



PLANNING COMMISSION MEETING AGENDA REGULAR MEETING

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
www.troymi.gov
planning@troymi.gov

Mark Maxwell, Chair and John J. Tagle, Vice Chair
Donald Edmunds, Michael W. Hutson, Tom Krent, Philip Sanzica
Robert Schultz, Thomas Strat, and Lon M. Ullmann

February 14, 2012

7:30 P.M.

Council Chambers

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – January 10, 2012 Regular Meeting
4. PUBLIC COMMENTS – For Items Not on the Current Agenda

REZONING REQUEST

5. PUBLIC HEARING – REZONING APPLICATION (File Number Z 739) – Proposed Professional/Medical Building, South side of Colebrook, West of Rochester Road between Big Beaver and Wattles (970 Colebrook), Section 22, From R-1C (One Family Residential) District to CB (Community Business) District

OTHER BUSINESS

6. REVISIONS TO CHAPTER 85 - SIGNS
7. PLANNING COMMISSION 2011 ANNUAL REPORT
8. PUBLIC COMMENTS – For Items on Current Agenda
9. PLANNING COMMISSION COMMENTS

ADJOURN

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Hutson called the Regular Meeting of the Troy City Planning Commission to order at 7:30 p.m. on January 10, 2012 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Tom Krent
Mark Maxwell
Philip Sanzica
Robert Schultz
Thomas Strat
John J. Tagle
Lon M. Ullmann

Also Present:

R. Brent Savidant, Planning Director
Allan Motzny, Assistant City Attorney
Zachary Branigan, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2012-01-001

Moved by: Sanzica
Seconded by: Tagle

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2012-01-002

Moved by: Strat
Seconded by: Maxwell

RESOLVED, To approve the minutes of the December 13, 2011 Regular meeting as printed.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SPECIAL USE REQUEST

5. PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 392) – Proposed Vehicle Repair Facility, Action Collision Inc., West of Dequindre, North of 14 Mile (2722 Elliott), Section 36, Currently Zoned IB (Integrated Industrial and Business) District

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2012-01-003

Moved by: Sanzica
 Seconded by: Maxwell

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Vehicle Repair Facility, Action Collision Inc., West of Dequindre, North of 14 Mile (2722 Elliott), Section 36, within the IB (Integrated Industrial and Business) District, be granted, subject to the following:

1. Show all required and proposed dimensions on final site plan.
2. Clarify number of service bays, the presence of any tow trucks, and condition any approval on the limitation of the site to no more than 10 bays.
3. Show overhead doors.
4. Provide a bike rack with capacity of at least two bicycles must be added to the site plan.
5. Add two deciduous street trees.
6. Provide landscaped area calculations.
7. Provide four additional trees at the perimeter of the parking lot to meet minimum parking lot landscaping requirements.
8. Provide detailed landscaping calculations showing how all requirements of Section 13.02 are being met.
9. Clarify that the use will not have retail aside from that which is normally required to support the repair use.
10. No vehicles may be parked other than in compliant striped spaces.

Yes: All present (9)

MOTION CARRIED

SITE CONDOMINIUM DEVELOPMENT

- 6. PRELIMINARY SITE PLAN REVIEW – Proposed Tuscany Estates Site Condominium, 11 units/lots, West side of Dequindre, North of Winter Drive, Section 24, Currently Zoned R-1C (One Family Residential) District

Resolution # PC-2012-01-004

Moved by: Ullmann
 Seconded by: Schultz

RESOLVED, To postpone the item until all requirements as listed by staff are met and the application has been resubmitted.

Yes: All present (9)

MOTION CARRIED

PRELIMINARY SITE PLAN REVIEW

- 7. PRELIMINARY SITE PLAN REVIEW (File Number SP 971) – Proposed Warrior Park Baseball Field, South side of Equity between 1735 and 1515 Equity, Section 32, Currently Zoned IB (Integrated Industrial and Business) District – Controlled by Consent Judgment

Resolution # PC-2012-01-005

Moved by: Edmunds
 Seconded by: Schultz

RESOLVED, The Planning Commission hereby recommends to City Council, that Preliminary Site Plan Approval for the proposed Warrior Park Baseball Field, located on the south side of Equity between 1735 and 1515 Equity, in Section 32, Currently Zoned IB (Integrated Industrial and Business) District, but controlled by Consent Judgment be granted, subject to the following:

1. Provide written justification for the proposed number of spaces.
2. Add a bike rack with capacity of at least two bicycles.
3. Comply with Section 13.02.C.2.b, Section 13.02.C.2.d, and Section 13.02.C.3.b of the landscape requirements; this includes providing landscape islands or justifying their removal; providing parking lot landscape island trees in islands or, if waived, at the perimeter, and providing a screen for the parking lot along its north side.
4. Show all setbacks.
5. Provide a lighting plan indicating proposed photometrics, height of light fixtures, proposed light fixtures, and proposed methods of shielding, if lighting is proposed.
6. Provide samples, swatches, or manufacturer’s specification sheets of the predominant proposed exterior materials and colors of all buildings and permanent structures, including walls and fences.

Yes: All present (9)

MOTION CARRIED

OTHER BUSINESS

- 8. POTENTIAL CONDITIONAL REZONING – Proposed Culver’s Restaurant (with Drive-Through), 4889 Rochester Road, West side of Rochester Road, South of Long Lake, Section 15, From NN (Neighborhood Node) to CB (Community Business) District

This item was withdrawn at the request of the petitioner.

- 9. ELECTION OF OFFICERS FOR 2012

Mr. Edmunds nominated Mark Maxwell as Chair and John Tagle as Vice Chair.

Hearing no further nominations, Chair Hutson declared the nominations for the positions of Chair and Vice Chair closed.

Roll Call vote on the nomination

Yes: All present (9)

Mr. Sanzica nominated Thomas Strat as Zoning Board of Appeals representative.

Hearing no further nominations, Chair Hutson declared the nominations for the position of Zoning Board of Appeals representative closed.

Roll Call vote on the nomination

Yes: All present (9)

- 10. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

- 11. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

The Regular Meeting of the Planning Commission adjourned at 8:55 p.m.

Respectfully submitted,

Michael W. Hutson, Chair

Kathy L. Czarnecki, Recording Secretary

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DATE: February 9, 2012

TO: The Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PUBLIC HEARING – REZONING APPLICATION (File Number Z 739) – Proposed Professional/Medical Building, West of Rochester, South side of Colebrook (970 Colebrook), Section 22, From R-1C (One Family Residential) District to CB (Community Business) District

The applicant, MGM Restoration, seeks a rezoning of the subject parcel from R-1C One Family Residential District to CB Community Business District. The vacant lot is approximately 10,500 square feet in area. The sketch provided by the applicant indicates a two-story office building is proposed for the site. Offices are permitted by right in the CB district; the present R-1C district does not permit offices.

The Master Plan classifies this area as Rochester Road. A description of this classification is attached.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the rezoning request. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and agrees with the recommendation.

Please be prepared to discuss this item at the February 14, 2012 Planning Commission Regular meeting.

Attachments:

1. Maps
2. City of Troy Master Plan (excerpt)
3. Report prepared by Carlisle/Wortman Associates, Inc.

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PROPOSED RESOLUTION

REZONING APPLICATION (File Number Z 739) – Proposed Professional/Medical Building, West of Rochester, South side of Colebrook (970 Colebrook), Section 22, From R-1C (One Family Residential) District to CB (Community Business) District

Resolution # PC-2012-02-

Moved by:

Seconded by:

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to CB rezoning request, located west of Rochester on the south side of Colebrook, within Section 22, being approximately 10,500 square feet in size, be denied.

