



**PLANNING COMMISSION
MEETING AGENDA
SPECIAL/STUDY MEETING**

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Donald Edmunds, Chair, Philip Sanzica, Vice Chair
Steve Gottlieb, Michael W. Hutson, Tom Krent, Gordon Schepke
Robert Schultz, Thomas Strat and John J. Tagle

January 28, 2014

7:00 P.M.

Council Board Room

1. ROLL CALL
2. APPROVAL OF AGENDA
3. MINUTES – January 14, 2014 Regular Meeting
4. PUBLIC COMMENT – For Items Not on the Agenda
5. ZONING BOARD OF APPEALS (ZBA) REPORT
6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT
7. PLANNING AND ZONING REPORT

OTHER BUSINESS

8. MASTER PLAN AMENDMENT UPDATE/DISCUSSION
9. PLANNING COMMISSION BYLAWS – Draft Revisions
10. AMERICAN PLANNING ASSOCIATION NATIONAL CONFERENCE – Attendance by Planning Commission member
11. PUBLIC COMMENT – Items on Current Agenda
12. PLANNING COMMISSION COMMENT

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 Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on January 14, 2014 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Steve Gottlieb
Michael W. Hutson
Tom Krent
Philip Sanzica
Gordon Schepke
Robert Schultz
John J. Tagle

Absent:

Thomas Strat

Also Present:

R. Brent Savidant, Planning Director
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Susan Lancaster, Assistant City Attorney
Frank Boudon, Student Representative
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2014-01-001

Moved by: Edmunds
Seconded by: Krent

RESOLVED, To approve the Agenda as revised.

Yes: All present (8)
Absent: Strat

MOTION CARRIED

3. APPROVAL OF MINUTES

Mr. Schultz asked that his comments on page 5, with reference to Agenda item 6, be revised.

Resolution # PC-2014-01-002

Moved by: Schultz
Seconded by: Sanzica

RESOLVED, To approve the minutes of the December 10, 2013 Regular meeting as revised.

Yes: All present (8)
Absent: Strat

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

REZONING REQUESTS

5. 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

Chair Tagle informed the Board he has a client who has a business relationship with the petitioner. Chair Tagle said he has no business involvement or financial interest in the proposed application.

It was the consensus of the Board there was no conflict of interest.

Mr. Carlisle explained that due to an administrative error in the rezoning notification requirement, the Rezoning Request application is before the Board again this evening for consideration and a Public Hearing. Mr. Carlisle said the Rezoning Request meets the objectives of the Master Plan. He advised the Board the petitioner has officially submitted a Preliminary Site Plan application for the proposed development, noting the site plan submittal addresses concerns brought to the petitioner's attention at the time a conceptual site plan was offered at the December 10, 2013 meeting. Mr. Carlisle reminded the Board the site plan is not a consideration of the Rezoning Request before the Board this evening and would be reviewed and acted upon at a later date. Mr. Carlisle recommended approval of the Rezoning Request for the reasons as specified in his report, dated December 5, 2013.

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

Mr. Cowan stated that contact was made with those residents who were not initially notified of the proposed Rezoning Request. He stated also that contact was made with Dr. Goldin of 3415 Livernois, who spoke in opposition at the December 10, 2013 meeting, and it appears the concerns of Dr. Goldin have been satisfied. Mr. Cowan said the Preliminary Site Plan application demonstrates the petitioner's intent to construct the building at the same height and dimensions as discussed at the December meeting. Mr. Cowan said the proposed building was moved as far south and east as possible. He briefly gave a history of the Amber Properties developments and tenant demographics.

Mr. Krent asked if the petitioner would consider a conditional rezoning.

Mr. Cowan asked for time to discuss that possibility with his client.

PUBLIC HEARING OPENED

Karen Crusse of 55 Timberview spoke in opposition on behalf of the Westwood Park Homeowners Association. Concerns expressed were the building would be an obstruction and not pleasing to the eye, the development is not a fit for the area, residential ownership preferred instead of tenants, no guarantee tenants would be professional and underwhelmed with Amber House developments in other communities.

Robert Warner of 3551 Cherished View spoke in opposition. Concerns expressed were the Big Beaver district encroachment on residential, potential future use of site and development inappropriate fit for the area.

Sanjay Shah of 123 Millstone spoke in opposition. Concerns expressed were the development does not fit in downtown feeling of city and vacant property does not mean the City should allow building.

PUBLIC HEARING CLOSED

Mr. Amber said the proposed development is one story less and 11 to 12 feet lower than is allowed by right.

