

Meldrum Acres Neighborhood

Planning Study and City-Initiated Rezoning



**Excerpt
CITY OF AUBURN HILLS
PLANNING COMMISSION MEETING**

March 11, 2003

CALL TO ORDER: Chairperson Beckett called the meeting to order at 6:30 p.m.

ROLL CALL:

Present.	Beckett, Beidoun, Hurt-Mendyka, Marien, McKissack, Newkirk, Ouellette, Schoonfield
Absent.	None
Also Present.	City Planner Cohen, Parks & Recreation Director Marzolf 7 Guests

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

PERSONS WISHING TO BE HEARD –

Ms. Wanda Holsworth stated she had submitted a petition two-and-a-half years ago regarding the paving of Lake Angelus Road and asked what the status was; if it was still under discussion or discarded. Mr. Newkirk stated there has still been talk; however, he wasn't sure to what extent. Mr. Newkirk told Ms. Holsworth he would speak with City Manager Ross and get back to her with some information in the next day or so.

SPECIAL PLANNING ITEMS:

Discussion:

Zoning of Selected Properties located between Alberta and Lake Angelus Road, east of Manitoba

Mr. Cohen briefly explained the zoning district as it exists today and what is being proposed, noting that the lot size does not match the zoning. The lots in this study area are generally one acre lots, and the current zoning is for a quarter of an acre lot. The present zoning is R-3 District, which allows lots to be 6,600 sq. ft. with 50 ft. of frontage. What is being proposed is the R-1A District, which would require the lots to be 20,000 sq. ft. with 100 ft. frontage. By rezoning the properties to R-1A, this would help to protect the area from developers looking to combine several properties and constructing small lot sized subdivisions. Mr. Cohen explained there is a new law that would prevent the City from denying a lot split based on neighborhood character if it met all the other requirements. Mr. Cohen stated this is not the only area of the City where the zoning doesn't match lot size; the Planning Commission is working to cover all the neighborhoods that may benefit from a rezoning.

Mr. Cohen explained that with the rezoning it would make splitting a lot more difficult because you would need to 100 foot frontage on the road. More than one lot would need to be combined to make a lot split doable, to obtain the 100 foot road frontage. Most of the lots are 100 feet wide, so a split down the middle would give a 50 foot frontage as opposed to the 100 foot frontage needed. Mr. Cohen explained three of the lots with 125 foot frontage could be combined to construct a small subdivision with 6,600 sq. ft. lots; which wouldn't be in character with the neighborhood.

Ms. Holsworth argued that by changing the zoning, it would take away the right of property owners to sell off a portion of their property if they choose. She didn't feel she had the right to do this to another property owner. She suggested that for many people their property is their biggest investment and prohibiting them from splitting their property could adversely affect their retirement or other events.

Responding to Mr. Newkirk, Ms. Holsworth stated no, she is not in favor of the rezoning and would like see things stay as they are.

Mr. Schoonfield noted many people move into an area with the expectation of maintaining large lots and suddenly there is a small subdivision being constructed within the subdivision.

Ms. Holsworth suggested that another house being built would increase the tax base for the City. She felt prohibiting lots splits may impair the homeowner's financial security.

Ms. Hurt-Mendyka explained for Ms. Holsworth, in order to access the back portion of a property front/back splits, there must be adequate room for a 60 foot wide road right-of-way. Mr. Cohen explained the State Act changed at the beginning of the year, stating land divisions must be granted if they meet all of the zoning requirements. However, each community can define how access is provided to the lot. Most communities throughout metro Detroit, require a 60 foot road right-of-way where there is a 27-foot-wide road, built to county or city standards. Mr. Cohen also mentioned, for most property owners, it would be cost prohibitive to construct such a county-standard road for just two houses.

