



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: February 5, 2020

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director

Subject: PUBLIC HEARING – REZONING REQUEST (Z JPLN2019-0030) - Proposed Clearview Homes Rezoning, southwest corner of Rochester Road and De Etta Avenue (88-20-03-278-027), Section 3, From R-1B (One Family Residential) to O (Office) District.

The applicant Clearview Homes seeks rezoning of the subject parcel from R-1B (One-Family Residential) District to O (Office). The parcel is 0.24 acres in area.

The applicant intends to combine the subject parcel with the abutting 0.41 acre parcel to the south that is presently zoned O Office. The attached concept plan shows a (2) story office building on the combined parcel. This sketch is required as part of the application but is non-binding.

A summary of the project was prepared by the Planning Consultant and is included in the attached agenda item from the October 8, 2020 Planning Commission regular meeting.

The Planning Commission held a public hearing on this item on October 8, 2020 and recommended approval of the rezoning by a 9-0 vote.

A City Council public hearing has been scheduled for February 10, 2020.

Legal Review

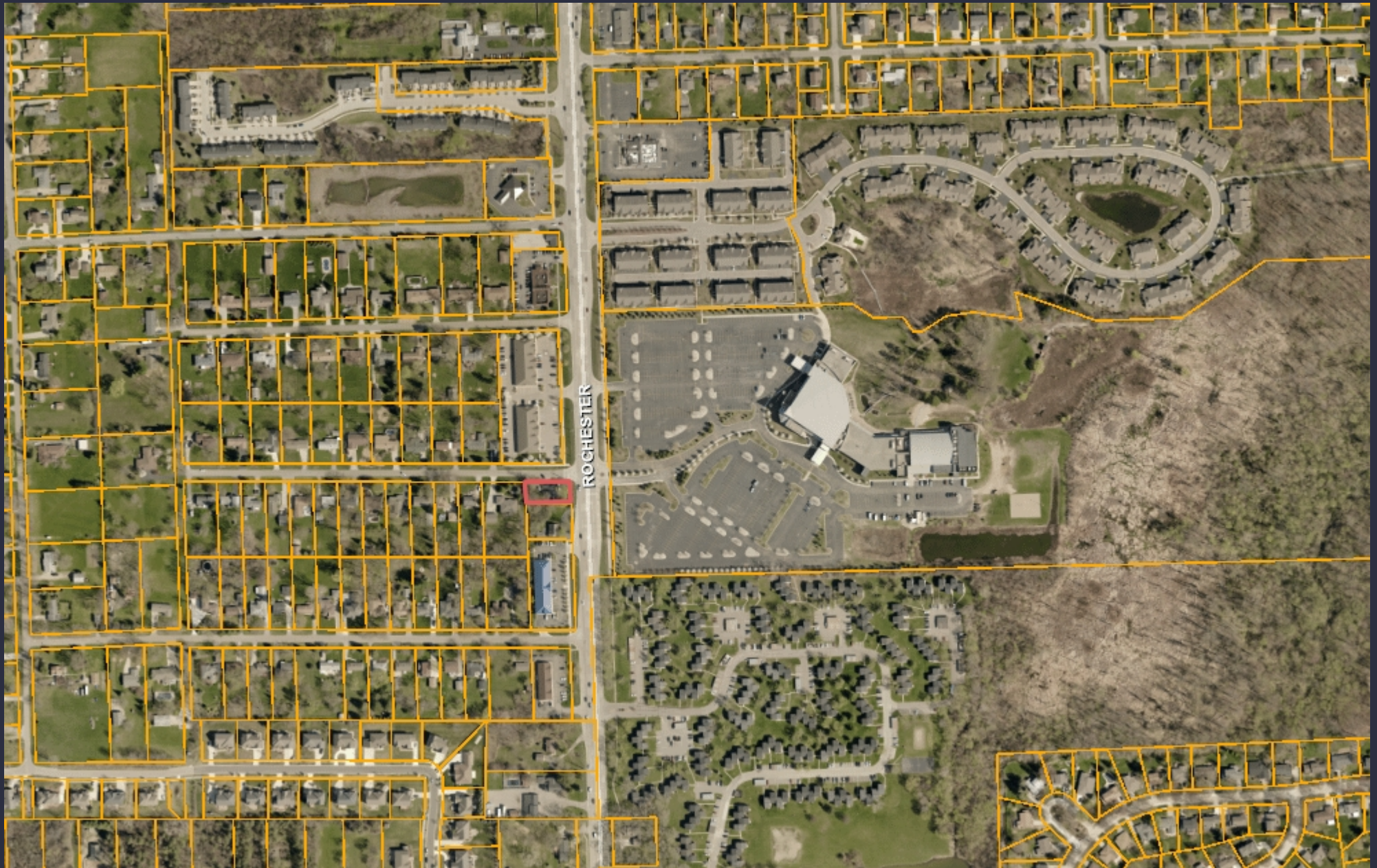
This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.

