The Regular Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:35 p.m. on December 13, 2005, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:
Gary Chamberlain
Lynn Drake-Batts
Fazal Khan
Lawrence Littman
Thomas Strat
Mark J. Vleck
Wayne Wright

Absent:
Robert Schultz
David T. Waller

Also Present:
Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Richard K. Carlisle, Carlisle Wortman Associates
Christopher Kulesza, Student Representative (arrived 8:35 p.m.)
Kathy Czarnecki, Recording Secretary

Resolution # PC-2005-12-190
Moved by: Wright
Seconded by: Khan

RESOLVED, That Members Schultz and Waller are excused from attendance at this meeting for personal reasons.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2005-12-191
Moved by: Khan
Seconded by: Chamberlain

RESOLVED, To move Agenda item #10 before Agenda Item #8.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

3. PUBLIC COMMENT – Items not on the Agenda

Ted Wilson of 5038 Kellen Lane, Bloomfield Township, was present. Mr. Wilson, chairman of the Economic Development Committee for the Troy Chamber of Commerce, provided a status report of the Maple Road Corridor Study sub-committee.

4. PLANNING COMMISSIONERS' REPORTS AND COMMENTS

Mr. Wright provided a brief report on the November 15, 2005 Board of Zoning Appeals (BZA) meeting.

Chair Strat announced that this would be a new Agenda item, on a trial basis, to provide an opportunity for members to speak on items of interest.

5. CITY ATTORNEY REPORT

Mr. Motzny submitted a written response to specific questions that were set forth in a November 20, 2005 communication from the Chair and Vice Chair.

Mr. Chamberlain suggested that the By-laws codify authority to the Planning Commission to prepare the agenda.

TABLED ITEM

6. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 201) – Article 28.30.00 Arts and Dance Schools (Commercial Recreation) in the M-1 (Light Industrial) Zoning District

Mr. Miller provided a brief review of the proposed zoning ordinance text amendment relating to commercial indoor recreation in the M-1 Light Industrial Zoning District.

Discussion followed on the following:

- Negative affects of large performance theaters; i.e., parking, intense land use, design.
- Current vacancy rate.

- Tax base.
- Existing zoning district that allows large performance theaters [B-2 and B-3].
- Future of industrial area.

Mr. Carlisle said large performance theaters are a consumer-oriented type of use that would produce more traffic mixed with the industrial style traffic. Mr. Carlisle recommended that the members refine and create specific requirements in the Zoning Ordinance with respect to large performance theaters.

Tennis bubbles, art studio/galleries, and motion picture theaters were discussed with respect to the definitions of performance studio and performance theater.

Resolution # PC-2005-12-192
Moved by: Khan
Seconded by: Drake-Batts

RESOLVED, That the definitions for performance studio and performance theater provided by City Management are acceptable to the Planning Commission.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

Resolution # PC-2005-12- (motion withdrawn)
Moved by: Chamberlain
Seconded by: Vleck

RESOLVED, That the Planning Commission hereby recommends to the City Council that Paragraph 04.20.73, Indoor Commercial Recreation Facility, include both performance studios and performance theaters as well as all the other uses that are proposed in the text in front of us tonight.

Mr. Vleck asked that the motion be amended to include the word “may” before “include both performance studios and performance theaters” so the activities are not limited and also to include the term “art studios”.

Mr. Chamberlain, with agreement from Mr. Vleck, withdrew the motion on the floor, and restated it as follows.

Resolution # PC-2005-12-193
Moved by: Chamberlain
Seconded by: Vleck

RESOLVED, The City of Troy has a problem in its industrial zone of a multitude of vacancies and the tax base is being eroded; therefore the Planning Commission hereby recommends to the City Council that Paragraph 04.20.73, Indoor Commercial Recreation Facility, include performance studios, performance theaters and art studios, and that other facilities may be included in this paragraph as well as the facilities named in that paragraph in the language in front of us tonight.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

SITE PLAN REVIEW

7. SITE PLAN REVIEW (SP 921) – Proposed Briggs Park Condominium, North side of Lamb, East side of Rochester Road, Section 14 – R-1T, R-1C and E-P

Mr. Savidant presented a summary of the Planning Department report for the proposed Briggs Park Condominium, and reported that it is the recommendation of the Planning Department to approve the site plan as submitted with the condition that the 8-foot wide sidewalk on the east side of Rochester Road is concrete, as opposed to asphalt as shown on the site plan.