Yes:

Absent:

MOTION CARRIED / FAILED



Legend

-  I-75
- Road Centerline**
 -  Major Road
 -  Industrial Road
 -  Local Road
-  Ponds and Basins
-  Streams and Creeks
-  Parcels
- Aerial Photos - 2010**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

72 0 36 72Feet

Scale 1: 435





Legend

- I-75
- Road Centerline**
 - Major Road
 - Industrial Road
 - Local Road
- Current Zoning Ordinance**
 - (PUD) Planned Unit Development
 - (CF) Community Facilities District
 - (EP) Environmental Protection District
 - (BB) Big Beaver Road (Form Based)
 - (MRF) Maple Road (Form Based)
 - (NN) Neighborhood Nodes (A-U)
 - (CB) Community Business
 - (GB) General Business
 - (IB) Integrated Industrial Business District
 - (O) Office Building District
 - (OM) Office Mixed Use
 - (P) Vehicular Parking District
 - (R-1A) One Family Residential District
 - (R-1B) One Family Residential District
 - (R-1C) One Family Residential District
 - (R-1D) One Family Residential District
 - (R-1E) One Family Residential District
 - (RT) One Family Attached Residential District
 - (MR) Multi-Family Residential
 - (MHP) Manufactured Housing
 - (UR) Urban Residential
 - (RC) Research Center District
 - (PV) Planned Vehicle Sales
- Ponds and Basins
- Streams and Creeks
- Parcels
- Aerial Photos - 2010**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

140 0 70 140Feet

Scale 1: 842



Rochester Road: Green Corridor



- *Regional model for a green corridor*
- *A strong focus on access management*
- *Heightened emphasis on strong stormwater management techniques*
- *Retail catering to regional traffic*
- *Innovative site design techniques applied through PUD use to allow for redevelopment for shallow lots*

Rochester Road carries high volumes of traffic causing backups at intersections. The abutting development pattern from Big Beaver Road north to Long Lake Road is a continuous row of highway-oriented commercial uses. North of Long Lake Road, the land use pattern evolves, becoming a mix of commercial and office near the intersections and older single-family homes and multiple-family complexes in between.

If Rochester Road is to have a defined role and pleasing character in the City, it must undergo a significant transformation over time. Ultimately, the Rochester Road Corridor will become a regional showcase for effective stormwater management and enhancement of the natural environment, while encouraging a combination of high-quality land uses. Effective landscaping focused on

native plantings, and improved land use and access management along Rochester will create a green corridor that provides a high level of service for motorists, and which provides an effective natural buffer between high traffic volumes and people visiting adjacent properties. The creation of this green corridor would occur primarily in the right-of-way along road frontages and in the median of a future boulevard.

While the emphasis on innovative stormwater management is specifically called on for the Rochester Road Corridor, new low-impact techniques are to be encouraged elsewhere throughout the City of Troy. As noted in Chapter 7, innovative stormwater management is a priority for the community. Rochester Road will play an important role in this City-wide initiative by proving a regional showcase for such techniques.

New construction along the corridor may include detention and retention basins that work together from site-to-site with other features to create a continuous, linear landscape feature. By connecting properties, the basins create visual relief from traffic. **Low impact development methods will be used throughout the corridor to filter stormwater runoff.** Rochester Road will also be characterized by effective new signage, high-quality lighting, and effective, complementary site and architectural design.

Uses along Rochester Road will include a variety of mixed uses, established in a “pulsing” pattern where the most intense mixed-use or exclusively non-residential development will occur near the Neighborhood Nodes situated along its main intersections. Lower-impact uses, such as small scale retail or condominiums should be encouraged along the corridor frontage between these nodes.



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

Date: February 9, 2012

Rezoning Analysis For City of Troy, Michigan

Applicant:	Steve Muci
Project Name:	970 Colebrook Professional/Medical Building Rezoning
Location:	970 Colebrook
Current Zoning:	R-1C, Single Family Residential District
Action Requested:	To rezone Tax Parcels #20-22-277-011 and 20-22-277-012 to CB, Community Business District
Required Information:	As noted in review.

BACKGROUND

The purpose of this analysis is to assist the City in determining the appropriateness of rezoning a site on the south side of Colebrook Drive, for the purpose of developing an office building. This application is not for conditional rezoning, however; consequently, the proposed site plan is not a bonding agreement with the City in the event of an approval. The site is located just west of Rochester Road. The two parcels are zoned R-1C, Single Family Residential District, and the applicant seeks a rezoning to CB, Community Business District.

The intent of the R-1C District is as follows “...*The Master Plan recognizes that single-family residential neighborhoods are vital components of the City, and comprise the majority of the land area within the City. The intent of the R-1A through R-1E Districts is to provide areas for single-family dwellings with the primary distinction being a range of densities, implemented through varying lot sizes. The R-1A through R-1E Districts are further intended to preserve and*

improve upon the quality of residential neighborhoods while permitting a limited number of other compatible uses which support residential neighborhoods.”

The R-1C District permits a narrow range of uses compatible with, or dedicated to, residential purposes.

The proposed CB District would permit a much broader list of uses. The CB District is intended *“...to provide for retail business and service uses which primarily meet the day-to-day convenience, shopping, and service needs of persons in the immediate residential areas, but to a more limited extent serve a larger consumer population. The CB Districts are the least intense commercial districts within the City, but do contain a variety of potential uses. The CB District is also intended to protect and enhance existing commercial areas of the City where non-residential uses are and ought to be the primary use of the property. The CB District is unique in this more limited purpose, as the form based and other mixed-use districts within the City also allow and encourage the on-site integration of business and service uses with office and residential uses.”*

The CB District permits a wide variety of commercial and office uses that are not permitted in the existing R-1C District.

Items to be Addressed: None.

SITE DESCRIPTION AND SURROUNDING USES

We visited the site on January 24, 2012. The site is currently vacant, surrounded by walls on the east and south sides, and has large evergreens along the west property line. The site was mostly covered in grass and vegetation, with a fire hydrant along the right-of-way.

To the west is a single family home, to the south and east are commercial projects, and to the north is the walled parking lot of a former office building that was approved for a Gaucho Steakhouse development, which has not yet initiated construction. We are not certain of the status of the Gaucho project, but the site plan has received approval from the Planning Commission.

Items to be Addressed: None.

NATURAL RESOURCES

The site is not previously developed, but is essentially devoid of significant natural features. There are some existing overgrown landscaping materials.

Items to be Addressed: None.

ZONING/LAND USE/MASTER PLAN

The zoning, land use and Master Plan designations for the surrounding parcels are shown in Table 1 below:

**Table 1
Zoning, Land Use and Master Plan Designations**

	North	South	East	West
Zoning	CB/P	CB	CB	R-1C
Land Use	Commercial, parking	Commercial	Commercial	Residential
Master Plan	Rochester Road	Rochester Road	Rochester Road	Single-Family Residential

The subject site lies in the Rochester Road future land use category, on the edge of the Single-Family Residential category. The intent of the Rochester Road future land use category is described in the Master Plan as follows:

Rochester Road carries high volumes of traffic causing backups at intersections. The abutting development pattern from Big Beaver Road north to Long Lake Road is a continuous row of highway-oriented commercial uses. North of Long Lake Road, the land use pattern evolves, becoming a mix of commercial and office near the intersections and older single-family homes and multiple-family complexes in between.

If Rochester Road is to have a defined role and pleasing character in the City, it must undergo a significant transformation over time. Ultimately, the Rochester Road Corridor will become a regional showcase for effective stormwater management and enhancement of the natural environment, while encouraging a combination of high-quality land uses. Effective landscaping focused on native plantings, and improved land use and access management along Rochester will create a green corridor that provides a high level of service for motorists, and which provides an effective natural buffer between high traffic volumes and people visiting adjacent properties. The creation of this green corridor would occur primarily in the right-of-way along road frontages and in the median of a future boulevard.

While the emphasis on innovative stormwater management is specifically called on for the Rochester Road Corridor, new low-impact techniques are to be encouraged elsewhere throughout the City of Troy. As noted in Chapter 7, innovative stormwater management is a priority for the community. Rochester Road will play an important role in this City-wide initiative by proving a regional showcase for such techniques.

New construction along the corridor may include detention and retention basins that work together from site-to-site with other features to create a continuous, linear landscape feature. By connecting properties, the basins create visual relief from traffic. Low impact development methods will be used throughout the corridor to filter stormwater runoff. Rochester Road will also be characterized by effective new signage, high-quality lighting, and effective, complementary site and architectural design.

Uses along Rochester Road will include a variety of mixed uses, established in a “pulsing” pattern where the most intense mixed-use or exclusively non-residential development will occur near the Neighborhood Nodes situated along its main intersections. Lower-impact uses, such as small scale retail or condominiums should be encouraged along the corridor frontage between these nodes.

