



CITY COUNCIL REPORT

DATE: December 13, 2007

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Announcement of Public Hearing – Rezoning Application – East side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (File Number: Z 677 B)

Background:

- A public hearing is scheduled for the January 28, 2008 City Council meeting.
- The Planning Commission recommended approval of the request to rezone the subject parcels to B-1 at the December 11, 2007 Regular meeting.
- The subject parcels are classified on the Future Land Use Plan as Local Service Area. The Local Service Area classification has a primary correlation with the B-1 Local Business Zoning District. The application therefore is consistent with the Future Land Use Plan.
- The applicant is the City of Troy. The B-1 zoning is more consistent with existing zoning and land use in the adjacent area than the underlying zoning.
- The subject property is approximately 1.30 acres in area and is comprised of two separate parcels. The northern property is approximately 0.88 acres in size, is zoned R-1E One Family Residential, is owned by Detroit Edison and used as a utility sub-station. The southern property is approximately 0.42 acres in size, is zoned P-1 Vehicular Parking, is owned by Grace Christian Learning Center and is used as an off-street parking area for a child daycare facility.
- Child care centers and utility buildings are permitted in the B-1 Local Business District. The northern portion of the subject property will continue to be used as a utility sub-station. The southern portion of the subject property will continue to be used as an off-street parking area and for a possible expansion of the existing child daycare facility.

- The application is consistent with the general character of the area and compatible with adjacent zoning districts and land uses.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

- City Council has the authority to act on this application.

Policy Considerations:

- Approval of the rezoning application would be consistent with City Council Goal III (Retain and attract investment while encouraging redevelopment).

Options:

- City Council can approve or deny the rezoning application.
- No City Council action required until the January 28, 2008 public hearing.

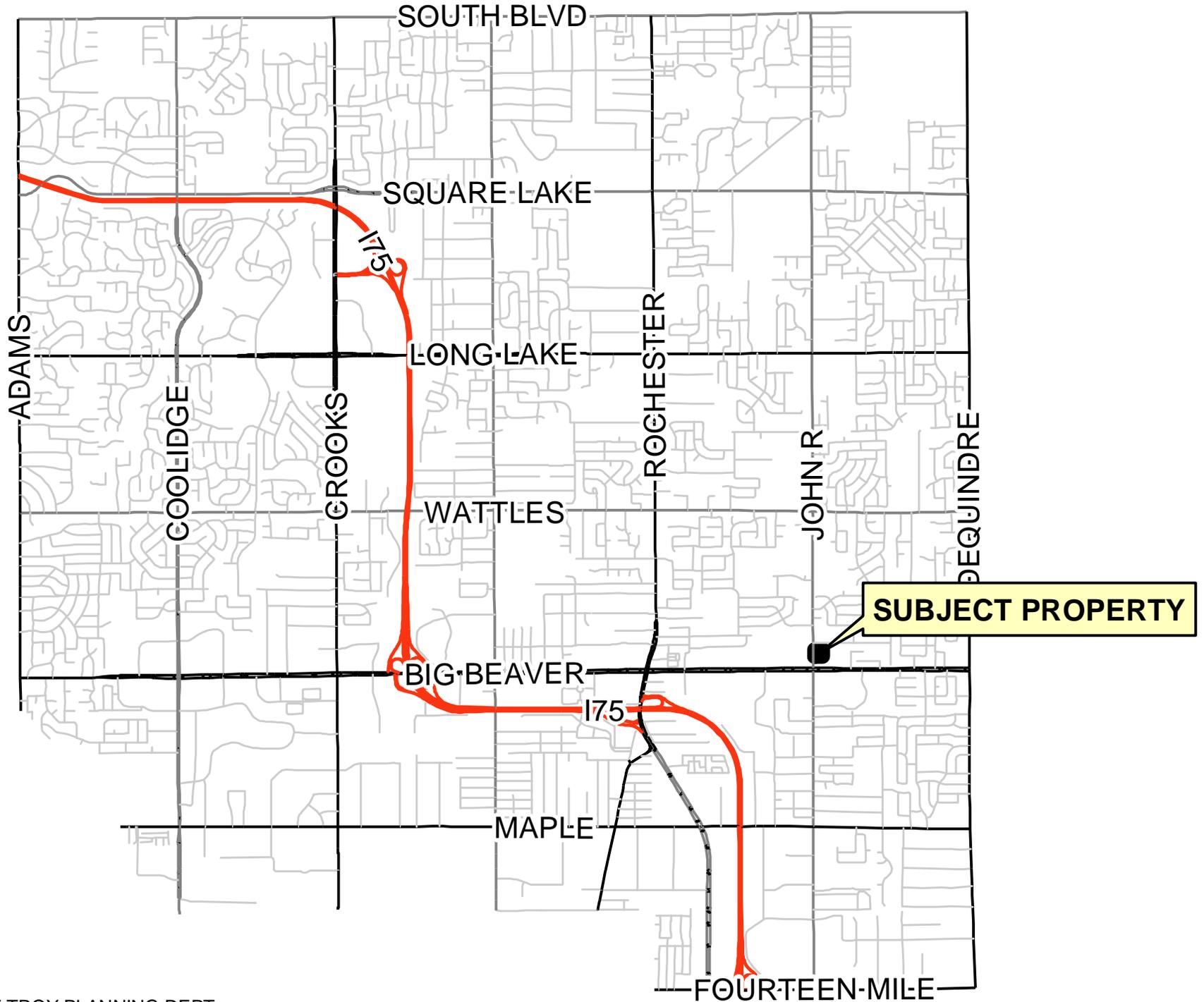
Attachments:

1. Maps.
2. Planning Commission report dated December 3, 2007.
3. Minutes (draft) from the December 11, 2007 Planning Commission Regular meeting.

Prepared by RBS/MFM

cc: Applicant
File /Z-677 B

CITY OF TROY

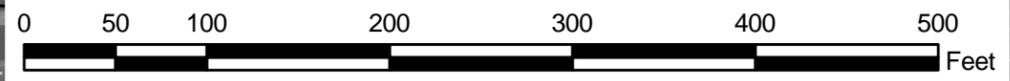


REZONING REQUEST
EXISTING DAYCARE & UTILITY SUB-STATION
FROM P-1 & R-1E TO B-1
E SIDE OF JOHN R, N OF BIG BEAVER
(2051 E. BIG BEAVER & 3080 JOHN R)
SEC. 24 (Z-677 B)

ORPINGTON

JOHN R

SUBJECT PARCEL



E BIG BEAVER

R-EC

REZONING REQUEST
EXISTING DAYCARE & UTILITY SUB-STATION
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ORPINGTON

CJ-31

R-1E

SUBJECT PARCEL

B-2

P-1

JOHN R

B-1

CJ-16

CJ-22

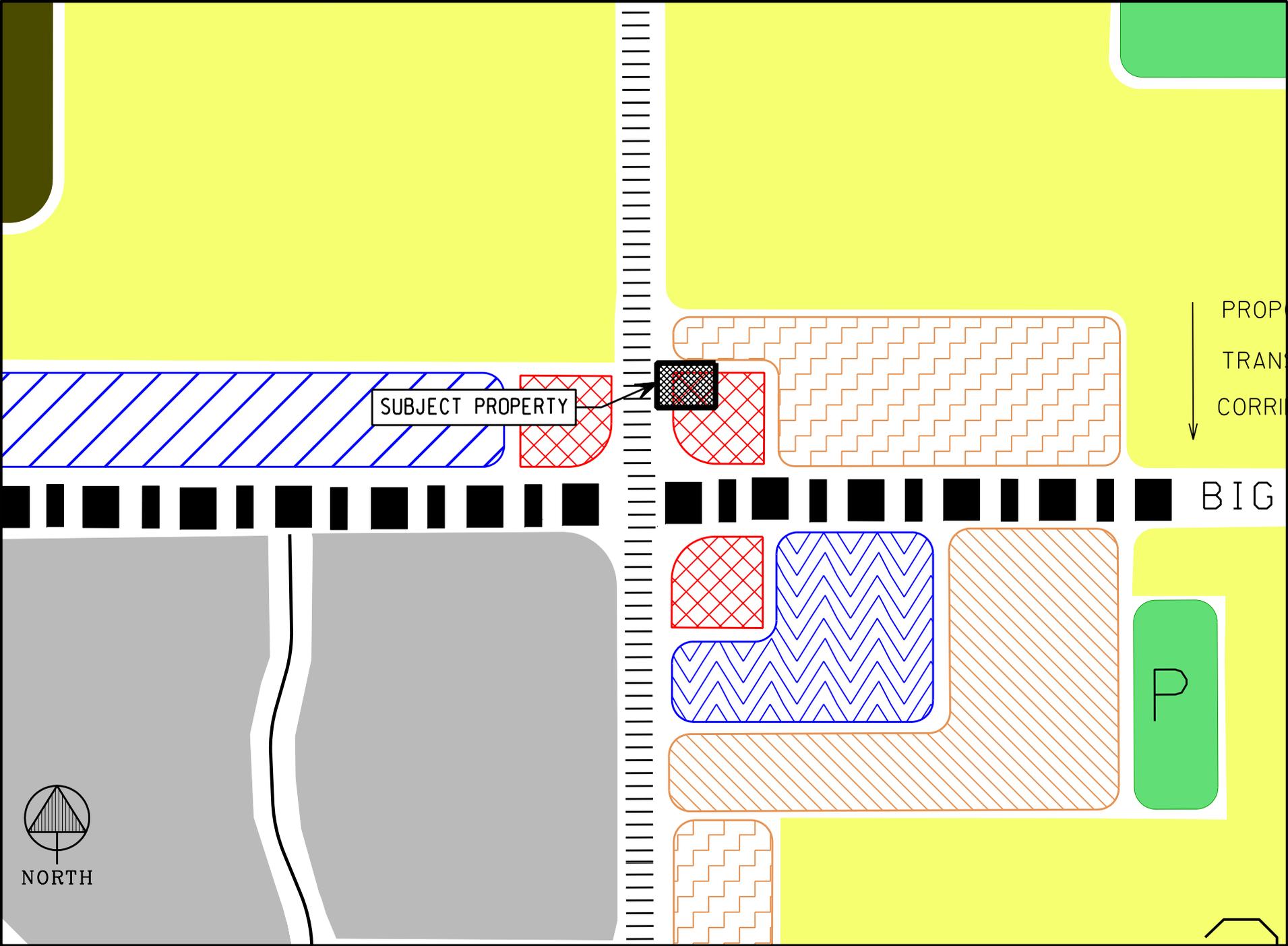
PUD #8 PUD

B-3

3



E BIG BEAVER



SUBJECT PROPERTY

PROP
TRAN
CORRI

BIG

P



NORTH

DATE: December 3, 2007

TO: Planning Commission

FROM: Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Ronald Figlan, Planner
Paula Preston Bratto, Planner

SUBJECT: PUBLIC HEARING – REZONING APPLICATION – Proposed Child Care Outdoor Play Area, East side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (Z 677 B)

GENERAL INFORMATION

Name of Owner / Applicant:

The owners are Grace Christian Learning Center LLC and Detroit Edison. The applicant is the City of Troy.

Location of Subject Property:

The property is located on the east side of John R and north of Big Beaver, in section 24.

Size of Subject Property:

The subject property is approximately 1.30 acres in area and is comprised of two separate parcels. The northern property is approximately 0.88 acres in size and is owned by Detroit Edison. The southern property is approximately 0.42 acres in size and is owned by Grace Christian Learning Center.

Current Use of Subject Property:

The northern portion of the subject property owned by Detroit Edison is used as a utility sub-station. The southern portion of the subject property owned by Grace Christian Learning Center is used as an off-street parking area for a child daycare facility.

Current Zoning Classification:

The northern portion of the subject property is zoned R-1E One Family Residential. The southern portion of the subject property is zoned P-1 Vehicular Parking.

Proposed Zoning of Subject Parcel:

B-1 Local Business.