Mr. Savidant provided clarification on the setbacks.

The petitioner, Brad Byarski of Michigan Homes Builders, 13400 Canal, Sterling Heights, was present. Mr. Byarski provided a brief history of the site and addressed a previous submission of which the Planning Commission had concerns relating to density, sidewalks, guest parking, and an easement variance. Mr. Byarski reviewed the new site plan and presented drawings and elevations of the proposed development. He agreed to change the sidewalk on the east side of Rochester Road from asphalt to concrete.

[Mr. Kulesza arrived at 8:35 p.m.]

Discussion followed with respect to guest parking, on-street parking, snow removal, and storm water management.

Resolution # PC-2005-12-194
Moved by: Chamberlain
Seconded by: Khan

RESOLVED, That Preliminary Site Plan Approval, as requested for the proposed Briggs Park Condominium, located on the north side of Lamb, east of Rochester,

located in Section 14, on approximately 12.13 acres, within the R-1T, E-P and R-1C zoning districts, is hereby granted, subject to the following conditions:

1. The 8-foot wide sidewalk on the east side of Rochester Road shall be concrete, as per City of Troy Engineering Standards.
2. That on-street parking is provided opposite the fire hydrants especially in the area on the north side of the island.
3. Provide bioswales.

Discussion.

Members of the audience asked to speak. Chair Strat said public comment on a site plan review is at the discretion of the Chair, and the floor would not be opened at this time.

Vote on the motion on the floor.

Yes: Chamberlain, Drake-Batts, Khan, Littman
No: Strat, Wright
Abstain: Vleck
Absent: Schultz, Waller

MOTION FAILED

Mr. Vleck abstained because he thought the public should have an opportunity to speak on the matter.

Mr. Wright indicated his no vote was for the same reason.

Chair Strat voted no because the petitioner did not adhere to the recommendations of the Environmental Specialist as relates to storm water management.

Resolution # PC-2005-12-195
Moved by: Littman
Seconded by: Vleck

RESOLVED, To reconsider the issue with public input, not limited to what the Chairman chooses.

Yes: Chamberlain, Khan, Littman, Strat, Vleck, Wright
No: Drake-Batts
Absent: Schultz, Waller

MOTION CARRIED

Ms. Drake-Batts said the submission has been before this body three times, with no participation from the public yet. They have had three times to give their piece.

Chair Strat opened the floor for public comment.

Jim McCauley of 4435 Harold, Troy, was present. Mr. McCauley is President of the Shallowbrook Homeowners Association. He said they have been before this body at the time of the rezoning requests, but notices were not sent out on the proposed development and site plan review. Mr. McCauley provided a brief history of the previous rezoning requests, in which an agreement was worked out with the developer to provide a buffer for the single family homes in the area. Mr. McCauley distributed an informational handout to the members and addressed potential violations/conflicts with the Zoning Ordinance, specifically Article 12.50.05 as relates to a required 60-foot right of way for property over 10 acres in size and Article 12.50.08 as relates to rear perimeter setbacks. Mr. McCauley said they are not against condominiums but they want an appropriate buffer zone provided between the medium density and single family homes, as originally negotiated.

John Moran of 1110 Robertson, Troy, was present. Mr. Moran expressed concern with the 8-foot retention pond, specifically the potential danger to children. He said there is not a market for condominiums and he would prefer to see site condominiums going in there.

The floor was closed.

Mr. Chamberlain asked for comment from the Assistant City Attorney on the setback concern addressed by the first speaker.

Mr. Motzny replied that he discussed the setback matter with the Planning Director, and Mr. Miller indicated that the setback provisions are being complied with.

Mr. Miller stated that a yard is measured from the structure to the property line, and noted that the definition of yard is in the definition section of the Zoning Ordinance. Mr. Miller said there is nothing in the ordinance that requires the subject property to be under all one zoning district. He said the proposed setback is equal to, or greater than, the single family setback requirement.

