DATE: August 4, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM – PUBLIC HEARING – REZONING APPLICATION (Z 705) – West side of Rochester Road, North of Creston, between Long Lake and Trinway, Section 10 – R-1C to R-1T

RECOMMENDATION

The proposed rezoning is consistent with the Future Land Use Plan and the proposed zoning district is compatible with abutting uses and zoning districts. The Planning Commission recommended approval of the rezoning request at the June 14, 2005 Regular Meeting. City Management recommends approval of the rezoning request.

GENERAL INFORMATION

Name of Owner / Applicant:
The owner is Delores Khatami. The applicant is Fadi Nassar.

Location of Subject Property:
The property is located on the west side of Rochester Road and north side of Creston, between Long Lake and Trinway, in section 10.

Size of Subject Parcel:
The parcel is approximately 29,040 square feet in area.

Current Use of Subject Property:
A single family home presently sits on the property.

Current Zoning Classification:
R-1C One Family Residential District.

Proposed Zoning of Subject Parcel:
R-1T One Family Attached District.

Proposed Uses and Buildings on Subject Parcel:
The applicant proposes to construct a 5-unit condominium development on the property.

Current Use of Adjacent Parcels:
North: Vacant.
South: Office and retail.
East: Single family residential.
West: Single family residential.

Zoning Classification of Adjacent Parcels:
North: R-1C One Family Residential.
South: B-2 Community Business.
East: R-1C One Family Residential.
West: R-1C One Family Residential.

ANALYSIS

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

PRINCIPAL USES PERMITTED:

All principal uses permitted and as regulated in the nearest R-1A through R-1E One Family Residential Districts.

Two family dwellings developed in accordance with the provisions of the Condominium Act, MCL 559.1, et seq.

One family attached dwellings as defined in sub-Section 04.20.44 developed in accordance with the provisions of the Condominium Act, MCL 559.1, et seq.

Accessory buildings and uses customarily incidental to the above principal uses.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:

Churches and other facilities normally incidental thereto.

Schools.

Child care centers.

Utility and public service buildings and uses.

Vehicular and Non-motorized Access:
The parcel fronts on Creston Avenue and Rochester Road, a major thoroughfare. The units will front on Creston and will face the back of a restaurant and an office building, including dumpsters. This may affect marketability.

Potential Storm Water and Utility Issues:
The applicant will be required to provide on-site storm water detention.

Natural Features and Floodplains:
The Natural Features Map indicates there is a drain located on the property. It will need to be determined during the site plan review process whether there are any wetlands on the property.

Compliance with Future Land Use Plan:
The Future Land Use Plan classifies the Rochester Road frontage in this area as Medium Density Residential. The Medium Density Residential classification correlates with the R-1T Zoning District in the Plan. The exact depth of the Medium Density Residential classification cannot be determined from the Future Land Use Plan because it is conceptual in nature. Creston appears to be the demarcation line between Community Service Area and Medium Density Residential. The subject parcel falls within the area designated as Medium Density Residential. The parcel is relatively small in area, however the applicant has provided a site plan that indicates it can be developed as an attached condominium development. The rezoning application is consistent with the Future Land Use Plan.

Compliance with Location Standards:

Article 12.40.01 states that the R-1T (One-family Attached Residential) District may be applied to property when one or more of the following conditions prevail:

(A) When the application of such a classification is consistent with the intent of the Master Land Use Plan, and therefore involves areas indicated as medium density or high density residential.

(B) When the application of such a classification would be an integral part of a planned residential development approach, such as a planned neighborhood development (34.50.00), wherein the overall density is consistent with the intent of the Master Land Use Plan.

The application meets the standard of (A) above and therefore meets the Location Standards of the R-1T District.

Attachments:
1. Maps.
2. Applicant Statement of Request.
3. Proposed Troy Condominium Development (conceptual site plan)
4. Minutes from the June 14, 2005 Planning Commission Regular Meeting.