Ms. Elsie Coffel questioned if her lot would need the 60 foot road right-of-way since she has access to both Lake Angelus and Alberta Roads. Mr. Cohen explained this situation is different, under the current zoning, they can create two buildable lots. There is a quirk in the land division act that states if you retain ownership of one of the parcels it isn't necessary to meet the 4 to 1 ratio. Ms. Coffel explained their home is currently up for sale, and she has been asked if the lot is splittable. Mr. Cohen noted Ms. Coffel has a right to a land split if she makes application prior to a rezoning. Mr. Cohen also stated because of the way the law is written, the City Attorney is investigating how the land split would apply if Ms. Coffel does sell her property.

Mr. Schoonfield read into the record a letter received from Mr. John D. Baker as follows:

March 10, 2003

RE: March 11, 2003 meeting concerning the possible rezoning of parcels in the first block along Alberta Street.

I, John Baker live at 95 Alberta Street, and my mother, Grace Baker, lives at 205 Alberta Street. Both my mother and I share the same feelings concerning the possible rezoning of the parcels in question. We are in favor of a zoning change limiting the splitting of parcels for the purpose of building more houses on those parcels.

We who live in this neighborhood have been through significant changes as a result of the developments around us. Despite this, our neighborhood has been able to maintain a country-like setting, which is the main reason that many of us moved here in years past. We believe that this neighborhood's character is mainly due to the large lot sizes that we currently enjoy. Furthermore, we feel that the proposed zoning change would help in keeping that character in the future.

We would like to thank the city of Auburn Hills for their concern for the families living in this subdivision not only during the Great Lakes development process, but also for organizing this fact finding meeting concerning rezoning. We believe that our city is continuing to keep our neighborhood's best interest and quality of life in mind as this process continues.

Thank you,

John and Millie Baker

Ms. Holsworth said the reason the Baker's feel that way is because their property has already been split.

Mr. Cohen advised a resident that a public hearing could be as early as April 3 if the Planning Commission decided to go that route. Mr. Beckett explained it was the decision of the Planning

Commission, it isn't decided by residents voting. Mr. Cohen further explained the Planning Commission makes a recommendation to the City Council, and the City Council has final approval.

Mr. Beckett explained he has lived in this neighborhood for over 30 years, and the reason he has stayed in the neighborhood is because of its character. He likes the large acre lot and enjoys his privacy. He mentioned he was aware of other residents that felt the same way.

Ms. Marien explained what happened in her neighborhood when lots were combined and a neighborhood within her neighborhood was approved for construction. She explained it was accomplished because the zoning was not changed to reflect the actual size of the lots; however, it has since been rezoned.

Ms. Holsworth questioned how many Planning Commissioners lived in her neighborhood.

Ms. Coffel told Mr. Cohen she had an attorney looking into her lot split.

Ms. Coffel asked where the Planning Commission was when the mall was being built and all of the land was cleared. Ms. Hurt-Mendyka explained that is commercially zoned land.

Replying to Mr. Ouellette, Ms. Holsworth said the lots along Manitoba were platted as they are. Mr. Ouellette pointed out the lots in the neighborhood are similar in size to those on Manitoba.

Mr. Adams stated he prefers to see the neighborhood as is and is in favor of the rezoning.

Mr. Schoonfield suggested moving ahead to the public hearing with hopes of bringing out more residents to speak on the matter. Mr. Schoonfield explained deciding a rezoning isn't just what is wanted by the residents, but also what is best for the City as a whole.