Attachments:

1. Maps
2. Rezoning application
3. Report prepared by Carlisle/Wortman Associates, Inc.
4. Minutes from October 8, 2019 Planning Commission Regular meeting (excerpt)



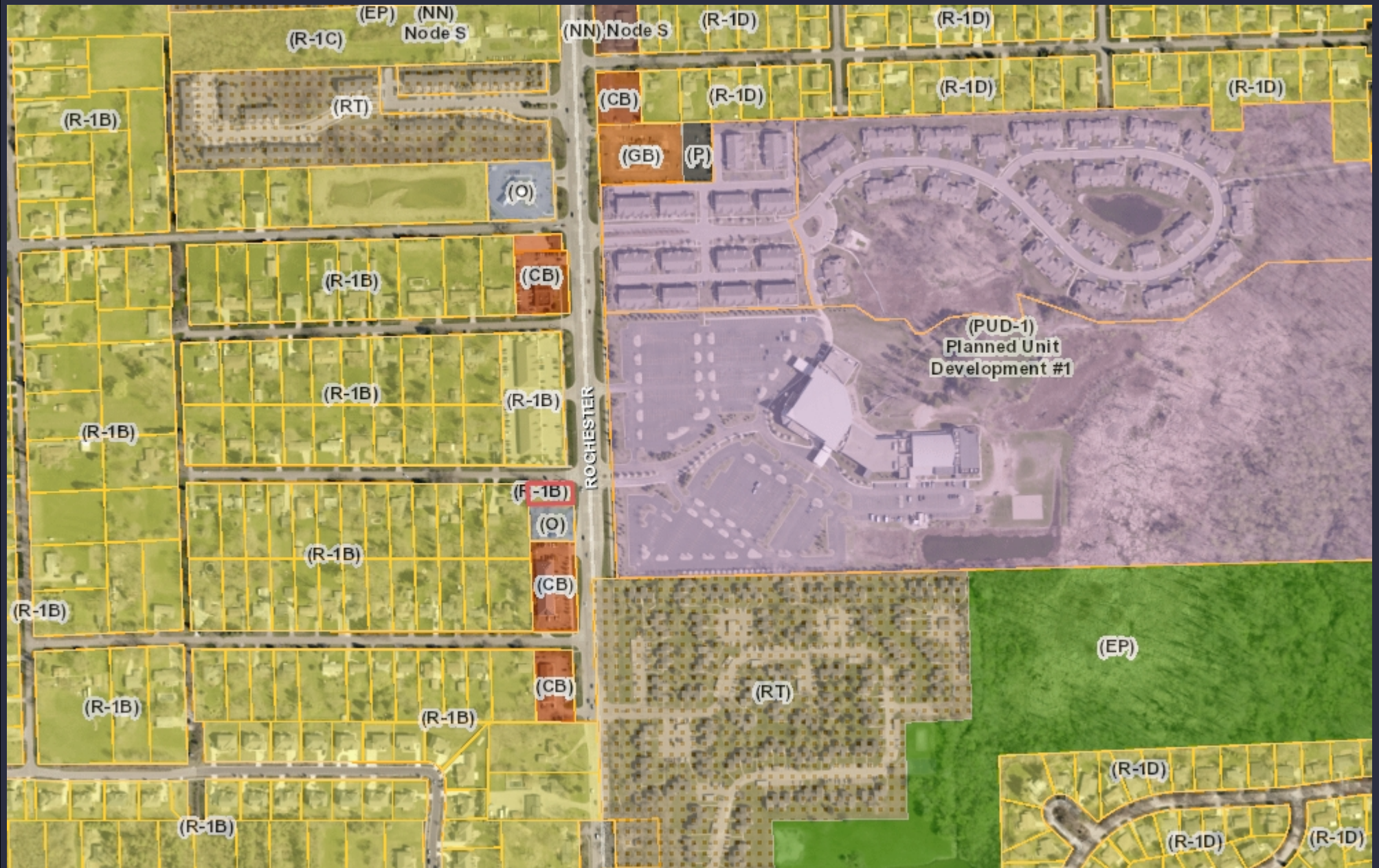
GIS Online



1,189 0 595 1,189 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



1,189 0 595 1,189 Feet



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Z JPLN 2019-0030

CITY OF TROY REZONING REQUEST APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48084
248-524-3364
E-MAIL: planning@troymt.gov



REZONING REQUEST APPLICATION
\$1,800.00

ESCROW FEE
\$1,500.00

NOTICE TO THE APPLICANT

REGULAR MEETINGS OF THE TROY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAY OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

APPLICATIONS SHALL BE FILED NOT LATER THAN THIRTY (30) DAYS BEFORE THE SCHEDULED DATE OF THE MEETING.

A PLANNING COMMISSION PUBLIC HEARING SHALL BE SCHEDULED FOLLOWING A DETERMINATION BY THE PLANNING DEPARTMENT THAT THE APPLICATION IS COMPLETE.

PLEASE COMPLETE THE FOLLOWING:

- NAME OF THE PROPOSED DEVELOPMENT: Clearview Homes Office
- ADDRESS OF THE SUBJECT PROPERTY: 6511 Rochester Road, Troy, MI 48085
- CURRENT ZONING CLASSIFICATION: R1B
- PROPOSED ZONING CLASSIFICATION: office
- TAX ID NUMBER(S) OF SUBJECT PROPERTY: 20-03-278-027
- APPLICANT FOR REZONING:
NAME Mike Robbe
COMPANY Clearview Homes
ADDRESS 811 E. South Blvd
CITY Troy STATE MI ZIP 48307
TELEPHONE 616-402-2518
E-MAIL mike@myclearviewhome.com
- OWNER OF THE SUBJECT PROPERTY:
NAME Robin Siegel / Robert E French
COMPANY _____
ADDRESS 283 W Square Lake Rd
CITY Troy STATE MI ZIP 48098
TELEPHONE 248-408-0283
E-MAIL _____
- THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:
Purchaser of property