The Rochester Road category is designed to have “soft edges,” that is, it does not closely follow parcel lines and is intended to be applied to a wide variety of sites having access to Rochester Road. The site, therefore, is also immediately on the edge of the Single Family Residential category. This category is far more limited in scope and is essentially designed to maintain the existing strong residential base in the community.

The intent of the Single Family Residential category is stated in the Master Plan as follows:

The predominant land use in the City of Troy is single family residential. This category is intended to preserve the existing quality residential neighborhoods of the City while recognizing the need for other uses that support the main function of residential areas. The single family areas of the City are arranged around Social Neighborhoods. Social Neighborhoods are unique, self-contained areas bounded by Troy’s main thoroughfares. They are mostly single-family areas centered on community elements like schools or parks. Social Neighborhoods are described in more depth at the end of this Chapter, and are illustrated by the solid circles shown on the Neighborhoods Map.

In the Single Family Residential areas of the City, non-residential uses will be considered only when the use is clearly incidental to and ancillary to single-family residential, or when the use is a park, school, or other community-oriented public or quasi-public use.

The Social Neighborhoods of the City are bounded by the mile square grid pattern of Troy’s thoroughfares. These defined areas can provide the sense of place that Vision 2020 and this Master Plan are striving for. In most cases, they have a school as central focus. Schools continue to be a means of stimulating social interaction on many fronts; children establish their first friendships, parents meet other local parents, schools often host public events. Furthermore, the play areas at school provide readily accessible recreation opportunities. Many Social Neighborhoods in Troy have sidewalks promoting accessibility and exercise, and Troy schools have walking paths that are open to the public.

The ideal Social Neighborhood will exemplify the safer, more enjoyable walking environments envisioned by the "Safe Routes to School" program.

We do not feel that this site can be purely considered a Rochester Road category site, given that it has no relationship to Rochester Road and would in fact be walled off from the adjacent site to the east. Given its proximity, and the nature of the uses to the south, east, and north, we could conceivably support a rezoning to the CB category were the site to be integrated with the site to the east. However, the applicant has provided a non-binding site plan showing what the applicant intends to develop. The plan includes a 4,000 square foot office structure and 20 parking spaces. This plan all but totally covers the site and a number of Ordinance requirements are not met by the plan. The required greenbelt, for instance, is occupied by parking spaces. The site plan does not include stormwater detention (a particular concern, given the Rochester Road category's focus on stormwater management). The 20 percent open space requirements are not met. In short, the plan indicates that the site would be significantly overbuilt.

While this is not a conditional rezoning, it is important to note that the project would be a difficult fit in this location. Further, many other retail and office uses would be largely incompatible and also potentially crowding on the site, given its lack of access to Rochester and the small acreage available. We are concerned that any non-residential use would be a potential hindrance to the abutting single family area and would require adequate transitioning, for which there is little room on this small site.

Items to be Addressed: None.

TRAFFIC IMPACT AND SITE ACCESS

The proposed rezoning would allow a wide range of uses that would significantly increase traffic volume from what is permitted within the existing district. In fact, if used as zoned, the site could accommodate two single family homes. The proposed project, a 4,000 square foot office center, would require 20 parking spaces, many of which would be used by incoming customers. Further, many commercial uses, such as basic convenience retail, would be allowed on the site. While we note that the applicant's site plan could not be developed as designed, it does illustrate that an increase in traffic is likely, as would any of the commercial uses allowed in the CB District.

This site is adjacent to sites having immediate access to Rochester Road. While we are concerned about rezoning this site with no access to Rochester, thereby putting all traffic onto Colebrook, a residential side street, we could potentially support a rezoning were the site integrated with the site to the east and if the new overall site was limited to a single driveway access to Colebrook. However, as a stand-alone rezoning application, and given the range of commercial uses permitted in the CB District, we are concerned that the rezoning would have the potential to add a significant amount of traffic to Colebrook from what is currently allowed on the subject site.

Items to be Addressed: None.

SUMMARY

Were the site to be combined with the site to the east, and if the new overall site was limited to a single driveway access to Colebrook, we could potentially support a conditional application. Therefore, we do not support the applicant’s request as submitted, and recommend that the Planning Commission recommend to the City Council that the proposed rezoning be denied.

The proposed CB District has potential to support the goals and policies of the Rochester Road District in the Master Plan; however this site does not have access to Rochester and is immediately adjacent to single family homes. The proposed site plan is not binding, and in fact shows a project that would exceed Ordinance limitations and would likely make it difficult to meet the Master Plan design standards for the Rochester Road District. Redevelopment of this site for non-residential purposes is appropriate only if the following conditions are met: (1) The proposed use and design does not have a significant negative impact on the abutting residential property and neighborhood; and (2) The site is appropriately screened from the abutting residential property. Without any assurances that the site will be developed in an appropriate fashion, and in consideration of the plan provided, we do not support the applicant’s request as submitted. We recommend that the Planning Commission recommend to the City Council that the proposed rezoning be denied. However, we would like to make the applicant aware of the conditional rezoning option, an application for which would allow the applicant to provide assurances that a potential project would address the issues outlined in this report.



CARLISLE/WORTMAN ASSOCIATES, INC.
Zachary G. Branigan, LEED AP, AICP
Associate

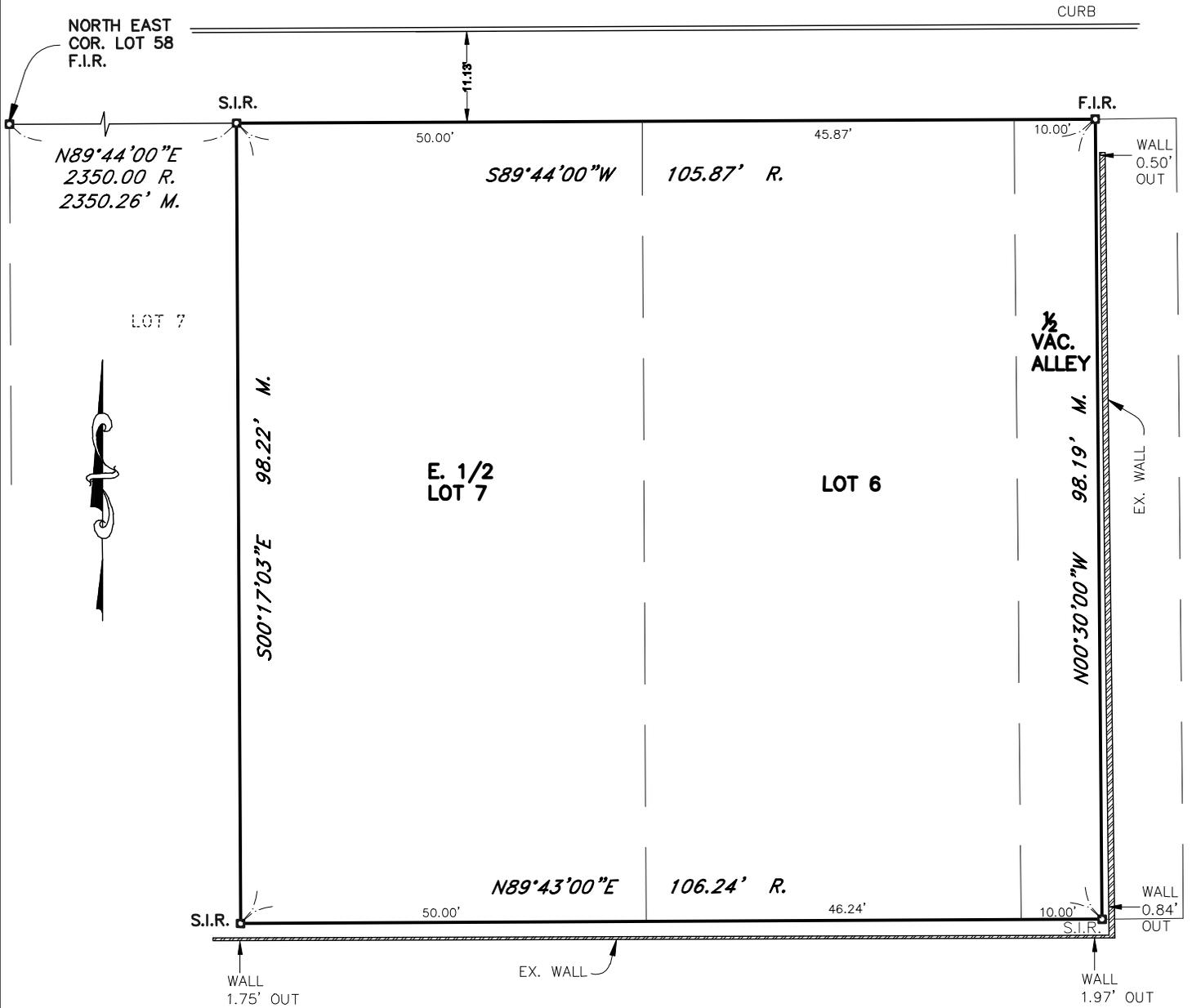
225-02-1202

SKETCH OF SURVEY

LEGEND

- R. ——— RECORD
- M. ——— MEASURED
- ▣ F.I.R. ——— FOUND IRON ROD
- ▣ F.I.P. ——— FOUND IRON PIPE
- ▣ S.I.R. ——— SET IRON ROD

COLEBROOK ST. (50' WD.)



