

CENTRAL CITY NEIGHBORHOOD

Master Plan Revisit and City-Initiated Rezoning



AGENDA ITEM NO. 8a.

Community Development Department

TO: Scott S. Randall, City Manager
FROM: Steven J. Cohen, AICP, PCP, City Planner
SUBJECT: MOTION - APPROVING REZONING PROPOSALS IN THE CENTRAL CITY NEIGHBORHOOD
DATE: May 11, 2005

History

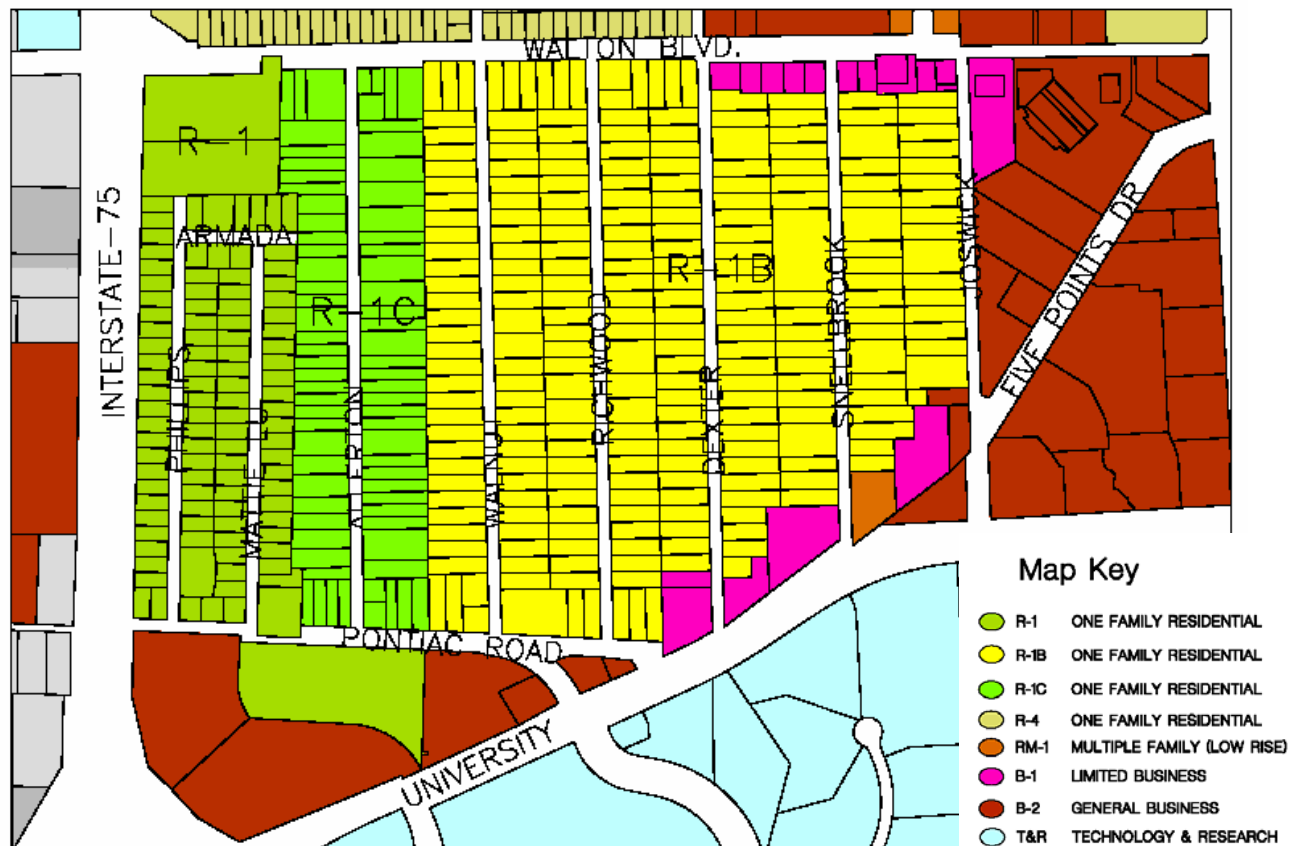
The City wishes to preserve the existing lot sizes in the Central City Neighborhood. Currently new lots can be created in the neighborhood as small as 7,200 sq. ft. in size, even though most of the parcels are larger than 19,200 sq. ft. in size. After meeting with the neighborhood, the City decided to proceed with three rezoning proposals to address the issue.

Request

The proposed zoning changes are shown below:

- **RZ 05-01** - R-2 to R-1B District
Proposed zoning of property generally located between Joswick and Walnut
- **RZ 05-02** - R-2 to R-1C District
Proposed zoning of property generally located along both sides of Allerton
- **RZ 05-03** - R-2 to R-1 District
Proposed zoning of Auburn Hills Christian Center

Proposed Zoning – Central City Neighborhood



Quick Summary of Regulations

Regulations	Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Side Yard Setback (each side)	Minimum Rear Yard Setback
Current Rules (R-2 District)	7,200 sq. ft.	60 ft.	25 ft.	5 ft.	35 ft.
R-1B District	16,000 sq. ft.	70 ft.	25 ft.	5 ft.	35 ft.
R-1C District	12,000 sq. ft.	60 ft.	25 ft.	5 ft.	35 ft.
R-1 District	8,400 sq. ft.	70 ft.	25 ft.	5 ft.	35 ft.

Impact of the Change

- The neighborhood would be protected from infill developments inconsistent with existing lots.
- 8 of the 324 parcels proposed to be rezoned to the new zoning districts would become legally nonconforming.
 - *The owner of any lot that exists today that becomes nonconforming due to a change in the zoning ordinance is entitled to build on that lot providing other ordinance requirements are met such as setbacks and maximum building height. The owner can not split a nonconforming lot to make it smaller.*

5 parcels would become legally nonconforming if rezoned from R-2 to R-1B District

Name	Address	Sidwell Number	Lot Size (Proposed 16,000 sq. ft.)	Width (Proposed 70 ft.)
Jon Sutton	None	14-13-152-009	7,999 sq. ft.	80
Donald Grenier	2044 Dexter	14-13-151-030	13,794 sq. ft.	100
Lawrence Anastasia	2478 Richwood	14-14-228-002	14,558 sq. ft.	91
Dennis Kimes	2392 Richwood	14-14-228-044	16,502 sq. ft.	69
Jackie Eubanks	2430 Walnut	14-14-227-045	14,878 sq. ft.	62

3 parcels would become legally nonconforming if rezoned from R-2 to R-1C District

Name	Address	Sidwell Number	Lot Size (Proposed 12,000 sq. ft.)	Width (Proposed 60 ft.)
Michael Chisholm	2722 E. Walton	14-14-205-026	8,125 sq. ft.	65
Michael Chisholm	2738 E. Walton	14-13-205-027	7,875 sq. ft.	63
Rickie Seabrook	2691 Pontiac Road	14-14-254-012	13,204 sq. ft.	54

Staff Recommendation

Recommend approval

Planning Commission Recommendation

Recommended approval on May 5, 2005

Recommended Action

It would be appropriate for the City Council to approve the proposed rezoning applications by adopting the following motion:

“Move to accept the Planning Commission’s recommendation and approve the following rezoning proposals:

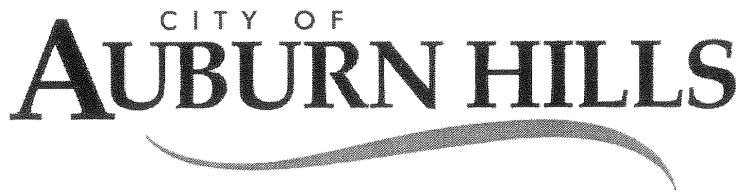
- **Ord. 751 - R-2, One-Family Residential district to R-1B, One-Family Residential district.**
- **Ord. 752 - R-2, One-Family Residential district to R-1C, One-Family Residential district.**
- **Ord. 753 - R-2, One-Family Residential district to R-1, One-Family Residential district.**

Thank you.

