

CITY COUNCIL ACTION REPORT

DATE: May 6, 2008

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Public Hearing – Rezoning Application – Proposed Troy Museum and Historic Village Expansion, North side of Wattles, West of Livernois, Section 16 – R-1B to C-F (File Number Z-730)

Background:

- A public hearing is scheduled for the May 12, 2008 City Council meeting.
- The Planning Commission recommended approval of the request to rezone the parcel to C-F at the March 11, 2008 Regular meeting.
- The parcel is classified on the Future Land Use Plan as Public and Quasi Public / Community Facilities. This classification correlates with the Community Facilities Zoning District in the Future Land Use Plan. The application therefore is consistent with the Future Land Use Plan.
- 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 I (Enhance the livability and safety of the community), III (Retain and attract investment while encouraging redevelopment) and V (Maintain relevance of public infrastructure to meet changing needs).

Options:

- City Council can approve or deny the rezoning application.

Attachments:

1. Maps.
2. Minutes from the March 11, 2008 Planning Commission Regular meeting.

Prepared by RBS/MFM

cc: Applicant
File /Z 730

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as the _____ amendment to the Zoning District Map of the Code of the City of Troy.

Section 2. Amendment

Section 05.20.00 of Chapter 39 is hereby amended to permit the zoning map of said code to be, and the same is hereby amended to delineate the subject parcel as C-F (Community Facilities), the following described property, to wit:

T2N, R11E, SE ¼ of Section 16

Lots 93 and 130, except the South 27.00 ft. taken for Wattles Rd., of "Lakewood Subdivision" (Liber 28, page 27 of Oakland County Records), Being more particularly described as: Commencing at the Southeast Corner of said Section 16; thence N 87°20'00" W 163.00 ft. and N 02°31'52" E 60.00 ft. and N 87°20'00" W 392.29 ft. to the east line of Lot 130 of said "Lakewood Subdivision" on the north right of way line of Wattles Road being the Point of Beginning; thence N 87°20'00" W, along said right of way line, 106.25 ft. to the west line of Lot 130 of said plat; thence N 02°39'18" E, along the west line of Lot 130 and Lot 93 of said plat, 379.28 ft. to the south line of Lange Ave.; thence S 87°21'41" E, along said south line, 106.25 ft. to the east line of Lot 93; thence S 02°39'18" W, along the east line of Lot 93 and Lot 130 of said plat, 379.33 ft. to the Point of Beginning. Containing 0.925 ac. more or less and being subject to all encumbrances of record. Parcel No. #88-20-16-478-026 & #88-20-16-478-027

The subject property is located on the north side of Wattles, west of Livernois, in Section 16, within the R-1B (One Family Residential) zoning district, being approximately 0.925 acres in size.

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new

prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any work, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