Mr. Cowan said he discussed the possibility of a conditional rezoning with his client and his client has decided to go forward with the traditional Rezoning Request. Mr. Cowan said his client is under a time constraint with respect to the purchase agreement and a resubmittal process would place his client in a precarious position. Mr. Cowan shared that Amber House Properties is an owner-operated company. He said his client has given concessions on the Preliminary Site Plan application with respect to the building height and dimensions.

Mr. Schepke said he does not like the aesthetics of the development and would not support the request.

Mr. Savidant reminded the Board that the applicant is moving forward with the Preliminary Site Plan submittal, however the site plan is not being considered at this time. Furthermore, the Rezoning Request meets the Master Plan.

Mr. Sanzica, who voted no on the Rezoning Request at the December 10, 2013 meeting, said he would support the Rezoning Request this evening because the applicant has demonstrated his intent with the Preliminary Site Plan submission and has acted in good faith.

Mr. Schultz said he would not support the Rezoning Request because the proposed site plan drawings are not a condition to the rezoning. He expressed concerns with the potential future use of the site. Mr. Schultz said the proposed development will be an asset to the City and he has no doubt the applicant is honest and forthright in what he wants to build.

Chair Tagle addressed the positives of the proposed development with respect to aesthetics, location, height and buffer to residential.

Mr. Savidant addressed the audience with respect to the roles of the Planning Commission and City Council.

Resolution # PC-2014-01-003

Moved by: Sanzica
 Seconded by: Edmunds

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O to BB 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.

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

MOTION CARRIED

6. **PUBLIC HEARING - REZONING APPLICATION (File Number Z 739) – Proposed Professional/Medical Building, West of Rochester, South side of Colebrook (3545 Rochester Road), Section 22, From R-1C (One Family Residential) District to CB (Community Business) District**

Mr. Savidant reviewed the proposed Rezoning Request application, stating the applicant acquired the parcel to combine it with the abutting parcel to the east, a recommendation of the Planning Commission when it recommended denial of the initial rezoning request on February 14, 2012. Mr. Savidant said it is recommended to approve the Rezoning Request application for reasons as specified in the Planning Consultant report, dated January 7, 2014. He noted the conceptual site plan provided by the applicant is not binding and will be considered at a future date should the Rezoning Request go forward.

There was discussion on:

- Potential to split parcels in the future.
- Proposed curb cuts.

Artur Kokaj of 17106 Addington Drive, Commerce Township, was present to represent the applicant.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2014-01-004

Moved by: Schultz

Seconded by: Krent

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 approved for the following reasons:

- 1) The parcels were combined to create one developable parcel for the purpose of building a medical office. Combining the parcels creates a larger developable parcel that permits a property buffer and transition between the single-family neighborhood to the west and Rochester Road.
- 2) The request complies with the Master Plan
- 3) The CB, Commercial Business District, would permit greater flexibility in use and development of the property.
- 4) The site has been vacant for single-family residential use.
- 5) The rezoning would be compatible with surrounding zoning and land use.
- 6) The site is adequately served with municipal water and sewer.

Yes: All present (8)

Absent: Strat

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

7. **PUBLIC HEARING - ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 246)**
– Assisted Living Facilities

Mr. Carlisle reviewed the proposed Zoning Ordinance language.

There was discussion on:

- Intent of Zoning Ordinance relating to distinction between residential and multi family districts for Special Use Approval requirement.
- Mechanism in place to protect single family residential districts with Special Use Approval requirement.
- Map depicting potential assisted living facility sites.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2014-01-005

Moved by: Edmunds

Seconded by: Schultz

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles 2, 4, and 6 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous provisions related to assisted living facilities, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: All present (8)

Absent: Strat

MOTION CARRIED

PRELIMINARY SITE PLAN REVIEW

8. PRELIMINARY SITE CONDOMINIUM PLAN REVIEW – Proposed Hunters Park, 21 units/lots, East side of John R between Tucker and Mayflower (5390 John R), Section 12, Currently Zoned R-1C (One Family Residential) District

Mr. Carlisle reviewed the Preliminary Site Condominium Plan. He addressed the natural resources on site with respect to the applicant’s proposal to clear cut the site and wetlands/floodplain. Mr. Carlisle recommended approval of the Site Plan application conditioned on the applicant satisfying the requirements specified in the Planning Consultant report, dated January 3, 2014, as part of Final Site Plan submittal.

John Thompson of Professional Engineering Associates and the petitioner Joe Maniaci were present.

Mr. Thompson addressed the stormwater detention and floodplain.

Mr. Maniaci said there was no communication with surrounding residents on the proposed development. He addressed clear cutting the site with respect to parcel width and engineering requirements.