I Concur:

srandall

Scott S. Randall, City Manager



For more information, feel free to contact Steve Cohen, City Planner via either phone at 248-364-6941 or e-mail at scohen@auburnhills.org

To review past minutes regarding this issue, please visit our website at <http://www.auburnhills.org/departments/communitydevelopment/default.aspx>

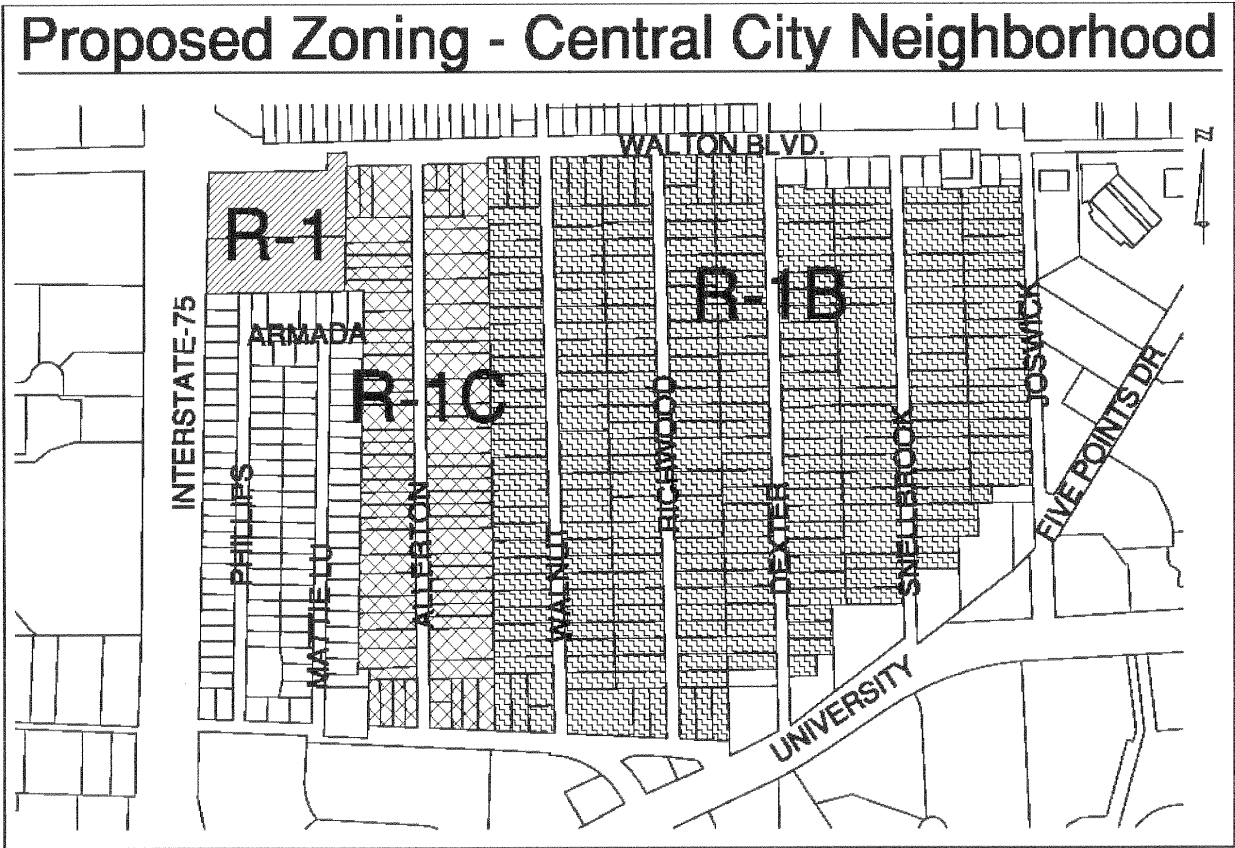
PUBLIC HEARING

NEW ZONING RULES PROPOSED FOR THE CENTRAL CITY NEIGHBORHOOD
 THURSDAY, MAY 5, 2005 AT 7:00 P.M. IN THE COUNCIL CHAMBERS
 1827 N. SQUIRREL ROAD, AUBURN HILLS, MI 48326

The Planning Commission and City Council wish to preserve the existing lot sizes in your neighborhood. Currently new lots can be created in the neighborhood as small as 7,200 sq. ft. in size, even though most of the parcels are larger than 19,200 sq. ft. in size.

New rules would be as follows:

Regulations	Minimum Lot Size	Minimum Lot Width
Current Rules (R-2 District)	7,200 sq. ft.	60 ft.
R-1B District <i>Proposed zoning of property generally located between Joswick and Walnut</i>	16,000 sq. ft.	70 ft.
R-1C District <i>Proposed zoning of property generally located along both sides of Allerton</i>	12,000 sq. ft.	60 ft.
R-1 District <i>Proposed zoning of Auburn Hills Christian Center property</i>	8,400 sq. ft.	70 ft.



NOTICE TO ALL RESIDENTS OF THE
CITY OF AUBURN HILLS

CITY-INITIATED REZONING

THERE WILL BE A PUBLIC HEARING by the City Planning Commission at the Civic Center, 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, on Thursday, May 5, 2005 at 7:00 p.m. to consider the FOLLOWING CHANGES TO ZONING ORDINANCE NO. 372:

Case Number: RZ 05-01

Applicant: City of Auburn Hills

Sidwell Numbers: 14-13-102-008-014, 016, 017, 019-023, 026-034, 037-040
14-13-152-001-002, 005, 007-009, 015-018
14-13-101-007-016, 018-020, 023-028, 031, 032-036
14-13-151-001-018, 022, 029, 030, 032, 033
14-14-228-001-010, 013, 014, 017-020, 022-025, 027-031, 033,
035-039, 042-045
14-14-278-001-012, 014-017, 019-022, 024-026, 030-032
14-14-227-001-006, 009-018, 022-024, 028, 029, 032-041, 044-049
14-14-277-001-028
14-14-226-001-019
14-14-276-001, 002, 004-011, 013, 015-019

General Location: Parcels are generally located between Joswick and Walnut in the Central City Neighborhood.

From present classification of R-2, One-Family Residential district to R-1B, One-Family Residential district or any other appropriate zoning district. The Planning Commission decision shall be in the form of a recommendation to City Council.

The purpose of the proposed zoning map amendment is to implement the future land use recommendations of the Auburn Hills Master Land Use Plan.

The proposed zoning map amendment may be examined at the Community Development Department, 1827 N. Squirrel Road during regular business hours.