- SIGNATURE OF THE PROPERTY OWNER: [Signature]
BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR REZONING.
- SIGNATURE OF THE APPLICANT: [Signature]

RECEIVED

SEP - 6 2019

PLANNING Rev. Aug 2018



September 6, 2019

R. Brent Savidant
Planning Director
City of Troy Planning Department
500 W. Big Beaver
Troy, MI 48084

Re: Rezoning Request of 6511 Rochester Rd., Parcel 20-03-278-027

To Mr. Savidant:

Please accept this letter requesting to rezone the above parcel from its current designation of Residential (R-1B) to Office (O).

We believe this request is consistent with both the Master Plan and adjacent zoning because this is the last parcel in the vicinity along Rochester Rd. that is still zoned residential. As stated on page 88 of the Master Plan "*The areas between nodes should be developed as low-rise office and multifamily. The height differences encourage a visual pulse*". The adjacent parcel to the south at 6493 is already zoned Office (O), our purpose for this request would be to combine both parcels and build a new two-story office building that would be used to relocate Clearview Homes offices from our current location on South Blvd. in Rochester Hills.

We do not feel that this rezoning will be detrimental to adjacent properties because the property to the south of this project is a retail center, the property to the north is already an office use, and to the east there is a large parcel containing a church. We feel an Office (O) use will help create a low impact buffer between the residential properties to the west of this parcel and the high traffic volumes of Rochester Rd.

Sincerely,

Mike Robbe
Land Development Manager
Clearview Homes

Clearview Homes
811 E. South Blvd., Suite #100
Rochester Hills, MI 48307

KENNEDY SURVEYING, INC.

