Chair Tagle called the Special/Study meeting of the Troy City Planning Commission to order at 7:15 p.m. on November 26, 2013 in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:
Donald Edmunds
Michael W. Hutson
Edward Kempen
Tom Krent
Philip Sanzica
Gordon Schepke
Robert Schultz
Thomas Strat
John J. Tagle

Also Present:
R. Brent Savidant, Planning Director
Allan Motzny, Assistant City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Frank Boudon, Student Representative
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2013-11-091
Moved by: Strat
Seconded by: Krent

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-11-092
Moved by: Edmunds
Seconded by: Kempen

RESOLVED, To approve the minutes of the November 12, 2013 Regular meeting as published.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Krent reported on the November 19, 2013 Zoning Board of Appeals (ZBA) meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant announced there was no Downtown Development Authority (DDA) meeting in November.

7. PLANNING AND ZONING REPORT

Mr. Savidant announced a news article on development along Big Beaver Corridor will be published in an upcoming *Crain's*.

POSTPONED ITEM

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 985) – Proposed Oakland Troy Senior Project, Southeast Corner of Square Lake and Adams, Section 20, Currently Zoned R-1A (One Family Residential) District

Mr. Carlisle addressed the revisions to the Preliminary Site Plan since it was last reviewed by the Planning Commission; specifically, site arrangement, residential screening, location of trash enclosure and road improvements as recommended by the City's Traffic Engineering Consultant. Mr. Carlisle reported the proposed use is permitted by right and the site plan meets all Zoning Ordinance requirements. He recommended Preliminary Site Plan approval with the condition that the applicant implement all requirements outlined in the Traffic Consultant report prior to Final Site Plan approval.

Present were Lorenzo Cavaliere to represent the applicant and Edward Mancini, the property owner.

Mr. Cavaliere addressed the site plan revisions implemented based on comments at the last Planning Commission meeting. He specifically addressed shifting the building to the west further from single family residential, screening with a combination of berm and evergreens and the proposed LED lighting.

There was discussion on:

- LED lighting as relates to shielding, timing to go off at night.
- Residential screening as relates to type, placement, size and growth of plantings.

Chair Tagle opened the floor for public comment. He asked that comments be limited to three minutes, that comments relate only to the recent revisions to the Preliminary Site Plan, and that each resident indicate the location of his/her residence in relation to the proposed development.

Leonard Siudara of 5865 Andover spoke in opposition, addressed tree replacement, addressed Sunoco pipeline.

Terry Adams of 5970 Sussex spoke in opposition, addressed residential screening.

Suzanne Delisi of 5856 Adams spoke in opposition; addressed sections of the Zoning Ordinance, definitions, public comments from City Council meeting.

John Mills of 5755 Sussex spoke in opposition; addressed lighting, residential screening, Sunoco pipeline, spirit of the Zoning Ordinance.

Bill Hoogerwerf of 2574 Fox Chase spoke in opposition; addressed traffic, noise, lighting, hazardous materials.

Roger Howard of 5726 Sussex spoke in opposition; addressed Sunoco pipeline, State licensing, crime and property damage, spirit of Zoning Ordinance.

Lynn Bell of 3727 Ledge addressed a need for assisted living facilities, offered reassurance to concerned residents that noise, traffic, dumpster locations would pose no negative effect.

Keith Ulrich of 2587 Haverford spoke in opposition; addressed existing natural setting, Sunoco pipeline.

Robert Gosselin of 5773 Sussex spoke in opposition; addressed location, residential screening, use permitted by right.

Denise Smith of 2847 Arlund Way spoke in opposition; addressed location, Sunoco pipeline.

Bob Tourtillott of 5900 Adams spoke in opposition.

Kathy Mills of 5755 Sussex spoke in opposition; addressed definition of memory care, rehabilitative services.

James Walle of 2576 Haverford spoke in opposition; addressed location, Sunoco pipeline.

Charles Gabor of 2825 Lenox spoke in opposition; addressed halting project, traffic control.

Lenore Paxton of 5900 Sussex spoke in opposition; addressed public notification of adoption of Zoning Ordinance.

Chair Tagle closed the floor for public comment.

Mr. Savidant explained the City procedure with respect to maintaining/replacing dead trees and/or landscaping.

Mr. Savidant addressed the Sunoco pipeline project with respect to the approval process and screening. He offered to forward the landscape plan submitted by Sunoco to anyone interested.

Discussion followed on:

- Definition of 'memory care'.
- Public comments at City Council meeting.
- Configuration of building in relation to parking and building entry.
- Previous applications on subject parcel.
- Potential to develop subject parcel as single family residential.
- Uses permitted by right in single family residential districts.
- Uses permitted by Special Use in single family residential districts.

Mr. Schepke indicated he would vote no because there is no definition of memory care in the Zoning Ordinance.

Mr. Krent indicated he would vote no because of the safety concerns as relates to the configuration of the site.

Mr. Cavaliere addressed the Board with respect to the site location, configuration and interior design of the building, a need for assisted living, concerns with noise and licensing of the facility prior to operation.

Mr. Motzny said State licensing refers to 'homes for the aged', and the City's Zoning Ordinances does not refer to 'homes for the aged' nor 'memory care'. He encouraged the Board to rely on the determination of the City's Planning Consultant that 'memory care' meets the Zoning Ordinance definition of assisted living.

Resolution # PC-2013-11-093

Moved by: Sanzica
Seconded by: Hutson

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Oakland Troy Senior Project, located on the southeast corner of Square Lake and Adams, Section 20, within the R-1A (One Family Residential) district, be granted, subject to the applicant:

1. Implementing all requirements outlined in the Traffic Consultant's report, as per City Engineer, prior to Final Site Plan Approval.

Discussion on the motion on the floor.

Mr. Hutson said his support is based on the Site Plan meeting all requirements of the City's Zoning Ordinance, noting that the petitioner has gone beyond what is required and no safety issues were identified during departmental review. Mr. Hutson said the spirit of the law is a nice statement and flavoring but there is no exception to the law.

Roll call on the motion on the floor.

Yes: Edmunds, Hutson, Kempen, Sanzica, Schultz, Tagle
No: Krent, Schepke, Strat

MOTION CARRIED

OTHER BUSINESS

9. PUBLIC COMMENT – Items on Current Agenda

Suzanne Delisi of 5856 Adams addressed the exclusion of the definition of memory care in the Zoning Ordinance.

Mr. Carlisle addressed his determination that memory care is a use that falls under the definition of assisted living.

Gail Boyle of 5848 Andover addressed safety concerns relating to the Sunoco pipeline.

10. PLANNING COMMISSION COMMENT

There were general Planning Commission comments relating to:

- Sunoco pipeline; safety.
- Recent development issues relating to access, design, elevation.
- Square footage of living area of assisted living versus sober living.
- Signage.
- Joint meetings with City Council.

The Special/Study meeting of the Planning Commission adjourned at 8:51 p.m.

Respectfully submitted,

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John J. Tagle, Chair

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Kathy L. Czarnecki, Recording Secretary

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