



CITY COUNCIL ACTION REPORT

DATE: October 15, 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 – 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:

- 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.

Attachments:

1. Planning Commission report dated September 4, 2008.
2. Maps.
3. Minutes from the September 9, 2008 Planning Commission Regular meeting.
4. Letter from Stefano Mularoni.
5. Public comment.

Prepared by RBS/MFM

cc: Applicant
File /PUD 6

G:\PUD's\PUD 006 Oasis at Centennial Park PUD\CC Public Hearing 10 20 08.doc

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 R-1C (One Family Residential), the following described property, to wit:

T2N, R11E, NE 1/4 of Section 14

Commencing at the Northeast corner of Section 14, thence S 03°00'59" W, 300.09 ft. (S 03°00'00" W, 300.00 ft. record) along the East line of Section 14 and centerline of John R Rd. (60 ft. half width); thence N 87°08'40" W, 60.00 ft. to the West right-of-way of John R Rd. (60 ft. half width) to the Point of Beginning; thence S 03°00'59" W, 520.12 ft. (S 03°00'00" W, 519.75 ft. record) along the West right-of-way of John R Rd. (60 ft. half width); thence N 86°55'32" W, 603.14 ft. (N 87°08'40" W, 603.32 ft. record) to the West line of the East ½ of the East ½ of the Northeast ¼ of Section 14, also being the East line of Long Lake Village Subdivision No. 2 (Liber 142, pgs. 20-21 of Oakland County Plats); thence N 02° 53'45" E, 757.91 ft. (N 02° 55'39" E, 759.75 ft. record) along the West line of the East ½ of the East ½ of the Northeast ¼ of Section 14, also being the East line of Long Lake Village Subdivision No. 2, in part, to the South right-of-way of East Long Lake Rd. (60 ft. half width); thence S 87°08'40" E, 392.24 ft. (391.78 ft. record) along the South right-of-way of East Long Lake Rd. (60 ft. half width); thence S 03°00'59" W, 240.09 ft. (S 03°00'00" W, 240.00 ft. record); thence S 87°08'40" E, 212.50 ft. to the West right-of-way of John R Rd. (60 ft. half width) and to the Point of Beginning. Containing ±9.35 acres more or less, and subject to easements of record.

The subject property is located on the south side of Long Lake Road and west of John R, in Section 14, within the PUD #6 (Planned Unit Development) zoning district, being approximately 9.35 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: _____