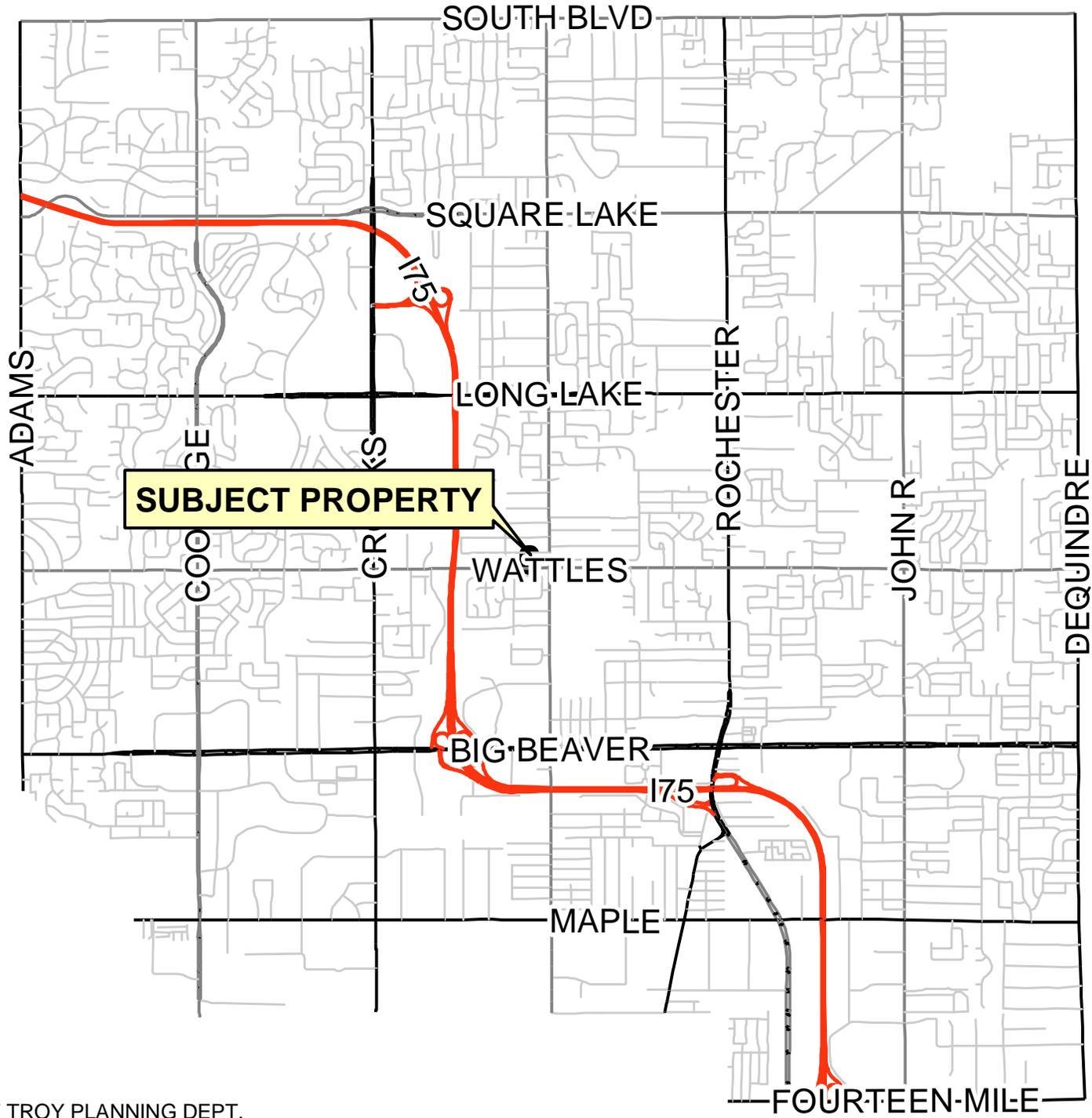
This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, Michigan, on _____, the _____ day of _____, _____.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk

PUBLISHED: _____

CITY OF TROY



REZONING REQUEST
TROY MUSEUM & HISTORIC VILLAGE EXPANSION
FROM R-1B TO C-F
N SIDE OF WATTLES, W OF LIVERNOIS
SEC. 16 (Z-730)

