



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 – REZONING REQUEST (File Number Z 2019-0039) – Proposed Addison Heights Subdivision Rezoning, East of Livernois, south side of Arthur (88-20-27-307-033), Section 27, From P (Vehicular Parking) District to R-1E (One Family Residential) District.

The applicant Janelle Martin seeks rezoning of the subject parcel from P Vehicular Parking to R-1E One Family Residential. The parcel is 0.24 acres in area.

The parcel is comprised of Lots 362 and 363 of Addison Heights Subdivision, which was approved in 1924. The parcel was rezoned to P-1 Vehicular Parking on June 30, 1986. A Preliminary Site Plan for a parking lot was approved by the Planning Commission on November 11, 1986. The parcel was never developed as a parking lot. The applicant seeks to “downzone” the parcel back to R-1E One Family Residential and develop a single family home on the property. The Master Plan classifies the parcel as Single Family Residential. The rezoning application is consistent with the Master Plan.

The Planning Commission held a public hearing on this item on January 14, 2020 and recommended approval of the rezoning by a 9-0 vote.

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

Attachments:

1. Maps
2. Agenda item from January 14, 2002 Planning Commission Regular meeting.
3. Minutes from January 14, 2020 Planning Commission Regular meeting (excerpt).



558 0 279 558Feet



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.



558 0 279 558Feet



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DATE: January 8, 2020

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING – REZONING REQUEST (File Number Z 2019-0039) – Proposed Addison Heights Subdivision Rezoning, East of Livernois, south side of Arthur (88-20-27-307-033), Section 27, From P (Vehicular Parking) District to R-1E (One Family Residential) District.

The applicant Janelle and Ross Martin seeks rezoning of the subject parcel from P Vehicular Parking to R-1E One Family Residential. The parcel is 0.24 acres in area.

The parcel is comprised of Lots 362 and 363 of Addison Heights Subdivision, which was approved in 1924. The parcel was rezoned to P-1 Vehicular Parking on June 30, 1986. A Preliminary Site Plan for a parking lot was approved by the Planning Commission on November 11, 1986. The parcel was never developed as a parking lot. The applicant seeks to “downzone” the parcel back to R-1E One Family Residential and develop a single family home on the property. The Master Plan classifies the parcel as Single Family Residential. The rezoning application is consistent with the Master Plan.

The Planning Department recommends approval of the rezoning application 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 non-conformity.
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.

Attachments:

1. Maps
2. Rezoning application
3. Addison Heights Subdivision plat.
4. Memo to City Manager, dated May 22, 1986.
5. Site Plan approved by Planning Commission on November 11, 1986
6. Future Land Use Plan.

G:\REZONING REQUESTS\Z JPLN2019-0039 ADDISON HEIGHTS SUB Sec 27\PC Memo 01 14 2020.doc



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CITY OF TROY REZONING REQUEST APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48084
248-524-3364
E-MAIL: planning@troymi.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: Addison Heights Sub
- ADDRESS OF THE SUBJECT PROPERTY: Vacant Arthur Street
- CURRENT ZONING CLASSIFICATION: Business, Vacant
- PROPOSED ZONING CLASSIFICATION: Residential
- TAX ID NUMBER(S) OF SUBJECT PROPERTY: 2027307033

6. APPLICANT FOR REZONING:
NAME Janelle Martin/Ross Martin
COMPANY RANDJ 66 LLC
ADDRESS 3 Pine Gate Ct
CITY Bloomfield Hill STATE MI ZIP 48304
TELEPHONE 248-425-7110
E-MAIL ross@rossmartin1.com

OWNER OF THE SUBJECT PROPERTY:
NAME Janelle Martin/Ross Martin
COMPANY RANDJ66 LLC
ADDRESS 3 Pine Gate Ct
CITY Bloomfield Hill STATE MI ZIP 48304
TELEPHONE 248-425-7110
E-MAIL ross@rossmartin1.com

7. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:

Selves

8. SIGNATURE OF THE PROPERTY OWNER: Janelle T. Martin / Ross A. Martin
BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR REZONING.