PREPARED BY RBS/MFM

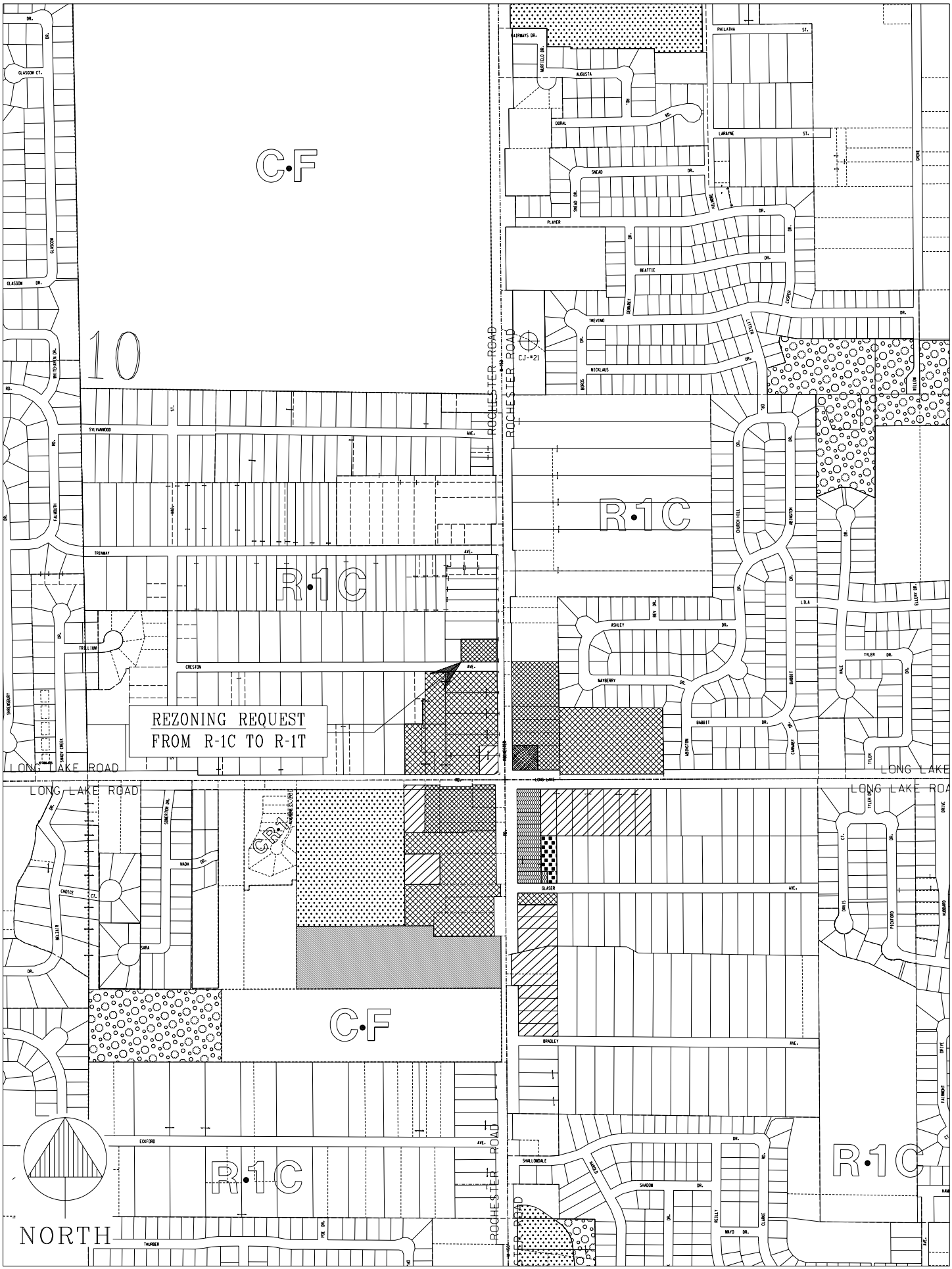
cc: Applicant
File (Z 705)