LEETONIA

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SUBJECT PARCEL

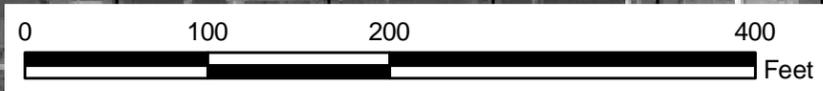
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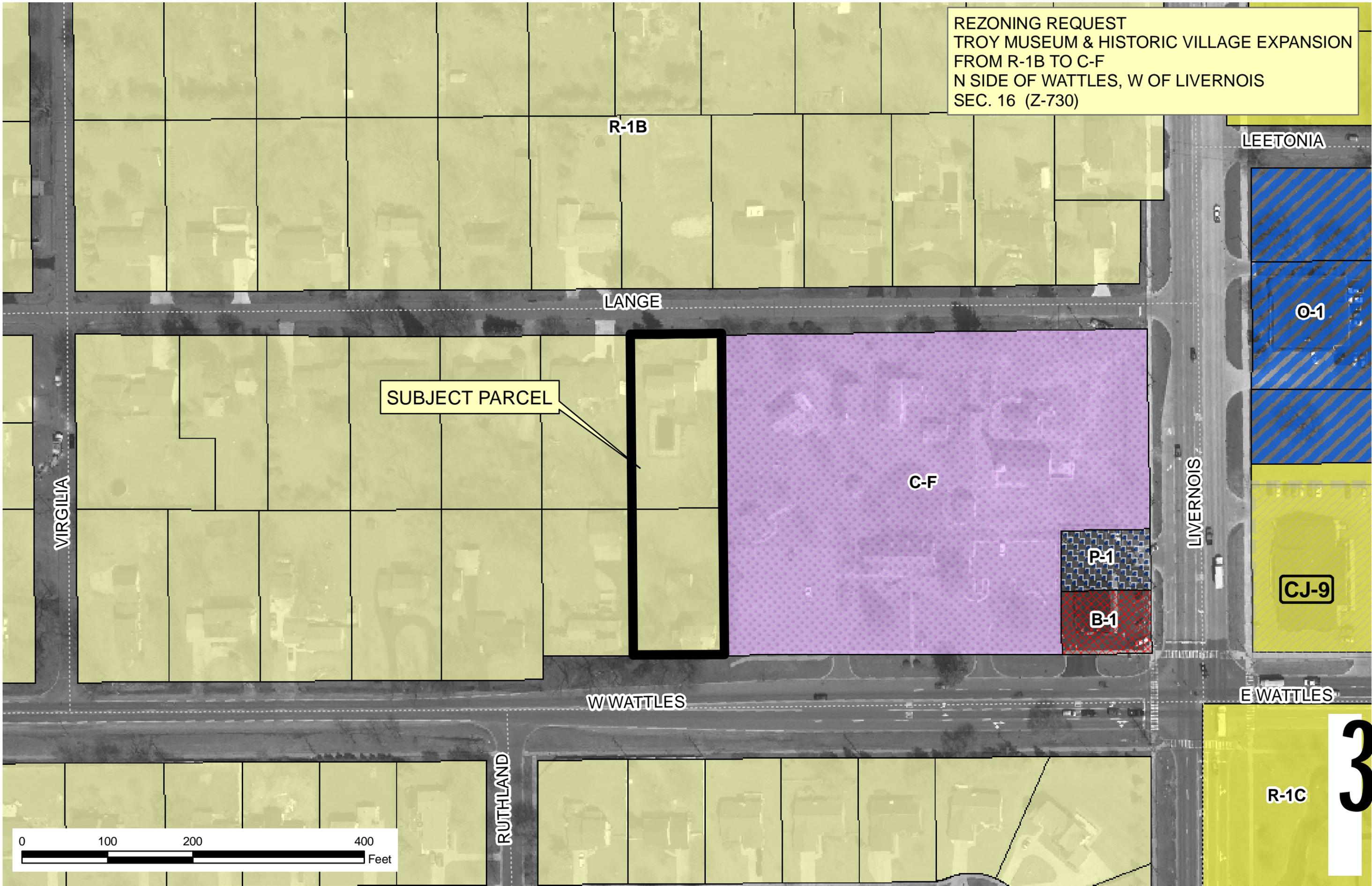
W WATTLES

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RUTHLAND



REZONING REQUEST
TROY MUSEUM & HISTORIC VILLAGE EXPANSION
FROM R-1B TO C-F
N SIDE OF WATTLES, W OF LIVERNOIS
SEC. 16 (Z-730)



REZONING REQUEST

7. **PUBLIC HEARING – REZONING APPLICATION (Z 730)** – Troy Museum and Historic Village Expansion, North side of Wattles, West of Livernois (109 Lange and 100 W. Wattles), Section 16, From R-1B (One Family Residential) to C-F (Community Facilities) District

Mr. Savidant presented a summary of the Planning Department report on the proposed rezoning application, and reported City Management recommends approval of the rezoning request. Mr. Savidant served as the petitioner on behalf of the City.

PUBLIC HEARING OPENED

John Lavender of 5849 Patterson Drive, Troy, was present. Mr. Lavender is a member of the Troy Historic Society and serves as co-chair of the Heritage Campaign Committee. Mr. Lavender offered to answer any questions the members might have.

PUBLIC HEARING CLOSED

Resolution # PC-2008-03-036

Moved by: Troshynski
Seconded by: Wright

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1B to C-F rezoning request, located on the north side of Wattles, west of Livernois, within Section 16, being approximately 0.925 acres in size, be granted.

Yes: All present (6)
Absent: Hutson, Vleck

MOTION CARRIED