Linda F. Shannon, City Clerk

NOTICE TO ALL RESIDENTS OF THE
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Case Number: RZ 05-02

Applicant: City of Auburn Hills

Sidwell Numbers: 14-14-205-003-008, 011, 012, 015-022, 025-027
14-14-254-001-005, 009, 010, 012-022
14-14-201-004, 012-021
14-14-204-010, 013-020
14-14-253-014-018, 021-025, 027-032

General Location: Parcels are generally located along Allerton in the Central City Neighborhood.

From present classification of R-2, One-Family Residential district to R-1C, One-Family Residential district or any other appropriate zoning district. The Planning Commission decision shall be in the form of a recommendation to City Council.

The purpose of the proposed zoning map amendment is to implement the future land use recommendations of the Auburn Hills Master Land Use Plan.

The proposed zoning map amendment may be examined at the Community Development Department, 1827 N. Squirrel Road during regular business hours.

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NOTICE TO ALL RESIDENTS OF THE
CITY OF AUBURN HILLS

CITY-INITIATED REZONING

THERE WILL BE A PUBLIC HEARING by the City Planning Commission at the Civic Center, 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, on Thursday, May 5, 2005 at 7:00 p.m. to consider the FOLLOWING CHANGES TO ZONING ORDINANCE NO. 372:

Case Number: RZ 05-03

Applicant: City of Auburn Hills

Sidwell Numbers: 14-14-201-024
14-14-201-025

General Location: Parcels are generally located at the southeast corner of I-75 and Walton Boulevard in the Central City Neighborhood.
(Auburn Hills Christian Center site)

From present classification of R-2, One-Family Residential district to R-1, One-Family Residential district or any other appropriate zoning district. The Planning Commission decision shall be in the form of a recommendation to City Council.

The purpose of the proposed zoning map amendment is to implement the future land use recommendations of the Auburn Hills Master Land Use Plan.

The proposed zoning map amendment may be examined at the Community Development Department, 1827 N. Squirrel Road during regular business hours.

Linda F. Shannon, City Clerk

CITY OF AUBURN HILLS

Community Development Department Planning and Zoning Services

1827 N. Squirrel Road - Auburn Hills, MI 48326
Phone: (248) 364-6941 Fax: (248) 364-6939
Website: www.auburnhills.org

Monday, April 25, 2005

Chairperson Tammy Hurt-Mendyka and the
City of Auburn Hills Planning Commission
1827 N. Squirrel Road
Auburn Hills, MI 48326

RE: RZ 05-01, City of Auburn Hills
R-2 District to R-1B District

Dear Ms. Hurt-Mendyka:

We have had the opportunity to review this item and offer the following comments:

File No. RZ 05-01, City-initiated rezoning request of numerous parcels of property from R-2, One Family Residential district to R-1B, One Family Residential district. The properties are generally located within the Central City Neighborhood (Joswick, Snellbrook, Dexter, Richwood, and Walnut Roads).

The sidwell identification numbers of parcels proposed for rezoning are the following:

14-13-102-008-014, 016, 017, 019-023, 026-034, 037-040
14-13-152-001-002, 005, 007-009, 015-018
14-13-101-007-016, 018-020, 023-028, 031, 032-036
14-13-151-001-018, 022, 029, 030, 032, 033
14-14-228-001-010, 013, 014, 017-020, 022-025, 027-031, 033, 035-039, 042-045
14-14-278-001-012, 014-017, 019-022, 024-026, 030-032
14-14-227-001-006, 009-018, 022-024, 028, 029, 032-041, 044-049
14-14-277-001-028
14-14-226-001-019
14-14-276-001, 002, 004-011, 013, 015-019

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's *Master Land Use Plan*.

The City's Master Land Use Plan depicts subject parcels as "residential" with a recommended density of 2.0 units per acre. Therefore, we are recommending Approval of RZ 05-01 from R-2, One Family Residential district to R-1B, One Family Residential district based upon the Adopted Plan.

If you have any questions regarding the above review, please contact us via phone at (248) 364-6900.

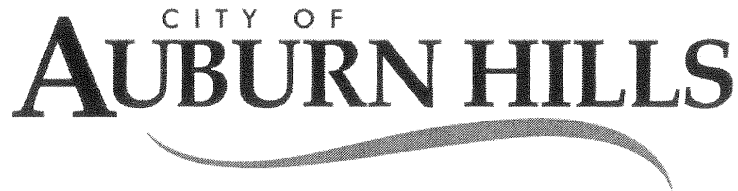
Respectfully submitted,



Brian K. McBroom, AICP
Community Development Director



Steven J. Cohen, AICP, PCP
City Planner



**Community Development Department
Planning and Zoning Services**

1827 N. Squirrel Road - Auburn Hills, MI 48326
Phone: (248) 364-6941 Fax: (248) 364-6939
Website: www.auburnhills.org

Monday, April 25, 2005

Chairperson Tammy Hurt-Mendyka and the
City of Auburn Hills Planning Commission
1827 N. Squirrel Road
Auburn Hills, MI 48326

RE: RZ 05-02, City of Auburn Hills
R-2 District to R-1C District

Dear Ms. Hurt-Mendyka:

We have had the opportunity to review this item and offer the following comments:

File No. RZ 05-02, City-initiated rezoning request of numerous parcels of property from R-2, One Family Residential district to R-1C, One Family Residential district. The properties are generally located within the Central City Neighborhood (Allerton Road).

The sidwell identification numbers of parcels proposed for rezoning are the following:

14-14-205-003-008, 011, 012, 015-022, 025-027
14-14-254-001-005, 009, 010, 012-022
14-14-201-004, 012-021
14-14-204-010, 013-020
14-14-253-014-018, 021-025, 027-032

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's *Master Land Use Plan*.

*The City's Master Land Use Plan depicts subject parcels as "residential" with a recommended density of 2.0 units per acre. **Therefore, we are recommending Approval of RZ 05-02 from R-2, One Family Residential district to R-1C, One Family Residential district based upon the Adopted Plan.***

If you have any questions regarding the above review, please contact us via phone at (248) 364-6900.

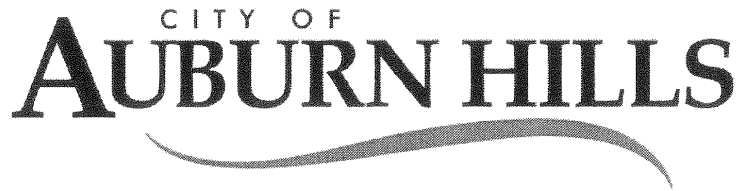
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brian K. McBroom".

Brian K. McBroom, AICP
Community Development Director

A handwritten signature in cursive script, appearing to read "Steven J. Cohen".

Steven J. Cohen, AICP, PCP
City Planner



**Community Development Department
Planning and Zoning Services**

1827 N. Squirrel Road - Auburn Hills, MI 48326
Phone: (248) 364-6941 Fax: (248) 364-6939
Website: www.auburnhills.org

Monday, April 25, 2005

Chairperson Tammy Hurt-Mendyka and the
City of Auburn Hills Planning Commission
1827 N. Squirrel Road
Auburn Hills, MI 48326

RE: RZ 05-03, City of Auburn Hills
R-2 District to R-1 District

Dear Ms. Hurt-Mendyka:

We have had the opportunity to review this item and offer the following comments:

File No. RZ 05-03, City-initiated rezoning request of numerous parcels of property from R-2, One Family Residential district to R-1, One Family Residential district. The properties are generally located within the Central City Neighborhood (Auburn Hills Christian Center site).