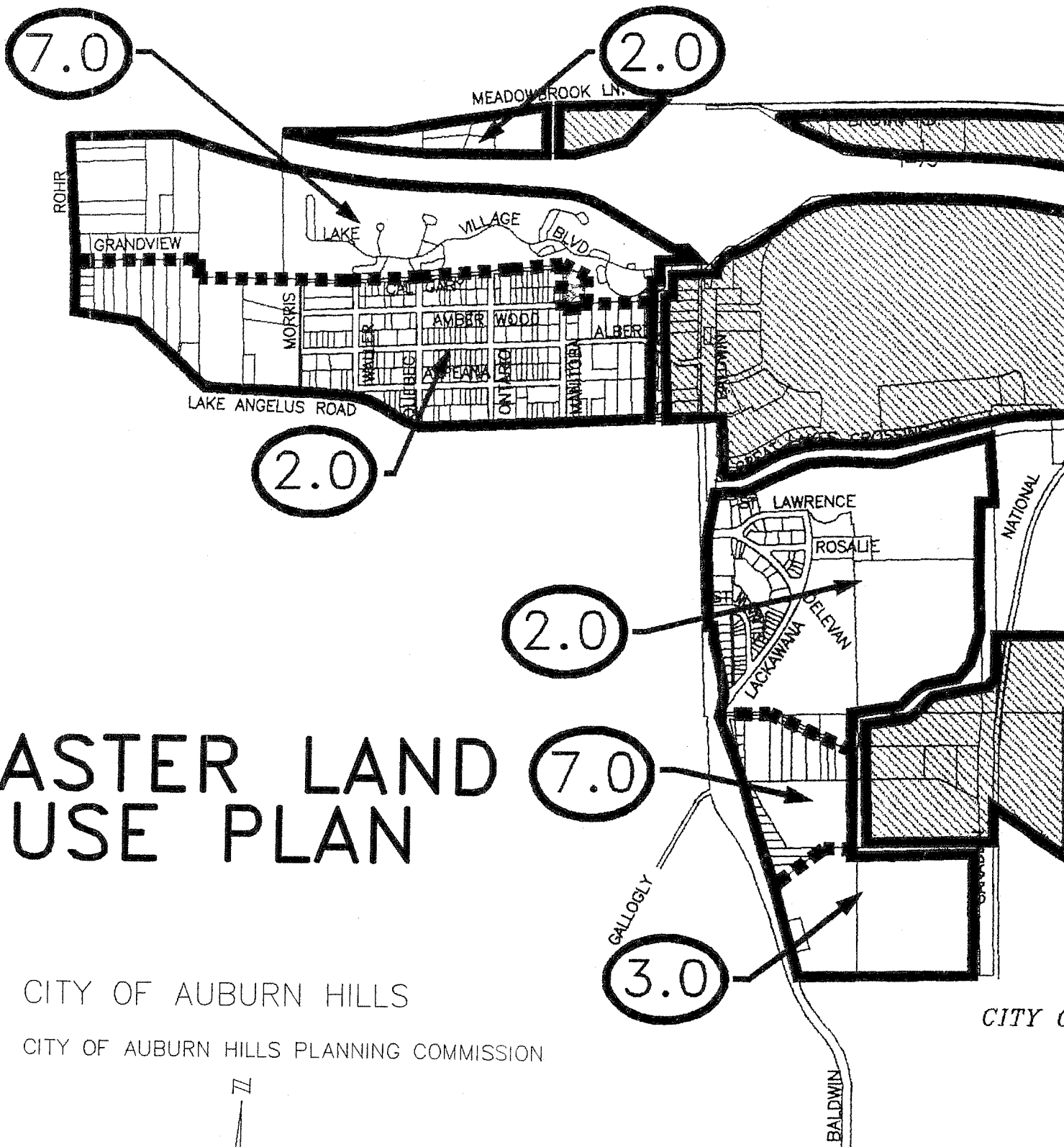
Moved by Mr. Schoonfield to move forward with a public hearing at the April 3, 2003 Planning Commission meeting.

Supported by Mr. Ouellette.

VOTE: Yes: Beckett, Beidoun, Hurt-Mendyka, Marien, McKissack, Newkirk, Ouellette, Schoonfield

No: None.