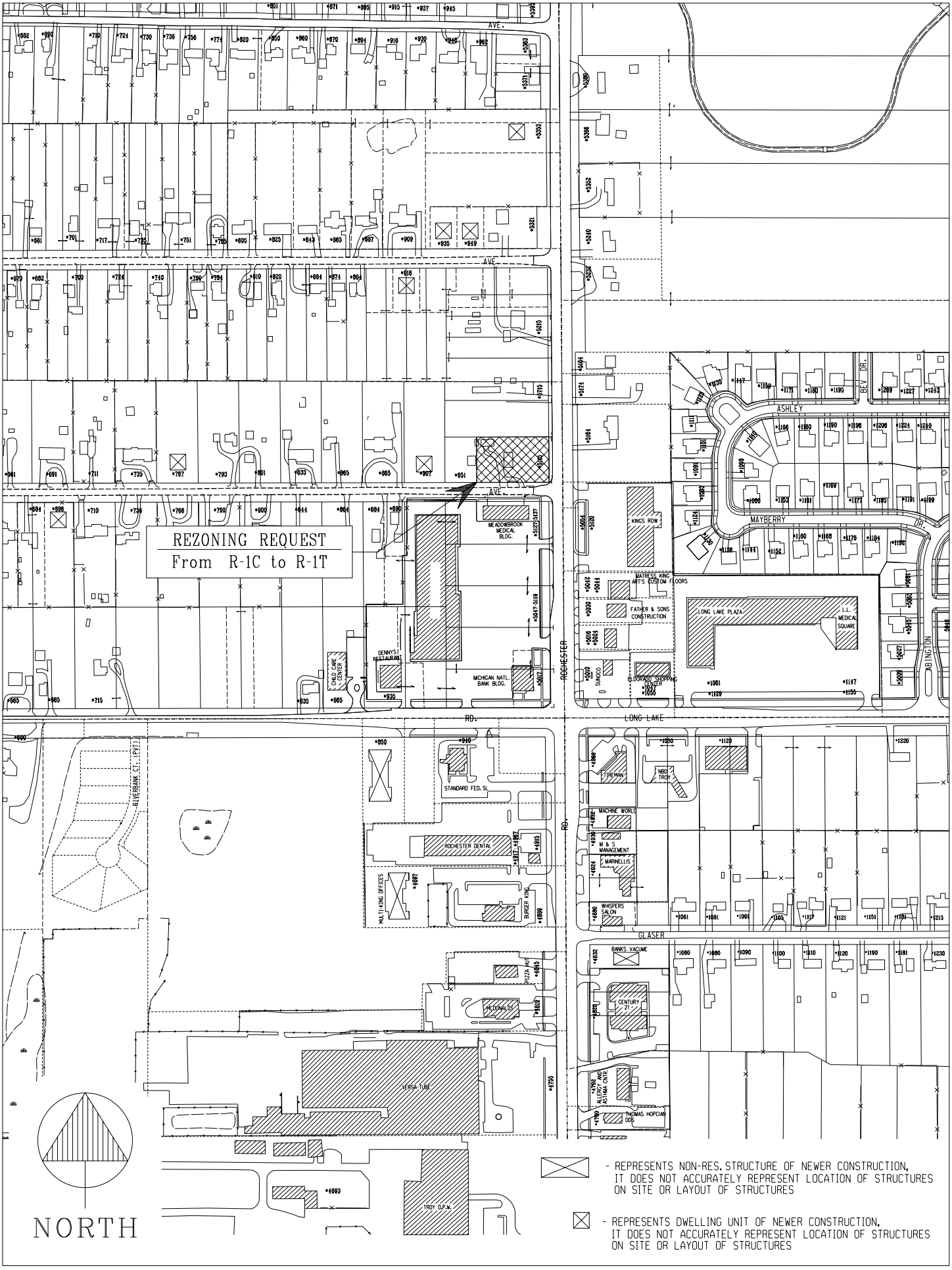
G:\REZONING REQUESTS\Z-705 Robin's Nest Sec 10\CC Public Hearing Robins Nest 08 15 05.doc

CITY OF TROY

PREPARED BY CITY OF TROY PLANNING DEPT.