AYMAN TAMIMI, PS NO. 55485

PROPERTY DESCRIPTION:
 LOT 6, INCLUDING THE ADJOINING ONE-HALF OF THE VACATED PUBLIC ALLEY AT THE REAR THEREOF AND THE EAST 1/2 OF LOT 7, CLOVERDALE FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 33, PAGE(S) 13 OF PLATS, OAKLAND COUNTY RECORDS.

LAND SPECIALISTS

LAND SURVEYORS
 21418 EWING DR.
 MACOMB, MI 48044
 PHONE # (586)703-1794
 FAX # (586)948-2029
 www.landspecialists.us

PETRIT SKENDERAJ
 970 COLEBROOK ST.
 TROY, MI. 48083

SCALE: 1" = 20'

REF. JOB

DATE: 11-25-11

BK# 006 PG# 8

DRAWN BY: A. TAMIMI

ARKO DESIGN ASSOCIATES

17106 ADDINGTON DRIVE
COMMERCE TWP, MI
ph. 248.802.8409

January 16, 2012

To: CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48084
ph: 248-524-3364
fax: 248-524-3382
e-mail: planning @ troymi.gov

Re: Rezoning Application
970 Colebrook
Troy, MI
Parcel Id. 88-20-22-277-011 & 88-20-22-277-012

ONE (1) HARD COPY OF A STATEMENT INDICATING WHY, IN THE OPINION OF THE APPLICANT, THE REZONING REQUESTED IS CONSISTENT WITH THE MASTER PLAN, AND WHY SUCH A REZONING IS CONSISTENT WITH ADJACENT ZONING DISTRICTS AND USES, AND WILL NOT BE DETRIMENTAL TO THE PROPERTY OF OTHER PERSONS LOCATED IN THE VICINITY.

Dear Zoning Board of Appeals' Official,

My client, Petrit Skenderaj purchased this property a few years ago with the dream of one day developing it and ultimately creating something that not only he would be proud of, but also the community where the property is located.

The current zoning of the property is R-1C One Family Residential, but all the properties surrounding it are zoned differently, except the property to the West. On the North side, the properties are zoned CB Community Business, GB General Business and 1B Integrated Industrial Business District. On the East and South sides, the properties are zoned CB Community Business.

The existing conditions make it very difficult in terms of future development to maintain a R-1C zoning while the surrounding properties are zoned as stated above. Furthermore, such rezoning is entirely consistent with the City of Troy Master Plan adopted in 2008, falling under the 'All Other Uses' area (page 90, City of Troy Master Plan 2008) and not the residential area. Also by observing the Zoning Map adopted by the City of Troy on April 18, 2011 the property in question is the only one zoned residential in the whole stretch of West Rochester Road between Wattles and Big Beaver roads surrounded by non residential properties on three sides (North, East, South).

We are requesting from the Zoning Board of Appeals for the aforementioned property to be rezoned to CB Community Business. If approved the property will be developed with the main scope for use as professional and/or medical offices, uses that are fully permitted according to the City of Troy Ordinance. The new development will not only be in no way detrimental to the property of other

persons located in the vicinity, but at the same time it will be beneficial to the community by serving almost as a gateway between the shopping centers and parking lots at the corner of Rochester Road and Colebrook Street and the rest of the community.

The site plan submitted with the Rezoning Application shows the property would comply with all the setbacks, parking and landscape requirements set forth by the Zoning Ordinance and furthermore it will feature a residential design which will complement the residential community.

If you have any questions and/or comments please do not hesitate to contact our office.

Sincerely,

Artur Kokaj
Assoc. AIA

DATE: February 6, 2012
TO: Planning Commission
FROM: R. Brent Savidant, Planning Director
Paul Evans, Zoning & Compliance Specialist
SUBJECT: REVISIONS TO CHAPTER 85 - SIGNS

The City of Troy Zoning Ordinance was adopted on April 18, 2011 and became effective on April 28, 2011. During the comprehensive rewrite process, it was determined that sign provisions would remain in a separate Sign Ordinance. There were many zoning districts modified or newly created; therefore, there are some inconsistencies between the Zoning Ordinance and Chapter 85 Signs.

The attached draft corrects the inconsistencies between the Zoning Ordinance and Chapter 85. No other revisions are proposed at this time. Additional revisions would be considered in the future if the Planning Commission was directed by City Council to make additional revisions.

The only section affected by the changes is Section 85.02.05 Allowable Signs. Proposed revisions to this section include the following:

1. Updated the zoning districts to bring the document into conformance with the Zoning Ordinance.
2. Added provisions for the three new form-based districts: BB, MR and NN.

Please be prepared to discuss this item at the February 14, 2012 Regular meeting.

Attachments:

1. Chapter 85 – Signs (draft)

cc: File

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Chapter 85 - Signs

85.01.00 Administration

85.01.01 Title and Purpose

- A. Short Title: This Ordinance shall be known as and may be cited as the City of Troy Sign Ordinance.
- B. Findings and Purpose: It is hereby determined that proliferation of signs in the City is unduly distracting to motorists and pedestrians, creates a traffic hazard, and reduces the effectiveness of signs needed to direct and warn the public. It is also determined that the appearance of the City is marred by proliferation of signs. It is also determined that proliferation of signs restricts light and air. It is also determined that proliferation of signs negatively affects property values. It is also determined that proliferation of signs results in an inappropriate use of land. The purpose of this Ordinance is to control the occurrence and size of signs in order to reduce the aforementioned negative effects. It is also determined that the signs of least value to people within the City are those which carry commercial messages other than the advertisement of any product, service, event, person, institution or business located on the premises where the sign is located or indicates the sale or rental of such premises. It is also determined that the regulations contained in this Ordinance are the minimum amount of regulation necessary to achieve its purposes. It is also determined that restrictions in this Ordinance on the size of signs, their height and placement on real estate, are the minimum amount necessary to achieve its purposes.

85.01.02 Enforcement:

- A. This Chapter shall be administered and enforced by the Zoning Administrator as provided for in Chapter 3 of the Troy City Code.
- (Rev. 06-07-2010)
- B. Responsibility of Compliance: The owner of any property on which a sign is placed, and the person maintaining said sign are equally responsible for the condition of the sign and the area in the vicinity thereof.
- C. Removal of Signs: Should any sign be found unsafe, insecure, improperly constructed or not in accordance with the requirements of this Chapter, the Sign Erector and/or Owner shall be required to make the sign safe, secure and otherwise in compliance with the requirements of this Chapter within 30 days of written notice. If the Sign Erector or Owner fails to comply within the allocated 30-day period, then the Zoning Administrator shall remove the offending sign within 48 hours from the time of written notification. However, if the enforcing official determines that a sign is unsafe and an immediate hazard to health or safety, then the sign shall be removed or repaired at the owner's expense within 48 hours of written notification of such condition.

(Rev. 06-07-2010)

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85.01.03 Definitions: For the purpose of this chapter, certain terms, words and tenses used herein, shall be interpreted or defined as follows:

Board of Appeals: Board of Appeals means the Building Code Board of Appeals.

