

CITY COUNCIL REPORT

DATE: September 12, 2008

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 – Rescinding of Concept Development Plan Approval – The Oasis at Centennial Park Planned Unit Development, South side of Long Lake and West side of John R, Section 14 – From Current Zoning of PUD #6 back to previous R-1C (File Number PUD 06)

Background:

- A public hearing is scheduled for the October 6, 2008 City Council meeting.
- The Planning Commission recommended approval of the request to rezone the parcel to R-1C at the September 9, 2008 Regular meeting.
- The parcel is classified on the Future Land Use Plan as Low Density Residential. 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.
- The attached Planning Commission memo outlines the rezoning application.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

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

Policy Considerations:

- The application is consistent with the following “Outcome Statement” as established at the July 1 Special Council meeting:
 - III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

Options:

- City Council can approve or deny the rezoning application.
- No City Council action until the October 6, 2008 public hearing.

Attachments:

1. Planning Commission report dated September 4, 2008.
2. Maps.
3. Minutes (draft) from the September 9, 2008 Planning Commission Regular meeting.
4. Letter from Stefano Mularoni.

Prepared by RBS/MFM

cc: Applicant
File /PUD 6

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DATE: September 4, 2008

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 REQUEST – Rescinding of Concept Development Plan Approval – The Oasis at Centennial Park Planned Unit Development, South side of Long Lake and West side of John R, Section 14 – From Current Zoning of PUD #6 back to previous R-1C

GENERAL INFORMATION

At the August 11, 2008 Regular meeting, City Council declared PUD #6 The Oasis at Centennial Park Planned Unit Development abandoned and rescinded Concept Development Plan Approval. Section 35.60.02 requires that the properties of rescinded PUD's be rezoned to an appropriate classification. The intent of this proposed rezoning is to return the properties to the previous R-1C One Family Residential Zoning District.

Name of Owner / Applicant:

The former PUD site was assembled from a number of smaller contiguous parcels which, at the time of Concept Development Plan application, were under the control of Oasis at Centennial Park, LLC. Oasis at Centennial Park, LLC however did not complete the purchase of all of the smaller properties comprising the PUD site. The current owners of the parcels, based on a search of Assessing records, are:

88-20-14-226-014 (1890 Long Lake) – Judith Kubert
88-20-14-226-015 (1910 Long Lake) – Sheila Gleason
88-20-14-226-016 (1946 Long Lake) –S. Mularoni and D. Borlace
88-20-14-226-020 (4927 John R) – Stefano Mularoni and David & Karen Borlace
88-20-14-226-021 (4907 John R) – Rosario & Gaudencia Saavedra
88-20-14-226-022 (4895 John R) – Cheryl L. Hamann
88-20-14-226-035 (4867 John R) – Mark W. & Patricia L. Weir

The applicant for rezoning is the City of Troy.

The principal of the PUD development group submitted a letter requesting consideration of rezoning to O-1, however he has not submitted a rezoning application at this time. Note that prior to considering a rezoning to O-1, the item would need to be advertised to inform the public of the potential to be rezoned to a more intensive zoning district.

Location of Subject Property:

The property is located on south side of Long Lake and west side of John R, in Section 14.

Size of Subject Property:

The former PUD site is comprised of 7 parcels totaling approximately 9.34 acres in size.

Current Use of Subject Property:

Seven (7) one-family residences on their own parcels currently sit on the former PUD site.

Current Zoning Classification:

PUD #6 Oasis at Centennial Park Planned Unit Development

Proposed Zoning of Subject Parcel:

The intent is to return the properties to the previous R-1C One Family Residential Zoning District.

Proposed Uses and Buildings on Subject Parcel:

The intent is to allow the existing single family homes to continue

Zoning Classification of Adjacent Parcels:

North: R-1C One Family Residential and Consent Judgment.

South: R-1C One Family Residential.

East: B-3 General Business and C-F Community Facilities.

West: R-1C One Family Residential.

Current Use of Adjacent Parcels:

North: Church.

South: Single family residential.

East: CVS Pharmacy, Retail Center and Police Fire Training Center.

West: Single family residential.

ANALYSIS

Range of Uses Permitted in the Proposed R-1C One Family Residential Zoning District and Potential Build-out Scenarios:

PRINCIPAL USES PERMITTED:

One-Family dwellings, as defined in Section 04.20.43.