The sidwell identification numbers of parcels proposed for rezoning are the following:

14-14-201-024
14-14-201-025

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's *Master Land Use Plan*.

*The City's Master Land Use Plan depicts subject parcels as "residential" with a recommended density of 2.0 units per acre. **Therefore, we are recommending Approval of RZ 05-03 from R-2, One Family Residential district to R-1, One Family Residential district based upon the Adopted Plan.***

If you have any questions regarding the above review, please contact us via phone at (248) 364-6900.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Brian K. McBroom".

Brian K. McBroom, AICP
Community Development Director

A handwritten signature in dark ink, appearing to read "Steven J. Cohen".

Steven J. Cohen, AICP, PCP
City Planner

May 4, 2005

City of Auburn Hills
1827 N. Squirrel Road
Auburn Hills, MI 48326

Attention: Planning Commission

Re: Request for Master Plan Revision

This letter is written requesting the Planning Commission increase the density on the West side of Joswick Street.

Generally speaking, I don't believe single family residences face Commercial property. The East side of Joswick is already zoned Commercial making Joswick the transitional street.

It is my opinion that the property on the West side of Joswick should be zoned to permit a higher density of housing.

Thank you in advance for your thoughtful consideration.



Dorothy Wheatley
3645 Oakshire Avenue
Waterford, MI 48328
248.682.5983

Owner of Lots #109 and #110, Vacant Property on Joswick Street

RECEIVED
MAY 05 2005
AUBURN HILLS
COMMUNITY DEVELOPMENT DEPT

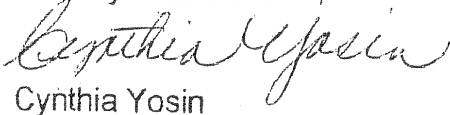
March 26, 2005

City of Auburn Hills
Planning Commission
Tammy Hurt-Mendyka - Chairperson

Regarding Lot #109 SID#14-13-102-032
and Lot # 110 SID # 14-13-152-007 - Joswick

This is a written request for the Planning Commission to approve a request to build a duplex on the above mentioned properties. The property is across the street from property zoned General Business and 2 lots north of properties zoned Limited & General Business. This structure would be approximately 56' wide and 36' deep including the extension of a single car garage. Each individual unit would be approximately 28 ft wide and 1,470 square feet. The duplex building is a two story structure with (2) basements and (2) garages, of brick and vinyl sided construction. A copy of the proposed structure is attached. Please advise us as to what additional information is needed in order to get approval regarding this request.

Thank you in advance,


Cynthia Yosin

cc: Steve Cohen
Dorothy Wheatly

CYNTHIA YOSIN
54474 WHITBY WAY
SHEZBY Twp, MI 48316
248-652-8572



THESE PLANS WILL BE FLIPPED FROM THE
CENTER - GARAGES ON OUTSIDE. FLOOR PLAN
IS CORRECT.

History

**CITY OF AUBURN HILLS
PLANNING COMMISSION MEETING**

February 17, 2005

CALL TO ORDER: Chairperson Hurt-Mendyka called the meeting to order at 7:00 p.m.

ROLL CALL: Present. Beidoun, Doyle, Hurt-Mendyka, Kresnak, Luenberger,
Ouellette, Pierce, and Verbeke
Absent. None
Also Present. City Planner Cohen, TIFA Chair Bennett
Guests 63

LOCATION: Public Safety Community Room, 1899 N. Squirrel Road, Auburn Hills MI 48326

PERSON WISHING TO BE HEARD – none

SPECIAL STUDY ITEM:
ZONING IN THE CENTRAL CITY NEIGHBORHOOD

Ms. Hurt-Mendyka thanked those in attendance for coming to the meeting. She explained the purpose of the meeting was to review ideas related to maintaining the current size lots within the existing neighborhood. She informed the audience that the neighborhood's current R-2 zoning allows such but also allows for the possibility of a "subdivision within the subdivision" and the City, with resident input, would like to rezone the area to maintain the larger lot size. Ms. Hurt-Mendyka explained a similar process has taken place in other neighborhoods throughout the City. She assured the residents the City had not been approached with such a request, but explained the "subdivision scenario" was possible, citing as an example the Vinewood area where lots were combined and two separate subdivisions were created. Ms. Hurt-Mendyka introduced City Planner Cohen.

Mr. Cohen explained that at the direction of the Planning Commission, the Community Development Department proposes the creation of two new zoning districts designed to preserve the existing lots sizes within the Central City Neighborhood. The primary concern raised by the Planning Commission was the potential for new lot splits or infill development occurring in the neighborhood which may not be compatible with the existing lots due to the R-2 zoning.

Mr. Cohen indicated the City's residential zoning historically has not matched the existing lot sizes in several older neighborhoods. This inconsistency has been a problem for the City in the past as new infill developments have been proposed and approved in these areas despite objections from adjacent residents. He stated the Planning Commission and City Council have worked together to address this problem throughout the City by obtaining public input and initiating rezoning proposals in several neighborhoods. City-initiated zoning changes have occurred in the following neighborhoods: Northeast Corner (2001); Vinewood (2002); Auburn Heights Manor (2003); Meldrum Acres (2003); and Churchill (2003).

Mr. Cohen reviewed a display board graphically showing the difference between the R-2 zoning, existing lot sizes, and the proposed zoning districts. He explained the two new residential zoning districts would be titled "R-1B" and "R-1C". R-1B would require a minimum lot size of 18,000 sq. ft. with a minimum lot width of 70 ft. R-1C would require a minimum lot size of 14,000 sq. ft. with a minimum lot width of 60 ft.

Ms. Hurt-Mendyka asked the audience if they had any questions.

Mr. Jim Miller, 2235 Dexter, is concerned with the traffic on Dexter and asked if the new proposed road would affect the traffic. Ms. Hurt-Mendyka explained that a new road has not been proposed; the drawing illustrates what could happen, a new subdivision with a road, if the zoning is not changed. Mr. Miller

questioned how the zoning change would affect an existing building. Mr. Cohen stated that if the building meets set-back requirements, there shouldn't be a problem.

Ms. Nancy Burdick, 2382 Walnut, asked what had happened with the development that was to take place with the rental homes at the end of Richwood. Ms. Hurt-Mendyk stated the City Council denied the road vacation of Pontiac Court; therefore, it remained residential zoning and the developer withdrew his request.

Mr. Joe Brodak, 2413 Richwood, asked if the rezoning of the property would change the property taxes. Mr. Cohen stated it would not.

Ms. Carolyn Ransom, 2331 Allerton, agreed with the zoning change, but questioned the negative side of the rezoning. Mr. Cohen explained the possibility of losing the opportunity to divide existing lots into 7,200 sq. ft. lots. However, Mr. Cohen explained the zoning amendment process would take a few months and, in the meantime, lot divisions would be possible.