Business Development: One or more uses within a building or buildings that share common parking facilities.

Department: The Planning Department of the City of Troy, its officers, inspectors and other employees.

(Rev. 06-07-2010)

Ground Sign: A freestanding sign supported by one or more uprights, braces, or pylons located in or upon the ground and not attached to any building.

Owner: A person, firm, partnership, association or corporation and/or their legal successors.

Person: Any individual firm, partnership, association or corporation and their legal successors.

Political Sign: A sign whose message relates to: The election of a person to public office, or to a political party, or to a public issue, which shall be voted on at an election called by a public body.

Projecting Sign: A sign which is affixed to any building or part thereof, or structure, which extends beyond the building wall or parts thereof, or structure, by more than twelve (12) inches.

Public Property: All publicly-owned property, including streets, rights-of-way, and everything affixed thereto and there over.

Road Closure Construction Sign: A sign permitted when road lane(s) adjacent to a property are closed, due to road construction activity, for a period of 30 or more calendar days.

(Rev. 06-07-2010)

Roof line: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, the deck line of mansard roofs, and the average height between eaves and ridge boards for gable, hip and gambrel roofs.

Roof Sign: A sign that is erected, constructed or maintained upon, and projects above or beyond the roof or parapet.

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting,

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balloon, streamer or other similar object in any form whatsoever which contains printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

Sign Erector: Any person engaged in the business of erecting, altering, or removing signs on a contractual or hourly basis.

Wall Sign: A sign attached to, painted on, or placed flat against the exterior wall or surface of any building, no portion of which projects more than 12 inches from the wall, and which may not project above the roof or parapet line.

Zoning Administrator: The City Manager or his/her designee, the person charged with the administration of this Ordinance.

85.01.04 Requirements for Permits

- A. Permit Required: It is unlawful for any person to erect, re-erect, alter, or relocate any sign without obtaining a permit from the Zoning Administrator and paying the applicable permit fee, as set forth-in Chapter 60 of the City Code.

(Rev. 06-07-2010)

Exceptions:

1. Sign Permits shall not be required for street signs, which are erected by the City, State or Federal Government for street direction or traffic control.
 2. Sign Permits shall not be required for signs located on the interior of buildings.
 3. Sign Permits shall not be required for signs that are not visible from any adjacent right-of-way which do not exceed thirty-six square feet.
 4. Sign Permits shall not be required for small ground signs for uses other than one and two family dwellings, as long as the signs are not more than two square feet in area.
 5. Sign Permits shall not be required for temporary signs, as set forth in Section 85.03.02 of this Chapter.
 6. Sign Permits shall not be required for flags that are allowed by Section 85.03.04.
- B. Permit Application: Applications for sign permits shall be made upon forms provided by the Department and shall contain the following information:
1. Name, address and telephone number of applicant.

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2. Name and address of the Sign Erector.
3. Location of the building or structure to which the sign is to be attached or lot where the sign is to be erected.
4. Position of the sign in relation to nearby buildings, structures, property lines, and existing or proposed rights-of-way.
5. The zoning district of the real property where the sign is to be located.
6. Two copies of the plans and specifications for the proposed sign and the method of construction and attachment to the building or placement in the ground.
7. If deemed necessary by the Zoning Administrator, two copies of stress sheets and calculations, bearing the signature and seal of a registered professional engineer or architect, which show the structure as designed for dead load and wind pressure, and demonstrate that the proposed sign will satisfy the regulations adopted by the City of Troy.

(Rev. 06-07-2010)

8. Such other information as the Zoning Administrator may require to demonstrate that the proposed sign would meet full compliance with this and other applicable laws of the City of Troy and the State of Michigan.

(Rev. 06-07-2010)

C. Contractor Registration Required:

1. All Sign Erectors, as defined in Section 85.01.03 of this Chapter, shall annually register with the Department. The Sign Erector registrations shall expire April 1st of each year. The registration fee is as set forth in Chapter 60 of the City Code.
2. Insurance Requirement: The following insurance is required before a sign permit will be issued:
 - a. Insurance Certificates: Before a permit is issued for the erection of a sign, the installing company shall submit a Certificate of Insurance for Public Liability in the amount of One Hundred Thousand (\$100,000) Dollars for injuries to one person and Three Hundred Thousand (\$300,000) Dollars for injury to more than one person, and Property Damage insurance in the amount of Twenty-Five Thousand (\$25,000) Dollars for damage to any property due to the actions of the Sign Erector or any of their agents or employees. This Certificate shall be submitted to the Planning Department, and approved by the City's Risk Manager or his/her delegate.

(Rev. 06-07-2010)

- b. Lapsing of Insurance: Sign Erectors shall maintain the above referenced insurance coverage at all times in order to be eligible to obtain sign permits. If the insurance coverage lapses at any time, the City can automatically revoke the right of a Sign Erector to obtain sign permits.
- c. Notification of Change: A Sign Erector shall notify the Planning Department of any change in address, or any change in ownership or management that differs from what is indicated on the Insurance Certificates.

(Rev. 06-07-2010)

D. Permit Fees: Permit fees are as set forth in Chapter 60 of the City Code.

85.01.05 Prohibited Signs

- A. Signs in Right-of-Way: No sign shall be located in, project into, or overhang a public right-of-way or dedicated public easement, except as provided below:
 - 1. Signs established and maintained by the City, County, State, or Federal Governments may be located in the right of way.
 - 2. Banners advertising civic events may be permitted on lighting poles within the median of Big Beaver Road, between Rochester Road and Cunningham Drive, for a period not to exceed thirty days, subject to the approval of the City Manager.
 - 3. In its discretion, City Council may approve an agreement to allow residential development identification signs in the medians of boulevard entrance streets. Any such agreement shall require continuing liability insurance and also provide satisfactory maintenance of the sign, as well as any other condition that is deemed necessary by the Troy City Council to protect the right of way. The agreement must also indicate the City Council's approval of the proposed design and materials for the sign. The residential development identification sign shall not exceed five feet in height, and shall not be more than 50 square feet in area. The height of such signs shall not exceed 30" when located in the corner clearance area depicted in Figure 85.01.05 A.

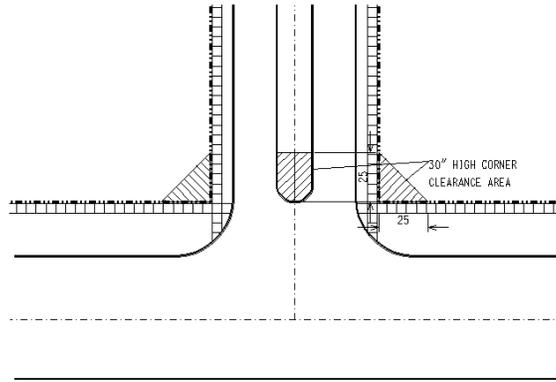


Figure 85.01.05 A

- B. Corner Clearance: Signs higher than 30 inches shall be prohibited in the triangular area formed at the intersection of any two street right-of-way lines (existing or proposed) by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection. No sign shall be located in that area, or project into, or overhang into the area.
- C. Roof Projecting Signs: Roof signs and projecting signs are prohibited.
- D. Fire Escapes: No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- E. Support Location: No pole, cable or support of any nature shall be placed on any publicly owned property, street right-of-way, or proposed street right-of-way.
- F. Traffic Interference: No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
- G. Flashing Signs: Flashing or intermittent illumination of signs shall be prohibited.
- H. Neon Tubes: Installation of neon tubing used as borders or accent strips on the exterior of any building shall be prohibited.

85.01.06 Inspections

- A. Concealed Work: In cases where fastenings are to be installed and enclosed in such a manner that the Building Inspector cannot easily remove material to see the fastenings and material used, the Sign Erector must advise the Zoning Administrator so that the inspection may be made before concealment.

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- B. Compliance Certification: All signs shall be inspected at original installation; if found to comply with this chapter, the sign shall be issued a certificate of compliance.
- C: Inspections of Existing Signs: The Zoning Administrator can inspect existing signs to determine compliance with the provisions of this chapter.