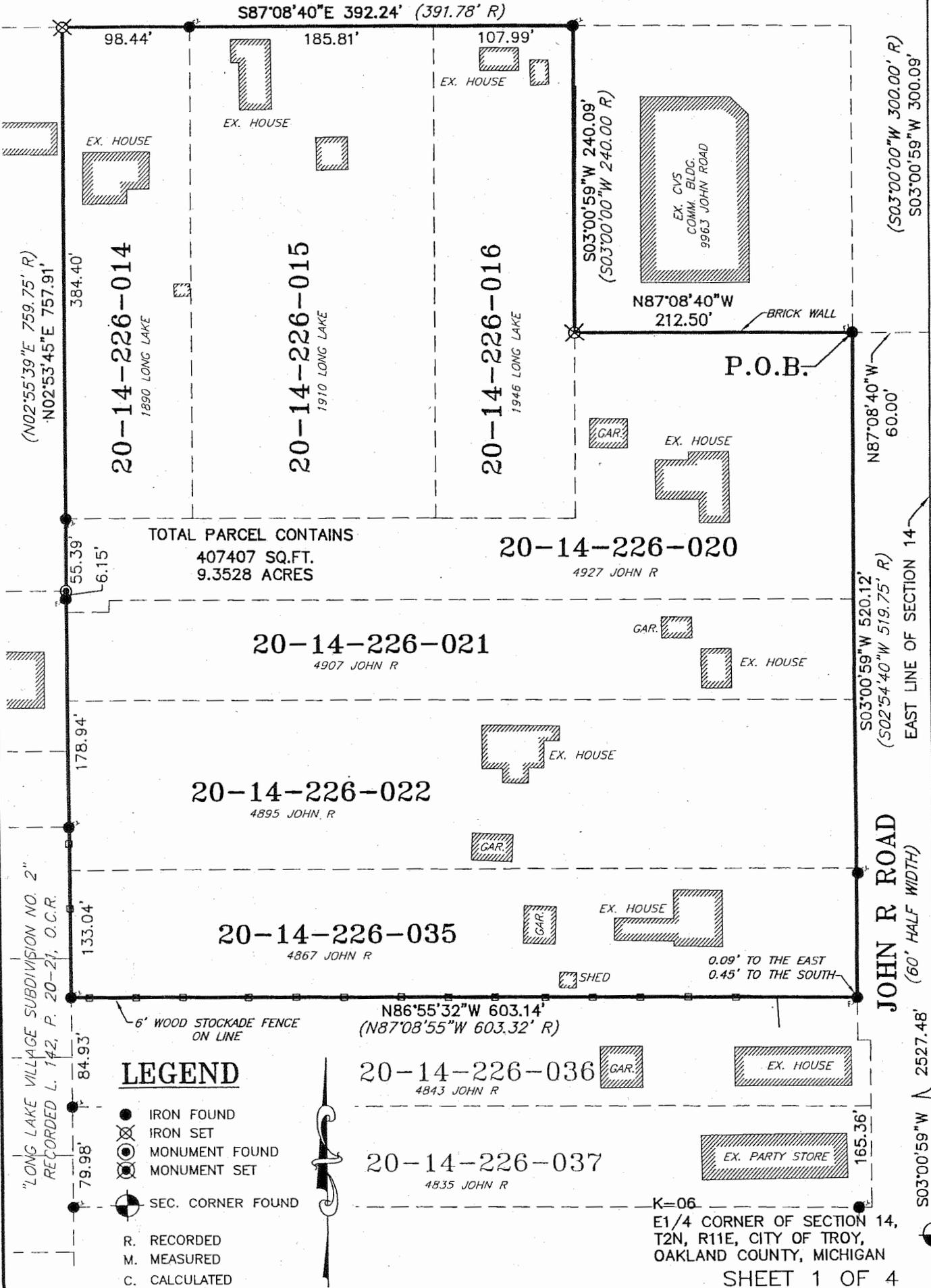
CERTIFICATE OF SURVEY

J-05
 N1/4 CORNER OF SECTION 14,
 T2N, R11E, CITY OF TROY,
 OAKLAND COUNTY, MICHIGAN

K-05
 NE CORNER OF SECTION 14,
 T2N, R11E, CITY OF TROY,
 OAKLAND COUNTY, MICHIGAN

EAST LONG LAKE ROAD

N87°08'40"W 2642.57' (60' HALF WIDTH)



LEGEND

- IRON FOUND
- ⊗ IRON SET
- ⊙ MONUMENT FOUND
- ⊘ MONUMENT SET
- ⊙ SEC. CORNER FOUND
- R. RECORDED
- M. MEASURED
- C. CALCULATED

"LONG LAKE VILLAGE SUBDIVISION NO. 2"
 RECORDED L. 142, P. 20-21, O.C.R.

(S03°00'00"W 300.00' R)
 S03°00'59"W 300.09' R
 N87°08'40"W 60.00'
 N87°08'40"W 60.00'
 S03°00'59"W 520.12'
 (S02°54'40"W 519.75' R)
 EAST LINE OF SECTION 14
 JOHN R ROAD
 (60' HALF WIDTH)
 S03°00'59"W 2527.46'

K-06
 E1/4 CORNER OF SECTION 14,
 T2N, R11E, CITY OF TROY,
 OAKLAND COUNTY, MICHIGAN
 SHEET 1 OF 4

CLIENT OASIS AT CENTENNIAL PARK, LLC	PROJECT NO.	06-634
	DATE	04-10-07
SCALE 1" = 100'	DRAWN BY J.A.E.	CHECKED BY R.L.H.

FAZAL KHAN & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313
 PHONE (586) 739-8007 FAX (586) 739-6994

04-10-07 RLH

06-634 THE OASIS AT CENTENNIAL PARK LLC BOUNDARY SURVEY

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-035)

PART OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT S03°00'00"W 722.25 FEET AND N87°08'40"W 60.00 FEET FROM THE NE SECTION CORNER; THENCE N87°08'40"W 603.24 FEET; THENCE S02°56'40"W 97.50 FEET; THENCE S87°08'40"E 603.15 FEET TO THE WEST LINE OF JOHN R ROAD; THENCE N03°00'00"E 97.50 FEET TO THE POINT OF BEGINNING.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 4867 JOHN R ROAD OR SIDWELL NO. 20-14-226-035.

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-022)

THE SOUTH 131.25 FEET OF THE NORTH 722.25 FEET OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, EXCEPT THE EAST 60 FEET TAKEN FOR JOHN R ROAD RIGHT OF WAY.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 4895 JOHN R ROAD OR SIDWELL NO. 20-14-226-022.

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-021)

PART OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT S03°00'00"W 507 FEET FROM THE NE SECTION CORNER; THENCE N87°08'40"W 630.64 FEET; THENCE S02°55'00"W 9 FEET; THENCE N87°08'40"W 33 FEET; THENCE S03°00'00"W 75 FEET; THENCE S87°08'40"E 663.50 FEET; THENCE N03°00'00"E 84 FEET TO THE POINT OF BEGINNING, EXCEPT THE EAST 60 FEET TAKEN FOR JOHN R ROAD RIGHT OF WAY.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 4907 JOHN R ROAD OR SIDWELL NO. 20-14-226-021.

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-020)

PART OF THE NE1/4 OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT S03°00'00"W 300 FEET AND N87°08'40"W 60 FEET FROM THE NE SECTION CORNER; THENCE N87°08'40"W 212.50 FEET; THENCE S03°00'00"W 144.50 FEET; THENCE N87°08'40"W 391.25 FEET; THENCE S02°55'00"W 71.50 FEET; THENCE S87°08'40"E 33 FEET; THENCE N02°55'00"E 9 FEET; THENCE S87°08'40"E 570.64 FEET; THENCE N03°00'00"E 207 FEET TO THE POINT OF BEGINNING.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 4927 JOHN R ROAD OR SIDWELL NO. 20-14-226-020.

CLIENT OASIS AT CENTENNIAL PARK, LLC	PROJECT NO. 06-634	 FAZAL KHAN & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 43279 SCHOENHERR STERLING HEIGHTS, MI 48313 PHONE (586) 739-8007 FAX (586) 739-6994
	DATE 04-10-07	
SCALE	DRAWN BY J.A.E.	CHECKED BY R.L.H.

