DATE: September 12, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM (PUBLIC HEARING) – REZONING APPLICATION – From R-1C to O-1 and E-P, Cambridge Square Office Buildings, West side of Dequindre, North of Long Lake, Section 12 (Z 707)

RECOMMENDATION

The application is compatible with surrounding land uses and zoning districts. Further, the request is consistent with the Future Land Use Plan which was amended in 1982. The proposed 40-foot wide E-P zone is an appropriate transition between the O-1 district and the R-1C district to the north. This E-P zone will define the upper limit of the Community Service Area. The Planning Commission recommended approval of this item at the July 12, 2005 Regular Meeting.

City Management agrees with the Planning Commission and recommends approval of the rezoning request.

GENERAL INFORMATION

Name of Owner / Applicant:
The owner and applicant is Frank D'Anna, PDI Enterprise, L.L.C.

Location of Subject Property:
The property is located on the west side of Dequindre Rd., north of Long Lake Rd., in section 12.

Size of Subject Parcel:
The applicant's entire parcel is approximately 1.12 acres in size.

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

Current Zoning Classification:
The property is zoned R-1C One Family Residential.

Proposed Zoning of Subject Parcel:
The applicant is proposing to rezone the northern 40 ft. of the property to the E-P (Environmental Protection) zoning district and the southern 40 ft. of the property to the O-1 (Low Rise Office) zoning district

Proposed Uses and Buildings on Subject Parcel:
The application indicates that the applicant is proposing to combine this parcel with the parcel to the south creating a 3.46 acre parcel. The applicant intends to develop a new bank building on the east end of the property, a 1-story office building on the west end and provide a 40 ft. landscape buffer along the northern property line.

Current Use of Adjacent Parcels:
North: Single family residential.
South: Office.
East: Retail Center (Sterling Heights).
West: Single family residential neighborhood.

Zoning Classification of Adjacent Parcels:
North: R-1C One Family Residential.
South: O-1 Low Rise Office.
East: C-2 Planned Comparison Business (Sterling Heights).
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; provided that these uses are within the building housing the Principal Uses which they support, and provided that there is no direct outside entrance for these uses separate from the entrance serving the Principal Uses.

Data processing and computer centers, including sales support, service and maintenance of electronic data processing equipment. The sales support, service and maintenance functions, shall be accessory or secondary to the Principal Uses permitted in this District, and thus shall not be operated as independent businesses.

Technical training uses, when such are accessory or secondary to the Principal Uses permitted in this District, and thus not operated as independent businesses.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:

Mortuary establishments.

Private service clubs fraternal organizations and lodge halls, including accessory structures and uses customarily incidental to such uses, racquet and athletic clubs.

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:
Access to the parcel will be provided from Dequindre Road, a major thoroughfare.

Potential Storm Water and Utility Issues:
The proposed method of storm water detention is not shown on the site plan. The applicant will be required to adequately dispose of storm water on the property.

Natural Features and Floodplains:
The Natural Features Map does not indicate any significant natural features located on the property.

Compliance with Future Land Use Plan:
The property is located in the area of transition between Community Service Area and Low Density Residential on the Future Land Use Plan. This was amended to include Community Service Area in 1982. The Community Service Area designation correlates with B-2 (primary correlation) and B-3, B-1 and O-1 (secondary correlation) in the Future Land Use Plan. The proposed rezoning will extend the northern limits of O-1 approximately 40 feet to the north, however the E-P zone will define the upper limit of the Community Service Area. The 40-foot wide E-P zone is an appropriate transition between the O-1 district and the R-1C district to the north.

The application is in compliance with the Future Land Use Plan.

Attachments:
1. Maps
2. Statement and sketch from petitioner.
3. Minutes from July 12, 2005 Planning Commission Regular Meeting.