(Rev. 06-07-2010)

85.01.07 Non-Conforming Signs:

- A. Intent: It is the intent of this Chapter to encourage eventual elimination of signs that, as a result of the adoption of this Chapter, become non-conforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this Chapter. It is the intent, therefore, to administer this Chapter to facilitate the removal of illegal non-conforming signs while simultaneously avoiding any unreasonable invasion of established private property rights.
- B. Continuance: A non-conforming sign shall be maintained in good condition. A non-conforming sign may be continued, but shall not be:
1. Replaced by another non-conforming sign; or
 2. Structurally altered so as to prolong the life of the sign; or
 3. Expanded; or
 4. Re-established after damage or destruction to the sign, if the estimated expense of reconstruction exceeds 50% of the estimated replacement cost of the sign.

85.01.08 Appeals:

A. Procedure

1. Any person aggrieved by any decision, ruling or order from the Building Inspector may appeal that decision to the Board of Appeals. The appeal shall be made by filing an application for a hearing with the Department. The application shall specify the grounds for the appeal. The Zoning Administrator shall transmit the application and all other documents relating to the appeal to the Board of Appeals. Upon receipt of the Appeal Application, the Building Inspector shall administratively establish a date of the Public Hearing.

(Rev. 06-07-2010)

2. The Zoning Administrator shall notify all owners of real property within 300 feet of the real property that is proposed as the site of the sign subject to the

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appeal. The notice shall be sent by U.S. Mail to the owners at the address listed with the Troy Assessing Department, and shall be postmarked no less than 14 days before the date of the Public Hearing.

(Rev. 06-07-2010)

B. Powers of the Board of Appeals

1. The Board of Appeals has the power to grant specific variances from the requirements of this Chapter, upon a showing of each of the following:
 - a. The variance would not be contrary to the public interest or general purpose and intent of this Chapter; and
 - b. The variance does not adversely affect properties in the immediate vicinity of the proposed sign; and
 - c. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.
2. Duration of Variances: The Board of Appeals shall not grant any variance for a period that exceeds 15 years. All variances shall terminate at the expiration of the period of time set by the Board of Appeals, or upon alteration or reconstruction of more than 50% of the sign, whichever occurs first.

85.01.09 Violations

- A. It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move, or convert any sign in the City of Troy, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter. Any person violating any of the provisions of this Chapter shall be responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy. Each day that a violation continues is deemed a separate Municipal Civil Infraction. Sanctions for each violation of Chapter 85 shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100. Any sign constituting an immediate hazard to health and safety is deemed a nuisance and may be removed by the Zoning Administrator at the expense of the owner of the sign or other responsible party, in the discretion of the Zoning Administrator.

(Rev. 06-07-2010)

- B. Signs in Public Right-of-Way: In addition to the penalties prescribed in paragraph 85.01.09 A, any sign erected in violation of this Chapter may be removed by the Zoning Administrator or his/her authorized representative and stored in a safe location for at least 48 hours. During this period of time, the owner of the sign may

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obtain the sign from the Zoning Administrator upon request and payment of a fee of Fifty Dollars (\$50) for each sign to cover the costs of removal and storage. After 48 hours, the Zoning Administrator may dispose of the sign.

(Rev. 06-07-2010)

- C. Public Nuisance: Signs installed after the effective date of the adoption or subsequent amendment of this Chapter that are in violation of this Chapter are hereby declared to be public nuisances, and may be abated by the City. The City can take any legal action to abate the public nuisance. The collection of removal fees from the Owner, Sign Erector, or other responsible person shall not preclude the City from prosecuting the responsible person.

85.02.00 General Provisions

85.02.01 Construction Requirements

- A. Material Requirement: All signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the latest adopted edition of the Michigan Building Code and the requirements of this Chapter.
- B. Fastenings: All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the Sign Erector shall be repaired by the Sign Erector.
- C. Changeable Message Signs: The message change cycle of a changeable message sign shall be not less than one minute per message, except in a combined time and temperature sign, where the change cycle shall not be less than 30 seconds.
- D. Revolving Signs: Signs that revolve shall make no more than four complete revolutions per minute.
- E. Proximity to Electrical Conductors: No sign shall be erected so that any part, including cables, guys, etc, will be within six feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.

85.02.02 Illuminated Signs:

- A. Illumination: Only listed electrical devices shall be used for the illumination of signs. These listed electrical devices shall be installed in accordance with the requirements of the regulations adopted by the City of Troy. No open spark or flame may be used for display purposes unless specifically approved by the Zoning Administrator.

(Rev. 06-07-2010)

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- B. Shielding from Residential Districts: Any lighting used to illuminate signs shall be directed away from and shall be shielded from any adjacent residential zoning districts and shall not adversely affect driver visibility on adjacent public thoroughfares.

85.02.03 Identification of Sign Erector:

- A. Sign Erector's Imprint: Every sign, other than temporary signs herein defined, must carry the identification of the Sign Erector, in clearly legible letters.
- B. Re-hanging: In case of re-hanging or re-erection of any sign, the Sign Erector must place his/her identification and the date of the re-hanging on the sign.

85.02.04 Measurement of Signs:

- A. Sign Area: For the purpose of this Chapter, the area of the sign shall include the total area within any circle, triangle, rectangle or other geometric shape enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, and is further calculated as follows:
1. Single Face Sign: For a single face sign, the area shall be computed as the total exposed exterior surface in square feet.
 2. Multi-faced Signs: When the sign has two or more faces, the area of all faces shall be included in computing the area of the sign.

Exceptions:

1. For a sign that has two or more faces placed back to back, the area shall be computed as one-half the total exposed exterior surface area in square feet.
2. For a sign that has two or more faces so arranged that the faces are greater than 24 inches from one another or such sign with any two faces that form a "V" is greater than 15 degrees, the area shall be computed as a single face sign.
3. Wall Signs: When a sign consists solely of writing, representation, emblems, logos, or any other figure or similar character which is painted or mounted on the wall of a building or a self-supporting wall or fence, without distinguishing border, the area of such sign shall be computed as if it were framed by a border consisting of horizontal and vertical lines touching the outer limits of the sign and extending not more than one foot from smaller sign elements. However, in no instance shall there be any line having a dimension of less than one foot.

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- B. Sign Height: The height of the sign is measured from the ground to the highest point of the sign from the ground.

85.02.05 Allowable Signs:

- A. The Zoning District Regulations and Table 85.02.05 set forth the allowable signs in each zoning district. These are in addition to the signage that is exempted from permits by Section 85.01.04 A.

- B. Nothing in this Chapter shall be construed so as to prohibit ideological or non-commercial advertising on any sign on which commercial advertising is allowed.

C. Specific Zoning District Regulations

1. ~~R-1 and R-2 Districts: Signs in single family and two family districts shall be allowed as follows:~~

~~a. For Special Approval Uses listed in Chapter 39, Section 10.30.00 of the Troy City Code: One sign not to exceed 100 square feet in area.~~

~~b. For Subdivision Entrances: A maximum of two signs not exceeding a total of 100 square feet in area.~~

~~_____~~
~~_____ (Rev. 08-06-2007)~~

~~c. For Subdivisions Under Development: One sign not to exceed 100 square feet in area is allowed until such time as a certificate of occupancy is issued for all homes in the subdivision.~~

2. ~~R-M, RI-T, CR-1 and C-F Districts: Signs in Multiple Family Housing or Cluster Housing, and Community Facility Developments shall be allowed as follows:~~

~~a. One sign not to exceed 100 square feet in area.~~

~~b. One additional sign not to exceed 36 square feet in area.~~

~~c. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or R-2 District.~~

3. ~~All O and R-C Districts: Signs in Office and Research Center districts shall be allowed as follows:~~

~~a. One wall sign for each building, not to exceed 10% of the area of the front of the structure, to a maximum size of 200 square feet in area.~~