Proposed Uses and Buildings on Subject Parcel:

Child care centers and utility buildings are permitted in the B-1 Local Business District. The northern portion of the subject property owned by Detroit Edison will continue to be used as a utility sub-station. The southern portion of the subject property owned by Grace Christian Learning Center will continue to be used as an off-street parking area and for a possible expansion of the existing child daycare facility.

Zoning Classification of Adjacent Parcels:

North: R-1E One Family Residential (one parcel controlled by consent judgment).

South: B-1 Local Business.

East: R-1E One Family Residential.

West: B-2 Community Business.

Current Use of Adjacent Parcels:

North: Medical office and single family residential.

South: Child care center.

East: Single family residential.

West: Grocery store.

ANALYSIS

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

PRINCIPAL USES PERMITTED:

Local retail businesses which supply commodities on the premises, for persons residing in adjacent residential areas, such as but not limited to: groceries, meats, dairy products, baked goods or other foods dispensed for consumption off the site, hardware, drugs and pharmaceuticals.

Specialty shops such as, but not limited to: antique shops, craft shops, and shops for the sale of gifts and notions.

Personal service establishments which perform services on the premises, such as, but not limited to: repair shops, beauty parlors and barber shops, and self-service laundries.

Dry cleaning establishments.

Business establishments which perform services on the premises such as but not limited to: banks, credit unions, savings and loan associations, loan companies, insurance companies, and real estate offices.

Professional services including the following: medical clinics, (out-patient only) and offices of doctors, dentists, osteopaths and similar or allied professions.

Post office and similar governmental office buildings, serving persons living in the adjacent residential area.

Other uses similar to the above uses.

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

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

City and school district buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations, and water and sewage pumping stations, without storage yards.

Nursery schools, day nurseries and child care centers (not including dormitories).

Incidental customer seating as an accessory to food sales establishments.

Vehicular and Non-motorized Access:

The parcel fronts on John R Road.

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 parcel is classified on the Future Land Use Plan as Local Service Area. The Local Service Area classification has a primary correlation with the B-1 Local Business District Zoning District. The application therefore is consistent with the intent of the Future Land Use Plan.

Compliance with Location Standards of the B-1 District:

There are no Location Standards for the B-1 Local Commercial District.

CITY MANAGEMENT RECOMMENDATION

The rezoning application is consistent with the intent of the Future Land Use Plan and compatible with abutting zoning districts and uses.

City Management recommends approval of the rezoning request.

cc: Applicant
File / Z 677 B

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REZONING REQUEST

6. **PUBLIC HEARING – REZONING APPLICATION (Z 677-B)** – Existing Grace Christian Child Care and DTE Sub-Station, East side of John R Road (2051 E. Big Beaver and 3080 John R), North of Big Beaver, Section 24, From P-1 (Vehicular Parking) and R-1E (One Family Residential) to B-1 (Local Business)

Mr. Tagle recused himself from discussion and vote on this item. He said his company has had a contractual relationship with an organization associated to the matter.

[Mr. Tagle exited the meeting.]

Mr. Miller presented a summary of the Planning Department report on the proposed City-initiated rezoning request, and reported it is the recommendation of City Management to approve the rezoning request.

Chair Schultz advised that five (5) affirmative votes are required for a recommendation of approval of the rezoning request, and asked Mr. Miller if the City would like to go forward with the request at this time.

Mr. Miller, as the City's representative, requested to go forward with the matter.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

There was brief discussion on:

- Required wall on small section of property abutting P-1.
- DTE's responsibility to put up wall on northern portion of site at the time of future site plan revisions.
- Effects of potential expansion of existing child care facility.

Resolution # PC-2007-12-179

Moved by: Troshynski

Seconded by: Wright

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1E and P-1 to B-1 rezoning request, located on the east side of John R, north of Big Beaver, within Section 24, being approximately 1.30 acres in size, be granted.

Yes: Hutson, Schultz, Strat, Troshynski, Wright

Absent: Littman, Vleck

MOTION CARRIED

[Mr. Tagle returned to meeting.]