Agriculture on those parcels of land separately owned outside the boundaries of either a proprietary or supervisor's plat, having an area of not less than five (5) acres.

Publicly owned and operated libraries, parks, parkways and recreational facilities.

Cemeteries which lawfully occupied land at the time of adoption of Ordinance 23.

Temporary buildings and uses for construction purposes for a period not to exceed one (1) year.

Accessory buildings, subject to the controls of Section 40.55.00.

Commercial Kennels as established before January 1, 2000, and set forth in the records of the Building Department.

The Open Space Preservation Option may be utilized in the R-1A and R-1B districts, to comply with MCL 125.3506, as amended, subject to the requirements of Section 34.60.00.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Home Occupations, as defined in Section 04.20.71.

Family Day Care Homes, as defined in Section 04.20.60.

Adult Foster Care Facilities as defined by Section 400.703 (4) of Act 218, of 1979 of the State of Michigan, as provided for by said Act and to the extent exempted from local regulation by Section 400.733 (Sec. 33) thereof, and by Section 206 of Act 110 of 2006 as amended (the Michigan Zoning Enabling Act).

Temporary placement of a mobile office unit for lot and home sales on the site of a new residential development.

Group Childcare Homes, as defined in Section 04.20.69.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:

Schools.

Child Care Centers, Nursery Schools or Day Nurseries (not including dormitories).

Churches and other facilities normally incidental thereto.

Golf courses, which may or may not be operated for profit.

Swimming pool clubs when incorporated as a non-profit club or organization maintaining and operating a swimming pool with a specified limitation of members, either by subdivision or other specified areas within the City of Troy, for the exclusive use of the members and their guests.

Private non-commercial recreational areas; institutional or community recreation centers.

Utility and public service buildings and uses (without storage yards).

Expansion of the buildings or facilities related to Commercial Kennels, as first permitted under Section 10.20.07.

Vehicular and Non-motorized Access:

The parcels front directly onto Long Lake and John R. Each single family home has an existing driveway on either Long Lake or John R.

There are existing 8 foot sidewalks on the south side of Long Lake and the west side of John R.

Potential Storm Water and Utility Issues:

Any potential future redevelopment would be required to provide on-site storm water detention.

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 application is consistent with the intent of the Future Land Use Plan.

Compliance with Location Standards:

The R-1C One Family Residential Zoning District does not have Location Standards to apply to rezoning requests.