Mr. Scott Burchfield, 2104 Richwood, was in favor of the rezoning but questioned the possibility of a PUD. Mr. Cohen stated a PUD request is possible; however, the City's Master Plan is quite explicit and would require a public hearing and approval of City Council.

Ms. Hurt-Mendyk explained for the audience a PUD, is a Planned Unit Development and gave the following example:

A developer approaches the City with an idea for a project that may or may not be in the appropriate zoning district. Rather than rezoning the piece of property, the developer works with the City, usually with many concessions and the input of residents, to make the project worthy of the location as well as a benefit to the City.

Ms. Sharon Morren, 2424 Allerton, questioned her understanding of the process as - *currently now, she has one of the larger lots on Allerton, which she could divide and build something in her backyard. What is being proposed is that the lots stay the same, and the lot division wouldn't be possible.* Mr. Cohen stated that was the basic concept, yes.

Ms. Hurt-Mendyk noted the current City Zoning Ordinance stipulates that all roads be constructed to public road specifications, which has the effect of increasing road width and reducing the amount of property available for home sites. This was done to prohibit homes being built behind homes.

Ms. Patty Hassett, 2471 Joswick, thanked the Planning Commission for being pro-active in keeping her neighborhood the way it is.

Mr. Bob Ewald, 2346 Snellbrook, agreed that the lot sizes should be maintained.

Mr. John Tenuta, 2680 E. Walton, asked if this zoning change would also affect the homes along Walton. Mr. Cohen stated the homes along Walton would remain residential and be rezoned from R-2 to the new zoning district. Mr. Tenuata questioned the widening of Walton Road. Mr. Cohen stated there has been a great deal of discussion on Walton Road, with both the City and the Road Commission for Oakland County, and may result in Walton Road eventually becoming a boulevard. Mr. Cohen stated he understood the lack of State funds to widen the bridge over I-75, is the hold-up. The City has been actively trying to get the funding for the road widening. Mr. Tenuta questioned the possibility of installing a traffic signal or reducing the speed limit to help break up the traffic flow. Mr. Cohen stated he would speak with the Police Department about lowering the speed limit.

Ms. Jeanette Alderman, 2056 Richwood, was in agreement with keeping the area as it currently is.

Mr. David Burton, 2605 Pontiac Road, would like to see the neighborhood stay as it is. Mr. Burton asked if this zoning would affect the property on Pontiac Road, west of the I-75. Mr. Cohen stated the

majority of property west of I-75 is zoned non-residential. Mr. Burton stated the speed limit on Pontiac Road, 45 mph, is too fast for that area.

A resident questioned what was happening where the two homes on Pontiac Road were demolished, just east of I-75. Mr. Cohen believed that those homes were purchased by the MDOT, but wasn't sure for what purpose.

Mr. Gary Clark, 2199 Richwood, questioned if the R-2 district that currently exists allows for lot splits. Mr. Cohen stated lot divisions will be permitted until the new zoning districts are adopted, provided the divisions meet the current standards. Mr. Clark explained he currently has three lots, and isn't sure if his garage encroaches on his one vacant lot. Mr. Cohen suggested that Mr. Clark contact his office and discuss the issue further.

Mr. & Mrs. George Bussard, 2244 Snellbrook, didn't want to see any changes in the lot sizes, they wanted to see the neighborhood remain as it is.

Mr. Gordon Loud, 2140 Allerton, asked what step is next in this process, believing the majority of people at the meeting were in favor of the zoning change. Mr. Cohen explained first a public hearing is held by the Planning Commission for a proposed text amendment to the Zoning Ordinance and if passed forwarded to City Council for approval. City Council must then review the amendment and choose whether to adopt the text amendment. If approved, the Planning Commission would then hold a public hearing for the purpose of rezoning the parcels and forward that to City Council for approval. The process could take as long as four months.

Mr. Gary Walsh, 2096 Allerton, asked if a subdivision within a residential area has been done in any other area of the City. Ms. Hurt-Mendyka explained it had been done in the Vinewood area of the City, two lots were purchased and a road was constructed, then the property was divided into buildable lots. Mr. Cohen stated residents were opposed to the project, but because it met all zoning requirements it was approved by the Planning Commission and the City Council. Mr. Cohen explained the courts rule that if a project meets the zoning ordinances, it must be approved.

Ms. Hurt-Mendyka noted when Auburn Hills incorporated, the zoning ordinance was changed, allowing smaller lots sizes, to encourage residential growth.

Ms. Rita Walsh, 2096 Allerton, asked what became of the proposed development behind the gas station. Ms. Hurt-Mendyka explained that had been discussed, however, the City Council chose not to vacate Pontiac Road and the developers withdrew their request. Because of the zoning, only residential construction is permitted on the sites.

Responding to a resident, Ms. Hurt-Mendyka explained letters are sent to property owners within 1,000 feet of a proposed project. Ms. Hurt-Mendyka stated the letters are informational only and sent to gather the thoughts, ideas and suggestions of neighborhood residents and answer questions.

Mr. Eric Seidel, 2275 Snellbrook, stated he wasn't sure if this rezoning was appropriate. He stated a developer would need to purchase a number of adjoining lots to develop a subdivision of any number of homes. He stated he believed it was the property owner's right to decide what to do with their property. Mr. Seidel suggested that the addition of a street would require a stop sign, which would be welcomed in an effort to slow traffic.

Ms. Hassett stated she enjoyed the mature trees and would prefer her neighborhood not resemble cities such as Warren. Others agreed changing the zoning would prohibit typical city lots.

Ms. Doyle suggested looking at the character of Auburn Hills, and to think about what the future character should be.

A resident was upset that speed bumps were not constructed on the streets when they were paved four years ago.

Ms. Dorothy Wheatley, owns property on Joswick and stated she has had numerous inquiries since she put the property up for sale. She questioned if her property could be zoned transitional since she faces commercial property across the street. Ms. Hurt-Mendyka explained the City commonly uses roads as transitional property. Mr. Cohen stated the property is not currently Master Planned as transitional property; however, the Master Plan can be changed.

Ms. Wheatley agreed with Mr. Seidel, that property owners would be giving up the right to divide their property if they so chose.

A resident asked if the residents would be voting on the proposed changes and whether the residents' suggestions would be considered in the decision. Mr. Cohen explained the Planning Commission is comprised of Auburn Hill's residents appointed by the City Council. The Planning Commission considers input received from residents in deciding what recommendation they will forward to the City Council.

Mr. Kresnak urged those who may be uncomfortable speaking in public, relate their concerns to Mr. Cohen via e-mail or letter, or by calling the Community Development office.

Mr. Mike Jansen, 2342 Walnut, asked if letters would be sent alerting residents of the public hearing. Mr. Cohen noted the only advertising for text amendments to the Zoning Ordinance are published in the Oakland Press, notifications are not mailed to residents. Mr. Cohen stated the public hearing date for the text amendment would be set for March 17th and explained residents receive mail notification only when specific lot(s) are rezoned.

Mr. Kresnak assured residents that the Planning Commission seriously considers the voice of the residents and proceeds from there.

Replying to a resident, Ms. Hurt-Mendyka noted changes to Walton Road are not decided by the City. Walton is a County road, funded by the County and the State.