cc: Applicant
File/ Z 707

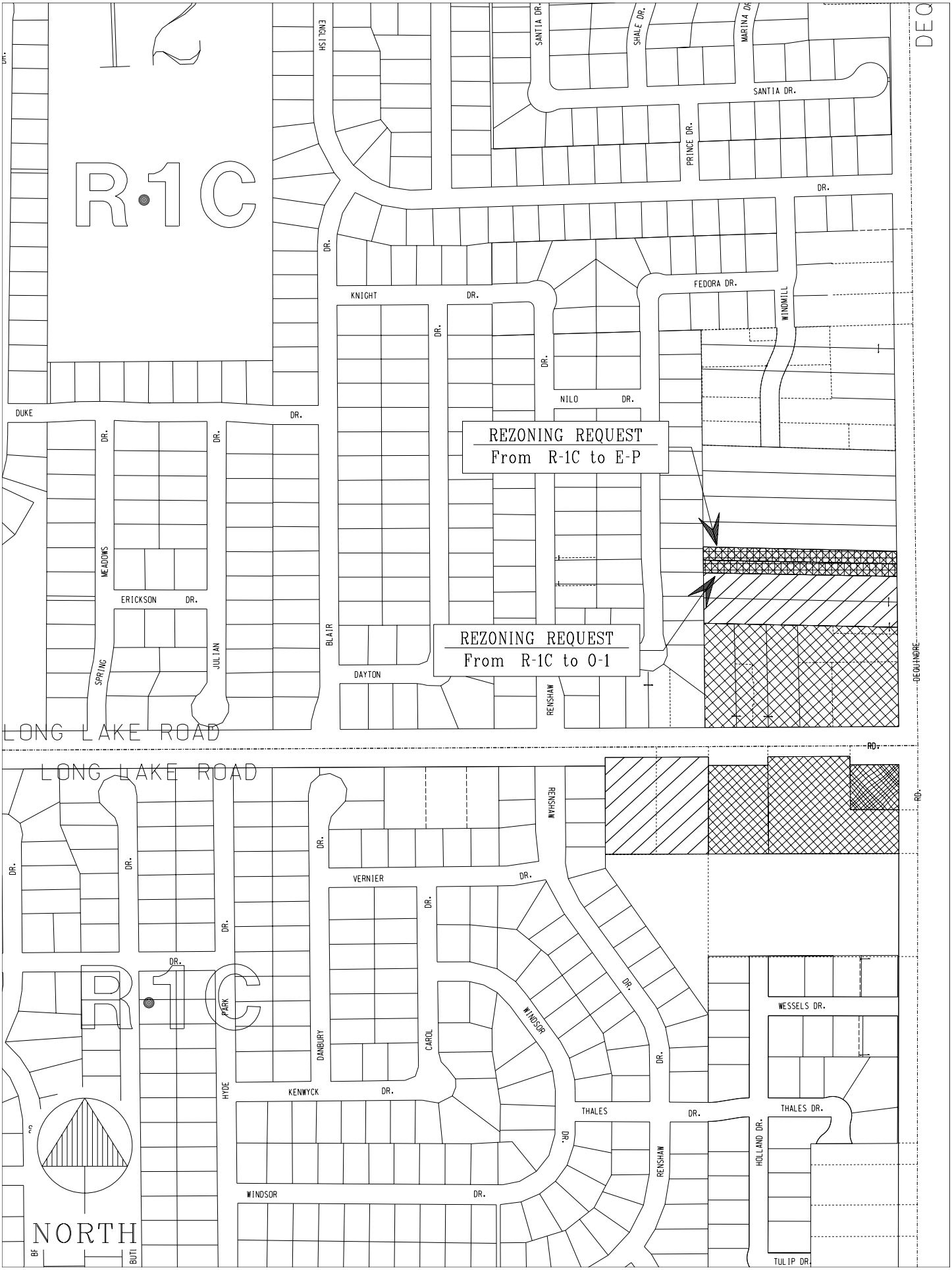
PREPARED BY RBS/MFM

G:\REZONING REQUESTS\Z-707 Cambridge Square Sec 25\CC Public Hearing Z-707 09 19 05.doc