105 N. Washington St.
Oxford, Michigan 48371
STAKED SURVEY

Phone (248) 628-4241
Fax (248) 628-7191

Certified Exclusively To: Clearview Homes

Date: September 10, 2019

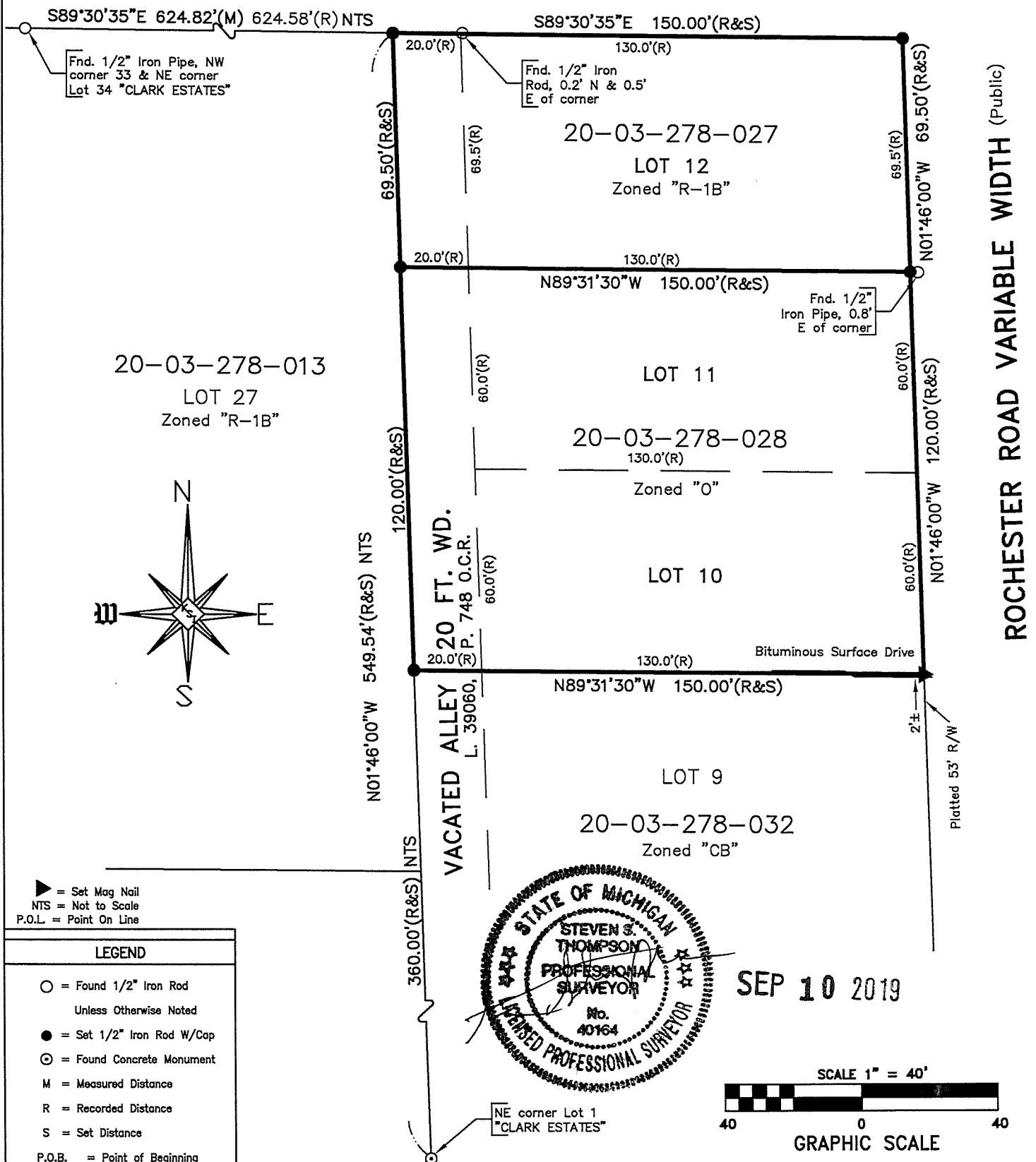
Address: 811 South Boulevard E, Suite 100, Rochester Hills, MI 48307 Job No. 19-8253

This is to certify that I, [Signature], Licensed Professional Surveyor, on this date have surveyed and mapped the land described as follows:

PARCEL 20-03-278-027 Lot 12 of "TROY LITTLE FARMS SUBDIVISION", being a subdivision of part of the South 1/2 of the East 1/2 of the Northeast 1/4 of Section 03, Town 02 North, Range 11 East, City of Troy (formerly Troy Township), Oakland County, Michigan. As recorded in Liber 42 of Plats, on Page 8 of Oakland County Records. Also, all of the Vacated 20 Foot Wide Public Alley adjoining to the same.