Chair Tagle opened the floor for public comment. There was no one present who wished to speak; therefore the floor was closed.

Discussion followed on:

- Applicant clear cutting site and lack of creativity in development.
- No mechanism in place by City to preserve natural resources.
- Cluster option; viable source for preservation and creativity.

Resolution # PC-2014-01-006

Moved by: Gottlieb
 Seconded by: Edmunds

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for Hunters Park Site Condominium, 21 units/lots, East side of John R, between Tucker and Mayflower, Section 12, Currently Zoned R-1C (One Family Residential) District, be granted, subject to the following:

1. Identify landscape treatment of the stub.
2. Update site data calculations.

Yes: All present (8)
 Absent: Strat

MOTION CARRIED

OTHER BUSINESS

9. **ELECTION OF OFFICERS FOR 2014**

Chair Tagle opened the floor for nominations.

Mr. Schultz nominated Donald Edmunds for Chair, Philip Sanzica for Vice Chair and Gordon Schepke for Zoning Board of Appeals representative.

Mr. Hutson supported the nomination.

Mr. Edmunds nominated Tom Krent for Zoning Board of Appeals representative.

Mr. Schultz revised his nomination on the floor to call for Donald Edmunds as Chair, Philip Sanzica as Vice Chair and Tom Krent as Zoning Board of Appeals representative.

Mr. Hutson supported the revised nomination.

Hearing no further nominations, Chair Tagle declared the nominations closed.

Roll Call vote on the nomination on the floor.

Yes: All present (8)
Absent: Strat

MOTION CARRIED

10. PUBLIC COMMENTS – For Items on Current Agenda

There was no one present who wished to speak.

11. PLANNING COMMISSION COMMENTS

There were general comments relating to:

- Transparency.
- Zoning Ordinance ‘holes’.
- Master Plan update.
- Sign Ordinance.
- Study session items; target dates.
- Joint City Council meeting; February 11, 2014, 6:00 p.m.
- Handicapped parking requirement; distance to building entrance.
- New Board member and officers.

The Regular meeting of the Planning Commission adjourned at 8:41 p.m.

Respectfully submitted,

John J. Tagle, Chair

Kathy L. Czarnecki, Recording Secretary

DATE: January 24, 2014
TO: Planning Commission
FROM: R. Brent Savidant, Planning Director
SUBJECT: MASTER PLAN AMENDMENT UPDATE/DISCUSSION

The Michigan Planning Enabling Act requires that municipalities develop and adopt a Master Plan to define land use policy and guide future development. Further, the Act requires that municipalities must review their Master Plan every five (5) years to ensure the document remains viable. The City of Troy Master Plan was adopted in October, 2008. The Planning Commission made a finding in April, 2013 that the Master Plan is still relevant but needs to be updated in some areas.

The attached Troy Master Plan Update prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, identifies specific areas the Master Plan amendment process will focus on: (1) Maple Road and IB Zoning Area; (2) Big Beaver Road; (3) North Troy; and, (4) Rochester Road.

Please be prepared to discuss the Master Plan amendment process at the January 28, 2014 Planning Commission meeting.

Attachments:

1. Troy Master Plan Update

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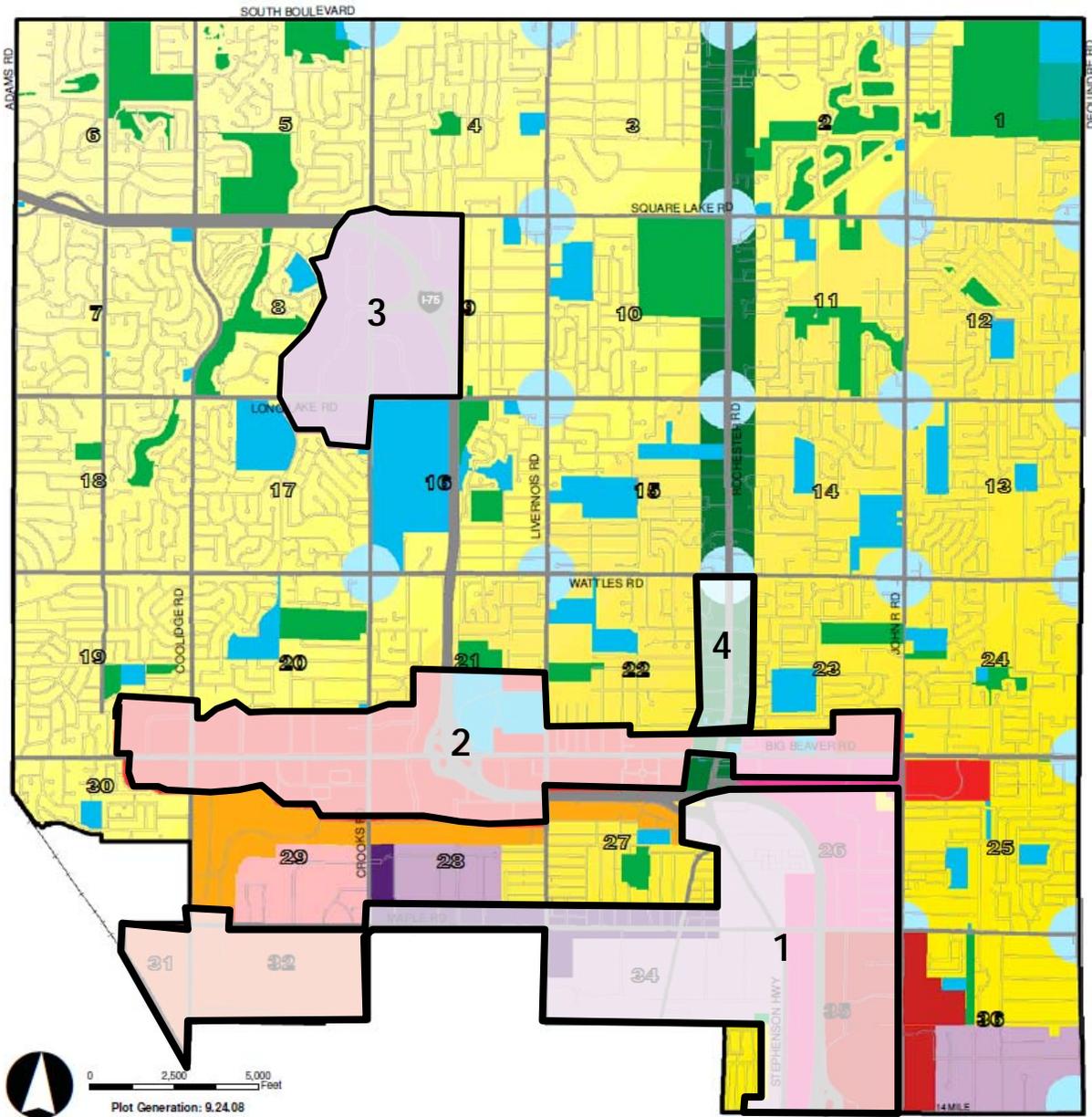
Troy Master Plan Update

The primary focus of the 5-year update to the Master Plan is a Target Area Study of the four (4) commercial and employment corridors/areas of the city. These studies will consist of three components: Target Area Analysis, Public Engagement, and Master Plan Amendments. The Target Areas are as follows:

<i>Target Area</i>	<i>Area Details</i>	<i>Focus of Study</i>
1. Maple Rd and IB Zoning Area	Study the areas of the Transit Center, Maple Road, 21 st Century Industrial, and the Smart Zone as described in Master Plan that are located long Maple Road / Stephenson Road and south to the city border	Primary focus of 5-year update. Review of Maple Road and IB Zoning area for building reuse, mixed-use and commercial development, and employment creation.
2. Big Beaver Rd	Study the areas of the Big Beaver Form-Based District and the area from Rochester Road to John R. Road	Market issues, pedestrian circulation, and minor zoning code amendments.
3. North Troy	Study the Northfield area as described in Master Plan	Office vacancy and diversifying land uses.
4. Rochester Rd	Study Big Beaver Road to Wattles Road	Address concerns of adjacent neighbors regarding height, and land use buffers and transitions. Will require amendments to zoning regulations for GB and CB.

Target Areas

1. Maple Rd and IB Zoning Area
2. Big Beaver Rd
3. North Troy
4. Rochester Rd



Target Area Analysis

Prior to the workshops, CWA will create a Target Area Analysis for each area. The intent of the Target Area Analyses is to produce an economic and development focused analysis of the four (4) identified target areas in preparation for the Troy 5-year Master Plan update. These area analysis studies will provide background information on existing conditions, highlight area strengths and weaknesses, and identify external threats and opportunities. Ultimately serve as context for the public input portion of the Master Plan update.

Scope of work

The Target Area Analyses will provide a broad picture of the regional and local social and economic landscape including population forecasts and retail trade by industry, as well as area specific information regarding existing land uses, vacancy, new development, and transportation.

