONE: 586-739-5200
FACSIMILE: 586-254-5314

April 5, 2006

Mr. Douglas Smith, Real Estate and Development Director
City of Troy
500 West Big Beaver
Troy, MI 48084

RE: Proposed Rezoning from R-1-C to O-1
Parcel No. 20-03-226-104
Section 3, City of Troy

Dear Mr. Smith:

In conjunction with the submittal package to rezone a parcel of land enclosed please find copies of a Feasibility Plan and Rezoning Plan. The subject parcel is currently zoned R-1-C and is located on the west side of Rochester Road between South Boulevard and Square Lake Road. The existing parcel is a corner lot and contains 0.994 acres of land. The parcel has 195.90 feet of Rochester Road frontage as well as 221.0 feet of Lovell Avenue frontage.

If the rezoning is successful the development will consist of a 7494 square foot office building. An office development is a historical use to be located on high traffic corridor. It can also be used as a buffer to the residential properties to the west. The proposed office use would generate less traffic and the hours of operation will be limited when compared to a residential or general retail use. The proposed office layout eliminates additional traffic routed onto Lovell Avenue with access proposed only to Rochester Road. The developer of this project has experience in the office development market and is the owner of "Rochester Office Parc" located south of this site, also on the west side of Rochester Road, between Deetta and Hannah Roads. The proposed site will be very similar, however with only one building. The proposed office site will be a transition from the more intense uses to the north.

Because of the location of the detention basin abutting this site to the west, if developed as a single family residential parcel, the development would be isolated from any neighborhood setting. If the office use is approved the basin will create an additional buffer for the existing residential uses. There is also a demand for office space in this portion of the city.

Your consideration of our request is greatly appreciated.

Sincerely,

WEMosher

William E. Mosher, P.E.
cc: Franco C. Mancini

Paula P Bratto

From: Eaamici@aol.com

Sent: Thursday, April 27, 2006 11:04 AM

To: Paula P Bratto

Subject: Rezoning of Property at Rochester and Lovell

I am against the rezoning. I cannot make the public hearing on the 9th. When we built our house everything around us was zoned RIB. Then a few years later it was zoned RIC to accommodate the condominiums.The property in question had a nice house which was torn down when the city purchased the property for a retention pond which has been left to grow wild. Now another rezoning. The City and its boards have really downgraded our environment over the years.

Ernest Amici
947 Hannah

Paula P Bratto

From: jkerby1629@sbcglobal.net
Sent: Monday, May 01, 2006 4:19 PM
To: Paula P Bratto
Subject: Public Hearing on Rezoning Request

Dear Tonni Bartholomew, City Clerk,
I am against the rezoning request of Franco Mancini of Rochester Professional Building LLC for the following property:
T2N, R11E, NE 1/4 of the NE 1/4 of Section 3.
I am not in favor of the zoning change to O-1 (Low Rise Office) as we have enough difficulty exiting our Northwyck community onto Rochester Rd. without the added increase in traffic which would be caused by expanding the property use to Office use.
Jack C. Kerby
1274 Alameda Blvd.
Troy, MI