~~b. One ground sign for each building in accordance with Table 85.02.05.~~

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- ~~c. One additional ground sign for each building, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.~~
- ~~d. Each tenant on the ground floor may have one wall sign, which shall not exceed 20 square feet in area. The sign must be located on the face of the area occupied by the tenant.~~
- ~~e. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or R-2 district.~~
- ~~4. B-1, B-2, B-3 and H-S Districts: Signs for each business development in the Commercial Districts shall be allowed as follows:~~
 - ~~a. One ground sign in accordance with Table 85.02.05.~~
 - ~~b. One additional ground sign, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.~~
 - ~~c. The required setback for ground signs from adjacent residentially zoned property shall be the same as for buildings within the zoning district.~~
 - ~~d. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.~~
- ~~5. M-1 Districts: Signs for each M-1 development shall be allowed as follows:~~
 - ~~a. One ground sign in accordance with Table 85.02.05.~~
 - ~~b. One additional ground sign, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.~~
 - ~~c. One wall sign for each building, not to exceed 10% of the area of the front of the structure, up to a maximum of 100 square feet.~~
 - ~~d. One wall sign, not to exceed 20 square feet in area, for each tenant in multi-tenant buildings. Tenant signs must be located on the face of the area that is occupied by the tenant.~~
 - ~~e. One additional ground sign, provided it complies with all of the following:~~
 - ~~1. The sign is set back a minimum of 200 feet from any street right-of-way.~~
 - ~~2. The sign is located at least 1,000 feet from any sign exceeding 100 square feet in area.~~
 - ~~3. The sign does not exceed 300 square feet in area.~~

- ~~4. The sign does not exceed 25 feet in height.~~
- ~~f. A dealership within a Planned Auto Center shall be allowed the following additional signage:

 - ~~1. One ground sign, in accordance with Table 85.02.05.~~
 - ~~2. Two wall signs, with each sign being 20 square feet in area or less.~~~~
- ~~g. No sign shall be located closer than 50 feet to any property line of an adjacent R-1 or R-2 district.~~

TABLE 85.02.05 STANDARDS FOR GROUND SIGNS			
Zoning District	Minimum Setbacks*	Maximum Height	Maximum Area
All R and C-F	10 ft. from Street	12 ft.	See Section 85.02.05,C,1 & 85.02.05,C,2
All B, H-S, O, R-C and Planned Auto Centers in M-1	0 ft. - 20 ft.	10 ft.	50 sq. ft.
	20 ft. - 30 ft	20 ft.	100 sq. ft.
	30 ft. +	25 ft.	200 sq. ft.
M-1	10 ft	12 ft.	100 sq. ft. Max. See Section 85.02.05,C,5,e

- 1. R-1 Districts:
 - a) For one, two, and multiple family housing development entrances, a maximum of 2 signs with an aggregate total of 100 square feet in area.
 - b) For one, two, and multiple family housing development under construction, 1 sign not to exceed 100 square feet in area is allowed until a certificate of occupancy is issued for all units in the development.
 - c) For other uses, 1 sign not exceeding 100 square feet in area. Ground sign setback and height shall comply with Table 85.02.05.
- 2. MR, UR, MHP, CF Districts:
 - a) One sign not to exceed 100 square feet in area
 - b) One additional sign not to exceed 36 square feet in area
 - c) No sign shall be located closer than 30 feet to any property line of an adjacent R-1 District.

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3. O, OM, RC Districts:
 - a) One ground sign for each building in accordance with Table 85.02.05.
 - b) One additional ground sign for each building, not to exceed thirty-six square feet in area if the site fronts on a major thoroughfare.
 - c) Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.
4. CB, GB, PV Districts:
 - a) One ground sign for each building in accordance with Table 85.02.05.
 - b) One additional ground sign for each building, not to exceed thirty-six square feet in area if the site fronts on a major thoroughfare.
 - c) A vehicle sales establishment within a CB, GB, or PV district shall be allowed an additional ground sign, in accordance with Table 85.02.05.
 - d) Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.
5. BB, MR, NN Districts:
 - a) One ground sign for each building in accordance with Table 85.02.05.
 - b) One additional ground sign for each building, not to exceed thirty-six square feet in area if the site fronts on a major thoroughfare.
 - c) Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.
 - d) One pedestrian-scaled wall sign or projecting sign per tenant, not to exceed twelve square feet in area.
6. IB District: Signs for each business development shall be allowed as follows:
 - a) One ground sign for each building in accordance with Table 85.02.05.

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- b) One additional ground sign for each building, not to exceed thirty-six square feet in area if the site fronts on a major thoroughfare.
- c) A vehicle sales establishment within the IB district shall be allowed an additional ground sign, in accordance with Table 85.02.05.
- d) One additional ground sign, subject with all of the following:
 1. The sign is set back a minimum of 200 feet from any street right-of-way.
 2. The sign is located at least 1,000 feet from any sign exceeding 100 square feet in area.
 3. The sign does not exceed 300 square feet in area.
 4. The sign does not exceed 25 feet in height.
- e) Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

TABLE 85.02.05 STANDARDS FOR GROUND SIGNS			
<u>Zoning District</u>	<u>Minimum Setbacks*</u>	<u>Maximum Height</u>	<u>Maximum Area</u>
<u>All R, MR, UR, MHP, CF</u>	<u>10 ft. from Street</u>	<u>12 ft.</u>	<u>See Specific Zoning District Regulations</u>
<u>All others</u>	<u>0 ft. - 20 ft.</u>	<u>10 ft.</u>	<u>50 sq. ft.</u>
	<u>20 ft. - 30 ft</u>	<u>20 ft.</u>	<u>100 sq. ft.</u>
	<u>30 ft. +</u>	<u>25 ft.</u>	<u>200 sq. ft.</u>

* Indicates setback from existing street right-of-way, or from planned right-of-way (Master Thoroughfare Plan), whichever is greater.

85.03.00 General Exceptions: The regulations of this Chapter shall be subject to the following exceptions.

85.03.01 Special Event Signs

A. Signs advertising a Special Event may be allowed for events that include, but are not limited to, grand openings, vehicle shows/displays, craft shows, benefit rummage/bake sales and festivals, as long as a Special Event Sign permit is issued. The application for a Special Event sign permit shall be submitted to the Zoning Administrator, and shall include the following:

1. Plans indicating the following:

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- a. Site layout (building location, parking, etc.)
 - b. Number, size and location of proposed signs, including banners, flags, cold air balloons, and other forms of signage.
2. Documentation detailing the purpose of the event and desired dates for the placement of the Special Event signs.
 3. If the applicant for the Special Event Sign permit is not the property owner of the site where the signage is proposed to be located, then the written approval of property owner must be submitted with the application.
 4. The required application fee, as set forth in Chapter 60 of the Troy City Code.

Exception: All fees for a Special Event sign application shall be waived for all non-profit applicants who provide satisfactory proof of the non-profit status to the Zoning Administrator.

- B. A Special Event Sign permit shall be issued for not more than seven (7) consecutive days within any twelve (12) month period.
- C. No more than four off-site signs related to a Special Event may be permitted. Such off-site signs shall each be limited to six (6) square feet in area. Applicant must also submit written approval from the owners of properties where the off-site Special Event Signs are proposed to be located. This permission must be provided prior to the issuance of a permit.

85.03.02 Temporary Signs

- A. Temporary signs include, but are not limited to the following:
 1. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premise for sale, rent or lease.
 2. For a single dwelling or building or vacant land: an off-site real estate sign for the purpose of providing direction to another premise that is offered for sale, rent, or lease.
 3. An on-site sign advertising an on-going garage, estate or yard sale.
 4. An off-site sign for the purpose of providing direction to another premise that is having a garage, estate or yard sale, as long as the dates of the sale are clearly indicated on the sign.
 5. Non-commercial signs, which contain non-commercial informational or directional messages.
 6. Political signs.

7. Holiday or other seasonal signs.
 8. Construction signs for buildings under construction.
- B. All temporary signs must comply with all of the following regulations:
1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed fourteen (14) square feet. The maximum size of individual temporary signs shall not exceed six square feet in area. Temporary signs shall not be higher than forty-two (42) inches above average mean grade of the yard on which it is placed.

Exceptions:

1. For uses other than one and two family dwellings, signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 10 feet in height.
 2. One sign advertising the sale or lease of vacant land, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 15 square feet of sign area per acre of land or 15 square feet of sign area per 100 lineal feet of thoroughfare frontage. In no case shall the sign be allowed to exceed 100 square feet of sign area or be more than 10 feet in height.
2. Location of Temporary Signs:
- a. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way
 - b. Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway and shall not be located in a dedicated right-of-way.
 - c. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
 - d. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
 - e. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.