Ms. Drake-Batts questioned why residents were not notified of the meeting.

Mr. Miller replied that site plan approval does not require public notification.

Ms. Drake-Batts said she shares the concern of the 8-foot depth of the pond.

Mr. Miller said there are provisions for ponds as long as certain engineering standards are met. Mr. Miller said the depth of a pond is not a zoning issue but is regulated under the engineering development standards.

Chair Strat shared his concern with the pond's accessibility and potential vulnerability. Chair Strat said there are many areas of the site plan that could be improved upon.

It was noted that the site plan indicates a 1:6 slope on the pond and no fence would be required.

Mr. Khan stated that people pay premiums to purchase lots that back up to lakes and he has no problem with the pond.

Resolution # PC-2005-12-196
Moved by: Vleck
Seconded by: Chamberlain

RESOLVED, That Preliminary Site Plan Approval, as requested for the proposed Briggs Park Condominium, located on the north side of Lamb, east of Rochester, located in Section 14, on approximately 12.13 acres, within the R-1T, E-P and R-1C zoning districts, is hereby granted, subject to the following conditions:

1. The 8-foot wide sidewalk on the east side of Rochester Road shall be concrete, as per City of Troy Engineering Standards.
2. The water mains will be moved to the outside of the island area to provide for on-street parking within the island area.

Yes: Chamberlain, Drake-Batts, Khan, Littman, Vleck, Wright
No: Strat
Absent: Schultz, Waller

MOTION CARRIED

Chair Strat voted no because none of the environmental standards requested by the Environmental Specialist are being implemented into the site plan.

STUDY ITEM

10. PLANNED UNIT DEVELOPMENT (PUD 5) – Proposed Caswell Town Center including 14 single family homes, 74 condominium units, ±19,000 s.f. retail space and the existing Petruzzello's banquet center, Southeast corner of Rochester Road and South Blvd., Section 2 – B-3 (General Business), P-1 (Vehicular Parking) and R-1D (One Family Residential) Districts

Mr. Miller said that, in general, City Management views the proposed PUD as a good development plan and feels it would be a dramatic improvement for the area. Mr. Miller said reviews by City departments and the Planning Consultant have identified some issues that need to be resolved.

Mr. Carlisle complimented the petitioner on a thorough PUD submission. Mr. Carlisle provided findings on Caswell Town Center with respect to site location, access, traffic impact, PUD eligibility, and Master Plan consistency. Mr. Carlisle said items to be addressed are detailed in his report and, in his opinion, are issues of detail, not policy differences. He noted one of those items is the parking.

Mr. Kulesza asked if gateway signage would be considered for the development.

Mr. Carlisle said gateway signage would be appropriate at this location.

Mr. Savidant noted the Planning Department report lists gateway signage as an item to be addressed.

The petitioners, John Hennessey of Hennessey Engineers and Brad Byarski of Michigan Home Builders, were present. They addressed gateway signage and the environmental features of the development.

The members gave direction to the Planning Department to set a Public Hearing on the proposed PUD at the January meeting.

Chair Strat requested a recess at 9:27 p.m.

The meeting reconvened at 9:40 p.m.

ZONING ORDINANCE TEXT AMENDMENT

8. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 214) – Article 10.25.02 and 10.30.10, Family Child Care Homes and Group Child Care Homes in the R-1A through R-1E Districts

Mr. Miller reported City Management is neutral on the issue and has not issued a recommendation. Mr. Miller said City Management has the responsibility to consider options, recognize certain cause and effect, and insure that the Planning Commission makes a recommendation to City Council, who in turn will make the community value decision regarding Group Child Care Homes.

Mr. Miller briefly discussed four items in the proposed zoning ordinance text amendment: (1) Fencing or screening regulations; (2) Registration with the City Clerk's office; (3) Compliance with Michigan Building Code; and (4) a 1,500-foot distance requirement from any State residential licensed facility. He displayed a map that demonstrated the 1,500-foot distance requirement and noted that only 5 of

the 20 existing group child care homes would meet the requirement. Mr. Miller referenced the list of existing licensed group child care homes which are less than 1,500 feet from a State licensed residential facility.