REZONING REQUEST
PROPOSED ROBIN'S NEST CONDOMINIUM
FROM R-1C TO R-1T
NW CORNER OF ROCHESTER & CRESTON
SEC. 10 (Z-705)
REZONING REQUEST
FROM R-1C TO R-1T
TRINWAY
CRESTON
ROCHESTER
BEV
ASHLEY
MAYBERRY
BABBIT
ABINGTON
E LONG LAKE
Feet
0 50 100 200 300 400

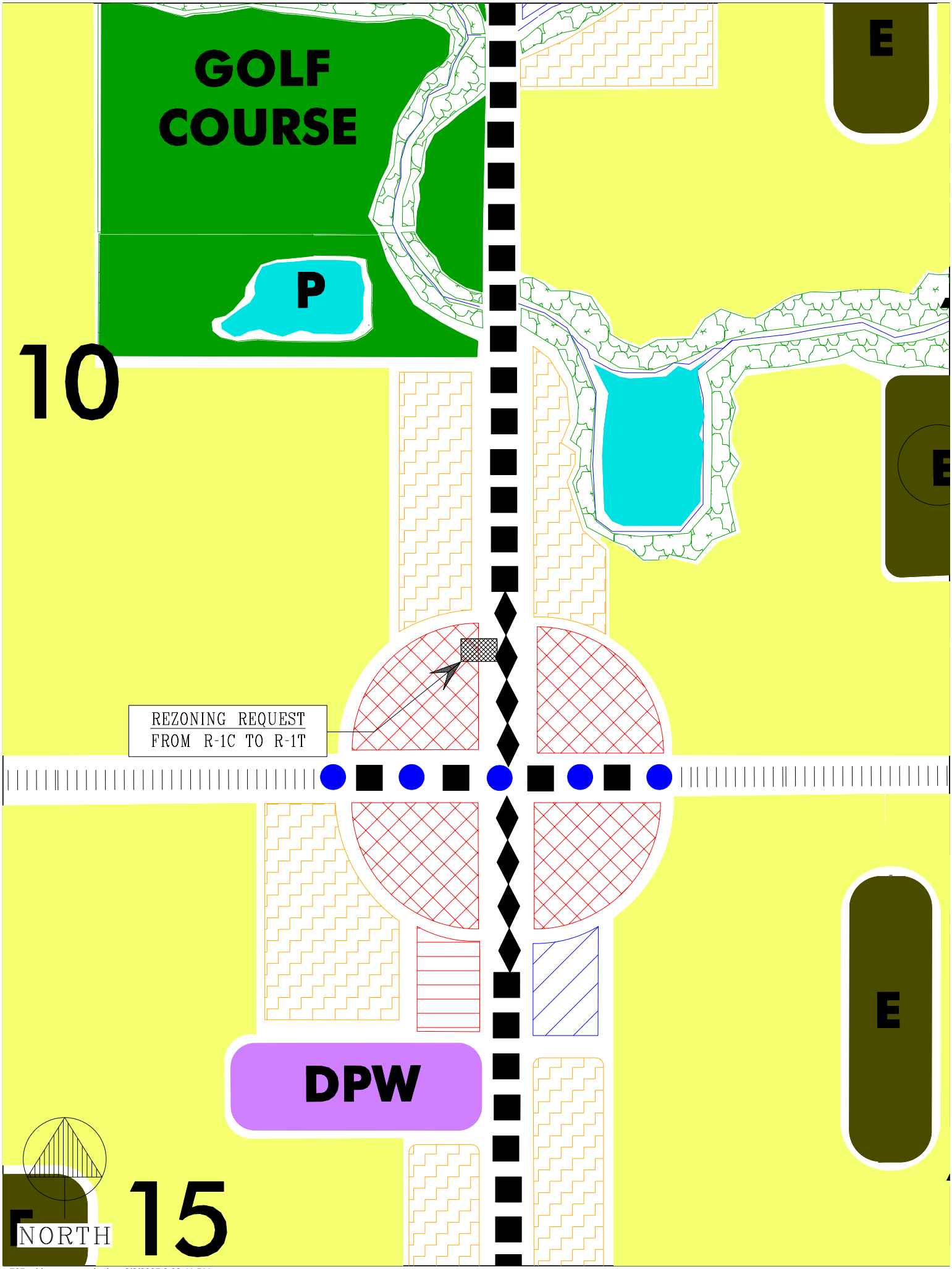

REZONING REQUEST
FROM R-1C TO R-1T
C·F
R·1C
CR·1
ROCHESTER ROAD
LONG LAKE ROAD
NORTH
10
CJ-#21
GLASGOW CT.
GLASGOW DR.
WHITEHAVEN DR.
SYLVANWOOD AVE.
FALMOUTH RD.
TRINWAY AVE.
TRILLIUM DR.
CRESTON AVE.
SHREWSBURY DR.
SHADY CREEK DR.
SOMERTON DR.
NADA DR.
CHOICE CT.
BELZAR DR.
SARA DR.
ECKFORD AVE.
THURBER DR.
PIG DR.
AIRWAYS DR.
MARFIELD DR.
AUGUSTA RD.
DORAL DR.
SNEAD DR.
PLAYER DR.
BEATTIE DR.
BENNETT DR.
TREVINO DR.
NICKLAUS DR.
BIRDS DR.
LITTLER DR.
COOPER DR.
PHILATHA ST.
LARAYNE ST.
GROVE DR.
WILLOW DR.
CHURCH HILL DR.
ABINGTON DR.
LILA DR.
ELLERY DR.
ASHLEY DR.
BLT DR.
MAYBERRY DR.
BABBIT DR.
CANAAN DR.
TYLER DR.
HALE DR.
GLASER AVE.
BRADLEY AVE.
DAVIS CT.
PICKFORD DR.
HOWARD DR.
SHALLONDALE DR.
SHADOW DR.
REILLY DR.
MAYO DR.
CLARE RD.
HAMPSHIRE DRIVE
FAIRMONT DRIVE



- REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES

- REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES

Z-705 / SEC. 10 / 05-23-05



z 705 robins nest condo.dgn 6/8/2005 3:09:41 PM

NASSAR ACQUISITIONS, LLC
6645 Schaefer Road
Dearborn, MI 48126
313-582-7781 phone 313-582-7791 facsimile
fnassar@sbcglobal.net