Motion Carried (8-0)



MASTER LAND USE PLAN

CITY OF AUBURN HILLS

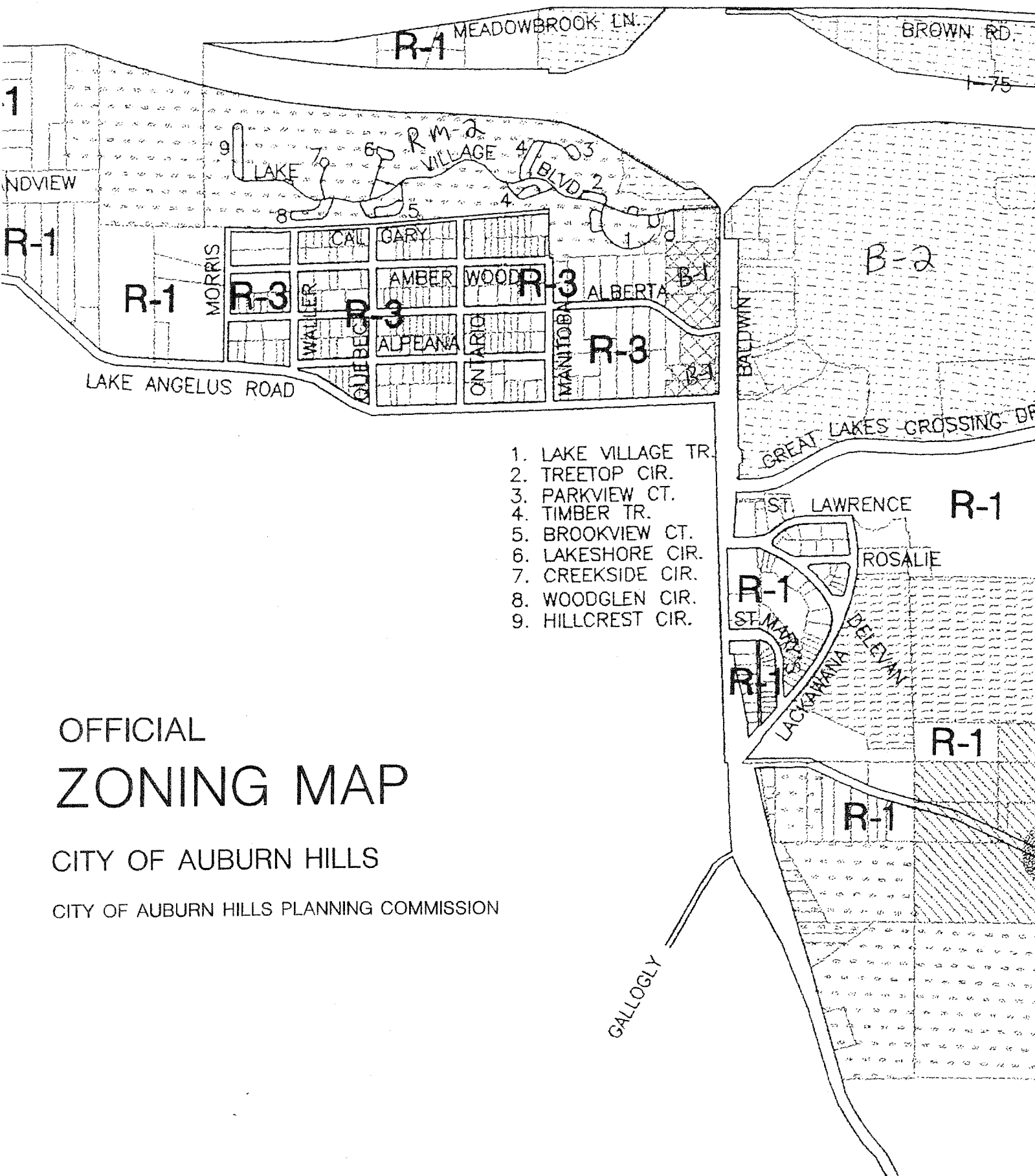
CITY OF AUBURN HILLS PLANNING COMMISSION