CITY MANAGEMENT RECOMMENDATION

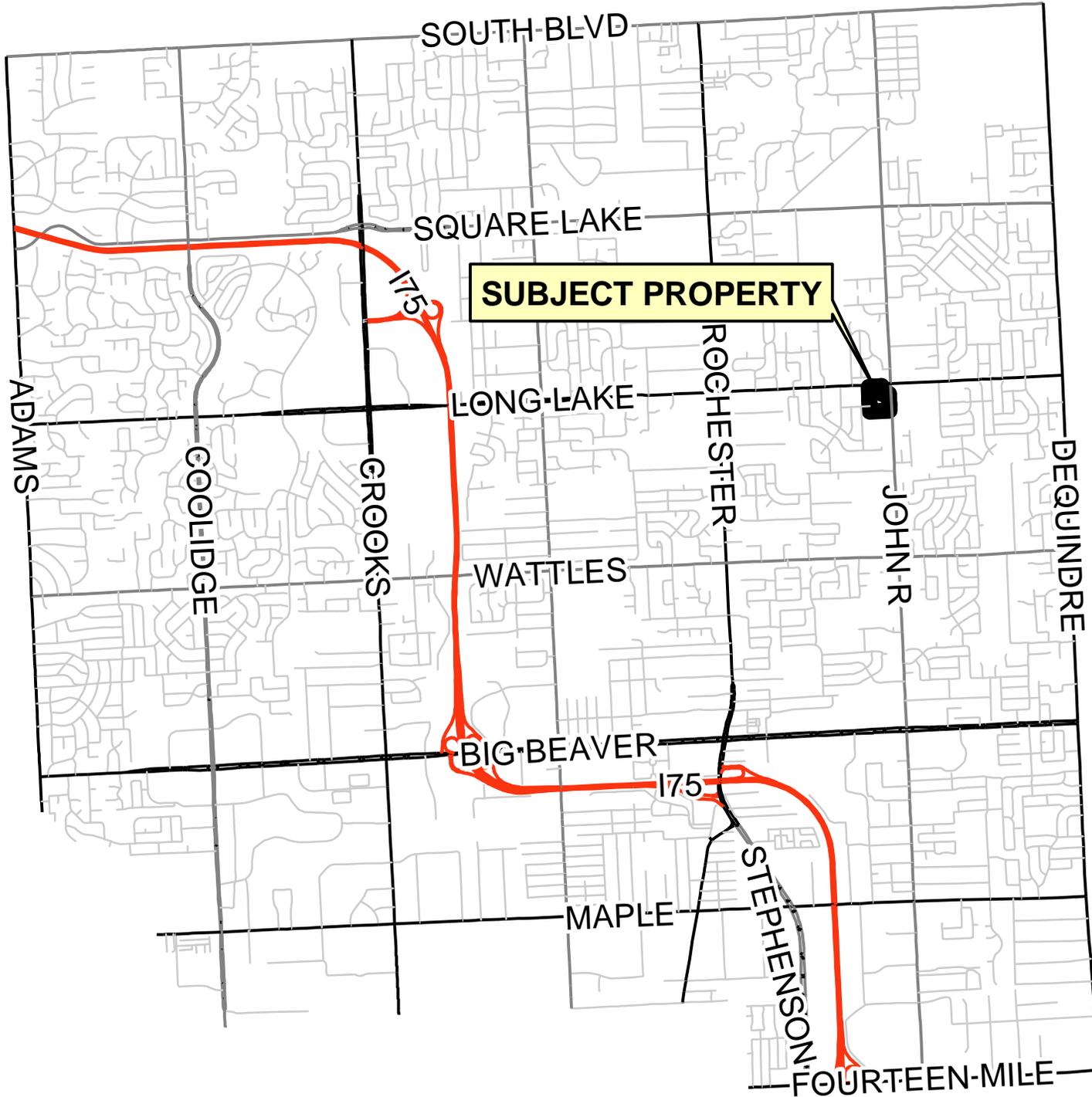
The rezoning application is consistent with the intent of the Future Land Use Plan and compatible with abutting