April 28, 2005

City of Troy Planning Department
500 W. Big Beaver Road
Troy, MI 48084

RE: Request to Rezone property located at
5115 Rochester Rd., Troy MI 48085

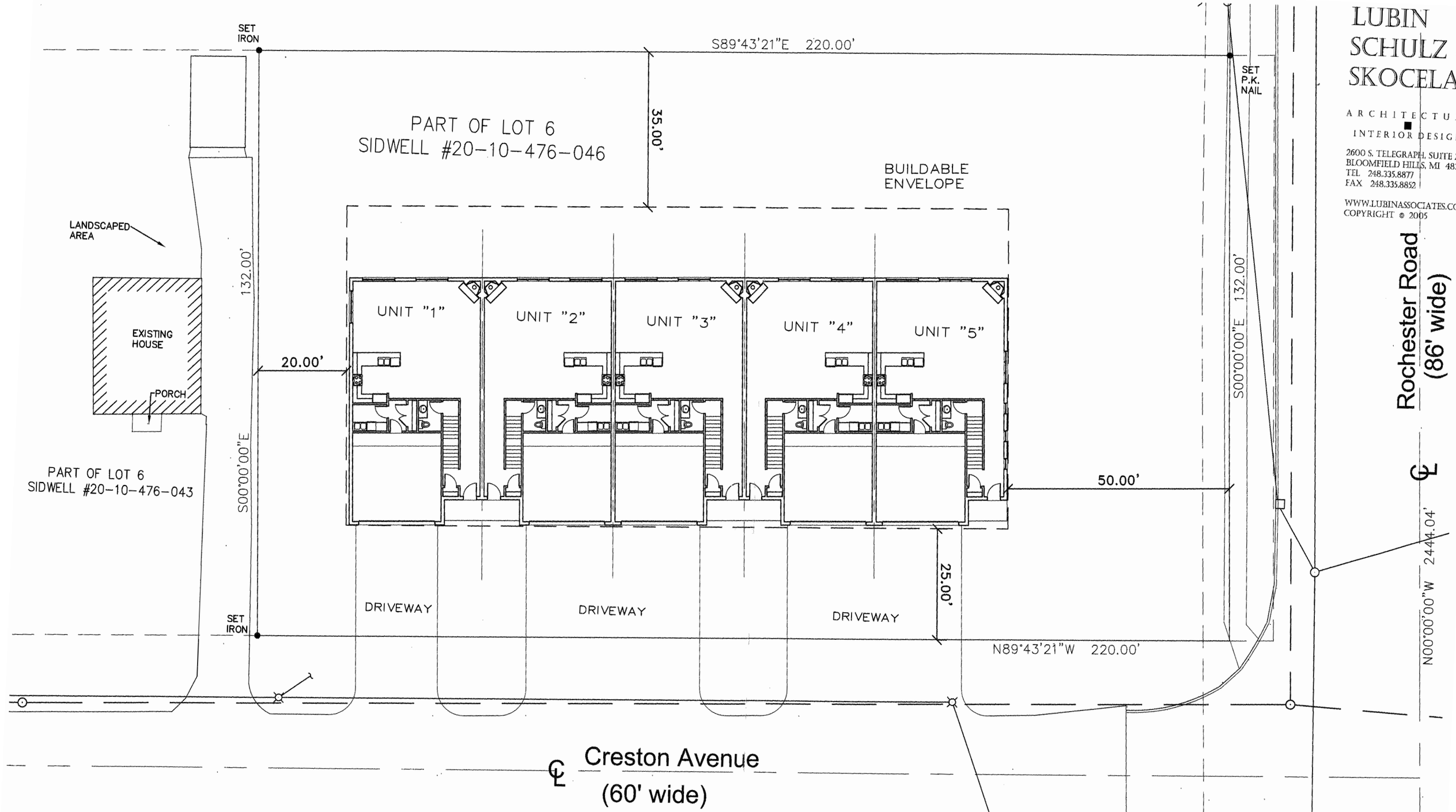
To Whom It May Concern:

We are proposing to build five upscale three bedroom, two and one half bath condominiums ranging from 2,000 to 2,200 square feet. Based on our study we believe that the market demand is present for condos with the above mentioned specifications. This project should add to the immediate area acting as a buffer from Rochester Road to the residential subdivision immediately surrounding the subject property.

Should you have any questions or concerns please feel free to contact me at any of the telephone numbers above.

Best regards,

Fredrick Nassar, President
Nassar Acquisitions



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PROPOSED TROY CONDOMINUM DEVELOPMENT

NASSAR ACQUISTIONS, LLC

SITE PLAN

SCALE : 1" = 20'

APRIL 25, 2005

9. PUBLIC HEARING – PROPOSED REZONING (Z 705) – Proposed Robin's Nest Condominium, North side of Creston, West side of Rochester, Section 10 – From R-1C to R-1T

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

The petitioner, Fadi Nassar of 930 Smith Avenue, Birmingham, was present. Mr. Nassar said the proposed high-end development would complement the area and act as a nice buffer.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2005-06-102
Moved by: Littman
Seconded by: Wright

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to R-1T rezoning request, located on the north side of Creston and west side of Rochester, within Section 10, being approximately 0.67 acres in size, be granted.

Yes: All present (9)

MOTION CARRIED