PARCEL 20-03-278-028 Lots 10 & 11 of "TROY LITTLE FARMS SUBDIVISION", being a subdivision of part of the South 1/2 of the East 1/2 of the Northeast 1/4 of Section 03, Town 02 North, Range 11 East, City of Troy (formerly Troy Township), Oakland County, Michigan. As recorded in Liber 42 of Plats, on Page 8 of Oakland County Records. Also, all of the Vacated 20 Foot Wide Public Alley adjoining to the same.

DE ET TA AVENUE VARIABLE WIDTH (Public)



This survey was done without the benefit of a Title Policy, therefore, all easements of record and other factors relevant to title may not be shown.

When Recorded Please Return Original(s) To: Kennedy Surveying, Inc. 105 N. Washington St. Oxford, Michigan 48371



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: October 1, 2019

Rezoning Analysis For City of Troy, Michigan

Applicant:	Mike Robbe (Clearview Homes)
Project Name:	De Etta Drive/Rochester Road Office Rezoning
Location:	Southwest corner of De Etta Drive and Rochester Road
Current Zoning:	R-1B, Single Family Residential and O, Office
Proposed Rezoning:	O, Office
Required Information:	As provided within this review

PROJECT AND SITE DESCRIPTION

The applicant is proposing to rezone a parcel at 6511 Rochester Road from R1-B, Single Family Residential to O, Office. The parcel is a corner lot, bordered on the south by office, to the north and west by R-1B, single family residential, and by a PUD (church) across Rochester Road, to the east. The parcel is approximately 0.24 acres and is intended to be combined with the parcel to the south, subject to rezoning approval.

The applicant proposes to rezone the property, combine with the office zoned parcel to the south, and develop a two-story office building with necessary parking and green space, at the



corner of the lot. The current zoning of R-1B does not permit an office building.

If the site were to be rezoned, all uses permitted and special uses within the O, Office District would be allowed through a site plan and special use review. Permitted and special Uses for the O, Office are set forth in Section 4.16.

Please note that the applicant has submitted a concept site plan for the administrative/leasing building. The site plan is for informational purposes only. The applicant has not offered any conditions in relation to this rezoning. If the rezoning is approved, the applicant is required to submit a site plan for the future development for Planning Commission review.



ZONING AND LAND USE

The Zoning and existing land uses for the subject site and surrounding parcels is listed below. The subject parcel is zoned R-1B, single-family residential. The site is surrounded by a mix of zoning including O, Office.

Zoning/Existing Land Use

Direction	Zoning	Existing Use
North	R-1B, Single Family Residential	Strip Office Buildings
South	O, Office	Residential
East	PUD, Planned Unit Development	PUD, Religious Facility/Campus
West	R-1B, Single Family Residential	Residential



The 1999 amended Master Land Use Plan, added medium density residential along Rochester Road north of Wattles.

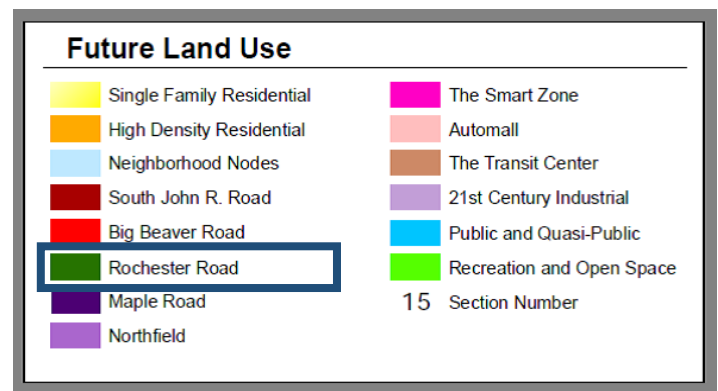
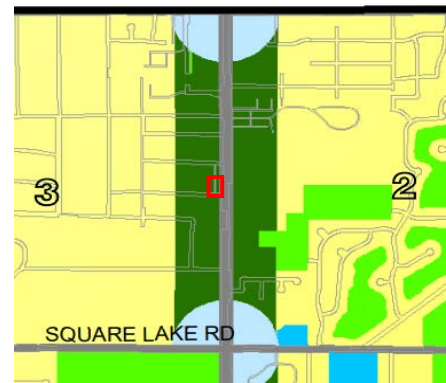