zoning districts and uses. City Management recommends approval of the rezoning request.

Attachments:

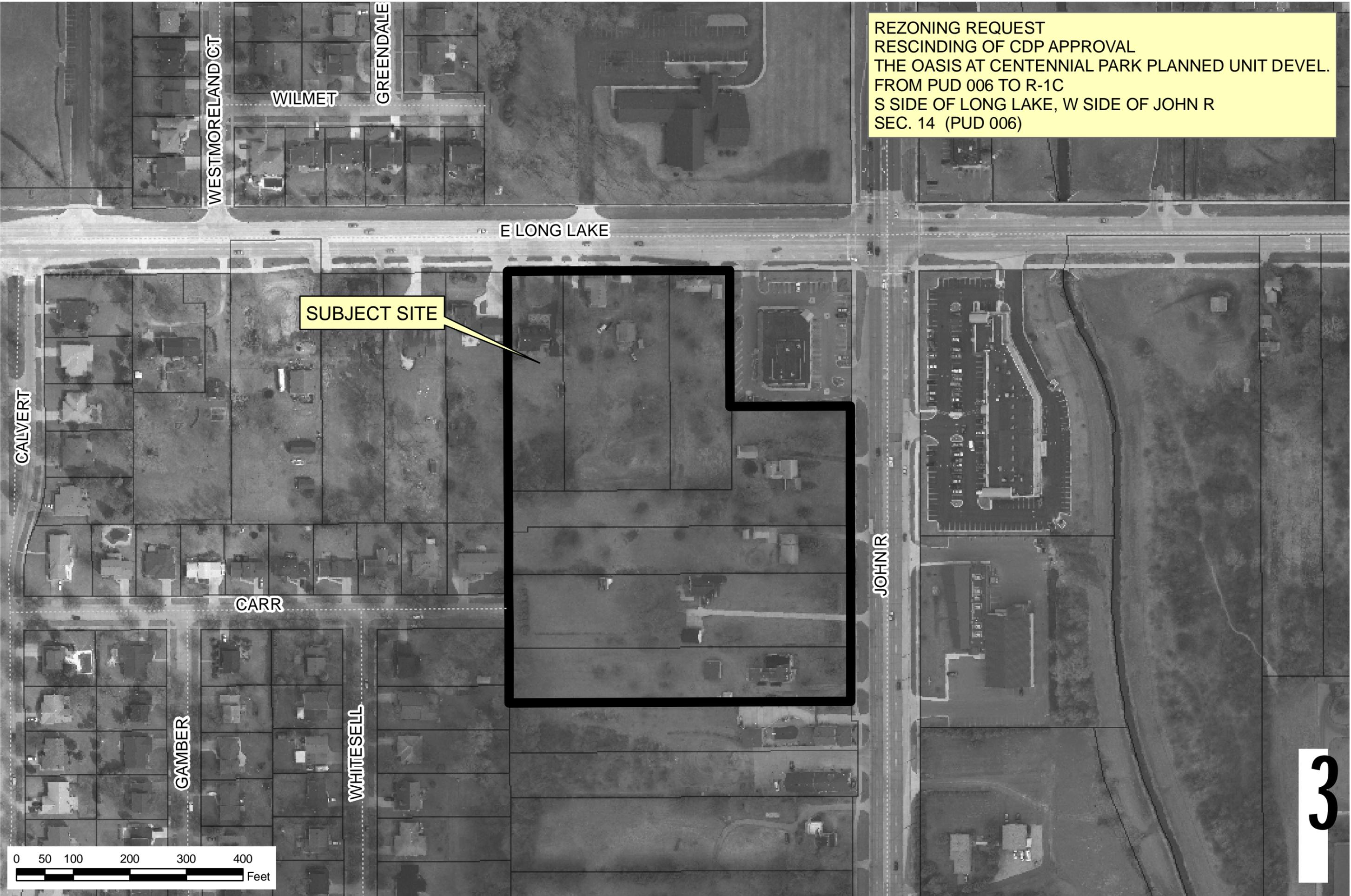
1. Maps.
2. Letter dated September 3, 2008.