Mr. Cohen explained this is the sixth neighborhood studied by the Planning Commission for possible zoning changes and is done in an attempt to protect neighborhoods who wish to maintain the character of their neighborhoods. Court judges no longer use the "character of the neighborhood" as a means to deny a request. The Master Plan and Zoning Ordinance are what is used in deciding if a development is appropriate in any particular area.

Mr. Luenberger disagreed that MDOT does not have money to widen the Walton Road bridge and that there has been any movement by MDOT to construct a sound barrier wall. Mr. Luenberger stated the property along Pontiac Road where the homes were demolished was purchased by MDOT to extend the north-bound on-ramp of I-75 at University Drive.

Mr. Luenberger was concerned with 11 parcels in the neighborhood that would become non-conforming lots if this zoning change takes place. Mr. Luenberger suggested lowering the R-1B requirement of 18,000 sq. ft. per lot to 16,000 sq. ft. per lot, which would leave only three parcels as non-conforming lots. Mr. Luenberger suggested lowering the R-1C requirement of 14,000 sq. ft. to 12,000 sq. ft., reducing the non-conforming lots from 10 to one. Mr. Luenberger didn't think it was necessary to make any changes to the Zoning Ordinance.

Ms. Hurt-Mendyka asked for a show of hands in favor of the Planning Commission proceeding with amending the Zoning Ordinance by holding a public hearing, March 17th. There were 44 people in favor of proceeding, five against, and a small number of undecided residents.

Mr. Cohen informed the Planning Commission that the lot size could be reduced as suggested by Mr. Luenberger, to have less non-conforming lots.

Moved by Ms. Doyle to direct the City Planner to proceed with scheduling a public hearing for the March 17, 2005 Planning Commission meeting for a text amendment to the Zoning Ordinance

intended to create two new residential zoning districts and to reduce the current proposed lot sizes generating fewer non-conforming lots.

Supported by Ms. Verbeke.

VOTE: Yes: Beidoun, Doyle, Hurt-Mendyka, Kresnak, Ouellette, Pierce, and Verbeke

No: Luenberger

Motion Carried (7-1)

Mr. Kresnak apologized stating he was “out-of-order” earlier this evening when he escorted Mr. & Mrs. Bussard out of the meeting and thanked them for coming.

Ms. Hurt-Mendyka thanked the residents for attending the meeting, stating this was only the beginning of the process and reminded them the public hearing would be held at the Planning Commission meeting on March 17th. That meeting will be held in the City Council chambers.

ANNOUNCEMENT OF NEXT MEETING - The next regularly scheduled meeting is March 3, 2005.

ADJOURNMENT

There being no objections the meeting was adjourned at 8:35 p.m.

Kathleen Novak
Records Retention Clerk

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Excerpt
CITY OF AUBURN HILLS
PLANNING COMMISSION MEETING

History

March 17, 2005

CALL TO ORDER: Chairperson Hurt-Mendyka called the meeting to order at 7:00 p.m.

ROLL CALL: Present. Beidoun, Doyle, Hurt-Mendyka, Kresnak, Ouellette, Pierce, Verbeke
Absent. Luenberger
Also Present. City Planner Cohen, TIFA Chair Bennett
Guests 73

LOCATION: City Council Chambers, 1827 N. Squirrel Road, Auburn Hills MI 48326

TA 05-06, Text Amendment to Zoning Ordinance No. 372 – Public Hearing

Ms. Hurt-Mendyka presented the request for approval for TA 05-06, Text Amendment to Zoning Ordinance No. 372, to create two new residential zoning districts called R-1B and R-1C in the Zoning Ordinance.

Ms. Verbeke read the following communications for the record:

Saturday, February 19, 2005, 4:13 p.m.

Mr. Steve Cohen,

My name is David A. Waggener, I live at 2356 Dexter, Auburn Hills. This e-mail is in regards to the rezoning changes the Auburn Hills Planning Commission proposed at the public meeting on Thursday, February 17th. The changes were said to be needed to preserve the existing lot sizes in the neighborhood between Walton Blvd. and University Drive and Allerton and Joswick. First thank you for bringing this to the neighborhoods attention. I David A. Waggener will back the Planning Commission 100 percent on any idea to preserve the large lot sizes in said neighborhood. Thanks again, and I will be there March 17th to further support you on the text amendment proposal for what I believe was said to be two new residential zoning districts.

Sincerely,

*David A. Waggener
Auburn Hills resident*

and

2/17/05

Attention Planning Commission

Jeff Swartz/Ann Marie Swartz

Rezone our areas to protect our current lot sizes.

2410 Snellbrook

Auburn Hills, MI 48316

Ann Marie Swartz

Jeff Swartz

And an anonymous letter:

Dear Neighbor,

The Auburn Hills City Council Planning Commission is currently in the process of rezoning your property. If, as homeowners, we do not stop this rezoning process, we will no longer have the right to resell our property to whomever you wish (including developers).

This rezoning is an infringement of your rights as a homeowner.

If you do not wish to have your rights taken away from you, please voice your concern by attending the next meeting Thursday, March 17th at 7:00 p.m., in the City Council Chambers, 1827 N. Squirrel Rd.

It is very important that you tell the Planning Commission to leave things just as they have been all these years. This will be the last chance you will have to stop the Planning Commission from doing as they please.

Your Attendance is Imperative!

Ms. Verbeke noted an error in the previous letter, stating the Planning Commission does not have the ability to take away the right of any property owner to sell their own property. This is to create new zoning districts.

Mr. Cohen reviewed his letter dated March 7, 2005 highlighting the following:

- *The purpose of the new zoning districts is to preserve the existing lot sizes in the Central City Neighborhood.*
- *This proposes to adopt two new residential districts - R-1B: minimum lot size 16,000 sq. ft./minimum lot width 70 ft. and R-1C: minimum lot size 12,000 sq. ft./minimum lot width 60 ft. The current zoning is R-2, allowing minimum lot size of 7,200 sq. ft./minimum lot width 60 ft.*
- *The impact of the change would protect the neighborhood from infill developments.*
- *The time frame for the proposed amendment would be completed and possibly adopted by City Council at their April 4th meeting; the Planning Commission will hold a public hearing on May 5th for the rezonings and forward to the City Council for approval at their May 16th or June 6th meeting.*

Mr. Cohen noted this item will move forward to City Council on April 4, 2005. If the City Council approves the new zoning districts, then the Planning Commission will proceed with rezoning the property. Letters will be mailed out to neighborhood residents. He stated the intent is not to take away property rights, even though with the rezoning some of those rights will be gone.

Ms. Hurt-Mendyk opened the public hearing at 7:50 p.m.

Mr. Scott Birchfield, 2104 Richwood, opposes the concept of the previous petitioner, Mr. Hockenberry. The lot sizes for those houses are 6,000 to 7,000 sq. ft. with 50 foot of frontage after combining two lots for a total of 3.45 acres.

Ms. Jeanette Alderman, 2056 Richwood, is happy with the pending rezoning of the neighborhood.

Mr. David Ward, 2416 Dexter agrees with the rezoning, to maintain the character of the neighborhood.

Ms. Hurt-Mendyk mentioned detailed notices would be sent to homeowners announcing the public hearing being held to rezone the neighborhood. The information will be available prior to the meeting in the Community Development Department.

In response to the questions regarding non-conforming lots Mr. Cohen explained it isn't unusual to have non-conforming lots in a city and will not have any affect on selling the property.