WATERFORD TOWNSHIP

CITY OF





OFFICIAL ZONING MAP

CITY OF AUBURN HILLS

CITY OF AUBURN HILLS PLANNING COMMISSION

CITY OF AUBURN HILLS
NOTICE TO ALL RESIDENTS WITHIN 1,000 FEET

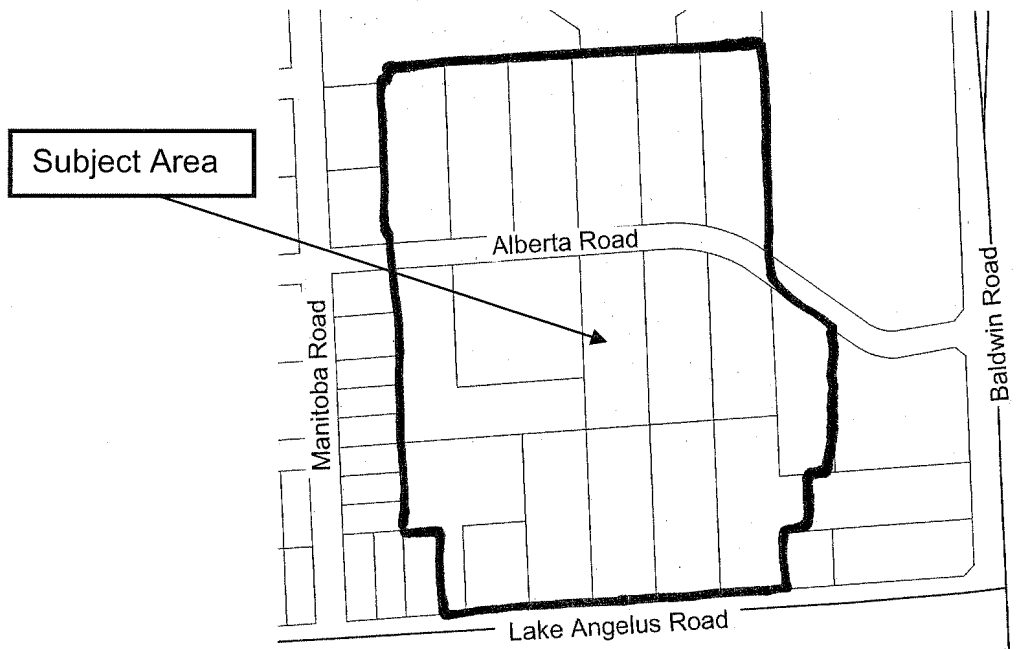
CITY-INITIATED REZONING

THERE WILL BE A PUBLIC HEARING by the City Planning Commission at the Civic Center, 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, on **Tuesday, April 15, 2003** **at 7:30 p.m.** to consider the FOLLOWING CHANGES TO ZONING ORDINANCE NO. 372:

Case Number: RZ 03-04

Applicant: City of Auburn Hills

Sidwell Numbers: 14-05-151-012 thru 016; 14-05-151-026; 14-05-152-012 thru 015;
14-05-152-021 thru 024; 14-05-152-030 thru 033; and 14-05-152-034



General Location: Parcels are generally located between Alberta and Lake Angelus Roads, west of Baldwin Road.

Request to rezone subject parcels from present classification of R-3, One-Family Residential district to R-1A, 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 City's recently adopted ***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

(Continued on Back)

Question:

Why is the zoning proposed to be changed from R-3 to R-1A in the Meldrum Acres Neighborhood?



Answer No. 1:

To change the present zoning to be consistent with the City's Master Land Use Plan

On November 7, 2002, the Auburn Hills Planning Commission and City Council adopted a new plan for the City of Auburn Hills called the Master Land Use Plan.

As part of the new master plan, the area generally defined as the Meldrum Acres Subdivision was designated as low density residential (2.0 homes per acre / e.g., ½ acre lots). The purpose of the density designation was to create a policy to guide future zoning of the neighborhood which would preserve the lot sizes within neighborhood as they are today.

