Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 10, 2013 in the Council Chamber 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
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Allan Motzny, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2013-12-094
Moved by: Schultz
Seconded by: Sanzica

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-12-095
Moved by: Edmunds
Seconded by: Kempen

RESOLVED, To approve the minutes of the November 26, 2013 Special/Study 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.

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

5. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 411) – Proposed The Alan Group Office, Southeast Corner of Bellingham and Brinston (PID# 88-20-26-428-031), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the Special Use Request and Preliminary Site Plan application. He stated that the parking requirements are met, a correction to his report dated November 28, 2013. Mr. Carlisle recommended approval of the Special Use Request and Preliminary Site Plan application conditioned on the applicant addressing the items identified in his report as part of the Final Site Plan submittal.

Scott Bowers of Bowers and Associates Architects was present to represent the applicant. He addressed details of the screen wall and displayed color renderings, elevations and color samples.

There was discussion on:
- Screen wall; i.e., brick mold, poured on site, opacity of gates.
- Accolades to applicant on proposed development.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-12-096
Moved by: Sanzica
Seconded by: Krent

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed office building and outdoor storage yard, located at the southeast corner of Bellingham and Brinston (PID# 88-20-26-428-031), Section 26, Currently Zoned IB (Integrated Industrial and Business) District be granted, subject to the following conditions:

1. Relocate the handicapped parking adjacent to the building.
2. Correct the location of bike parking.
3. Submit outdoor storage wall detail.
4. Submit color details.

Yes: All present (9)

MOTION CARRIED

REZONING REQUEST

6. PUBLIC HEARING – REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

Mr. Carlisle reviewed the Rezoning Request application. He informed the Board the Rezoning Request only is before the Board this evening; the conceptual site plan provided by the applicant is illustrative only and should not be considered in the Board's decision. Mr. Carlisle recommended approval of the Rezoning Request for the reasons as stated in his report, dated December 5, 2013.

Mr. Hutson advised the Board that his firm in previous years has represented the applicant but he feels there is no conflict of interest on his part. It was the consensus of the Board that no conflict of interest exists.

Present were the applicant, Jerome Amber of Amber Properties Company, and Dennis Cowan of Plunkett Cooney.

Mr. Cowan said his firm is excited to represent the Amber Properties Company proposed development in Troy. He said contact was made with the property owners within the radius of the public hearing notification and to date no responses or comments were received. Mr. Cowan stated that Amber Properties Company develops residential only.

Mr. Amber briefly shared the history of his company and property ownership in nearby communities. He addressed the tenant draw, architecture and style of the proposed development. Mr. Amber said if the rezoning request is approved, it is his intent to submit a Preliminary Site Plan application in time for the Planning Commission meeting scheduled in February.

There was discussion on:

- Subject property as relates to Master Plan and Office district designation.
- Proposed five-story building height in relation to adjacent properties.
- Rezoning Request only before Board; not conceptual site plan.
- Walkability / attraction to Civic Center area.

Mr. Amber circulated pictures of an existing development in Royal Oak and addressed the five-story building height. He said a line of sight outline demonstrating the shadowing effect would be provided at the time of site plan review.

PUBLIC HEARING OPENED

Craig Goldin of Cosmetic Dentistry Institute, 3415 Livernois, voiced opposition to the proposed rezoning. He voiced concerns with the building height as relates to shadowing effect, street visibility and setbacks.

PUBLIC HEARING CLOSED

Discussion continued on:

- Allowable building heights and required setbacks for Office and Big Beaver zoning districts.
- Double frontage of subject property; applicant determines front, side yards.
- Flexible uses allowed in the Big Beaver zoning district.
- Parcel(s) inclusive of the Big Beaver zoning designation in the Master Plan.
- Intent of Zoning Ordinance to place building closer to street.
- Challenge of infill development.

Mr. Carlisle addressed the conceptual site plan in terms of building form, parking and proposed site access point. He indicated those details would be considered during site plan review, provided the Rezoning Request is approved, and he is confident the issues could be resolved. Mr. Carlisle also noted that the applicant would be encouraged to pull the building closer to the presence on Town Center.

Mr. Savidant said the proposed Rezoning Request would be announced to the City Council at their December 16 meeting and a Public Hearing would be scheduled on January 13, 2014.

Resolution # PC-2013-12-097
Moved by: Edmunds
Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O (Office) to BB (Big Beaver) rezoning request, located on the west side of Livernois, north of Town Center (3409 Livernois), in Section 21, being approximately 1.22 acres in size, be approved, for the following reasons:

1. The request complies with the Master Plan.
2. The Form-Based District would permit greater flexibility in use and development of the property.
3. The abundance of Office District property in the City has been well documented.
4. The rezoning would be compatible with surrounding zoning and land use.
5. The site can be adequately served with municipal water and sewer.

Discussion on the motion on the floor.

Mr. Schultz said he would not support the rezoning request because he has serious concerns with the type of use and development that could end up on the property. He thinks the proposed development is a good and reasonable development as outlined but would prefer that the applicant submit a conditional rezoning application.

Vote on the motion on the floor.

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

MOTION CARRIED

Mr. Schultz said his earlier comments reflect the basis for his no vote.

Mr. Schepke said he has concerns with the building height and potential of other uses on the property.

Mr. Sanzica said he would have preferred more plan details and would have considered a conditional rezoning request.

ZONING ORDINANCE TEXT AMENDMENT

7. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 246) – Assisted Living Facilities/Site Plan Review Standards

Mr. Carlisle reviewed five recommendations for the Board's consideration to address Zoning Ordinance language relating to the potential development of assisted living facilities.

A brief discussion followed.

Chair Tagle opened the floor for public comment.

Omar Shouhayib, 4254 Beach, addressed development projects relating to elderly care and apartment/loft style residential.

Chair Tagle closed the floor for public comment.

Mr. Savidant said he would prepare appropriate draft Zoning Ordinance language and schedule a Public Hearing for the proposed Zoning Ordinance Text Amendment.

OTHER BUSINESS

8. PUBLIC COMMENTS – For Items on Current Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENTS

There were general Planning Commission comments.

Mr. Kempen announced his term has expired and he was not reappointed to the Board. He thanked his fellow commissioners for the enjoyable experience and their support.

Board members commended and thanked Mr. Kempen for his service to the Board.

Holiday wishes were exchanged.

The Regular meeting of the Planning Commission adjourned at 8:40 p.m.

Respectfully submitted,

John J. Tagle, Chair

Kathy L. Czarnecki, Recording Secretary

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