Target Area Analysis Outline

- I. Executive Summary
 - a. Purpose
 - b. Scope of work
 - c. Target Areas summary

- II. Summary of existing conditions
 - a. Population trends and forecasts (SEMCOG, Oakland County, Troy)
 - b. Retail Trade (SEMCOG, Oakland County, Troy)
 - i. By industry sector
 - ii. Retail centers (Map)

- III. Target Areas
 - a. Graphic summary of existing conditions
 - b. Description of area including Master Plan/Land use/Zoning overview
 - c. Area map
 - d. Retail trade
 - e. Office/Industrial buildings
 - i. Major office buildings along Maple, Big Beaver, and Northfield area
 - f. Tax Assessment Values
 - g. Real Estate Vacancy
 - i. Physical inventory of buildings

- h. Building permits
 - i. Annual status reports US Census 2010-2013
- i. Transportation
 - i. Road networks/freeway interchange
 - ii. Transportation trends
 - iii. Troy-Oakland airport
 - iv. Rail passenger/freight
 - v. Non-motorized transportation
 - vi. Automobile traffic SEMCOG average daily trips (ADT)
- j. Internal strengths/weaknesses, may include: human resources, physical resources/infrastructure/natural features, financial, activities and processes, past experience, transportation choice, housing, educational attainment/public institutions
- k. External opportunities/threats, may include: future market trends, the economy, funding sources, physical environment, legislation, events, competition

Public Engagement

As part of the 5-year update to the City of Troy Master Plan, the City will hold two (2) workshops with local and regional stakeholders. Invitees will include real estate brokers, developers, business owners, financiers, property owners, and appointed and elected officials. One workshop will focus on the combination of Maple Rd/Stephenson Hwy/Big Beaver Rd/North Troy; and the second workshop will focus on Rochester Road.

The purpose of the workshops is to discuss the local market and to understand barriers and incentives to development in Troy. The Team will work with staff to recruit both local developers and developers from outside areas through the City's relationship to participate in this forum.

Maple Rd/Stephenson Hwy/Big Beaver Rd/North Troy

The Maple Rd/Stephenson Hwy/Big Beaver Rd/North Troy workshop will be conducted as a Real Estate Forum. Given the commercial and industrial development focus, the Forum will solicit participation and feedback from real estate professionals regarding local market trends, high impact development sites, essential amenities and incentives, and strategies.

Rochester Rd

Given the unique land use character of Rochester Road relative to the other three target areas, Rochester Road will be addressed in a separate workshop intended for the general public.

Master Plan Amendment

The output of the analysis and public engagement will result in possible recommendations to amending the Master Plan. The recommendations may range from a revision in policies, land use arrangements, and implementation strategies.

Schedule

A draft schedule is proposed. Please note that schedule may vary once project starts:

	2014				
Task	Jan	Feb	Mar	Apr	May
Target Area Analysis					
Workshops					
Plan Review and Adoption					

DATE: January 20, 2014
TO: Planning Commission
FROM: R. Brent Savidant, Planning Director
SUBJECT: PLANNING COMMISSION BYLAWS – Draft Revisions

The Planning Commission Bylaws were last reviewed and updated in 2008. Since that time a comprehensively rewritten Zoning Ordinance was adopted by City Council in April 2011. It is recommended that the Planning Commission update its Bylaws to be consistent with the Zoning Ordinance. Other revisions are also recommended.

The following is a summary of the proposed revisions:

1. Update State acts referenced in Article I.
2. Change the name “Board of Zoning Appeals” to “Zoning Board of Appeals”, as per Zoning Ordinance.
3. Update provisions related to City Council appointment of a Planning Commission representative to Zoning Board of Appeals, as per Zoning Ordinance. Presently the Bylaws require the Planning Commission recommend appointment of a ZBA Representative and Alternate.
4. Clarify that both regularly scheduled Planning Commission meetings, on the 2nd and 4th Tuesdays of each month, are Regular meetings. This is consistent with the Open Meetings Act.
5. Clarify the matters on which the Planning Commission acts as the approval authority or in an advisory capacity.
6. Clarify that the Planning Department performs the duties of secretary for the Planning Commission.
7. Update the Order of Business to be consistent with present Planning Commission practice.
8. Miscellaneous revisions.

A two-thirds (2/3) vote of the entire membership of the Planning Commission (6 votes) is necessary to approve an amendment to the Bylaws. Please be prepared to discuss this item at the January 28, 2014 Planning Commission Special/Study meeting.