9. SIGNATURE OF THE APPLICANT: Janelle T. Martin / Ross A. Martin

Ross Martin
Rezoning
Nov 5, 2019 at 9:11:26 AM
ross@rossmartin1.com

November 5, 2019
Rezoning Request

City of Troy Planning Department:

We are making this request to rezone Addison Heights Lots 362 and 363 plus adjacent 9ft of Vacated Alley from commercial to residential. This property was rezoned approximately in 1987 to commercial from residential incase was needed for additional parking at 2050 Livernois. After 30 years the above property was never needed for additional parking.

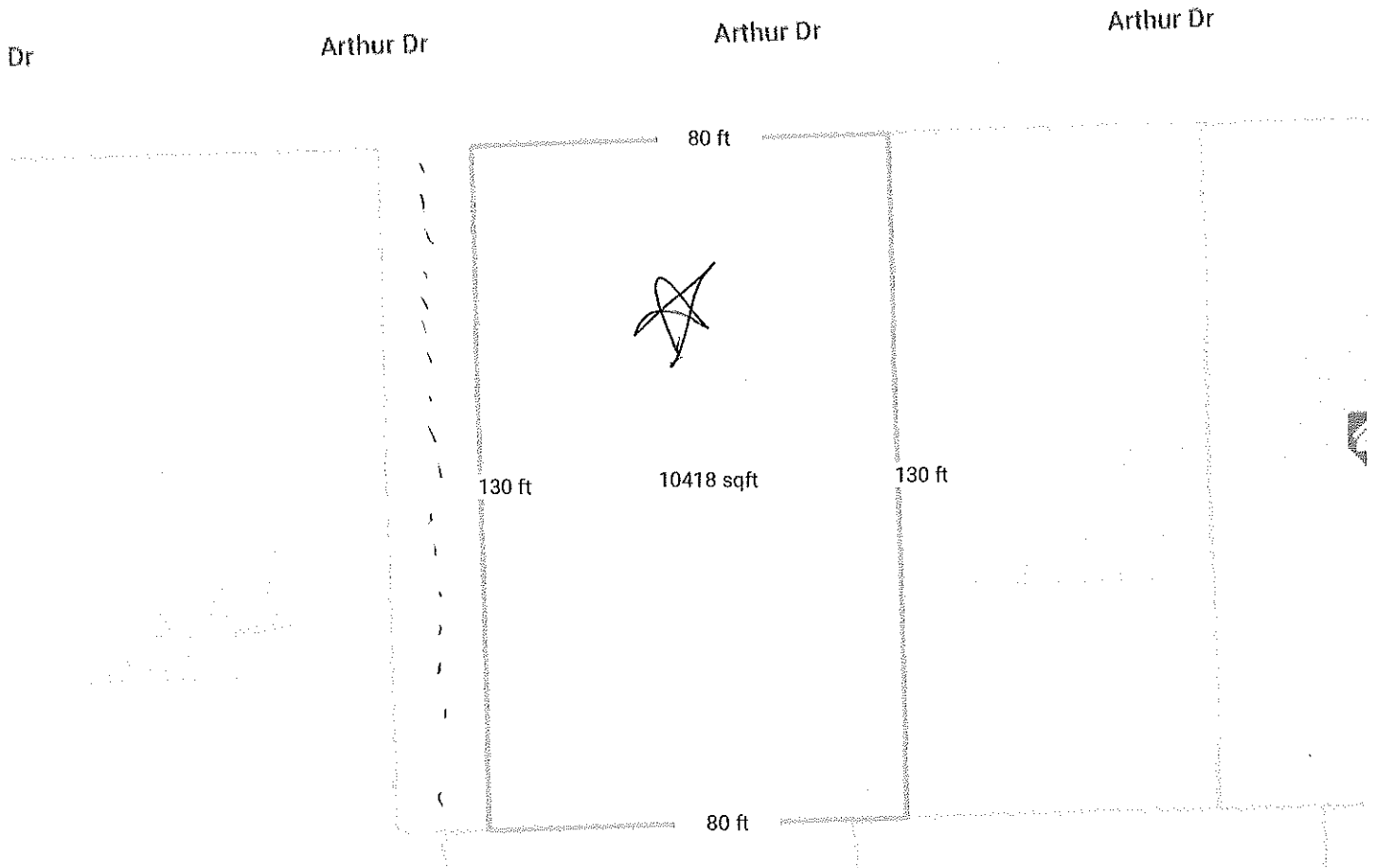
We believe that since the rezoning request is consistent with the current Master Plan it would greatly benefit the neighborhood and make the request to rezone.