Answer No. 2

To change the present zoning to be consistent with the lot sizes within the neighborhood

The present zoning designated for the neighborhood is not consistent with the lot sizes within the subject area (see table below). The Planning Commission invited residents within the subject area to a meeting on March 11th to discuss this concern along with other issues facing the neighborhood.

In general, the purpose of the proposed City-initiated rezoning is to implement the residential density recommendations of the City's Master Land Use Plan to preserve the character of the neighborhood.

Zoning	Minimum Lot Size	Minimum Lot Width
Existing R-3 District	6,600 sq. ft.	50 ft.
Proposed R-1A District	20,000 sq. ft.	100 ft.



For further questions about the proposed City-initiated rezoning, please contact the Community Development Department at 248-364-6900 and/or attend the public hearing scheduled for **Tuesday, April 15, 2003 at 7:30 p.m.** at the Auburn Hills City Hall, 1827 N. Squirrel Road.

Feel free to send written comments in advance of the meeting to the following:

Via U.S. Mail or Hand Delivery

Chairman Larry Beckett
and the Auburn Hills Planning Commission
Attn: RZ 03-04
1827 N. Squirrel Road
Auburn Hills, MI 48326

Via E-mail:

scohen@auburnhills.org

RZ 03-04, City of Auburn Hills R-3 to R-1A

R-3 – 6,600 sq. ft. lots with 50 ft. width
R-1A – 20,000 sq. ft. lots with 100 ft. width

- | | | | |
|--------|--|---------|--|
| No. 1. | Larry Beckett – 238 Alberta
14-05-151-012
41,982 sq. ft. with 124 ft. width | No. 10. | James Wallis – 167 Alberta
14-05-152-012
42,282 sq. ft. with 125 ft. width |
| No. 2. | Thomas Wetzel – Vacant
14-05-151-013
42,222 sq. ft. with 125 ft. width | No. 11. | Grace Baker Trust – 205 Alberta
14-05-152-031
59,459 sq. ft. with 250 ft. width |
| No. 3. | Thomas Wetzel – 178 Alberta
14-05-151-014
42,222 sq. ft. width 125 ft. width | No. 12. | Elsie Coffel – 200 W. Lake Angelus
14-05-152-030
64,325 sq. ft. with 116 ft. width |
| No. 4. | Sam Beidoun – 166 Alberta
14-05-151-015
42,222 sq. ft. width 125 ft. width | No. 13. | Charles Huston – 202 W. Lake Angelus
14-05-152-032
47,633 sq. ft. with 41 ft. width |
| No. 5. | Betty Boone – 146 Alberta
14-05-151-016
42,584 sq. ft. with 125 ft. width | No. 14. | George Holsworth – 208 W. Lake Angelus
14-05-152-021
21,113 sq. ft. with 125 ft. width |
| No. 6. | Ronald Price – 126 Alberta
14-05-151-026
46,826 sq. ft. with 143 ft. width | No. 15. | Gregory Marcell – 178 W. Lake Angelus
14-05-152-022
42,228 sq. ft. with 125 ft. width |
| No. 7. | John Baker – 95 Alberta
14-05-152-015
35,898 sq. ft. with 141 ft. width | No. 16. | Donald Dean – 154 W. Lake Angelus
14-05-152-023
42,228 sq. ft. with 125 ft. width |
| No. 8. | David Bashore – 135 Alberta
14-05-152-014
36,589 sq. ft. with 143 ft. width | No. 17. | Wayne Heyniger – 134 W. Lake Angelus
14-05-152-024
42,227 sq. ft. with 125 ft. width |
| No. 9. | Rodney Adams – 145 Alberta
14-05-152-013
41,971 sq. ft. with 125 ft. width | No. 18. | Jo McIntosh – 110 W. Lake Angelus
14-05-152-034
47,862 sq. ft. with 125 ft. width |



14-05-152-033 shall not be rezoned. Parcel was incorrectly listed in sidwell numbers to be rezoned in public hearing notice.