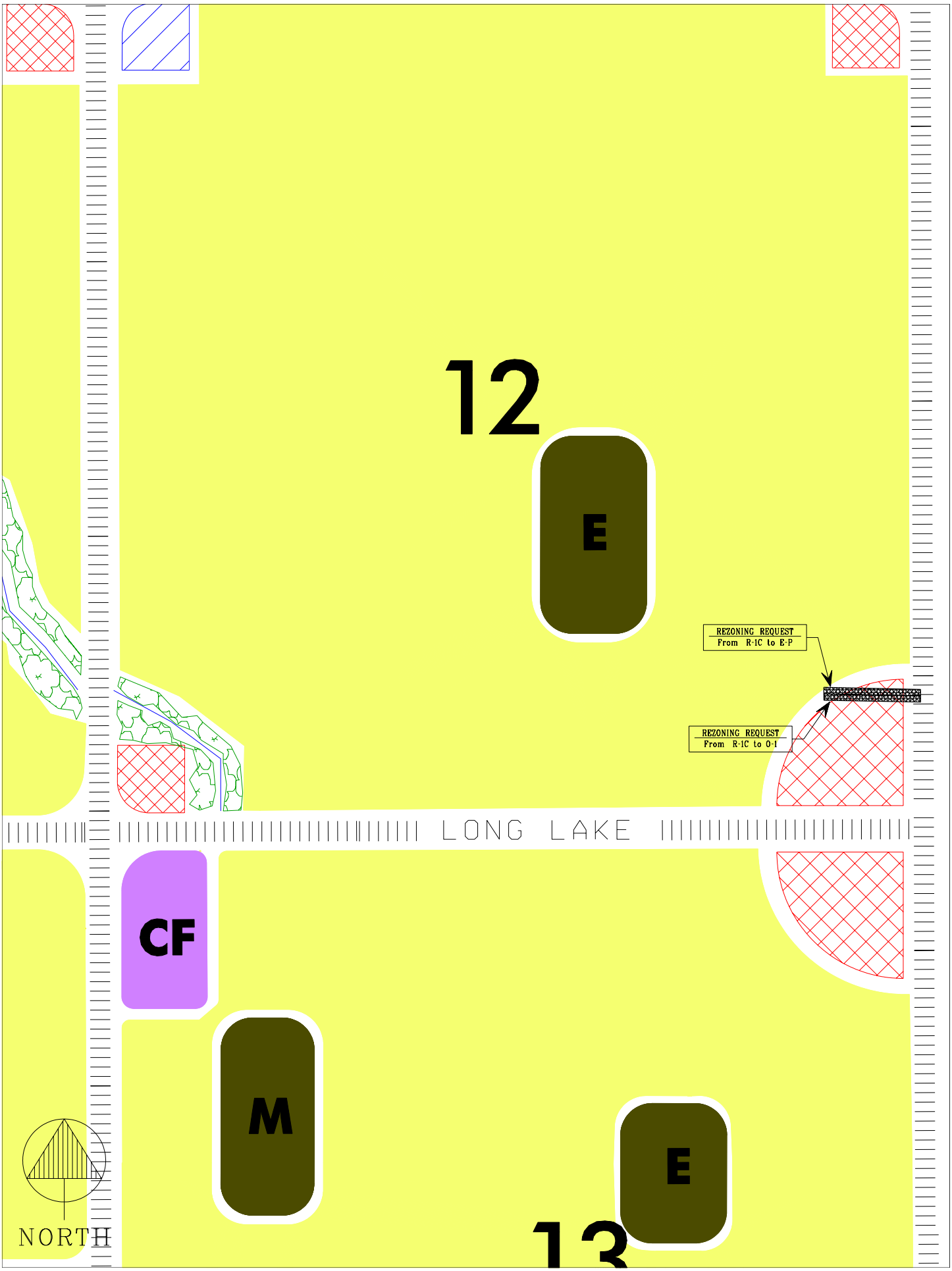
CITY OF TROY

PREPARED BY CITY OF TROY PLANNING DEPT.