In 2002, the City adopted a Future Land Use Plan, which retained medium density residential along Rochester Road north of Wattles. In 2008, the City comprehensively updated the Master Plan. The process of updating the Master Plan included a significant public participation component that included numerous opportunities for public input. The 2008 comprehensive update to the Master Plan also retained medium density residential and other low impact uses along Rochester Road north of Wattles.

The Master Plan was updated in 2017, and also retained both medium density residential and other limited low impact uses along Rochester Road north of Wattles. From a land use perspective, the updated 2017 Master Plan calls for this site:

North of Long Lake Road, the land use pattern evolves, becoming a mix of commercial and office near the intersections and older single-family homes and multiple-family complexes in between.

Uses along Rochester Road will include a variety of mixed uses, established in a “pulsing” pattern where the most intense mixed-use or exclusively non-residential development will occur near the Neighborhood Nodes situated along its main intersections. Lower-impact uses, such as small scale retail or condominiums should be encouraged along the corridor frontage between these nodes.....The areas between nodes should develop as lower-rise office and multiple-family. The height differences encourage a visual “pulse.” (pg. 87-88)



This section of Rochester Road Master Plan also calls for use of innovative stormwater management:

Ultimately, the Rochester Road Corridor will become a regional showcase for effective stormwater management and enhancement of the natural environment, while encouraging a combination of high-quality land uses. Effective landscaping focused on native plantings, and improved land use and access management along Rochester will create a green corridor that provides a high level of service for motorists, and which provides an effective natural buffer between high traffic volumes and people visiting adjacent properties. The creation of this green corridor would occur primarily in the right-of-way along road frontages and in the median of a future boulevard.

New construction along the corridor may include detention and retention basins that work together from site-to-site with other features to create a continuous, linear landscape

feature. By connecting properties, the basins create visual relief from traffic. Low impact development methods will be used throughout the corridor to filter stormwater runoff. (pg. 87)

The site has been master-planned for medium density multiple family residential for 20 years, and other low impact uses for the past 10 years. We find that a rezoning to O, Office, especially in light of office, directly abutting to the south, complies with the Master Plan.

PROPOSED DEVELOPMENT VS. BY-RIGHT

The stated intent of the O, Office District is as follows:

SECTION 4.16 O, Office District

Intent. The O, Office District is intended to provide areas for office uses and limited related retail and service uses which support an office environment. These districts are typically located along commercial corridors in the City, or on the periphery of regionally prominent retail and service centers. The O District is not so diverse as to include prominent retail or other commercial components, which are more broadly available in the similar, but more intense OM, Office Mixed Use District, which is specifically designed for that purpose. Consequently, due to its less intense nature, the O District is suited to serve as a conventional transitional zone or in support of more regionally prominent areas and districts with a more intense concentration of uses.

The table below outlines the development differences of the proposed plan versus what could be done by-right under the current zoning:

	By-Right R-1B Zoning	Proposed by applicant if rezoned to O, Office Zoning
Density	1 single-family detached home	N/A
Height	2.5 stories and 30 feet	3 stories and 36 feet
Setbacks	Front (Rochester): 40 feet Front (De Etta): 40 feet Sides: 10 / 25 feet total Rear: 45 feet	Front (Rochester): 10 feet Front (De Etta): 25 feet Side: 20 feet Adjacent Single-Family: 50-feet
Open Space	Max % of lot covered by building: 30%	N/A

Due to the zoning requirements, future office development would require the building to be pushed up to Rochester with parking between the building and the adjacent single-family lot. The concept plan indicates a 10,500 sq/ft, 2-story office building.

SITE ACCESS AND CIRCULATION

Due to intersection distance requirements, access for future development, regardless if rezoned or not, would remain off De Etta Avenue.