Ms. Hurt-Mendyk stated a property owner can apply for a property split prior to this item being approved by City Council.

Since there were no further questions, Ms. Hurt-Mendyk closed the public hearing at 8:02 p.m.

Moved by Mr. Pierce to recommend to City Council approval of TA 05-06, to create two new residential zoning districts.
Supported by Mr. Ouellette.

Mr. Cohen stated there are no lot splits currently being sought officially.

Mr. Pierce stated beside the reasons heard previously to maintain the lot sizes, he felt it was beneficial for the City to maintain large residential lots so the City has a variety of housing stock.

Ms. Doyle thanked the residents for participating in the meeting, noting it helps give direction to the Planning Commission. Ms. Doyle noted she was disappointed in the anonymous letter stating “this is the last chance to stop the Planning Commission from doing as they please”. The goal of the Planning Commission is to make good decisions for Auburn Hills and it helps having input from residents.

Mr. Kresnak supports this amendment noting with such an outpouring of residential involvement it seems to be the right decision.

Ms. Hurt-Mendyka thanked the residents for their participation in this matter.

VOTE: Yes: Beidoun, Doyle, Hurt-Mendyka, Kresnak, Ouellette, Pierce, Verbeke

No: None

Motion Carried (7-0)

6c. Motion to Approve Site Plan and Tree Removal Permit for Eagle Ottawa and BK North buildings for construction of two Office/High-tech buildings located south of University Drive, west of Pond Run.

PURPOSE FOR REMOVAL FROM CONSENT AGENDA:

- Appearance of turn-around at dead-end of Pond Run Drive.

Moved by Mr. Knight to accept the Planning Commission's recommendation and approve the site plan and tree removal permit for SP 05-06, Eagle Ottawa/BK North Buildings to facilitate the construction of two office/high-tech buildings on a site zoned T&R, Technology and Research district. The property is generally located south of University Drive, west of Pond Run (Sidwell No. 14-13-301-008 and 011). This is to include the discretionary findings of fact found in Mr. Cohen's letter dated March 10, 2005 and all applicable City consultants and agencies, with the provision that, for the present, the existing cul de sac and green space be enhanced, with directional signage be placed therein, and utilized as the turn-around.

Supported by Mr. Pillsbury.

VOTE: Yes: Harvey-Edwards, Kittle, Knight, Luenberger, McDonald, Newkirk, Pillsbury

No: None

RESOLUTION NO. 05.04.63

Motion carried (7-0)

6e. Motion to Approve Purchase and Planting – Bare Root Trees

PURPOSE FOR REMOVAL FROM CONSENT AGENDA:

- Contractor qualifications.
- Cost and viability of bare root trees versus balled trees.

Moved by Mr. Newkirk to approve the Furnishing and Planting of 350 Bare Root Trees to Marine City Nursery, P.O. Box 189, Marine City, MI 48039 at \$50,750.00.

Supported by Mr. Pillsbury.

VOTE: Yes: Harvey-Edwards, Kittle, Knight, Luenberger, McDonald, Newkirk, Pillsbury

No: None

RESOLUTION NO. 05.04.64

Motion carried (7-0)

6g. Motion to Approve Road Acceptance of Automation Drive

PURPOSE FOR REMOVAL FROM CONSENT AGENDA:

- Long-term cost of roadway maintenance.
- Construction specifications.

Moved by Mr. McDonald to accept 1160 ft. of Automation Avenue as presented in the legal description and sketch as required by the Michigan Department of Transportation for submission and acceptance in the annual Act-51 report.

Supported by Mr. Newkirk.

VOTE: Yes: Knight, McDonald, Newkirk

No: Harvey Edwards, Kittle, Luenberger, Pillsbury

RESOLUTION NO. 05.04.65

Motion failed (3-4)

7. OLD BUSINESS - none

8. NEW BUSINESS

8a. Ordinance approving Text Amendment to Zoning Ordinance, to Create Two New Residential Zoning Districts: R-1B and R-1C

INTERESTED PARTIES:

Planning Commission Chair Tammy Hurt-Mendyka spoke in favor of ordinance.

POINTS OF DISCUSSION:

- Purpose and/or need for change.
- Potential effect on property owners.
- Potential effect on redevelopment.

Moved by Mr. Knight to accept the recommendation of the Planning Commission to approve a Text Amendment to the Zoning Ordinance creating two new Residential Zoning Districts: R-1B and R-1C.

Supported by Mr. McDonald.

VOTE: Yes: Harvey-Edwards, Kittle, Knight, McDonald, Pillsbury

No: Luenberger, Newkirk

RESOLUTION NO. 05.04.66

Motion carried (5-2)

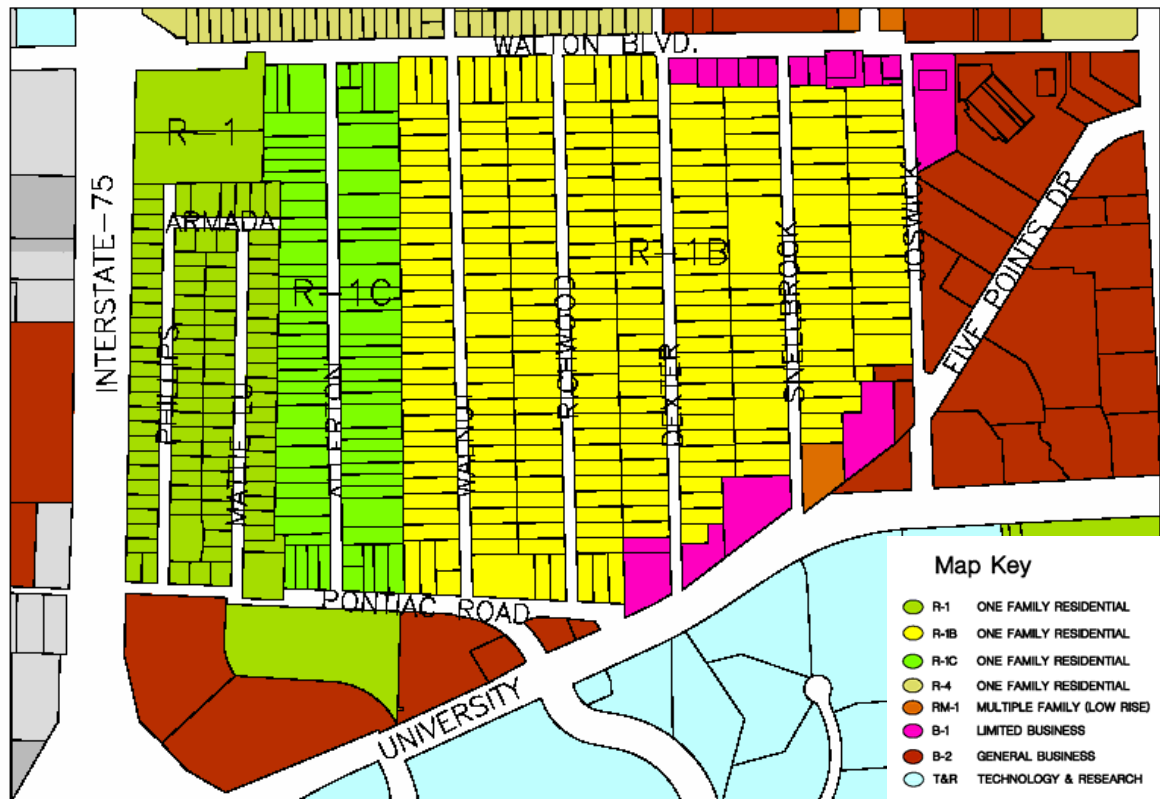
Excerpt - Planning Commission Minutes – May 5, 2005