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-016)

PART OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT N87°08'40"W 272.50 FEET FROM THE NE SECTION CORNER; THENCE S03°00'00"W 444.50 FEET; THENCE N87°08'40"W 108 FEET; THENCE N03°00'00"E 444.50 FEET; THENCE S87°08'40"E 108 FEET TO THE POINT OF BEGINNING, EXCEPT THE NORTH 60 FEET TAKEN FOR EAST LONG LAKE ROAD RIGHT OF WAY.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 1946 EAST LONG LAKE ROAD OR SIDWELL NO. 20-14-226-016.

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-015)

PART OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT N87°08'40"W 380.50 FEET FROM THE NE SECTION CORNER; THENCE S03°00'00"W 444.50 FEET; THENCE N87°08'40"W 185.25 FEET; THENCE N02°55'00"E 444.50 FEET; THENCE S87°08'40"E 186 FEET TO THE POINT OF BEGINNING, EXCEPT THE NORTH 60 FEET TAKEN FOR EAST LONG LAKE ROAD RIGHT OF WAY.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 1910 EAST LONG LAKE ROAD OR SIDWELL NO. 20-14-226-015.

DESCRIPTION OF PROPERTY (FROM RECORD 20-14-226-014)

THE NORTH 444.5 FEET OF THE WEST 98 FEET OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, EXCEPT THE NORTH 60 FEET TAKEN FOR EAST LONG LAKE ROAD RIGHT OF WAY.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

ALSO KNOWN AS 1890 EAST LONG LAKE ROAD OR SIDWELL NO. 20-14-226-014.

DESCRIPTION OF PROPERTY (COMBINED)

PART OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NE CORNER OF SECTION 14; THENCE S03°00'59"W 300.09 FEET (S03°00'00"W 300.00 FEET RECORD) ALONG THE EAST LINE OF SECTION 14 AND CENTERLINE OF JOHN R ROAD (60 FEET HALF WIDTH); THENCE N87°08'40"W 60.00 FEET TO THE WEST RIGHT OF WAY OF JOHN R ROAD (60 FEET HALF WIDTH) FOR A POINT OF BEGINNING; THENCE S03°00'59"W 520.12 FEET (S03°00'00"W 519.75 FEET RECORD) ALONG THE WEST RIGHT OF WAY OF JOHN R ROAD (60 FEET HALF WIDTH); THENCE N86°55'32"W 603.14 FEET (N87°08'40"W 603.32 FEET RECORD) TO THE WEST LINE OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 14, ALSO BEING THE EAST LINE OF "LONG LAKE VILLAGE SUBDIVISION NO. 2", AS RECORDED IN LIBER 142 OF PLATS, PAGES 20-21, OAKLAND COUNTY RECORDS; THENCE N02°53'45"E 757.91 FEET (N02°55'39"E 759.75 FEET RECORD) ALONG THE WEST LINE OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 14, ALSO BEING THE EAST LINE OF "LONG LAKE VILLAGE SUBDIVISION NO. 2", IN PART; TO THE SOUTH RIGHT OF WAY OF EAST LONG LAKE ROAD (60 FEET HALF WIDTH); THENCE S87°08'40"E 392.24 FEET (391.78 FEET RECORD) ALONG THE SOUTH RIGHT OF WAY OF EAST LONG LAKE ROAD (60 FEET HALF WIDTH); THENCE S03°00'59"W 240.09 FEET (S03°00'00"W 240.00 FEET); THENCE S87°08'40"E 212.50 FEET TO THE WEST RIGHT OF WAY OF JOHN R ROAD (60 FEET HALF WIDTH) AND TO THE POINT OF BEGINNING. CONTAINING 407407 SQUARE FEET OR 9.3528 ACRES, MORE OR LESS.

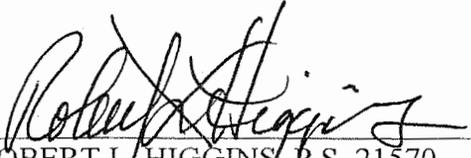
SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS, IF ANY.

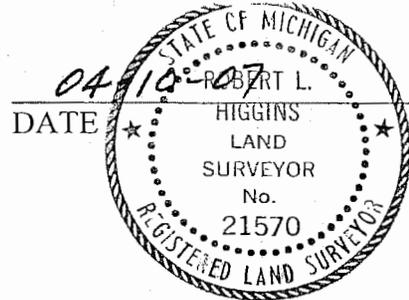
CLIENT OASIS AT CENTENNIAL PARK, LLC	PROJECT NO.	06-634	
	DATE	04-10-07	
SCALE	DRAWN BY J.A.E.	CHECKED BY R.L.H.	 FAZAL KHAN & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 43279 SCHOENHERR STERLING HEIGHTS, MI 48313 PHONE (586) 739-8007 FAX (586) 739-6994

CERTIFIED TO

THE OASIS AT CENTENNIAL PARK, LLC
48593 HAYES ROAD
SHELBY TOWNSHIP, MICHIGAN 48316
1-586-247-2255

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE SURVEY; THAT THIS DRAWING IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED; THAT SAID SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE OF 1 IN 5000; AND THAT THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF SECTION 3, ACT NO. 132, P.A. OF 1970, AS AMENDED.