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.auburn-hills.org

Wednesday, April 9, 2003

Chairman Larry Beckett and the
City of Auburn Hills Planning Commission
1827 N. Squirrel Road
Auburn Hills, MI 48326

RE: RZ 03-04, City of Auburn Hills
R-3 District to R-1A District

Dear Mr. Beckett:

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

File No. RZ 03-04, City-initiated rezoning request of numerous parcels of property from R-3, One Family Residential district to R-1A, One Family Residential district. The properties are generally located between Alberta and Lake Angelus Roads, west of Baldwin Road.

The sidwell identification numbers of parcels proposed for rezoning are the following:
14-05-151-012 thru 016; 14-05-151-026; 14-05-152-012 thru 015; 14-05-152-021 thru 024; 14-05-152-030 thru 033; and 14-05-152-034

RECOMMENDATION

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's recently adopted *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 03-04 from R-3, One Family Residential district to R-1A, One Family Residential district based upon the Adopted Plan.***

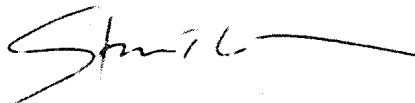
Please be advised that the public hearing notice incorrectly included 14-05-152-033 to be rezoned. That parcel should be removed from the application and remain zoned R-3 district.

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

Attachment

Excerpt
**CITY OF AUBURN HILLS
PLANNING COMMISSION MEETING**

April 15, 2003

CALL TO ORDER: Chairperson Beckett called the meeting to order at 7:30 p.m.

ROLL CALL: Present: Beckett, Beidoun, Hurt-Mendyka, Marien, McKissack, Newkirk, Schoonfield
Absent: Ouellette
Also Present: City Planner Cohen
13 Guests

LOCATION: Civic Center, 1827 N. Squirrel Road, Auburn Hills MI 48326

PETITIONERS

RZ 03-04, City of Auburn Hills – Public Hearing

(Sidwell Nos. 14-05-151-012 thru 016; 14-05-151-026; 14-05-152-012 thru 015; 14-05-152-021 thru 024; 14-05-152-030 thru 033; and 14-05-152-034)

Mr. Beckett presented the for approval to rezone properties generally located between Alberta and Lake Angelus Roads, west of Baldwin Road from present classification of R-3, One-Family Residential district to R-1A, One-Family Residential district or any other appropriate zoning district.

Mr. Beckett opened the public hearing at 7:32 p.m.

Mr. Schoonfield read a letter submitted by Terri Bashore as follows:

To Whom It May Concern:

I am unable to attend this meeting, but I would like to go on record that I am in favor of the proposed zoning of the designated area in Meldrum Acres from R-3, One-Family Residential to R-1A, One-Family Residential.

*Thank You,
Terri Bashore*

Mr. Cohen reviewed his letter dated April 9, 2003 with the following recommendations:

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's recently adopted 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 03-04 from R-3, One Family Residential district to R-1A, One Family Residential district based upon the Adopted Plan.

Please be advised that the public hearing notice incorrectly included 14-05-152-033 to be rezoned. That parcel should be removed from the application and remain zoned R-3 district.

Mr. John Baker stated he and his mother have lived in the neighborhood for many years, and they are both in favor of the rezoning to preserve the character of the neighborhood. He felt the people that want their lots split would not remain in the neighborhood, but those in favor of the rezoning would be long term residents.

Responding to Mr. Newkirk, Mr. Beckett asked for a show of hands of those in favor of the rezoning. Three residents were in favor of the rezoning and none opposed.

Ms. Hurt-Mendyka asked about the small lot next to the shopping center which is zoned B-1. Mr. Cohen explained this rezoning was strictly for the residential area and not the commercial property.