RANDJ66,LLC
Janelle T Martin
Ross A Martin

Janelle T. Martin
Ross A. Martin

Map Google Street View

Click any parcel for parcel details.



Parcel Disclaimer

Ruler

Legend

Google

5 m

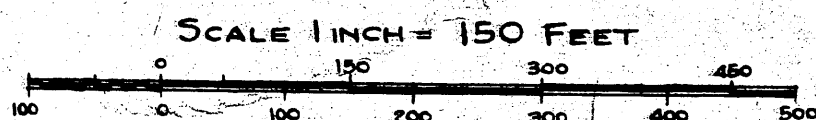
Réport a map error

ADDISON HEIGHTS SUBDIVISION

A SUBDIVISION OF W¹/₂ OF W¹/₂ SEC 27 T2N R1E
TROY TOWNSHIP, OAKLAND COUNTY, MICHIGAN

Examined and Approved
Aug 29-1924
J. L. Hummel
Deputy Auditor General

Recorder's Office
Oakland County
This instrument was received for record
SEP 2 - 1924 at 12:34 o'clock P. M.
and recorded in Liber. 38
of ... on page 28
Lucile Perry Register



Note:-
All dimensions in feet and decimals thereof.

DEDICATION :-

Know all men by these present that we, Addison Heights Land Company, a Michigan Corporation by John F. Addison President and Lawrence W. Snell Secretary, and Francis W. Poole and Edith E. Poole, his wife, as proprietors, have caused the land embraced in the annexed Plan to be surveyed, laid out and platted to be known as Addison Heights Subdivision, a subdivision of the W¹/₂ of the S.W. 1/4 of Section 27, T2N, R1E, Troy Township, Oakland County, Michigan and that all the Streets and Alleys as shown on Plan are hereby dedicated to the use of the public.

Signed and sealed in the presence of:- Addison Heights Land Co. LS
John F. Addison LS
Lawrence W. Snell LS
Francis W. Poole LS
Edith E. Poole LS
K. R. ...
Rich W. Lanson

STATE OF MICHIGAN } S.S.
COUNTY OF Wayne }

On this 14 day of July A.D. 1924 before me a Notary Public in and for said County, came the above named John F. Addison President and Lawrence W. Snell Secretary of Addison Heights Land Co. who being duly sworn by me did say that the above dedication was signed in behalf of said Corporation by authority of its Board of Directors and the said John F. Addison President and Lawrence W. Snell Sec'y acknowledged said dedication to be the free act and deed of said Corporation, also personally came the above named Francis W. Poole and Edith E. Poole, his wife known to me to be the persons who executed the above dedication and acknowledge the same to be their free act and deed.

DESCRIPTION :-

Beginning at the S.W. corner of Section 27, T2N, R1E, Troy Township, Oakland County, Michigan; thence S89°46'30"E 1338.2 along Section Line to 1/4 corner; thence N0°06'30"E 2466.5 feet along 1/4 line to 1/4 Section line; thence S 89° 46' W 1342.9 feet along 1/4 Section line to W 1/2 corner of said Section 27; thence South along Section Line 2455.6 to the point of beginning.

SURVEYOR'S CERTIFICATE :-

I hereby certify that the Plat hereon delineated is a correct one and that permanent monuments consisting of 3"x18" iron pipe have been planted at angles in the boundaries of the land platted and at intersections of Streets and Alleys and at all points marked thus o.

W. S. McAlpine
Registered Surveyor

CERTIFICATE OF MUNICIPAL APPROVAL :-

This Plat was approved by the Township Board of the Township of Troy, Oakland County, Michigan at a meeting held on the 28 day of June A.D. 1924.