ROBERT L. HIGGINS, P.S. 21570
FAZAL KHAN AND ASSOCIATES, INC.
43279 SCHOENHERR ROAD
STERLING HEIGHTS, MICHIGAN 48313
1-586-739-8007



BEARING DATA ORIGINATES FROM THE NORTH LINE OF A SURVEY BY LANDWEHR & ASSOCIATES, JOB NO. L517-05B, DATED 01-17-06 AND REVISED 06-01-06.

THIS PROPERTY LIES WITHIN AN AREA DESIGNATED AS ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2 % ANNUAL CHANCE FLOODPLAIN) AS DEPICTED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 260180 0553 F, DATED SEPTEMBER 29, 2006, PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SECTION CORNER WITNESSES

K-05 NE CORNER OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN. FOUND REMON DISC IN MONUMENT BOX AT THE INTERSECTION OF LONG LAKE ROAD AND JOHN R ROAD.

- N70°E 122.26' PK NAIL & TAG IN SW SIDE OF UTILITY POLE
- S53°W 87.85' TOP CENTER OF NUT ON FIRE HYDRANT
- N45°E 92.37' PK NAIL & TAG IN SE SIDE OF UTILITY POLE
- S40°E 81.04' PK NAIL & TAG IN SW SIDE OF UTILITY POLE

K-06 E1/4 CORNER OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN. FOUND REMON DISC IN MONUMENT BOX IN CENTERLINE OF JOHN R ROAD.

- N80°W 45.27' PK NAIL & TAG IN N SIDE OF GUY POLE
- S21°E 120.18' PK NAIL & TAG IN W SIDE OF POWER POLE
- EAST 52.03' PK NAIL & TAG IN S SIDE OF POWER POLE
- S21°W 100.70' TOP CENTER OF NUT ON FIRE HYDRANT

J-05 N1/4 CORNER OF SECTION 14, T2N, R11E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN. FOUND REMON DISK IN MONUMENT BOX IN CENTERLINE OF LONG LAKE ROAD.

- N10°W 53.01' MAG NAIL IN W FACE OF UTILITY POLE
- N69°E 147.73' MAG NAIL & TAG IN W FACE OF UTILITY POLE
- S69°E 145.10' MAG NAIL & TAG IN N FACE OF UTILITY POLE
- S11°E 30.63' CHISELED "+" ON WATERMAIN GATE VALVE AND WELL

SHEET 4 OF 4

CLIENT OASIS AT CENTENNIAL PARK, LLC	PROJECT NO. 06-634	 FAZAL KHAN & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 43279 SCHOENHERR STERLING HEIGHTS, MI 48313 PHONE (586) 739-8007 FAX (586) 739-6994
	DATE 04-10-07	
SCALE	DRAWN BY J.A.E.	CHECKED BY R.L.H.

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

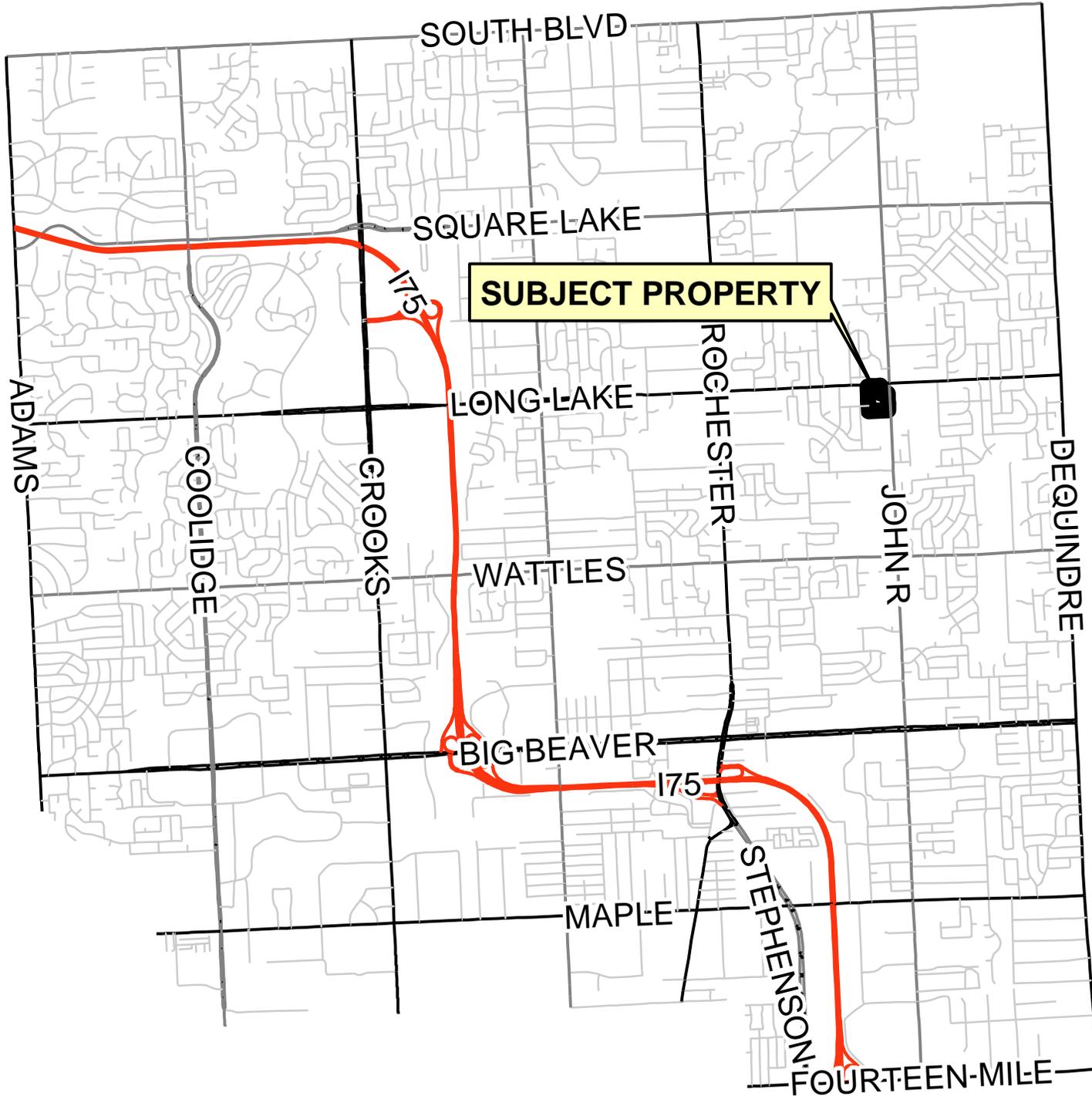
The rezoning application is consistent with the intent of the Future Land Use Plan and compatible with abutting zoning districts and uses. City Management recommends approval of the rezoning request.