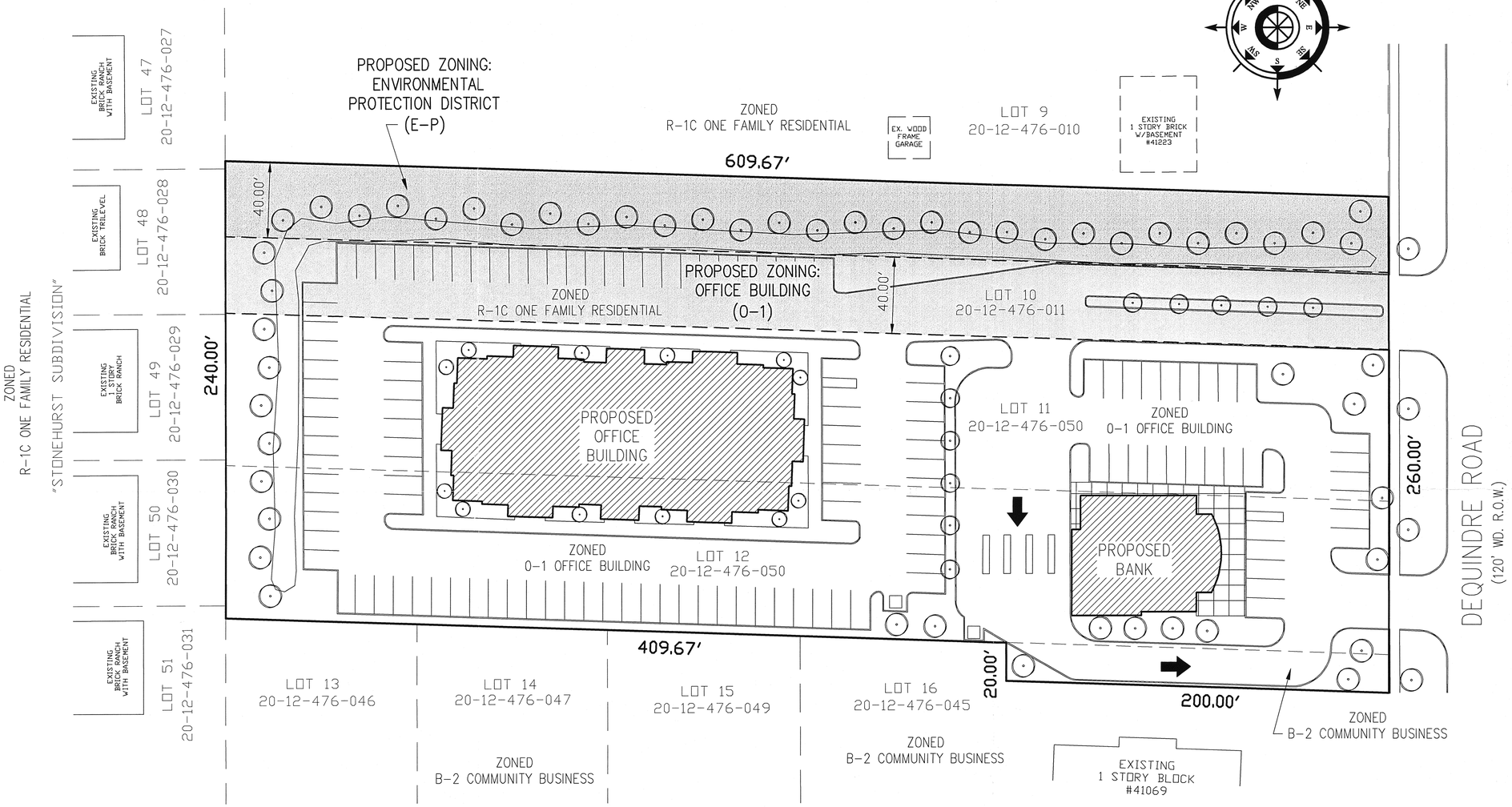
REZONING REQUEST
PROP. CAMBRIDGE SQUARE OFFICE BLDGS.
FROM R-1C TO O-1 & E-P
NORTH OF LONG LAKE, WEST SIDE OF DEQUINDRE
SEC. 12 (Z-707)
KNIGHT
DAYTON
NILO
FEDORA
DEQUINDRE
DUKE
BLAIR
SPRING MEADOWS
JULIAN
ERIKSON
RENSHAW
E LONG LAKE
HYDE PARK
BUTLER
REZONING REQUEST
FROM R-1C TO E-P
REZONING REQUEST
FROM R-1C TO O-1
Feet
0 50 100 200 300 400

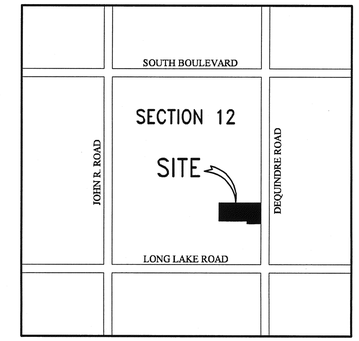

R-1C
ENGLISH
SANTIA DR.
SHALE DR.
MARINA DR.
SANTIA DR.
PRINCE DR.
DR.
KNIGHT
DR.
FEDORA DR.
WINKWILL
NILO
DR.
DUKE
DR.
REZONING REQUEST
From R-1C to E-P
MEADOWS
ERICKSON
DR.
SPRING
JULIAN
BLAIR
DAYTON
REZONING REQUEST
From R-1C to O-1
RENSHAW
DEQUINDRE
LONG LAKE ROAD
LONG LAKE ROAD
RD.
VERNIER
DR.
PARK
DANBURY
CAROL
WINDSOR
HYDE
KENWYCK
THALES
WESSELS DR.
THALES DR.
HOLLAND DR.
TULIP DR.
NORTH