Attachments:

1. Draft Revised Planning Commission Bylaws

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**BY-LAWS AND RULES OF PROCEDURE OF THE CITY OF TROY
PLANNING COMMISSION**

ARTICLE I – COMPLIANCE AND AUTHORITY

The City of Troy Planning Commission shall comply with all applicable statutes, perform any duties, and exercise the powers granted to the Planning Commission by the Michigan ~~Municipal~~ Planning Enabling Act, Public Act ~~285 33 of 1934~~ 2008, as amended, the Michigan Zoning Enabling Act, Public Act ~~207 110 of 1924~~ 2006, as amended, and the Open Meetings Act, Public Act 267 of 1976, as amended, and the City of Troy Charter and Ordinances. The By-Laws and Rules of Procedure are adopted pursuant to the authority of those statutes and the City Charter.

ARTICLE II – OFFICERS AND THEIR DUTIES

- Section 1. The Planning Commission shall select from its membership a Chairperson ~~and; a Vice-Chairperson, and a Board of Zoning Appeals Representative and alternate for the Board of Zoning Appeals~~ who shall serve for a one (1) year term and who shall be eligible for re-election. The Planning Commission shall make a recommendation to City Council for a Zoning Board of Appeals Representative.
- Section 2. The Chairperson shall preside at all meetings and shall conduct all meetings in accordance with these by-laws and rules and in accordance with the usual duties conferred by parliamentary procedure on the position of Chairperson.
- Section 3. The Vice-Chairperson shall act in the capacity of the Chairperson in the absence of the Chairperson and shall succeed to the office of Chairperson in the event of a vacancy in that office, in which case the Planning Commission shall select a successor to the office of Vice- Chairperson at the earliest practicable time by election procedures as set out in Article III.
- Section 4. In the absence of both the Chairperson and the Vice-Chairperson, the ~~Board of Zoning~~ Board of Appeals representative, ~~or if the Board of Zoning Appeals representative is not present, the Board of Zoning Appeals alternate,~~ shall act as Chairperson for that meeting only. The temporary Chairperson shall have the same duties and privileges as the Chairperson.
- Section 5. The ~~Officers, i.e.,~~ Chairperson and Vice-Chairperson, may engage in discussion on all matters before the Planning Commission and shall have voting privileges.

ARTICLE III – ELECTION OF OFFICERS AND APPOINTMENT OF BZA REPRESENTATIVES

Section 1. Each January at the Regular Meeting, the Planning Commission shall:

- A. Conduct elections of Officers (~~Chairman~~Chairperson and Vice ~~Chairman~~Chairperson); and
- B. Recommend appointments ~~to of a Board of~~ Zoning Board of Appeals (~~BZA Representative and BZA Alternate~~).

The ~~Chairman~~Chairperson shall take nominations from the floor with the election immediately thereafter.

Section 2. Candidates receiving a majority vote of the total number of members shall be declared elected as a Planning Commission Officer or recommended as a BZA Zoning Board of Appeals Representative ~~or Alternate~~.

Section 3. The Planning Commission Officers shall take office immediately following their election. Officers shall hold their office for a term of one (1) year, or until their successors are elected and assume office. The BZA Zoning Board of Appeals Representative ~~and BZA Alternate~~ shall assume ~~their~~ his or her responsibilities following confirmation of their appointments by City Council. The BZA Zoning Board of Appeals Representative ~~and BZA Alternate~~ shall hold ~~their~~ office for a term of one (1) year, or until ~~their a~~ successors ~~are is~~ appointed by City Council and assume office.

Section 4. The Method of Voting on Nominees shall be as follows:

- A. The Chairperson shall ask for nominations from the floor. A second shall not be required in order to nominate a person as an Officer or BZA Zoning Board of Appeals Representative ~~or BZA Alternate~~. The chairperson shall announce each nomination as he or she hears it. If it becomes apparent to the chairperson that there are no further nominations, the ~~chair~~Chairperson shall inquire “are there further nominations?” If there are no further nominations, the ~~chair~~Chairperson shall declare the nominations as closed.
- B. If there is only one nominee for each position, a single resolution may be used to elect all the officers. The resolution must be approved by a majority of Planning Commission members by a roll call vote.
- C. If there is only one nominee for a particular position, a resolution electing that person to the particular position shall be approved by roll call vote.

- D. If there is more than one nominee for a position, voting shall take place by calling the roll of the Planning Commission and each member is to indicate the name of the individual he or she wishes to fill the position. If one candidate receives a majority vote, that person shall be deemed elected and the chairperson shall announce such election. If no candidate receives a majority vote, the candidate with the least number of votes shall be eliminated from the ensuing ballot and the procedure shall be repeated until one candidate receives a majority vote.