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- f. Signs shall be located so as to comply with the corner clearance requirements of Section 85.01.05 B.
3. Time Limitations for Temporary Signs: Each temporary sign shall be removed within 60 days of placement.

Exceptions

1. Where there is a valid contract for work on the premises that exceeds sixty (60) days, then temporary signs shall be permitted on the premises for the length of the contract.

85.03.03 Road Closure Construction Signs

One road closure construction sign, not exceeding 36 square feet in area, shall be permitted for each owner or tenant of a building located on property adjacent to a road lane that is closed due to construction activity for a period of 30 or more calendar days. Road closure construction ground signs shall not exceed 10 feet in height and shall be located outside of the right-of-way. Road closure construction wall signs shall be placed flat against the exterior surface of the building, shall not project more than 12 inches from the building surface, and shall not project above the roof or parapet line. Road closure construction signs shall be removed upon the opening of all road lanes adjacent to the property

(06-07-2010)

85.03.04 Signs on Motor Vehicles

- A. No person, corporation, partnership or other legal business entity shall stand or park a motor vehicle on public or private property in the City of Troy for the purpose of advertising same "for sale" or "for trade".

(Renumbered: 06-07-2010)

Exceptions:

1. Properly licensed auto dealerships and properly licensed used car lots.
2. The owner of a motor vehicle who places a "for sale" or "for trade" sign on or within the vehicle provided:
 - a. The vehicle is located only on the vehicle owner's residential property; and
 - b. The owner of the vehicle displays a clearly visible sign on the vehicle indicating the owner's name and address; and
 - c. Not more than one vehicle is displayed on the residential property.

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3. The owner of non-residential property who places or allows to be placed a “for sale” or “for trade” sign on or within the vehicle provided:
 - a. Not more than one vehicle is displayed on the nonresidential property; and
 - b. The owner of the vehicle displays a clearly visible sign indicating the nonresidential property owner’s consent to the display of the vehicle.
- B. A displayed message containing a phone number in or on a parked motor vehicle that is or was visible constitutes a presumption that it is or was for the purpose of offering the vehicle for sale or trade.
- C. Proof that the vehicle described in the complaint was parked in violation of this Section, together with proof that the defendant named in the complaint was at the time of the cited parking the registered owner of the vehicle constitutes a presumption that the registered owner is responsible for the violation.

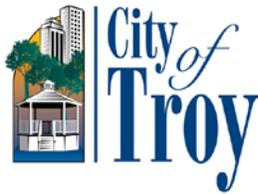
85.03.05 Flags

(Renumbered: 06-07-2010)

- A. The display of the flag of the United States of America or other political subdivision thereof shall not be regulated by this Chapter when attached to a structure or standardized flagpole.
- B. The display of not more than one flag, such as but not limited to, corporate, civic, social, cultural, church or club group shall be permitted if flown in conjunction with an American flag of equal or greater size.

(09-12-2005)

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PLANNING COMMISSION 2011 ANNUAL REPORT

The Michigan Planning Enabling Act requires that municipal planning commissions prepare an annual written report to the legislative body concerning operations and the status of planning activities undertaken during the calendar year. In accordance, the following information has been compiled:

PLANNING COMMISSION

The Planning Commission consisted of Michael W. Hutson (Chair), Mark Maxwell (Vice Chair), Donald Edmunds, Philip Sanzica, Robert Schultz, Thomas Strat, John J. Tagle, Lon M. Ullmann, Mark J. Vleck (through March) and Tom Krent (appointed April 4, 2011).

Thomas Strat was Zoning Board of Appeals (ZBA) Representative and Philip Sanzica was ZBA Alternate.

The Planning Commission held nineteen (19) meetings during the year, comprised of eleven (11) Regular meetings and eight (8) Special/Study meetings.

Thomas Strat and Michael Hutson were appointed to the Sustainable Design Review Committee by the City Manager.

MASTER PLAN

The City of Troy Master Plan was updated and adopted by the Planning Commission in October, 2008. In accordance with the Michigan Planning Enabling Act, the Planning Commission will re-evaluate the plan and determine if an update is needed again prior to October 2013.

BIG BEAVER DESIGN GUIDELINES

The Big Beaver Design Guidelines were approved by the Planning Commission on March 22, 2011.

ZONING ORDINANCE ADOPTION

The Planning Commission prepared the comprehensively updated Zoning Ordinance, which was adopted by City Council on April 18, 2011.

ZONING ORDINANCE AMENDMENTS

The Planning Commission considered the following amendment applications in 2011:

Amendment	Description	PC Action
Z 738	Holiday Inn Express Hotel & Suites, East side of Stephenson Hwy, North of 14 Mile (466 Stephenson Highway), Section 35, From RC (Research Center) District to OM (Office Mixed Use) District	Recommended approval on 06/28/11



PLANNING COMMISSION 2011 ANNUAL REPORT

SUSTAINABLE DEVELOPMENT CHECKLIST

The Planning Commission recommended approval of the Sustainable Development Checklist on September 13, 2011.

SITE PLAN REVIEWS

The Planning Commission considered the following applications in 2011:

Project	Description	PC Action
SU 385	Additions to St. Joseph Chaldean Catholic Church, 2442 E. Big Beaver, South side of Big Beaver, East of John R, Section 25	Public hearing held 01/11/11; No action taken
Oak Forest South Site Condominium	Oak Forest South Site Condominium, 25 units/lots, South of Square Lake Road, East Side of Willow Grove, Section 11	Recommended approval on 02/08/11
SP 965	Alpha Dental Center, 405 E. Maple Road, Northeast Corner of Maple and Kirkton, Section 27	Prelim Site Plan Approved 03/08/11
SU 386	The Capital Grille Outdoor Seating Area, Somerset Collection, North side of Big Beaver, East of Coolidge, Section 20	Recommended approval on 03/22/11
SP 967	Gaucha Brazilian Steakhouse, 3635 Rochester Road, West side of Rochester between Troywood and Colebrook, Section 22	Prelim Site Plan Approved 04/26/11
SP 343 D	Site Improvements, North side of Big Beaver, West of Crooks (1500 W. Big Beaver), Section 20	Prelim Site Plan Approved 05/10/11
SP 968	Suburban Cadillac Buick, North of Maple, West of Crooks (1810 Mapelawn), Section 29	Prelim Site Plan Approved 05/10/11
SU 387	McDonald's Restaurant with Drive-Through Facility, Northwest Corner of Maple and Livernois (72 W. Maple), Section 28	Special Use Approval and Prelim Site Plan Approved 05/10/11
SP 186 A	Sunset Plaza CVS Pharmacy Drive-Through, Northeast Corner of Long Lake and Livernois (125 E. Long Lake), Section 10	Recommended approval on 06/14/11
SU 388	Adult Foster Care Home, North side of Square Lake, East of Beach (2420 W Square Lake), Section 6	Special Use Approval and Prelim Site Plan Approved 06/14/11
SU 389	Trainers Academy LLC, North side of Maple, East of Crooks (950 W Maple), Section 28	Special Use Approval and Prelim Site Plan Approved 06/14/11
SU 188 A	First Romanian Baptist Church Building Addition, East side of John R, North of Big Beaver (3244 John R), Section 24	Special Use Approval and Prelim Site Plan Approved 07/12/11
SU 117 D	St. Mark Coptic Orthodox Church Expansion Sunday School Classes, West side of Livernois, South of Wattles (3603 Livernois), Section 21	Postponed on 07/26/11; application pending



PLANNING COMMISSION 2011 ANNUAL REPORT

Project	Description	PC Action
SP 970	Granite City Food & Brewery Restaurant, South side of Big Beaver Road, East of Troy Center Drive, Section 28	Prelim Site Plan Approved 07/26/11
SU 390	Holiday Inn Express Hotel & Suites, East side of Stephenson Highway, North of 14 Mile (466 Stephenson Highway), Section 35	Special Use Approval and Prelim Site Plan Approved 08/09/11
SU 391	Kroger Retail Fuel Center D-464, Southwest Corner of South Boulevard and Crooks (2105 W. South Boulevard), Section 5	Recommended approval on 08/09/11
SU 388 A	Expansion of an existing Adult Foster Care Small Group Home, From 9 to 10 residents, North side of Square Lake, East of Beach (2420 W. Square Lake), Section 6	Special Use Approval 09/13/11