Attachments:

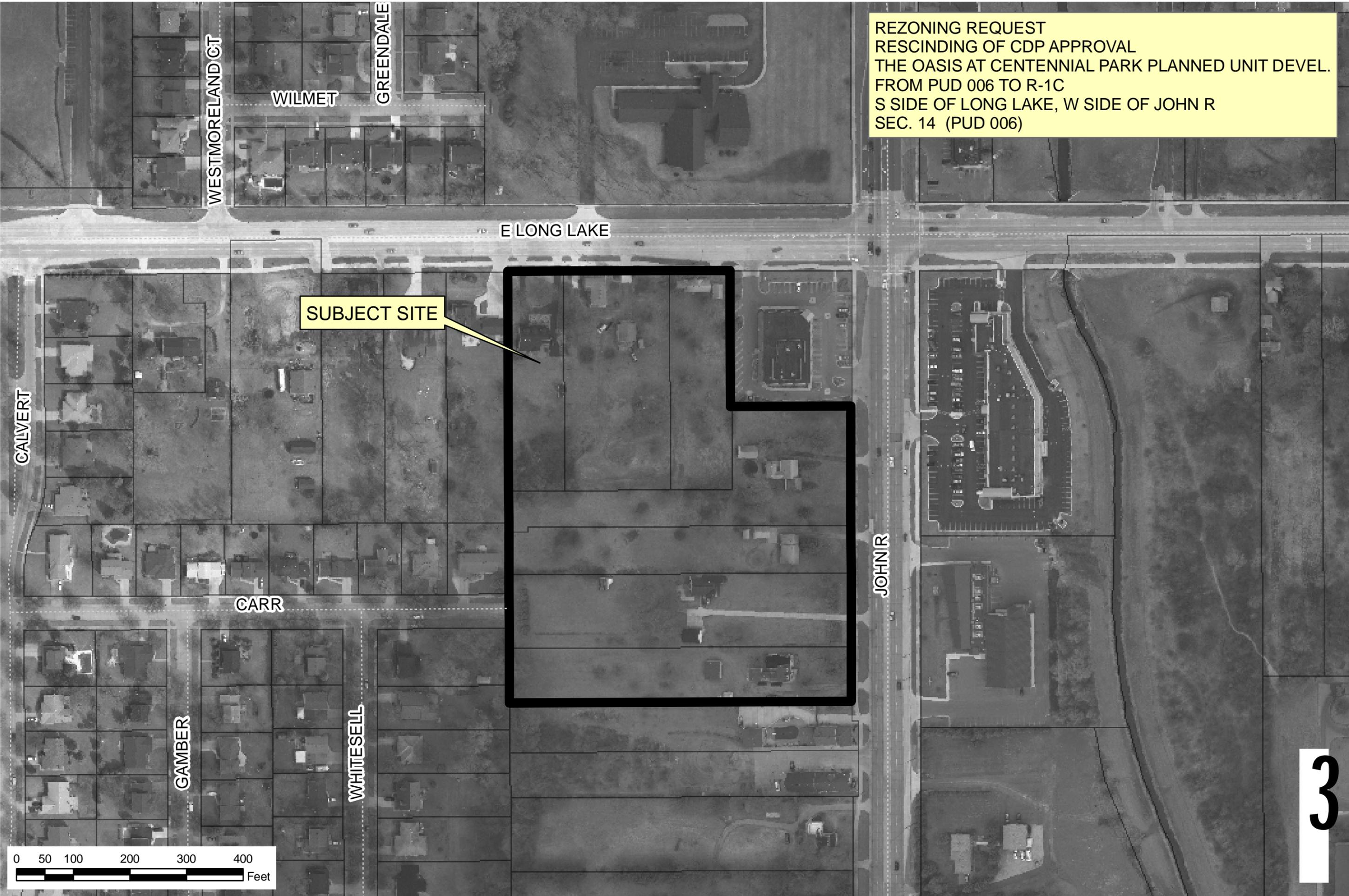
1. Maps.
2. Letter dated September 3, 2008.