RZ05-01; RZ 05-02; RZ 05-03, City of Auburn Hills

Ms. Hurt-Mendyka presented the following rezoning request:

- **RZ 05-01** - R-2 to R-1B District
Proposed zoning of property generally located between Joswick and Walnut
- **RZ 05-02** - R-2 to R-1C District
Proposed zoning of property generally located along both sides of Allerton
- **RZ 05-03** - R-2 to R-1 District
Proposed zoning of Auburn Hills Christian Center

Proposed Zoning – Central City Neighborhood



Mr. Beidoun read letters from residents into the minutes, please see attachment A and B.

Mr. Cohen reviewed his letter dated April 28, 2005 with the following recommendations:

File No. RZ 05-01, City-initiated rezoning request of numerous parcels of property from R-2, One Family Residential district to R-1B, One Family Residential district. The properties are generally located within the Central City Neighborhood (Joswick, Snellbrook, Dexter, Richwood, and Walnut Roads).

The sidwell identification numbers of parcels proposed for rezoning are the following:

14-13-102-008-014, 016, 017, 019-023, 026-034, 037-040

14-13-152-001-002, 005, 007-009, 015-018

14-13-101-007-016, 018-020, 023-028, 031, 032-036

14-13-151-001-018, 022, 029, 030, 032, 033

14-14-228-001-010, 013, 014, 017-020, 022-025, 027-031, 033, 035-039, 042-045
14-14-278-001-012, 014-017, 019-022, 024-026, 030-032
14-14-227-001-006, 009-018, 022-024, 028, 029, 032-041, 044-049
14-14-277-001-028, 14-14-226-001-019, 14-14-276-001, 002, 004-011, 013, 015-019

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's Master Land Use Plan.

The City's Master Land Use Plan depicts subject parcels as "residential" with a recommended density of 2.0 units per acre. Therefore, we are recommending Approval of RZ 05-01 from R-2, One Family Residential district to R-1B, One Family Residential district based upon the Adopted Plan.

File No. RZ 05-02, City-initiated rezoning request of numerous parcels of property from R-2, One Family

Residential district to R-1C, One Family Residential district. The properties are generally located within the Central City Neighborhood (Allerton Road).

The sidwell identification numbers of parcels proposed for rezoning are the following:

14-14-205-003-008, 011, 012, 015-022, 025-027, 14-14-254-001-005, 009, 010, 012-022, 14-14-201-004, 012-021, 14-14-204-010, 013-020, 14-14-253-014-018, 021-025, 027-032

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's Master Land Use Plan.

The City's Master Land Use Plan depicts subject parcels as "residential" with a recommended density of 2.0 units per acre. Therefore, we are recommending Approval of RZ 05-02 from R-2, One Family Residential district to R-1C, One Family Residential district based upon the Adopted Plan

File No. RZ 05-03, City-initiated rezoning request of numerous parcels of property from R-2, One Family Residential district to R-1, One Family Residential district. The properties are generally located within the Central City Neighborhood (Auburn Hills Christian Center site).

The sidwell identification numbers of parcels proposed for rezoning are the following:

14-14-201-024, 14-14-201-025

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's Master Land Use Plan.

The City's Master Land Use Plan depicts subject parcels as "residential" with a recommended density of 2.0 units per acre. Therefore, we are recommending Approval of RZ 05-03 from R-2,

One Family Residential district to R-1, One Family Residential district based upon the Adopted Plan.

Chairperson Hurt-Mendyka explained to the audience that the City wishes to preserve the existing lot sizes in the Central City Neighborhood. Currently new lots can be created in the neighborhood as small as 7,200 sq. ft. in size, even though most of the parcels are larger than 19,200 sq. ft. in size. After meeting with the neighborhood, the City decided to proceed with these rezoning proposals to address the issue.

Chairperson Hurt-Mendyka opened the public hearing at 8:08 p.m.

Ms. Bussard of Snellbrook, states she is in favor of having larger lot sizes.

Ms. Sherman of Hempstead, wanted verification that the rezoning would not affect the church's future expansion. Mr. Cohen explained the new zoning would not affect an expansion. She is in favor of the rezoning.

Mr. Dave Wagner of Dexter is in favor of the rezoning.

Ms. Jeanette Alderman of Richwood is in favor of the rezoning.

Public hearing was closed at 7:30 p.m.

Moved by Ms. Doyle to recommend to City Council approval of RZ 05-01 from R-2, One Family Residential district to R-1B, One Family Residential district based upon the Adopted Plan. Also, recommended approval from RZ 05-02 from R-2, One Family Residential district to R-1C, One Family Residential district based upon the Adopted Plan. Also, recommended Approval of RZ 05-03 from R-2, One Family Residential district to R-1, One Family Residential district based upon the Adopted Plan.
Supported by Mr. Ouellette

VOTE: Yes: Beidoun, Doyle, Hitchcock, Hurt-Mendyka, Ouellette
No: Luenberger

Motion Carried (5-1)

ATTACHMENT A

May 4, 2005

City of Auburn Hills
1827 N. Squirrel Road
Auburn Hills, MI 48326

Attention: Planning Commission

Re: Request for Master Plan Revision

This letter is written requesting the Planning Commission increase the density on the West side of Joswick Street.

Generally speaking, I don't believe single family residences face Commercial property. The East side of Joswick is already zoned Commercial making Joswick the transitional street.

It is my opinion that the property on the West side of Joswick should be zoned to permit a higher density of housing.

Thank you in advance for your thoughtful consideration.



Dorothy Wheatley
3645 Oakshire Avenue
Waterford, MI 48328
248.682.5983

Owner of Lots #109 and #110, Vacant Property on Joswick Street

RECEIVED
MAY 05 2005
AUBURN HILLS
COMMUNITY DEVELOPMENT DEPT.

ATTACHMENT B

March 26, 2005

City of Auburn Hills
Planning Commission
Tammy Hurt-Mendyka - Chairperson

Regarding Lot #109 SID#14-13-102-032
and Lot # 110 SID # 14-13-152-007 - Joswick

This is a written request for the Planning Commission to approve a request to build a duplex on the above mentioned properties. The property is across the street from property zoned General Business and 2 lots north of properties zoned Limited & General Business. This structure would be approximately 56' wide and 36' deep including the extension of a single car garage. Each individual unit would be approximately 28 ft wide and 1,470 square feet. The duplex building is a two story structure with (2) basements and (2) garages, of brick and vinyl sided construction. A copy of the proposed structure is attached. Please advise us as to what additional information is needed in order to get approval regarding this request.

Thank you in advance,


Cynthia Yosin

cc: Steve Cohen
Dorothy Wheatly

CYNTHIA YOSIN
54474 WHITEBY WAY
SHEZBY Twp, MI 48316

248-652-8572