ARTICLE IV – MEETINGS

- Section 1. All meetings shall be posted at City Hall according to the Open Meetings Act. The notice shall include the place, date and time of the meeting.
- Section 2. All meetings shall be conducted in accordance with generally accepted parliamentary procedure, within the guidelines of Robert's Rules of Orders.
- Section 3. Regular Meetings of the Planning Commission shall be held on the second and fourth Tuesday of each month at ~~7:30~~ 7:00 p.m. at the Troy City Hall, 500 West Big Beaver Road, Troy, Michigan. ~~Special Meetings and Study Meetings may be held on the first and fourth Tuesday of each month at 7:30 p.m., as necessary.~~ Special Meetings shall be held at City Hall. Site Location Meetings may be scheduled at any reasonable time and notice of the time shall be included in the public notice of the Site Location Meeting. Any changes in the date or time of any meeting shall be posted and noticed in the same manner as originally established. When a Regular Meeting date falls on or near a legal holiday, the Planning Commission ~~shall~~ may select a suitable alternate date in the same month.
- Section 4. The Chairperson may call Special Meetings. In addition, it shall be the duty of the Chairperson to call a Special Meeting when requested to do so by an affirmative vote of a majority of the Planning Commission members present. The business which the Planning Commission may perform at a Special Meeting may be the same business that the Planning Commission performs at a Regular Meeting. Notice of the time, date and place of the Special Meeting shall be given in a manner as required by the Open Meetings Act and the Planning Director shall notify all members of the Planning Commission not less than 48 hours in advance of a Special Meetings.
- Section 5. The Chairperson may call Study Meetings. At Study Meetings, the Planning Commission shall not vote on any of the following matters: (1) any matter requiring a public hearing, (2) matters which must be finally

approved by the Planning Commission such as Site Plan review ~~applications and, Future Land Use Plan Amendments,~~ Special Use Requests, and (3) matters where the Planning Commission is acting in an advisory capacity, such as, Rezoning Requests, Ordinance Text Amendments, Subdivision Plats, Street and Alley Vacations ~~or Extensions,~~ ~~Historic District Designations,~~ ~~or~~ Planned Unit Development Proposals ~~and/or Site Condominiums~~. It may vote on housekeeping matters such as setting public hearing dates and approval of minutes.

Section 6. All meetings of the Planning Commission, including Regular, Special, Study or Site Location, shall be open to the general public unless exempted from public meeting requirements under the Open Meetings Act. The City Attorney's Office shall make the determination as to whether the meeting or a portion of the meeting is exempt under the Open Meetings Act.

Section 7. A majority of the membership of the Planning Commission shall constitute a quorum and the number of votes necessary to transact business shall be as follows:

- A. The affirmative vote of six (6) members shall be necessary in order to adopt or amend a ~~Future Land Use Master Plan including any attachment or cross sections of a Future Land Use Plan.~~
- B. A vote comprising a majority of ~~those~~ ~~the~~ members ~~present at a meeting~~ shall be necessary for those matters on which the Planning Commission has final jurisdiction, as per Section 3.10 of the City of Troy Zoning Ordinance.
- C. A vote comprising a majority of those members present at a meeting shall be necessary for those matters on which the Planning Commission serves in an advisory capacity.
- D. Voting shall be by a rotating roll call. A record of the roll call vote shall be kept as a part of the minutes.
- E. When a quorum is not present, no official action shall take place. The Chairperson or Planning Director shall announce to the Commission and anyone in attendance that there is no quorum and that all agenda items will be rescheduled for a specific date.

Section 8. The Planning Department of the City of Troy shall perform the duties of the Secretary of the Planning Commission and shall keep the minutes and records of the Commission, prepare the agenda of Regular Meetings, Special Meetings and Study Meetings with the Chairperson, provide notice of meetings to Planning Commission members, present agenda items to

the Planning Commission at its meetings, attend to correspondence of the Planning Commission, and perform such other duties ~~that are normally carried out by such departments as necessary to carry out the business of the Planning Commission.~~

ARTICLE V – ORDER OF BUSINESS

The order of business at a Regular Meeting and Special Meetings shall be:

- ~~A.~~ A. Roll Call
- B. Approval of Agenda
- ~~B~~C. Approval of Minutes
- ~~C~~D. Public Comments for items not on the agenda
- E. Reports. Reports may include Zoning Board of Appeals reports, Downtown Development Authority reports, Planning and Zoning reports, and any other report on information that may be of interest to the Planning Commission.
- ~~D~~F. Business Agenda. The business agenda may include postponed items, public hearings on zoning ordinance amendments and special use approval requests, preliminary site plan reviews, and any other matter that is before the Planning Commission for approval or recommendation.
- ~~E~~G. Other Business
- H. Public Comments for items on the agenda.
- I. Planning Commissioner's Comments
- ~~F~~J. Adjournment

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ARTICLE VI – PLANNING COMMISSION ACTIONS

Following consideration of matters submitted to it in accordance with the provisions of the City Code of Ordinances or other applicable law, or referred to it by the City Council, the Planning Commission shall take one of the following actions:

- A. Approve the proposal, or recommend positive action by the City Council.
- B. Deny the proposal, or recommend negative action by the City Council.
- C. Approve a proposal modified to meet reasonable conditions, or recommend approval of a modified proposal meeting reasonable

conditions by the City Council. However, the Planning Commission shall not place conditions on an approval of a recommendation to City Council for rezoning, except for conditional rezoning in accordance with Section 16.04 of the City of Troy Zoning Ordinance.