Z-707 / SEC. 12 / 06-20-05


12
E
REZONING REQUEST
From R-1C to E-P
REZONING REQUEST
From R-1C to O-1
LONG LAKE
CF
M
E
13
NORTH

REZONING REQUEST





LOCATION MAP

NO SCALE

REZONING REQUEST:

EXISTING ZONNING	PROPOSED ZONNING
ONE FAMILY RESIDENTIAL (R-1C)	ENVIRONMENTAL PROTECTION DISTRICT (E-P)
ONE FAMILY RESIDENTIAL (R-1C)	OFFICE BUILDING (O-1)

PROPERTY DESCRIPTION

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

LOT 10, ALL OF LOTS 11 AND 12, PLUS THE EAST 200 FEET OF THE NORTH 20 FEET OF LOT 16, BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWN 2 NORTH, RANGE 11 EAST, BUT EXCEPTING THEREFROM THE WESTERN PORTION OF LOTS 11 AND 12:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 12; THENCE ALONG THE SOUTH LOT LINE NORTH 88 DEGREES 08 MINUTES 05 SECONDS WEST 404.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 08 MINUTES 05 SECONDS WEST 204.89 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 00 SECONDS WEST 160.00 FEET; THENCE SOUTH 88 DEGREES 08 MINUTES 05 SECONDS EAST 204.87 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 33 SECONDS EAST 160.00 FEET TO THE POINT OF BEGINNING OF JENNINGS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 59 OF PLATS, PAGE 8, OAKLAND COUNTY RECORDS.

PARCEL I.D. No. 20-12-476-011 AND
PART OF TAX ITEM No. 20-12-476-050

NOTE: LEGAL INFORMATION & PROPERTY DESCRIPTION HAS BEEN PROVIDED FROM A BOUNDARY SURVEY PERFORMED BY LANDWEHR & ASSOCIATES, INC. DATED 05-23-96, JOB # L 332-96

STATE OF MICHIGAN FRANCESCO D'ANNA ARCHITECT No. 25111 LICENSED

D'Anna ASSOCIATES
42500 HAYES RD. - SUITE 100
CLINTON TOWNSHIP, MI 48038
(586)263-4030 - (FAX)263-3135

CLIENT: PDI ENTERPRISES 42500 HAYES, CLINTON TWP.		SCALE: 1" = 30'
		DRAWN BY: S.D.
DATE: 06/01/05	JOB No. 05051	CHECKED BY: F.D.

CAMBRIDGE SQUARE

CITY OF TROY, OAKLAND COUNTY, MICHIGAN

REZONING REQUEST #6

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APPLICANT'S STATEMENT

OPINION STATEMENT

The request for the change in zoning will provide a transition between the single family residential and the office use. The north half of the property would be zoned to Environmental Protection District, establishing a landscaped area with staggered evergreens serving as buffer between the two dissimilar land use.

The requested change would assure the neighboring property owners an established landscaped buffer, which will preserve and maintain their property value.

6. PUBLIC HEARING – PROPOSED REZONING (Z 707) – Proposed Cambridge Square Office Development, West side of Dequindre, North of Long Lake, Section 12, - From R-1C to O-1 and E-P

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

The petitioner, Frank D'Anna of PDI Enterprise LLC, 42500 Hayes, Clinton Township, was present. Mr. D'Anna said the subject property is the remaining vacant lot abutting the commercial zoning, and the property would be least desirable for a single family home with respect to transition between commercial and single family. He said the proposed landscaped buffer would retain the value of the existing neighboring homes.

PUBLIC HEARING OPENED

Pam Prewitt of 41203 Dequindre, Troy, was present. Ms. Prewitt's home is directly next to the proposed development. She spoke in favor of the proposed rezoning and development.

PUBLIC HEARING CLOSED

Chair Strat stated the proposed site plan submitted with the rezoning request would not be a consideration in the Commission's recommendation of the rezoning request.

Resolution # PC-2005-07-115
Moved by: Chamberlain
Seconded by: Wright

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to O-1 and E-P rezoning request, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 1.12 acres in size, be granted, for the following reason:

1. The E-P zoning on the north side of the property will allow for proper transition into the residential to the north.

Discussion on the motion on the floor.

Mr. Schultz said at the time that the site plan is considered, he would like to see the petitioner continue the E-P zoning for the homes to the west.

Vote on the motion on the floor.

Yes: All present (7)
No: None
Absent: Vleck, Waller

MOTION CARRIED