cc: Applicant
File / PUD #6

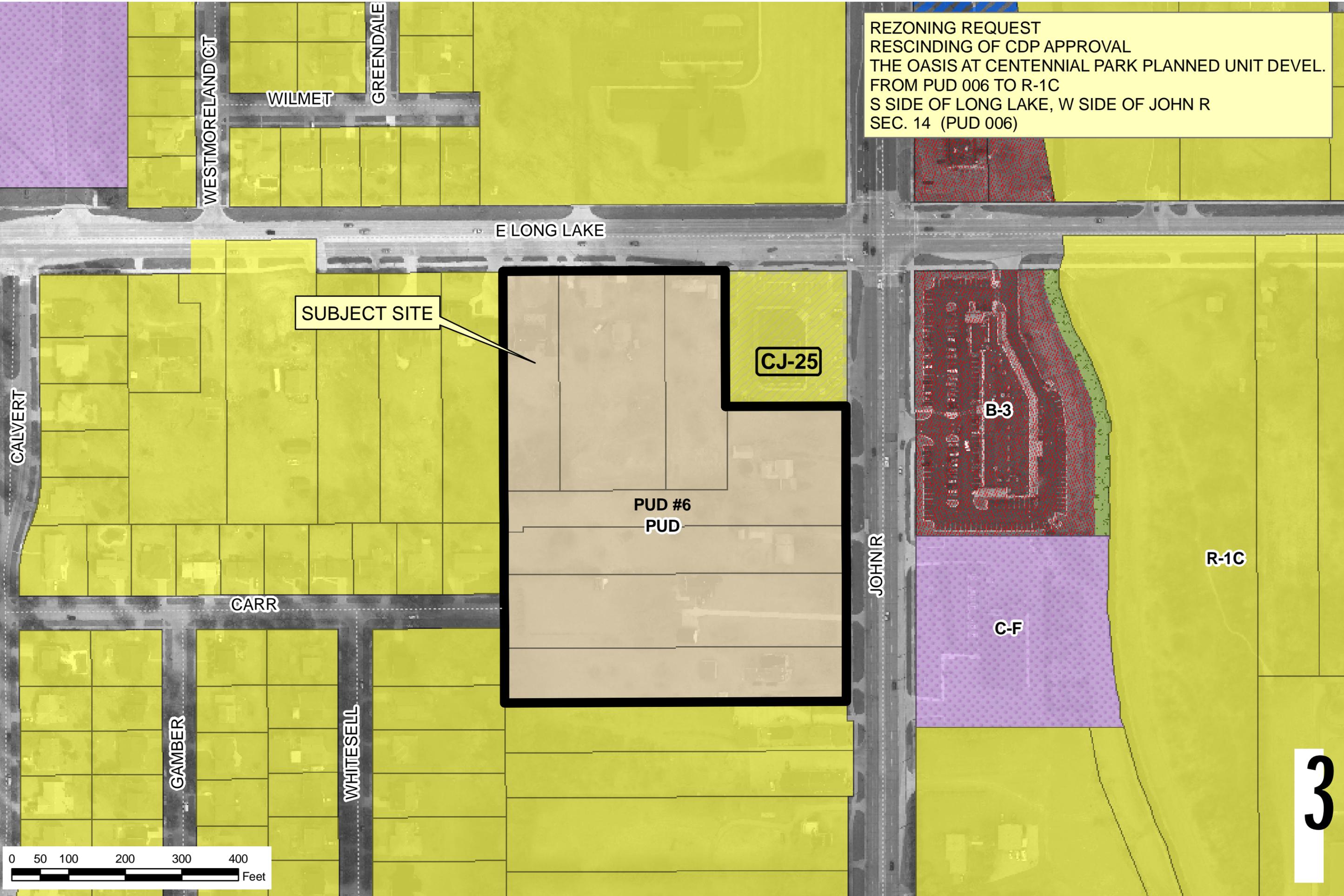
CITY OF TROY



REZONING REQUEST
RESCINDING OF CDP APPROVAL
THE OASIS AT CENTENNIAL PARK PLANNED UNIT DEVEL.
FROM PUD 006 TO R-1C
S SIDE OF LONG LAKE, W SIDE OF JOHN R
SEC. 14 (PUD 006)



REZONING REQUEST
RESCINDING OF CDP APPROVAL
THE OASIS AT CENTENNIAL PARK PLANNED UNIT DEVEL.
FROM PUD 006 TO R-1C
S SIDE OF LONG LAKE, W SIDE OF JOHN R
SEC. 14 (PUD 006)