cc: Applicant
File / PUD #6

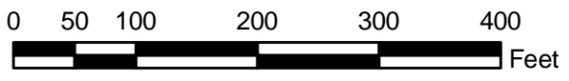
CITY OF TROY



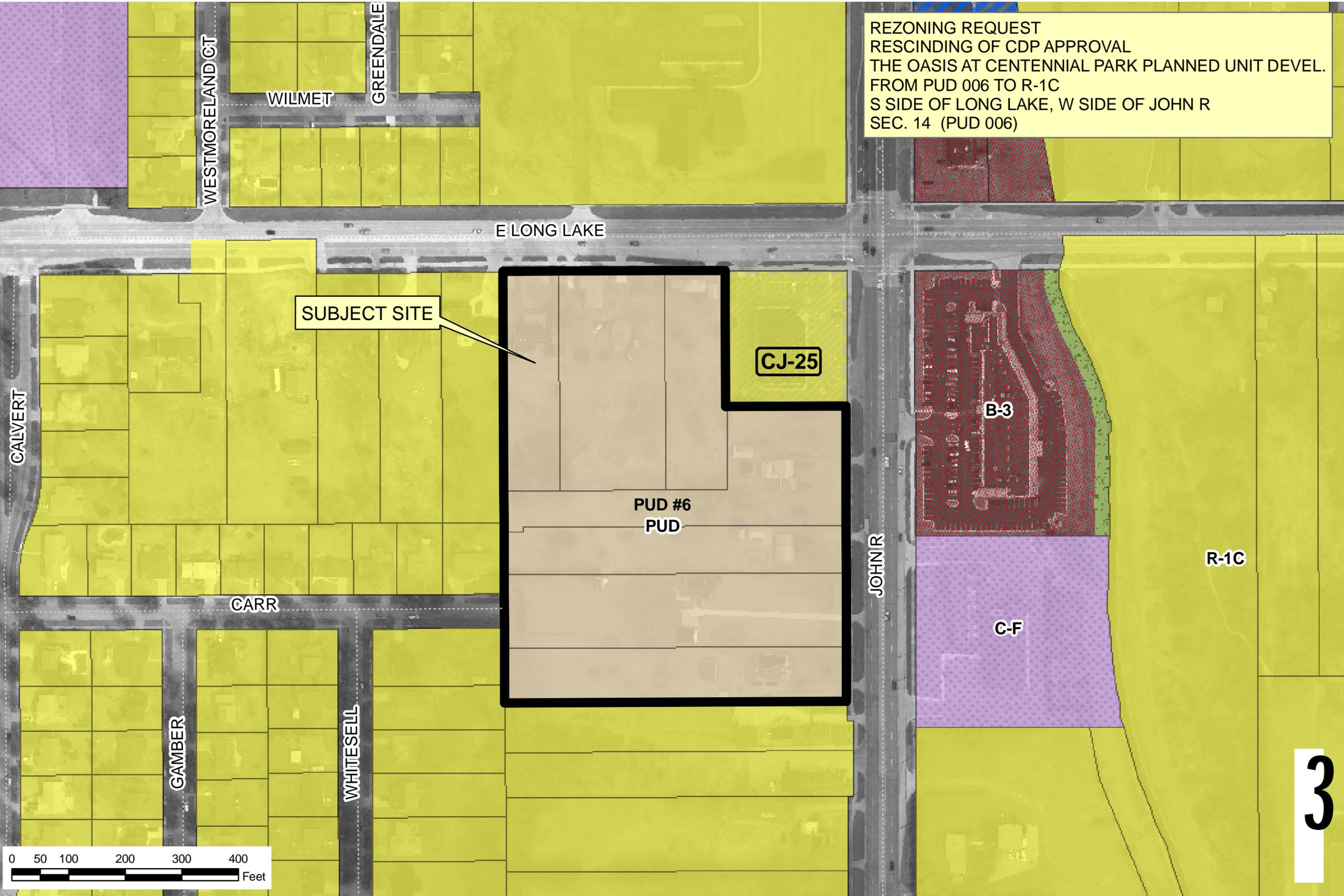
REZONING REQUEST
RESCINDING OF CDP APPROVAL
THE OASIS AT CENTENNIAL PARK PLANNED UNIT DEVEL.
FROM PUD 006 TO R-1C
S SIDE OF LONG LAKE, W SIDE OF JOHN R
SEC. 14 (PUD 006)

