



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: May 13, 2021

To: Mark F. Miller, City Manager

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

Subject: PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 255)
– Transitions in NN (Neighborhood Node) Zoning District

This item was initiated by Staff based on conversations with the Planning Commission and developers. The intent of the amendment is to protect single family residential property values by ensuring smooth transitions between multi-family and commercial development and single family residential neighborhoods.

The provision mandates that maximum height for a building abutting a one-family residentially zoned parcel shall not exceed 2.5 stories, 30 feet in height. Further, when a parcel abuts a one-family residential zoned parcel the building setback from the property line of the one-family residential zoned parcel shall be no less than the height of the proposed building or twenty (20) feet, whichever is greater.

The Planning Commission considered this item on December 10, 2019 and recommended approval of the text amendment by a 9-0 vote.

A City Council public hearing has been scheduled for May 24, 2021.

Attachments:

1. Draft text amendment.
2. Memo prepared by Carlisle/Wortman Associates, Inc., dated October 15, 2019.
3. Minutes from December 10, 2019 Planning Commission Regular meeting (excerpt).

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows:

Revise Section 5.06.E.3 to read as follows:

Height and mass. Building height and mass in the form of building step-backs, recess lines or other techniques shall be graduated so that structures with higher intensity uses are comparable in scale with adjacent structures of lower intensity uses.

- c. ~~Height and Mass. Building height and mass in the form of building step-backs, recess lines or other techniques shall be graduated so that structures with higher intensity uses are comparable in scale with adjacent structures of lower intensity uses.~~
 - i. Any building, or portion of a building, on a parcel abutting a one-family residentially zoned parcel shall not exceed 2.5-stories, 30 feet in height.
 - ii. Any building, or portion of a building, on a parcel that is not abutting a one-family residentially zoned parcel shall not exceed 3-stories, 38 feet in height.
- d. Setback and Greenbelt:
 - i. When a parcel is abutting a one-family residential zoned parcel the building setback from the property line of the one-family residential zoned parcel shall be no less than the height of the proposed building or twenty (20) feet, whichever is greater.
 - ii. When a parcel is abutting a one-family residential zoned parcel a minimum 20-foot landscaped greenbelt shall be maintained from the property line of the one-family residential zoned parcel. The greenbelt shall be landscaped and screened in accordance with 13.02.B.
 - iii. The Planning Commission may deviate from these setback and greenbelt provisions in the course of its site plan review process; however, the Planning Commission shall not permit a setback or greenbelt that is less than required in the building form or Section 13.02.B. In the review of the deviation, the Planning Commission shall consider the following standards:

- i. The deviation will not adversely impact public health, safety, and welfare.
- ii. The deviation maintains compatibility with adjacent uses.
- iii. The deviation is compatible with the Master Plan and in accordance with the goals and objectives of the Master Plan and any associated subarea and corridor plans.
- iv. The deviation will not adversely impact essential public facilities and services, such as: streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, refuse disposal, water and sewage facilities, and schools.
- v. The deviation will be in compliance with all other zoning ordinance standards.
- vi. The deviation will not adversely impact any on-site or off-site natural features.

~~d e.~~ Orientation. Primary building facades shall be placed away from the Buildings shall be oriented in such a way as to minimize the impact on abutting residential uses.

~~e f.~~ Architectural Features. Similarly sized and patterned architectural features such as windows, doors, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations included on the lower-intensity use shall be incorporated in the transitional features.

Section 3. 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 4. Severability Clause

Should any word, 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 5. Effective Date

This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

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, MI, on the _____ day of _____, 2020.

Ethan Baker, Mayor

Aileen Dickson, City Clerk



Carlisle | Wortman
ASSOCIATES, INC.

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MEMORANDUM

TO: City of Troy Planning Commission
Mark Miller, AICP, City Manager
R. Brent Savidant, AICP, Planning Director

FROM: Benjamin R. Carlisle, AICP

DATE: October 15, 2019

RE: Transitions and Increasing Square Footage Cap in a Cluster Development

The Planning Commission has recently held discussions regarding two potential zoning amendments to address ongoing topics: 1. Transitions, particularly adjacent to single family residential; and 2). Increasing the maximum square footage cap to qualify for a density bonus in the cluster development option.

1. Transitions

The Planning Commission recently discussed transitions and frictions points between intense uses adjacent to single-family uses. At that meeting a number of options were presented for the Planning Commission to consider. The direction of the Planning Commission was to consider zoning amendments to ensure an appropriate intensity, height, and bulk transition between areas of potential friction. Due to the uniqueness of Big Beaver zoning, we recommend that right now we only focus on Neighborhood Nodes.