Morris G. Watters
Township Clerk

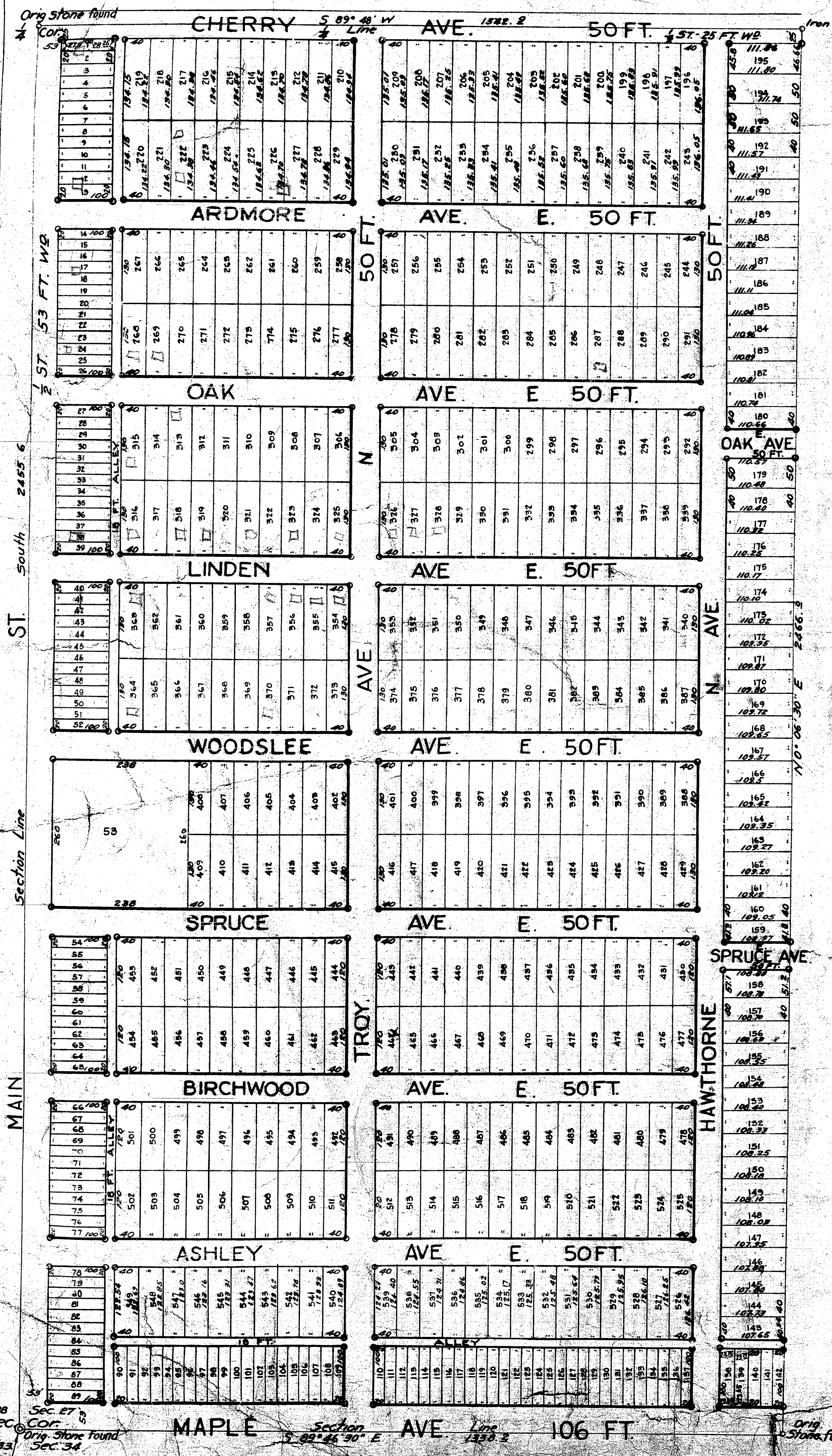
Oakland County Treasurer's Certificate

(Required by Section 135, Acts 206, Laws of 1893)

This is to Certify, that there are no Tax Liens or Titles held by the State or any individual against, and that all Taxes on lands described in the annexed instrument bearing Treasurer's have been paid FIVE YEARS prior to the date thereof, according to the records of this Office, except as stated.