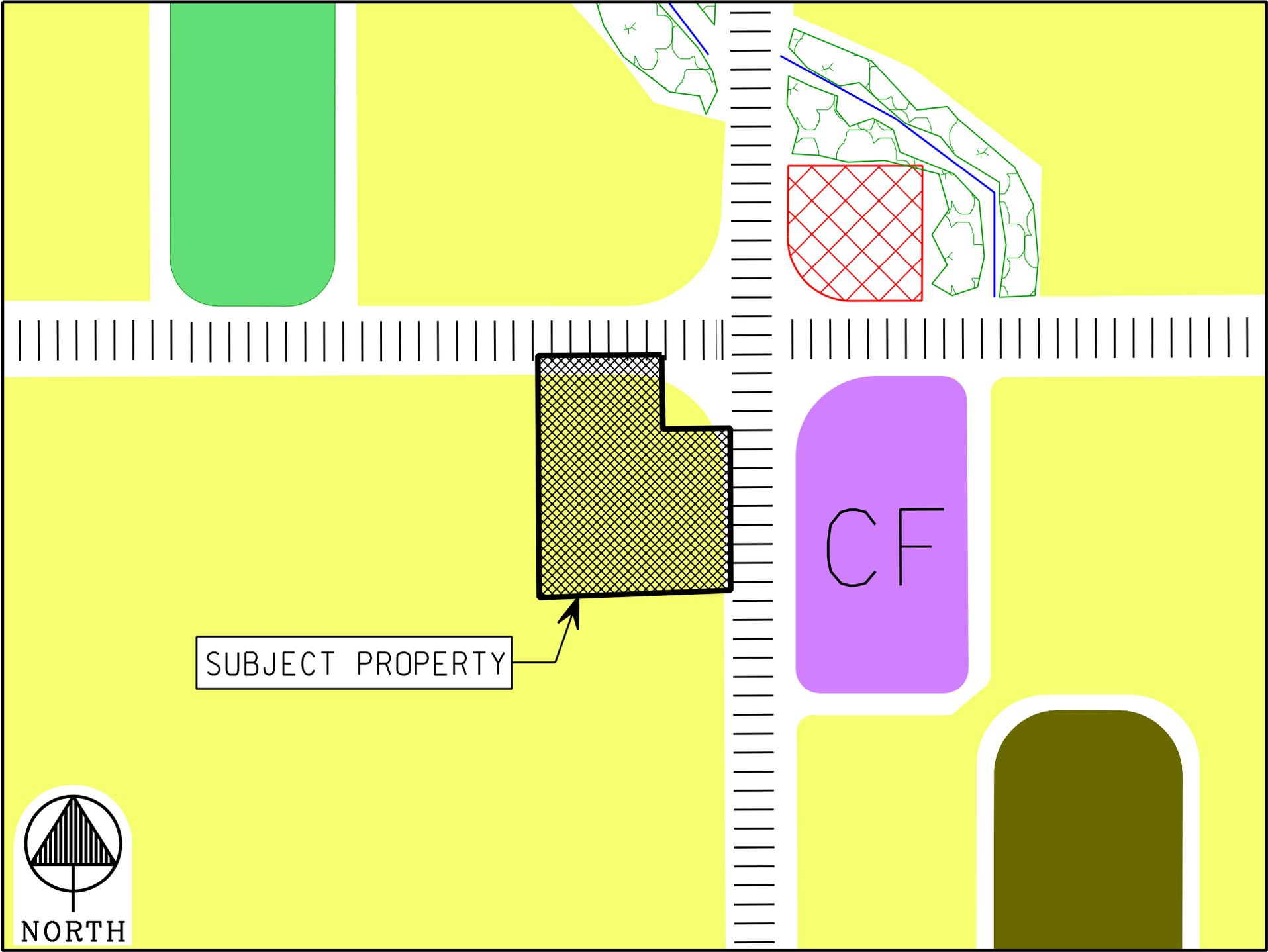


SUBJECT SITE



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)