REZONING STANDARDS

As set forth in Section 16.03.C, the Planning Commission shall consider the following standards:

1. *The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:*
 - a. *A change in City policy since the Master Plan was adopted.*
 - b. *A change in conditions since the Master Plan was adopted.*
 - c. *An error in the Master Plan.*
2. *The proposed rezoning will not cause nor increase any non-conformity.*
3. *Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.*
4. *The rezoning will not impact public health, safety, or welfare.*
5. *The rezoning will ensure compatibility with adjacent uses of land.*

We find that the rezoning standards have been met:

- The site has been master-planned for medium density multiple family residential for 20 years, and other low impact uses for the past 10 years. Rezoning the site that abuts Rochester Road from R-1B, One-Family Residential District to O, Office District is consistent with the Master Plan.
- The parcel directly to the south is zoned O, Office District. The sites will be combined for future development. We find that a rezoning to O, Office, especially in light of office zoning directly abutting to the south, complies with the Master Plan.
- Rezoning the site to O, Office District provides a transition from the heavily traveled Rochester Road arterial to the adjacent neighborhood.
- Innovative stormwater management can be required and confirmed during the site planning process.
- Due to the zoning requirements, future office development would require the building to be pushed up to Rochester with parking between the building and the adjacent single-family lot.

RECOMMENDATIONS

The proposed rezoning from R-1B, Single Family Residential to O, Office of parcel # 20-03-278-027 is consistent with the City of Troy Master Plan, is consistent with abutting zoning in the surrounding area, and meets the rezoning standards set forth in Section 16.03.C of the Zoning Ordinance.

We recommend approval of the proposed rezoning.



CARLISLE/WORTMAN ASSOC., INC.

Benjamin R. Carlisle, AICP, LEED AP



CARLISLE/WORTMAN ASSOC., INC.

Lauren Carlson
Planner

PUBLIC HEARING – CLEARVIEW HOMES REZONING REQUEST (Z JPLN2019-0030)
– Proposed Clearview Homes Rezoning, Southwest Corner of Rochester and DeEtta (88-20-03-278-027), Section 3, From R-1B (One Family Residential) Zoning District to O (Office) Zoning District

Mr. Carlisle reviewed the rezoning request application and compared what could be developed by-right with R-1B zoning versus the proposed office zoning. He addressed the Land Use Policies and findings of the Rezoning Standards. Mr. Carlisle recommended that the Planning Commission recommend to City Council to grant the rezoning request.

Mike Robbe said Clearview Homes, a single-family residential home builder, is under contract to purchase both parcels for the construction of their new headquarters. Mr. Robbe said a title research revealed no cross-access easement on the property. He indicated they had no building design at this time.

Mr. Savidant noted the conceptual sketch provided with the application confirms an office building can fit on the subject property.

PUBLIC HEARING OPENED

- Eileen Roys, 990 DeEtta; addressed adjacent existing offices and businesses; expressed concerns with traffic impact, access off DeEtta and safety of children; prefer one-story office building.
- Scott Stoglin, 805 DeEtta; addressed concerns with safety of children at school bus stop, snow removal and trash removal; prefer one-story office building.
- Jeannie Stoglin, 805 DeEtta; addressed concerns with traffic, access off DeEtta.
- Earl Miller, Jr., 3240 Kilmer; real estate broker spoke favorably for rezoning.
- Lawrence Luca, 985 DeEtta; addressed concerns with traffic, safety of children at school bus stop, access off DeEtta; prefer one-story building.

PUBLIC HEARING CLOSED

There was discussion on:

- Access; off DeEtta or Rochester.
- Potential for cross-access agreement.

Resolution # PC-2019-10-070

Moved by: Tagle

Support by: Lambert

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1B to O rezoning request, as per Section 16.03 of the City of Troy Zoning Ordinance, located on the southwest corner of Rochester and De Etta, within Section 3, being approximately 1.2 acres in size, be **GRANTED**, for the following reasons:

1. The proposed rezoning is consistent with the Master Plan.
2. The proposed rezoning does not appear to cause or increase any nonconformity.

3. If rezoned the property will be capable of accommodating service and facility loads caused by use of the development.
4. The rezoning does not appear to impact public health, safety or welfare.
5. The rezoning will ensure compatibility with adjacent uses of land.

Yes: All present (9)

MOTION CARRIED