Pontiac, Mich. Aug 6, 1924
County Treasurer

This plat was approved on the ...
Auditor
Auditor
Auditor



May 22, 1986

TO: Frank Gerstenecker, City Manager

FROM: Laurence G. Keisling, Planning Director

SUBJECT: Proposed Rezoning - East of Livernois, Adjacent to Larchwood and Arthur -
Section 27 - R-1E to O-1 (or P-1)

A request has been submitted for the rezoning of a total of six lots within the Addison Heights Subdivision, lying east of Livernois and extending from Larchwood Street to south of Arthur Street. The petitioners are the prospective owners of the O-1 zoned Livernois Road frontage lots between Larchwood and Arthur, and have requested the rezoning of a 4-lot parcel extending two lots or 80 feet to the east, in order to enable the redevelopment of the total parcel (which presently contains a shop-type building and two residences) with a single colonial-style office building and related parking. The 2-lot parcel on the south side of Arthur Street was acquired by the petitioners in order to provide additional parking either for their development or others in the area, or to be held for future development in conjunction with properties to the south. In acquiring this parcel, they further recognized the concern for the establishment of non-residential zoning and development across a local residential street from existing homes.

As indicated in previous discussions of this area, the O-1 zoning within the easterly Livernois Road frontage is consistent with the intent of the Master Land Use Plan. In view of the relatively shallow Livernois Road frontage parcel depth throughout this area (102 feet including half of the vacated alley), in the case of the Larchwood-Arthur block, the Planning Department has generally supported the concept of increasing this depth either through O-1 or P-1 rezoning, in order to bring about a more reasonable office development parcel. Much of the development which has occurred in this area to-date has either not been able to involve such additional depth, or has occurred through the conversion of previous residential structures, many of which have non-conforming setbacks from Livernois Road. It is the opinion of the Planning Department that the provision of additional depth for future development in this area continues to be a reasonable direction, assuming that such can be accomplished in a relatively uniform manner. Recognizing this situation, and considering the requests for rezoning in this area which have been submitted over the past year, the Plan Commission undertook a study of the overall zoning and development pattern in the Livernois Road frontage area between Maple Road and I-75. The proposed land use pattern in the easterly frontage was included in the proposed "Local Area Plan" recently submitted to the City Council, involving the Addison Heights Subdivision, and adjacent portions of Section 27.

The Plan Commission first considered this rezoning request in conjunction with a Public Hearing at their Regular Meeting of December 10, 1985. At that time I pointed out that, on the basis of an overall plan for the area, the expansion of zoning and development depth through the application of additional O-1 and P-1 zoning would be reasonable. The resultant parcel depth in this case would be 191 feet. The petitioners had indicated that total R-1E to P-1 rezoning would eliminate the potential building configuration which they had proposed. Considering this situation, I felt that at least the easternmost 40-foot lots should be rezoned to the P-1 (rather than the O-1) classification. The total 2-lot parcel south of Arthur Street should be rezoned to the P-1 classification.

CC P/H JUNE 30, 1986 } JUNE 30, 1986 - Rezoning Granted
O-1 (lots 315, 316), P-1 (lots 314, 317, 362, 363)

Frank Gerstenecker, City Manager

"Proposed Rezoning - East of Livernois,
Adjacent to Larchwood and Arthur -
Section 27 - R-1E to O-1 (or P-1)"

May 22, 1986

This zoning direction would be basically consistent with the parcel immediately to the south, and would further assure that that parcel would not be independently developed with frontage on an interior street.

Mr. Robert Champion, the petitioner, and Mr. Thomas Sawyer, his attorney, were present. Mr. Sawyer indicated that the lots south of Arthur Street were not proposed to be used at this time. They could in the future be used by the abutting dental office, or by other adjacent properties. This parcel was acquired in order to create a consistent zoning boundary. A portion of the area south of Arthur Street could also be used for a potential cul-de-sac in conjunction with the possible closing of Arthur Street within the Livernois Road frontage. Finally, Mr. Sawyer pointed out that, within the Larchwood-Arthur block, the petitioners propose to construct a 12,000 square foot colonial-style building, where a 14,300 square foot building would be permitted under O-1 zoning. It is further their proposal to landscape approximately 25-percent of the site.

Bill Kemp, owner of the home at 39 Larchwood and employer of the resident at that location, expressed concern as to potential "spot zoning". He indicated that he spoke to other owners on Larchwood, and that they felt that the whole area should be reviewed and considered for rezoning. He was concerned about the plight of the residents in the interior of this area, in the event that lots abutting the Livernois Road frontage are rezoned and developed for office purposes. A resident from 44 Larchwood indicated opposition to this request, as he felt that such would decrease property and resale values in this area.