Replying to Ms. Marien, Mr. Cohen stated presently there aren't any requests for lots to be split that fall within this rezoning. Mr. Cohen said a request can still be made prior to City Council approval and that lot would be left out of the rezoning. Mr. Cohen also stated a resident could request at the City Council meeting to exclude their property from the rezoning.

Since there were no further questions, Mr. Beckett closed the public hearing at 7:40 p.m.

Moved by Mr. Schoonfield to recommend to City Council approval of RZ 03-04, City of Auburn Hills from R-3, One-Family Residential district to R-1A, One-Family Residential district, with the exception of parcel 14-05-152-033 which shall remain zoned R-3, One-Family Residential District. Supported by Ms. Hurt-Mendyka.

VOTE Yes: Beckett, Beidoun, Hurt-Mendyka, Marien, McKissack, Newkirk, Schoonfield
No: None

Motion Carried (7-0)

Excerpt
The City of Auburn Hills
Regular City Council Meeting

May 5, 2003

CALL TO ORDER: Mayor Harvey-Edwards called the City Council Meeting to order at 7:30 p.m. with the Pledge of Allegiance.

ROLL CALL: Present. Mayor Harvey-Edwards, Mayor Pro Tem Pillsbury, Council Members Kittle, Knight, McDonald, Newkirk, Sendegas
Absent. None
Also Present. City Manager Ross, Assistant City Manager Tanghe, City Clerk Shannon, Community Development Department Director McBroom, Department of Public Works Director Culpepper, Finance Officer Martini, Fleet Manager Skinner, Police Chief Olko, Recreation Director Marzolf, Water Resources Coordinator Keenan, City Engineers Hiltz, Katers and Westmoreland, Brownfield Redevelopment Authority Chair Capen, Planning Commission Chairperson Beckett, Tax Increment Finance Authority Chair Bennett, City Attorney Beckerleg
28 Guests

LOCATION: Civic Center, 1827 N. Squirrel Road, Auburn Hills MI 48326

8. NEW BUSINESS

8a. RZ 03-04, City of Auburn Hills

Mr. McBroom presented the City-initiated request for approval to rezone properties generally located between Alberta and Lake Angelus Roads, west of Baldwin Road from current classification of R-3, One-Family Residential to R-1A, One-Family Residential.

Mr. McBroom noted the Planning Commission would like to conduct a neighborhood master plan in the northwest section of the City, but it is not a high priority item at this time.

Mr. Knight questioned the status of Parcel #13. Mr. McBroom noted it would be legally nonconforming under R1-A, meaning the lot may be developed but not split.

Mr. Pillsbury questioned the configuration of Parcel #12. Mr. McBroom confirmed the parcel wraps around Parcel #11, meaning a house could possibly be built on Parcel #12 so that it was situated behind Parcel #11. Mr. McBroom verified that Parcel #14 is a conforming lot under both R-3 and R-1A zoning.

Mr. McBroom indicated two property owners voiced opposition to the rezoning at the neighborhood meeting. He reported the owners were told if they applied for a land division prior to Council approving the rezoning they would be exempted. Land divisions on Parcel Nos. 12 and 14 were not pursued. Mr. Beckett confirmed there are currently homes on both lots and that neither lot has access to Manitoba.

Mr. Beckett reported the majority of the residents in the neighborhood are in favor of the rezoning.

Moved by Mr. Pillsbury to accept the Planning Commission's recommendation and approve RZ 03-04, City of Auburn Hills (Sidwell Nos. 14-05-151-012 thru 016; 14-05-151-026; 14-05-152-012 thru 015; 14-05-152-021 thru 024; 14-05-152-030 thru 032; and 14-05-152-034) from R-3, One-Family Residential to R-1A, One-Family Residential, with the exception of parcel 14-05-152-033 which shall remain zoned R-3, One-Family Residential.

Supported by Ms. Sendegas.

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

No: None

RESOLUTION NO. 03.05.134

Motion carried (7-0)