Brief discussion followed on:

- 1,500-foot distance requirement in relation to the City and Village Zoning Act.
- Anticipated legislative action.
- Michigan Building Code inspections.

Chair Strat announced guidelines that would be utilized for the Public Hearing; specifically, a time limit of 3 minutes per speaker, no redundancy, and comments limited to the four points discussed by the Planning Director. Chair Strat designated Mr. Savidant as the timekeeper.

PUBLIC HEARING OPENED

David Schafer of 5593 Mandale, Troy, was present. Mr. Schafer addressed the proposed requirements with respect to fencing, license registration, and a 1,500-foot distance from other State residential licensed facilities. He concurs with City Management that the requirements are not necessary. Mr. Schafer said that should the City determine a distance is necessary between licensed facilities, a reduction in the distance should be considered. He encouraged the members to send a recommendation to the City Council so the matter could be resolved.

An attorney was present to represent Chan Chung of 1189 Garwood, Troy. The attorney addressed concerns of Mr. Chung as a neighbor of a group child care home facility. A handout was distributed to the members that detailed concerns of noise, privacy, aesthetics, traffic, parking and safety. Mr. Chung, a professor at Lawrence Tech University, teaches in the evening and is home during the day. The attorney pointed out that 50% of the residents in the subdivision are Oriental and because of the language barrier, they might be intimidated to voice their opinions on the matter.

Syed Mohiuddin of 6150 Country Ridge, Troy, was present. Mr. Mohiuddin addressed the proposed requirements on fencing and a 1,500-foot distance between licensed facilities. He noted that his subdivision does not allow fences. Mr. Mohiuddin supports the position of City Management.

Curtis Childs of 1931 Atlas, Troy, was present. Mr. Childs agrees with City Management that the proposed requirements should be eliminated. Mr. Childs addressed State inspections, the intent of proposed language in House Bill 4398, traffic, and noise. He said group child care homes are not commercializing neighborhoods; they look like residential homes. Referencing a comment that some residents might not voice their opinions, Mr. Childs, a police officer by profession, said people are not afraid to make complaints.

Carol McBratnie of 1130 Larkmoor Blvd., Berkley, was present. Ms. McBratnie asked for clarification on the type of fencing that would be required. Ms. McBratnie addressed the 1,500-foot distance between licensed facilities and asked if a grandfather clause would be considered for the group child care homes currently in existence.

Barbara Webb of 787 Marengo, Troy, was present. Ms. Webb agrees with the comments of City Management. Ms. Webb asked that the members take into consideration individuals who care for one or two children of a friend or relative and individuals who receive assistance from the State (FIA).

Tony Anderanin of 3777 Root, Troy, was present. Mr. Anderanin asked for a favorable recommendation to change the zoning ordinance language to allow group child care homes in residential areas.

Nancy Regan of 120 Gordon, Troy, was present. Ms. Regan spoke in support of group child care homes.

PUBLIC HEARING CLOSED

Mr. Miller clarified the difference between the Michigan Building Code requirements and the State licensing requirements.

Mr. Wright said it appears that the State is not enforcing some of its own requirements; i.e., the 1,500-foot distance between licensed facilities. Mr. Wright said he is not in favor of recommending any changes to City Council to the Zoning Ordinance to allow commercial enterprises to operate in residential zoning. Mr. Wright addressed the State requirement of additional employee(s) for the operation of a group child care home. He said a change like that would place the City's home occupation ordinance in jeopardy. Mr. Wright said he could hire someone to help him prepare tax returns in his home, or his neighbor could hire a secretary to assist him in his law practice in his home, and either one of those operations would generate less traffic and noise than a group child care home. Mr. Wright said an ordinance change to allow group child care homes could have a devastating impact on the City's residential zoning ordinance.

Mr. Chamberlain said public hearings sometimes draw only the people who are in support of a particular ordinance change. Mr. Chamberlain said he feels the Planning Commission owes it to the residents who bought a home in a residential neighborhood to keep the residential character of that neighborhood.