After further discussion, the Commission concluded that action on this matter should be tabled in order to enable completion of their study of the Livernois Road frontage area. As indicated above, this study was completed in conjunction with development of the "Local Area Plan" for this area. Action on this request was further tabled at later meetings, in order to provide an opportunity for the City Council to review and comment on the proposed Plan. This matter was ultimately considered at the Commission's May 13, 1986 Regular Meeting. At that time I pointed out that the City Council had reviewed the proposed Local Area Plan, and had referred same back to the Plan Commission, with a request that a Public Hearing be held in order to advise area property owners of the proposals involved in the Plan. Mr. Martin and Mr. Champion, the petitioners in this matter, were once again present. After further discussion of this rezoning request, the Commission felt that recommending action could be taken at this time. (It was noted that the depth of office development resulting from this request would not extend as far east as had been suggested in the proposed Local Area Plan.) The Commission concurred in the position that the easterly lots between Larchwood and Arthur, along with both lots south of Arthur, should be rezoned to the (P-1) classification, and that just the two lots abutting the Livernois Road frontage between Larchwood and Arthur should be rezoned to O-1 as originally requested. They thus adopted the following resolution regarding this rezoning request:

Moved by Melaragni

Supported by Spilman

RESOLVED, that the Plan Commission hereby recommends to the City Council that properties extending from Larchwood Street to south of Arthur Street and having 80 feet of frontage on these streets, in the area immediately east of the Livernois Road frontage, be rezoned

Frank Gerstenecker, City Manager

"Proposed Rezoning - East of Livernois,
Adjacent to Larchwood and Arthur -
Section 27 - R-1E to O-1 (or P-1)"

May 22, 1986

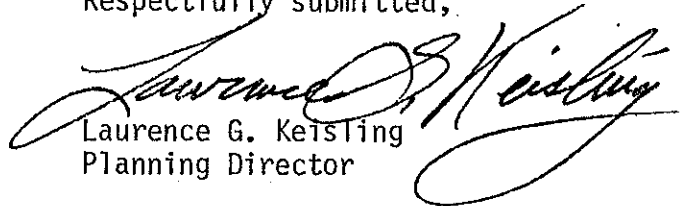
from R-1E to O-1 and P-1, in accordance with the zoning pattern as presented on this date, as such rezoning will provide for reasonable office development in this area consistent with the intent of the Master Land Use Plan, while having a minimum negative impact on the adjacent residential area.

Yeas: All Present - (7)