- D. Table Postpone action on the proposal to a specific date or action or no date a date to be determined later by the Planning Department, indicating in the tabling resolution the reason(s) for such action.

The Planning Commission shall make a final disposition of any Petition submitted to the Planning Commission for decision act on all applications within a reasonable time. This shall not be construed to alter other time limits prescribed by the Charter, Code of Ordinances or State statutes.

ARTICLE VII – HEARINGS

- Section 1. In addition to those required by law, the Planning Commission may at its discretion hold public hearings when it decides that such hearing will be in the public interest.
- Section 2. Notice of such hearings shall be published in the official newspaper of the City or in a newspaper of general circulation as required by the City Charter, Code of Ordinances and/or State statutes. The Planning Director shall take the necessary steps to see that notice is published in accordance with the City Charter, Code of Ordinances and/or State statutes.
- Section 3. The Petition request before the Planning Commission shall be presented in summary by the Planning Director or his or her representative or a designated member of the Planning Commission. The Planning Director may present additional information to the Planning Commission through personnel from other Departments and/or non-City employees, if the Planning Director believes that information would be helpful to the Planning Commission. Parties in interest shall have the privilege of the floor.
- Section 4. If the petitioner or petitioner's representative fails to appear for a scheduled hearing, the Planning Commission may proceed with the hearing in the absence of the petitioner and act on the proposal in accordance with Article VI. Adjournment of any scheduled hearing must be approved by a majority of the Planning Commission member in attendance. Requests for adjournment for reasons not set out in this provision shall only be granted for good cause.
- Section 5. Public hearings and other proceedings conducted by the Planning Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure:
- A. If an agenda item does not require a public hearing, the Chairperson shall have the discretion to allow members of the public to address the agenda item. Once opened to the public for comment, the hearing shall be conducted in the same manner as a public hearing.
 - B. After announcement by the Chairperson that the public hearing portion of the meeting for a specific agenda item is open, persons who wish to address the Planning Commission shall speak when recognized by the Chairperson and provide his/her name and address on the attendance sheet provided at the podium. All comments shall be addressed to the Chairperson.

C. The Chairperson may have removed from the hearing room any member of the public that causes a breach of the peace during the public hearing.

D. The Chairperson may place reasonable limits on the length of time speakers have to address an agenda item.

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ARTICLE VIII – COMMITTEES

~~Section 1. The rules and procedures committee may be appointed for one (1) year by the Chairperson and shall consist of three (3) members of the Planning Commission. Vacancies shall be filled immediately by the Chairperson of the Planning Commission.~~

Section ~~2~~ 1. ~~Other special c~~Committees may be appointed as needed by the Chairperson for purposes and terms which the Planning Commission approves.

ARTICLE IX – EMPLOYEES

Section 1. The Planning Commission may recommend employment of such staff and/or experts as it sees fit to aid the Planning Commission in its work.

ARTICLE X – AMENDMENTS

These By-laws may be amended by a two-thirds vote of the entire membership of the Planning Commission.

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DATE: January 20, 2014

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: AMERICAN PLANNING ASSOCIATION NATIONAL CONFERENCE – Attendance by Planning Commission Member

In the current approved Planning Commission budget, there is approximately \$3,393 remaining for education and training. This is generally dedicated to training for Planning Commission members including local workshops, the Michigan Association of Planning (MAP) Annual Conference and the American Planning Association (APA) National Conference.

The APA Annual Conference will take place this year in Atlanta, Georgia, from April 26 to April 30, 2014. Planning Commission member Tom Krent has expressed an interest to attend the conference. He is the only member who has done so to date.

City Council and City Management authorizes travel to the APA Annual Conference for Planning Commission members provided the proposed expenditures are within the approved budget. City Management estimates the cost to attend the APA Conference to be approximately \$2,200 per person. It appears there are sufficient funds available for one (1) Planning Commission member to attend the APA Conference.

City Management requests that the Planning Commission adopt a resolution selecting the member who is authorized to attend the APA Conference.

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