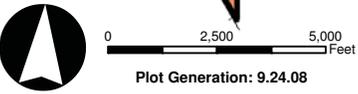
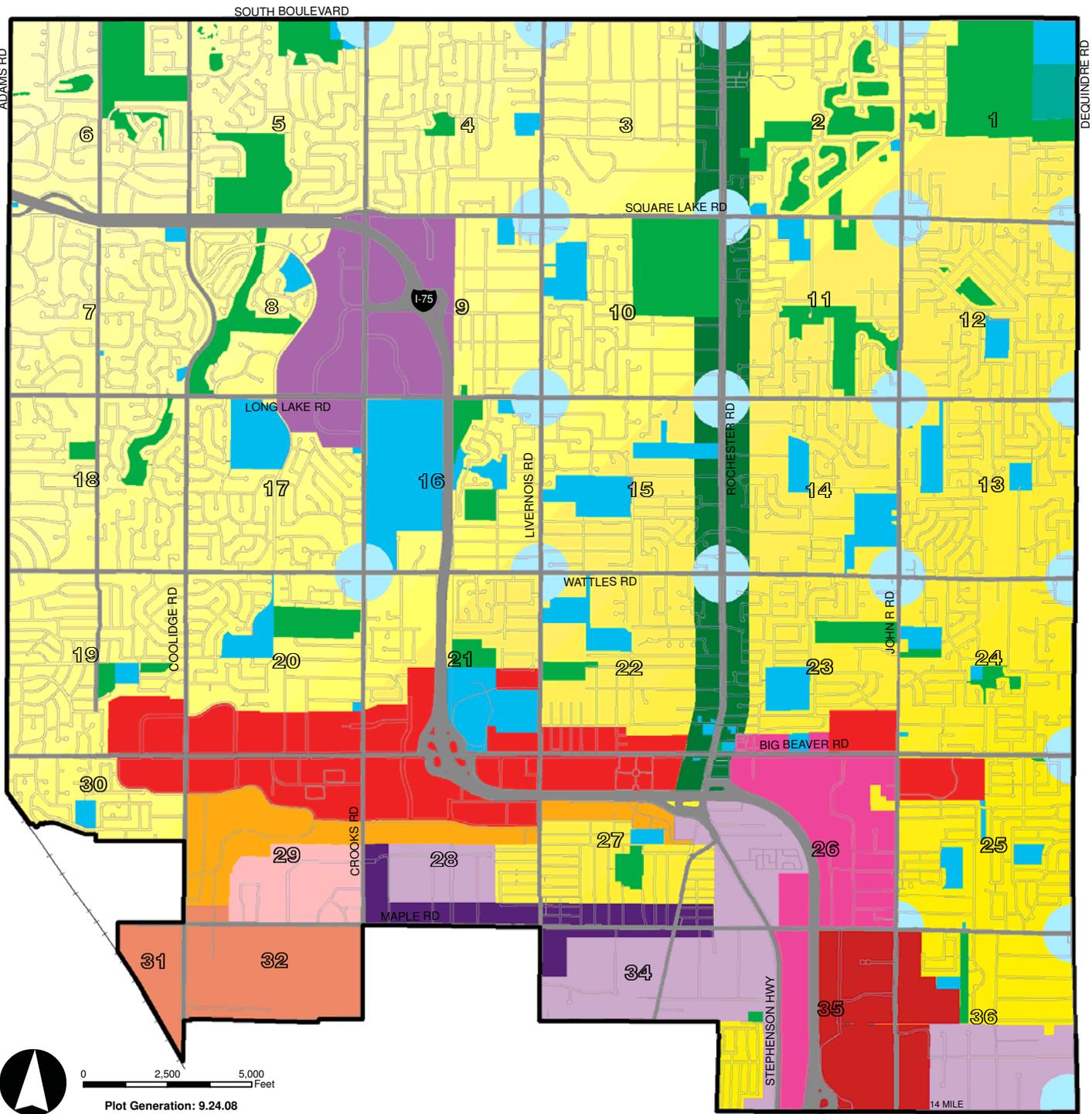


SUBJECT PROPERTY

CF



NORTH



Basemap Source: Oakland County Planning

Future Land Use

- | | |
|---|---|
|  Single Family Residential |  The Smart Zone |
|  High Density Residential |  Automall |
|  Neighborhood Nodes |  The Transit Center |
|  South John R. Road |  21st Century Industrial |
|  Big Beaver Road |  Public and Quasi-Public |
|  Rochester Road |  Recreation and Open Space |
|  Maple Road |  15 Section Number |
|  Northfield | |

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:

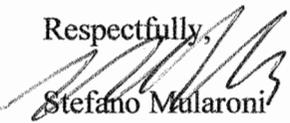
I am the principal of the development group that has, for several years now, worked in earnest to bring to success the PUD proposed for the southwest corner of Long Lake Road and John R Road. This PUD is comprised of seven (7) parcels and is highlighted in the attached location drawing. As you may recall 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.

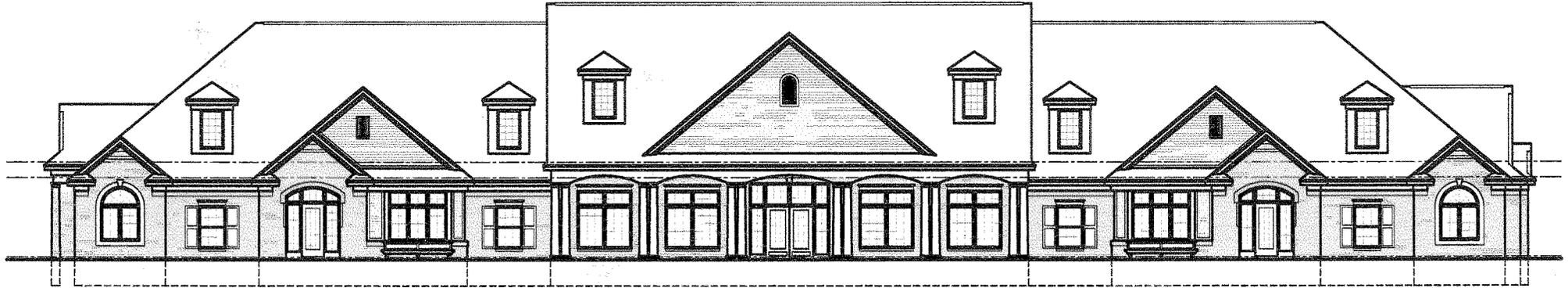
In the near future you will be presented with the termination of the aforementioned PUD and the possibility of revising the zoning for the included parcels to something other than the existing PUD zoning. I would like to encourage you to consider the "down-zoning" of these parcels to an office use that 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





Paula P Bratto

From: Daniel Thomas [dzthomas@dwsd.org]
Sent: Wednesday, October 01, 2008 1:36 PM
To: Paula P Bratto
Subject: NOTICE OF PUBLOC HEARING

I Approve the request to rezone PUD-006 (Local Oasis) back to the previous R-C (one Family Residential)

Thank you

Yours

Daniel Thomas

1854 E. Long Lake Rd.