Based upon the direction from the Planning Commission, we offer the following amendments for consideration. These amendments would only apply to Neighborhood Nodes.

Development height, setback, and greenbelt provisions for any non-single family development in Neighborhood Nodes.

1. Height:

- a. *Any building, or portion of a building, on a parcel abutting a one-family residentially zoned parcel shall not exceed 2.5-stories, 30 feet in height.*
- b. *Any building, or portion of a building, on a parcel that is not abutting a one-family residentially zoned parcel shall not exceed 3-stories, 38 feet in height.*

2. Setback and Greenbelt:

- a. *When a parcel is abutting a one-family residential zoned parcel the building setback from the property line of the one-family residential zoned parcel shall be no less than the height of the proposed building or twenty (20) feet, whichever is greater.*
- b. *When a parcel is abutting a one-family residential zoned parcel a minimum 20-foot landscaped greenbelt shall be maintained from the property line of the one-family residential zoned parcel. The greenbelt shall be landscaped and screened in accordance with 13.02.B.*
- c. *The Planning Commission may deviate from these setback and greenbelt provisions in the course of its site plan review process; however, the Planning Commission shall not permit a setback or greenbelt that is less than required in the building form or Section 13.02.B. In the review of the deviation, the Planning Commission shall consider the following standards:*
 - i. *The deviation will not adversely impact public health, safety, and welfare.*
 - ii. *The deviation maintains compatibility with adjacent uses.*
 - iii. *The deviation is compatible with the Master Plan and in accordance with the goals and objectives of the Master Plan and any associated subarea and corridor plans.*
 - iv. *The deviation will not adversely impact essential public facilities and services, such as: streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, refuse disposal, water and sewage facilities, and schools.*
 - v. *The deviation will be in compliance with all other zoning ordinance standards.*
 - vi. *The deviation will not adversely impact any on-site or off-site natural features.*

2. Housing Diversity and Options

The Planning Commission has questioned why the development community has not taken advantage of the housing diversity and option density bonus for smaller homes. Input from the development community notes that 1,500 sq/ft is too small to consider construction even with the associated density bonus. The Planning Commission has been told that a slight increase to 1,700 sq/ft would greatly assist in utilizing the density bonus. As such, we have proposed revised language to increase the maximum size to receive the density bonus from 1,500 to 1,700 sq/ft.

Revised Language:

Housing Diversity and Options. A bonus above the base yield number of units established in 10.04.C.1 may be provided for a development that provides a diverse variety of housing types or

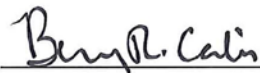
provides a type of housing that is desired, but not currently offered in the city. The following requirements shall be met for the all bonus unit in excess of the base yield number of units:

- a. Maximum home square footage shall not exceed ~~1,500~~ 1,700 sq/ft; and*
- b. Master first floor bedroom and bathroom shall be provided.*

Based upon discussion and direction of the Planning Commission, we can put this in ordinance form and prepare for a public hearing.

I look forward to discussing this further.

Sincerely,



CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, LEED AP, AICP

9. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 255)
– Transitions in NN (Neighborhood Node) Zoning District

Mr. Carlisle reviewed the proposed text amendment to address the transition between intense use of Neighborhood Node development adjacent to single family residential through the site plan review process.

There was discussion on:

- Northwest corner of Dequindre and Wattles zoned Neighborhood Node.
- Restrictions applicable only to sites abutting single family residential.

PUBLIC HEARING OPENED

- Jerry Rauch, 4187 Penrose; thanked the Board with their follow-through on addressing density associated with Neighborhood Nodes, referenced his letter provided to the Board with respect to taking under consideration related Zoning Ordinance requirements.
- Laura Lipinski, 4233 Carson; addressed density, transition and traffic impact associated with development adjacent to single family residential.
- Dan Raubinger, 4083 Penrose; representing Woodlands of Troy Homeowners Association, expressed strong support of the text amendment changes, addressed effect of the changes to Wattles and Crooks Neighborhood Node.

PUBLIC HEARING CLOSED

Resolution # PC-2019-12-089

Moved by: Lambert

Support by: Fowler

RESOLVED, That the Planning Commission hereby recommends to the City Council that Article 10 of Chapter 39 of the Code of the City of Troy, which includes provisions related to height and setback in the NN Neighborhood Node Zoning District, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: All present (9)

MOTION CARRIED