Mr. Vleck said his concern is not the traffic that is generated in the neighborhood, but the potential impact that a group child care home has on the direct neighboring properties. Mr. Vleck said his goals are to get a recommendation to City Council and to provide City Council with as much information as possible on the research undertaken by the Planning Commission.

Resolution # PC-2005-12-197
Moved by: Vleck
Seconded by: Chamberlain

WHEREAS, The State of Michigan as provided by Public Act 207 of 1921 and Public Act 285 of 1931 and subsequent changes thereto provides for city planning and authorizes Planning Commissions and their powers; and

WHEREAS, The City of Troy Planning Commission is empowered by the City of Troy Zoning Ordinance to approve matters coming before it and to make recommendations to City Council, where the Council holds the approval power for themselves.

THEREFORE, IT IS RESOLVED, That the Planning Commission does not recommend to the City Council the changing of Articles IV and X, pertaining to Group Day Care Homes in the R-1A through R-1E Districts, for the following reasons:

WHEREAS, It has been demonstrated by public input, letters and photos that family and group day care homes do have a negative impact on the neighboring property owners.

WHEREAS, According to City of Troy Assistant Attorney, Allan Motzny, and City of Troy Director of Building & Zoning, Mark Stimac, any building or structure or portion thereof that is used for the education, supervision or personal care services for more than five (5) children older than 2-1/2 years of age would be classified as a Group E occupancy. This has significant implications on the ability of the structure to comply with building code requirements such as automatic sprinklers in basements, Michigan barrier-free design and the Federal Americans with Disabilities Act.

WHEREAS, There is nothing within the child care licensing law that exempts these facilities from the Michigan Building Code provisions.

WHEREAS, The current ordinance allows for family day care homes but limits enrollment thus permitting a needed service while minimizing the intrusion and negative impact on neighboring properties.

BE IT ALSO ADVISED TO CITY COUNCIL, That if the current zoning is revised, the Planning Commission makes the following recommendations:

10.25.02 Family Day Care Homes, as defined in Section 04.20.60, subject to the following conditions:

A. The number of children so cared for who are not a part of the family residing in the subject dwelling unit shall not exceed six (6).

B. The conditions applicable to Home Occupations, as defined in Section 04.20.71 and as listed in Section 10.25.01 shall not apply to Family Day Care Homes.
C. The resident-operator of the Family Day Care Home shall be licensed in accordance with applicable State Law.
D. To maximize the safety and the privacy for the neighboring properties, there shall be no dropping off of children between the hours of 10:00 p.m. and 6:00 a.m.
E. To maximize the safety and the privacy for the neighboring properties, if the outdoor play area is located on the premises, the play area shall be fenced or screened with a 6-foot high privacy fence.
F. No structural changes or exterior alterations shall be made which would alter the residential character of the dwelling except as required by the State of Michigan licensing rules.
G. No sign shall be used on the premises to identify the Family Day Care Home.
H. Family Day Care Homes with vehicular access on a major or secondary thoroughfare shall be required to have a circular drive or an unobstructed turnaround to allow for the safe egress of vehicles.

10.30.10 Group Day Care Homes, as defined in Section 04.20.69, subject to the following conditions:

A. To maximize the safety and the privacy and to minimize noise for the neighboring properties, Group Day Care Homes shall be allowed on properties greater than one-half acre in size and having a minimum side yard setback of 20 feet.
B. The number of children so cared for who are not a part of the family residing in the subject dwelling unit shall not exceed twelve (12).
C. The resident-operator of the Group Day Care Home shall be licensed in accordance with applicable State Law.
D. To maximize the safety and the privacy for the neighboring properties, there shall be no dropping off of children between the hours of 10:00 p.m. and 6:00 a.m.
E. No structural changes or exterior alterations shall be made which would alter the residential character of the dwelling except as required by the State of Michigan licensing rules.
F. No sign shall be used on the premises to identify the Group Day Care Home.
G. The conditions applicable to Home Occupations, as defined in Section 04.20.71 and as listed in Section 10.25.01, shall not apply to Group Day Care Homes.
H. Group Day Care Homes with vehicular access on a major thoroughfare shall be required to have a circular drive or an unobstructed turnaround area to allow for the safe egress of vehicles.
I. The Planning Director may waive any required site plan information provided it can be determined that the application meets the Group Day Care Home

requirements of Section 10.30.10 and the general Special Use Approval standards of Section 03.31.05.

