

COORDINATING ZONING COMMITTEE

Township: Independence

County Code: 06-18

Section: 36

Consistent with the modifications to the review of township zoning proposals adopted April 22, 1982, by the Planning and Building Committee of the Oakland County Board of Commissioners, the zoning review summary sheets have been modified accordingly.

DESCRIPTION OF REZONING PROPOSAL

1. **The CZC is reviewing this case because:** The proposal borders Waterford Township to the south.
2. **A map change from:** R-1A, Single Family Residential District, to PUD, Planned Unit Development District.
3. **Size:** 79.97 acres, Sidwell Numbers 08-36-300-006, -008, -010, -012, -013, 014, -015, -016, -017, -020, -021, -025, & -026.
4. **Site and surrounding land use:** This site is located on the north side of Mann Road east of Clintonville Road and consists of 13 parcels. Much of the site is vacant land. A large wetland area covers the north central portion of the site and there are residential homes and nonconforming uses along Mann Road. The existing land use around the site is predominantly residential. A large manufactured home park is located east and north of the site with another mobile home park to the northwest. To the west there are single family homes and the Clintonville Pines condominium development. Directly north of the site on Clintonville Road there is a church, a nursing home, and the Fox Creek apartments. To the south in Waterford Township, there are single family homes on large lots.
5. **Permitted uses under existing zoning:** R-1A, Single Family Residential District: 1) Single Family Residence. 2) Any use customarily incidental to the permitted principal use. 3) Maintenance of animals subject to certain requirements.
6. **Minimum lot size of existing zoning:** 15,000 sq. ft. minimum lot size.
7. **Permitted uses under proposed zoning:** PUD, Planned Unit Development: Any land use authorized in the zoning ordinance is permissible but approval is tied to the site plan. A Planned Unit Development encourages innovative land use planning that results in a recognizable material, environmental, or historic benefit to the community that cannot otherwise be achieved. The proposed development must be under single ownership.
8. **Minimum lot size of proposed zoning:** None given.
9. **Zoning in Adjacent Community:** S-F, Suburban Farm District (1 acre minimum lot size).

- 10. Local Planning Commission recommendation:** The Independence Township Planning Commission by a 6 to 0 vote, recommends approval of this rezoning proposal.

ANALYSIS AND RECOMMENDATION OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES

Oakland County Planning and Economic Development Services has reviewed the request to rezone a 79.97 acre site in Section 36 of Independence Township from R-1A, Single Family Residential District, to PUD, Planned Unit Development District. The following review looks at 1) Master Plan compliance and 2) boundary coordination. Natural resource conditions are presented for information purposes.

Master Plan Review: The Independence Township Vision 2020 Master Plan was adopted in November 1999. The Master Land Use Plan Map shows the rezoning site planned for Single-Family Residential. This designation allows for a 15,000 sq. ft. minimum lot size. The current zoning classification of R-1A, Single Family Residential District (15,000 sq. ft. minimum lot size) is consistent with the Master Plan. The proposed site plan for the Planned Unit Development zoning shows 154 single family lots and 86 duplex-style condominiums, which is a density generally comparable to the R-1A density.

Boundary Community Review: The following chart shows a comparison between the existing and proposed zoning and Master Plan designations for Independence Township and the existing zoning and Master Plan designations for Waterford Township.

Boundary Independence Township/Waterford Township				
Independence Existing Zoning	Independence Proposed Zoning	Independence Master Plan	Waterford Existing Zoning	Waterford Master Plan
R-1A, Single Family Residential District (15,000 sq. ft. minimum lot size)	PUD, Planned Unit Development	Single-Family Residential (15,000 sq. ft. minimum lot size)	S-F, Suburban Farm District (1 acre minimum lot size)	Single Family Residential (1-5.5 dwelling units per acre)

Natural Resource Information: In 2004, Michigan Natural Features Inventory (MNFI) staff conducted an inventory of high-quality, sensitive natural areas in Oakland County. The sites identified represent the least disturbed natural areas remaining within Oakland County. The inventory identifies a number of sensitive natural areas within one mile of the proposed rezoning site and one Priority Three site located in the northern portion of the site (see map). Conservation of these areas and their native plant and animal populations are vital to maintaining the County’s diverse natural heritage.

Also, the United States Department of the Interior, National Wetlands Inventory map indicates

wetlands located in the north central portion of the site. A MDEQ Wetlands permit may be required prior to any filling, dredging, or disruption of this area.

Analysis: This site has recently been rezoned from R-1R, Rural Residential District (3 acre minimum lot size), to the current zoning of R-1A, Single Family Residential (about 3 units/acre). The eastern four parcels were rezoned in 2003 (County Code 03-67), and the remainder of the site in 2004 (County Code 04-43). At that time, county staff did acknowledge that this increase in density could have an impact on Waterford Township. However, it was also noted that *“This increase in density, from a boundary coordination viewpoint, could be a concern except that the presence of the mobile home park has changed the character of Mann Road.”*

In both cases, the rezonings were consistent with the Independence Township Master Plan, were generally compatible with the zoning and Master Plan in Waterford Township, and were approved by the Oakland County Coordinating Zoning Committee. As part of the analysis, county staff recommended, *“It would be preferable for these individual parcels to be developed as one site, so landscaping, buffering, and access issues could be reviewed holistically during site plan review.”* This is what the PUD zoning will accomplish for these thirteen parcels.

The site plan includes several features intended to soften the impact of this development on Waterford Township and the surrounding area. In terms of access, the number of entry points into the development has been limited to three along Mann Road and one on Clintonville Road. Only two of the building sites will have direct frontage on Mann Road. A 40 foot wide landscaped greenbelt has been provided along both roads for buffering and the duplex units have been located adjacent to the higher density mobile home park. The applicant has complied with the Township’s wetlands ordinance with the streets and homes arranged to protect the wetlands and sensitive natural areas in the central portion of the site. Lastly, several non-conforming uses (landscaping businesses) on the site will be removed.

This development meets the requirements for a PUD as outlined in the Independence Township zoning ordinance. The impact on the surrounding area will be no greater than if the property were developed under the R-1A district as the densities are generally comparable.

Recommendation: Based on boundary coordination and Master Plan compliance, Oakland County Planning and Economic Development Services staff recommends **Approval** of County Code No. 06-18, a rezoning request in Independence Township from R-1A, Single Family Residential District, to PUD, Planned Unit Development District in Section 36.