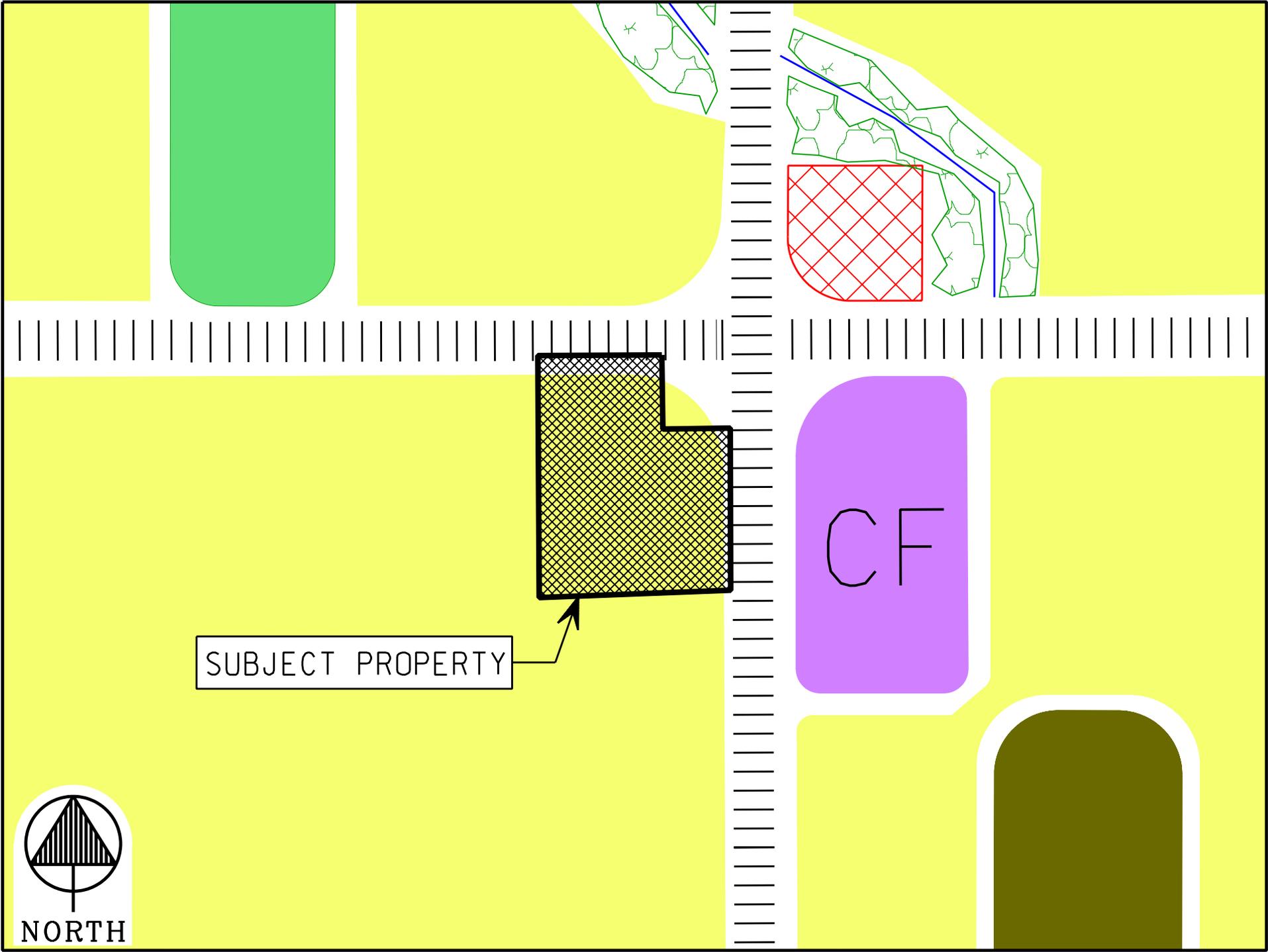
CJ-25

PUD #6
PUD

B-3

R-1C

C-F



SUBJECT PROPERTY

CF



NORTH

REZONING REQUEST

4. **PUBLIC HEARING – REZONING REQUEST (PUD 006)** – Abandonment of The Oasis at Centennial Park Planned Unit Development, South side of Long Lake Road, West side of John R Road, Section 14, From PUD 006 (The Oasis at Centennial Park Planned Unit Development) back to previous R-1C (One Family Residential) Zoning District

Mr. Savidant presented the item.

General discussion followed.

Steve Mularoni addressed the Planning Commission. Mr. Mularoni was a member of the development team that prepared the Concept Development Plan for PUD 6. Mr. Mularoni sent a letter to the Planning Commission indicating he owned two parcels of the former PUD parcel and controlled five parcels. He asked the Planning Commission to consider rezoning the parcel to O-1 so that medical offices could be developed on the site in the future.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2008-09-104

Moved by: Vleck

Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that the PUD 006 to R-1C rezoning request, located on the south side of Long Lake, west side of John R Road, within Section 14, being approximately 9.34 acres in size, be granted.

Yes: All present (7)

Absent: Sanzica, Wright

MOTION CARRIED

REC'D

AUG 03 2008

PLANNING DEPT.

September 3, 2008

Honorable City of Troy Council Members &
Mr. Mark Miller, City of Troy Planning Department
500 West Big Beaver
Troy, Michigan 48084

Dear Honorable Council Members & Mr. Miller:

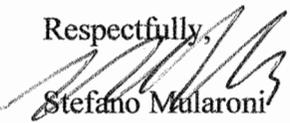
I am the principal of the development group that has, for several years now, worked in earnest to bring to success the PUD proposed for the southwest corner of Long Lake Road and John R Road. This PUD is comprised of seven (7) parcels and is highlighted in the attached location drawing. As you may recall this PUD was composed primarily of retail, restaurant, daycare, a senior facility and some office space.

Due to the economic challenges that our region has faced in the recent past and still faces today, we have been unable to bring this project forward in its present form. In light of the shifting retail environment and the contraction of the capital markets the large retail component of this PUD doesn't fit the commercial markets of today. On the brighter side, we have experienced a recurring interest from independent groups interested in for-purchase medical office space. Recently we have been working toward that end.

In the near future you will be presented with the termination of the aforementioned PUD and the possibility of revising the zoning for the included parcels to something other than the existing PUD zoning. I would like to encourage you to consider the "down-zoning" of these parcels to an office use that would allow for us to expedite our forthcoming project of single story, medical office condos, thus creating a medical campus in this central part of the city that can benefit from its close proximity to Beaumont Hospital. This proposed medical office project is composed of six (6) of the original seven (7) parcels of the present PUD.

This change in zoning to an office use will assist in expediting the proposed future project while preserving the flavor of the PUD that we together have worked hard on over the past couple of years.