Absent: Chamberlain,
Deckert

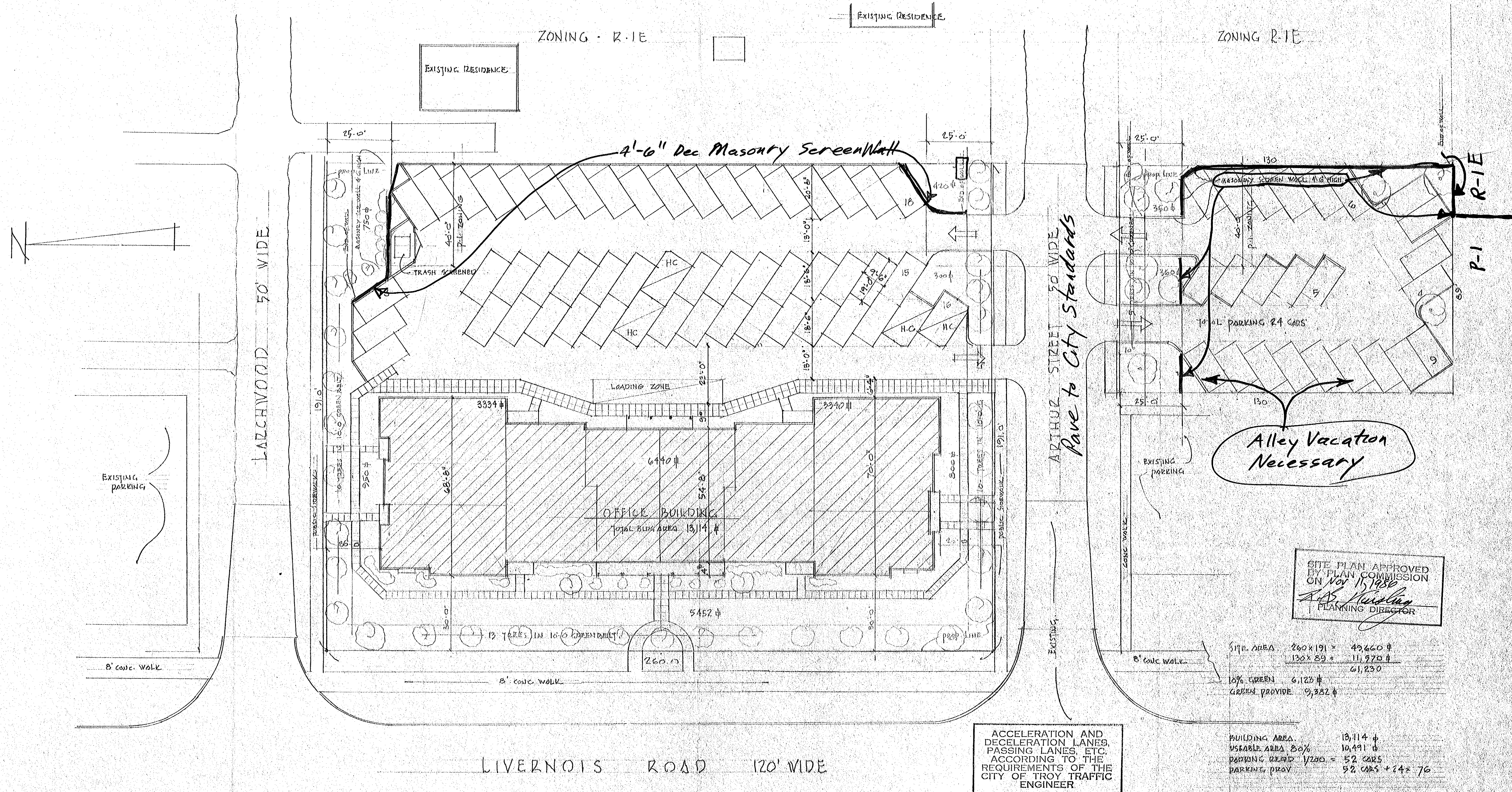
MOTION CARRIED

Respectfully submitted,


Laurence G. Keisling
Planning Director

LGK/ph

copy: W. Robert Semp1e, Assistant City Manager



SITE PLAN

SCALE 1"=20' 0"