Respectfully,


Stefano Mularoni

Centennial Development Group

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100' x 100'

50-14-228-0106
100' x 100'

50-14-228-0107
100' x 100'

50-14-228-0108
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50-14-228-0114
100' x 100'

L/T 801

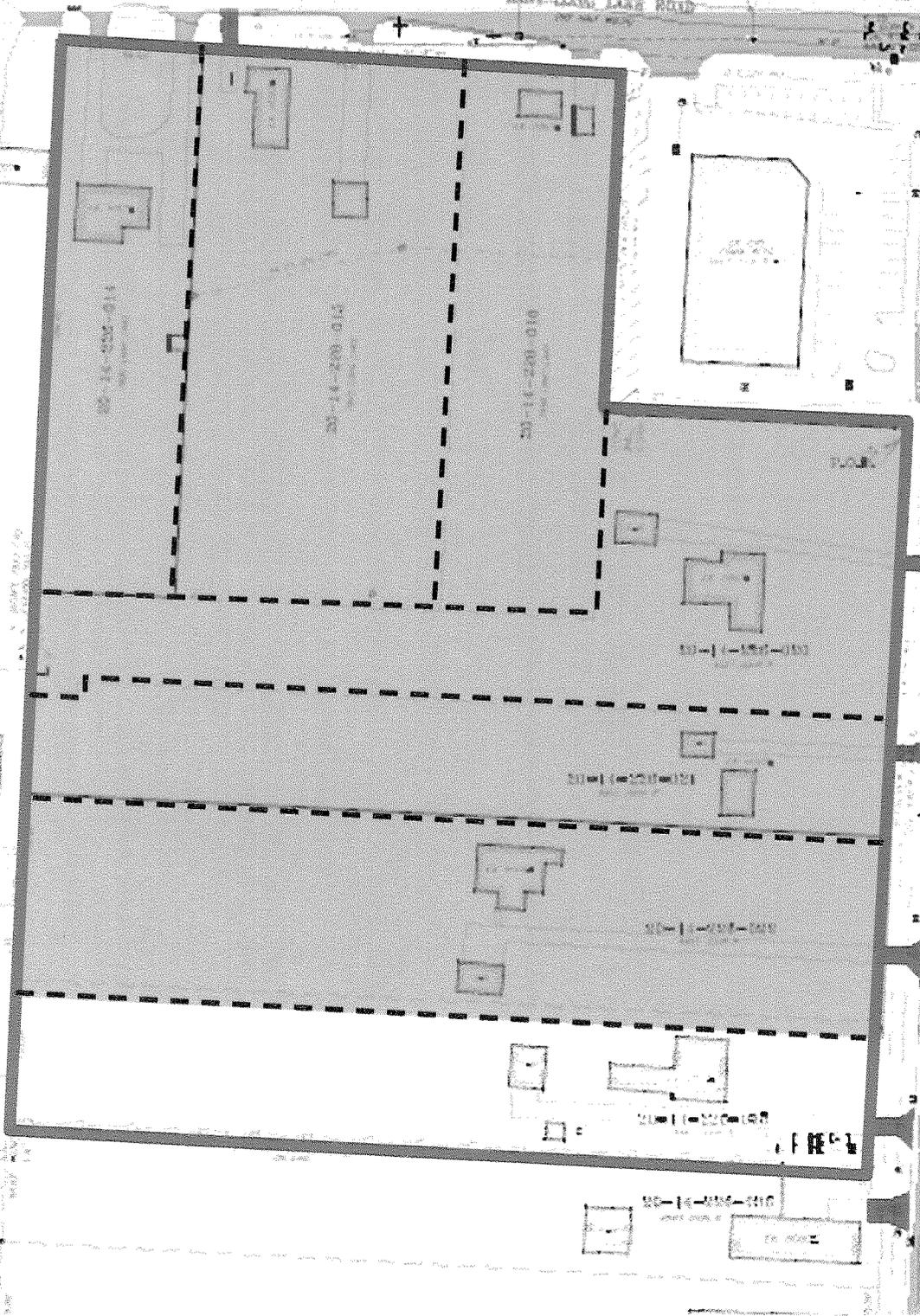
L/T 802

L/T 803

L/T 804

TUNG LUNG BRIDGE SUBDIVISION NO. 2
SUBDIVISION OF LOT 10-14-228-0105

ROAD DRIVE



50-14-228-0105
 100' x 100'
 50-14-228-0106
 100' x 100'
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