S/P 663

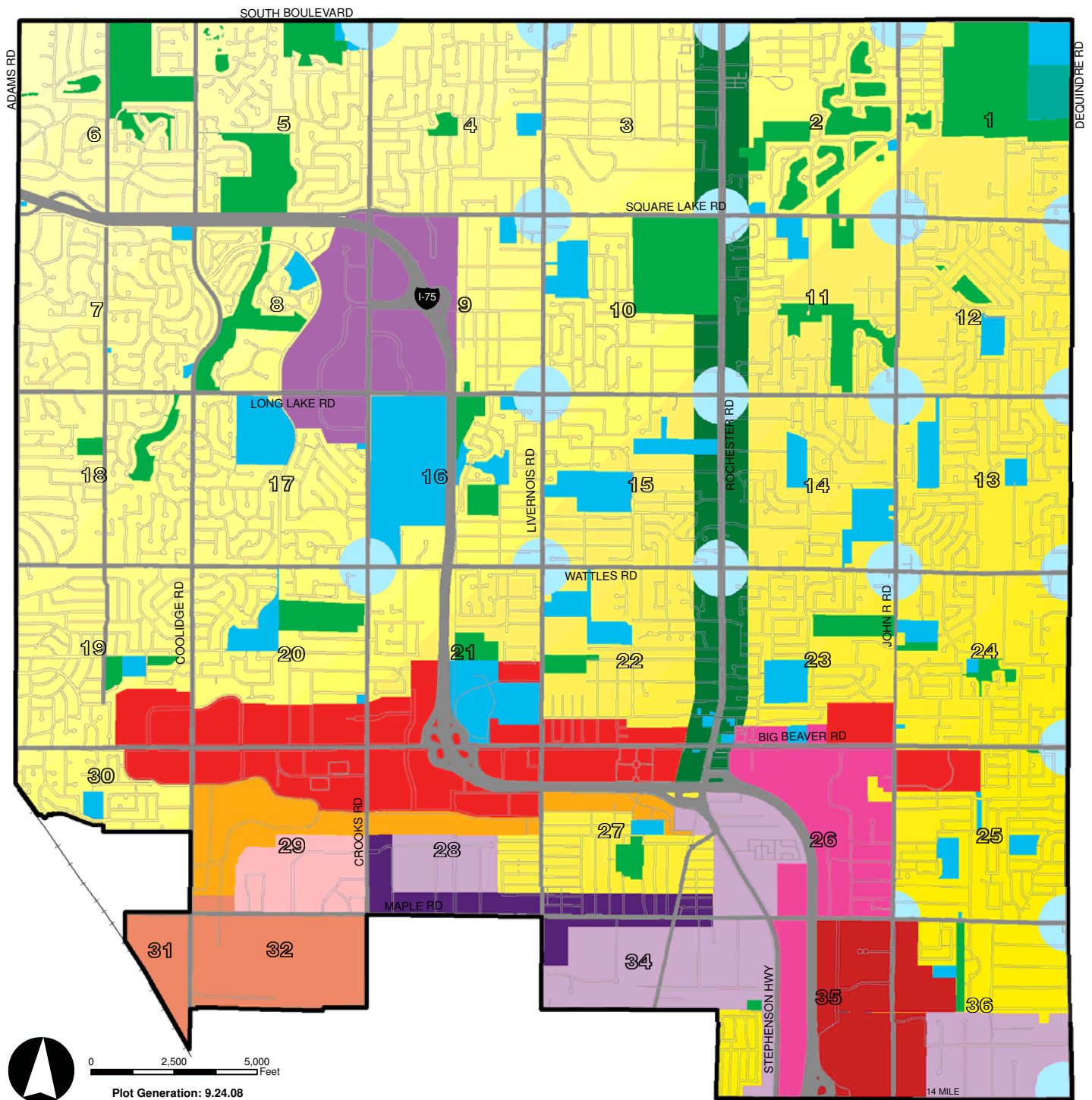
RECEIVED NOV 6 1986
REVISED
PLANNING DEPT.

ARCHITECT
EDWARD J. HEINS
ROCHESTER, MICHIGAN 48063
313.431.2766
4800 E. HARBOR DR.
ELK LAKES, MICHIGAN 49829
616.444.8990

OFFICE BUILDING - LIVERNOIS & ARTHUR
FOR
BOB CHAPMAN & ROSS MARTIN

REVISIONS
DRAWN BY
CER BY
DATE 9-25-86

SHEET NO.
12
JOB NO.
6462C



Basemap Source: Oakland County Planning

6. PRELIMINARY SITE PLAN REVIEW (File Number SP2019-0022) – Proposed Crooks Road Townhomes, West side of Crooks Road, North of Wattles Road, Section 17, Currently Zoned NN (Neighborhood Node “I”) District.

5. PUBLIC HEARING – REZONING REQUEST (File Number Z 2019-0039) – Proposed Addison Heights Subdivision Rezoning, East of Livernois, South side of Arthur (88-20-27-307-033), Section 27, From P (Vehicular Parking) District to R-1E (One Family Residential) District

Mr. Savidant explained what a rezoning request is and its approval process. He provided a history of the zoning of the property. Mr. Savidant addressed the request as relates to the Rezoning Standards and Master Plan. Mr. Savidant said the applicant wants to construct a residential home on the site. It was recommended that the Planning Commission recommends to the City Council to grant approval of the rezoning request.

The applicant Ross Martin was present.

PUBLIC HEARING OPENED

There was no one present who wished to speak.

PUBLIC HEARING CLOSED

There was discussion on:

- Ownership of adjacent parcels.
- Potential development in the future along Livernois and the right of way.

Resolution # PC-2020-01-003

Moved by: Hutson

Support by: Tagle

RESOLVED, That the Planning Commission hereby recommends to the City Council that the P (Vehicular Parking) District to R-1E (One Family Residential) District rezoning request, as per Section 16.03 of the City of Troy Zoning Ordinance, located on the south side of Arthur, East of Livernois, within Section 27, being approximately 0.24 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