J. To maximize the safety and the privacy for the neighboring properties, if the outdoor play area is located on the premises, the play area shall be fenced or screened with a 6-foot high privacy fence.

K. The licensee shall register with the City upon commencing operation and on an annual basis each January thereafter, and the licensed premises shall be subject to a fire and building department inspection and shall provide a smoke detector in all daytime sleeping areas and otherwise comply with applicable building and fire codes.

L. The applicant shall identify the entrance(s) for drop-offs and pickups. The parking and drop-off areas shall be designed to maximize safety and privacy for the neighboring properties.

M. To prevent the commercialization of residential districts, Group Day Care Homes shall be not be located within 1,000 feet of another state licensed residential facility.

Discussion on the motion on the floor.

Mr. Miller questioned if the condition to require a circular drive or unobstructed turnaround area could be placed on Family Child Care Homes that have vehicular access on a major or secondary thoroughfare.

Mr. Motzny, upon further review, said he believed it is a valid condition should the Planning Commission reason that it is a public health, safety and welfare concern.

At the request of Ms. Drake-Batts, Mr. Vleck provided a brief overview of the motion.

Ms. Drake-Batts said the proposed requirements with respect to the one-half acre lot size and the 1,500-foot distance between licensed facilities would make the existence of Group Child Care Homes almost impossible. She said, however, that the Commission owes it to the residents to get the matter up to City Council for a final decision. Ms. Drake-Batts said she would vote in favor of the motion even though she does not agree with a lot of the proposed conditions.

Yes: Chamberlain, Drake-Batts, Khan, Strat, Vleck, Wright
No: Littman
Absent: Schultz, Waller

MOTION CARRIED

Mr. Littman agreed that a recommendation should go to the City Council. Mr. Littman said Group Child Care Homes should be provided for, and the basic part of the Resolution is a recommendation against them.

9. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 221) – Articles 02.50.01, 02.50.02, 02.50.03 and 02.50.04 Municipal Civil Infractions

Mr. Miller provided a brief review of the proposed zoning ordinance text amendment relating to municipal civil infractions.

Mr. Motzny reviewed the reasons that the City Attorney's Office recommends approval of the ZOTA.

A brief discussion followed.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2005-12-198
Moved by: Chamberlain
Seconded by: Wright

RESOLVED, That the Planning Commission hereby recommends to the City Council that Article II, pertaining to Municipal Civil Infractions, be amended as printed on the Proposed Zoning Ordinance Text Amendment.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

10. PLANNED UNIT DEVELOPMENT (PUD 5) – *Refer to page 7*.

OTHER ITEMS

11. REQUEST TO REVISE HISTORIC DISTRICT BOUNDARIES - 2356 E. LONG LAKE – Preliminary and Final Reports by Historic District Study Committee concerning the 2356 E. Long Lake

Mr. Miller said it was determined that the subject property was placed in historic district boundaries in error, and the property owner has requested elimination of the historic district classification.

Resolution # PC-2005-12-199
Moved by: Chamberlain
Seconded by: Wright

RESOLVED, That the Planning Commission has no opposition to eliminating the Historic District classification for 2356 East Long Lake Road, as recommended in the Preliminary and Final Reports of the Historic Study Committee.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

12. PUBLIC COMMENT – For Items on the Agenda

Dave Schafer of 5593 Mandale, Troy, was present to address group child care homes. Mr. Schafer said he was disappointed. He said the members' discussion tonight after the Public Hearing should have happened last week, but didn't because of a lack of quorum. Mr. Schafer said it is unfair that they have not had an opportunity to comment on the new thoughts that were introduced in the motion. Mr. Schafer said this council has bamboozled them once again, and he thinks it is a travesty.

Sharon Schafer of 5593 Mandale, Troy, was present to address group child care homes. Ms. Schafer said it is a bittersweet night for her and others who depend on day care in the City. She is happy that the matter is going to City Council, but disappointed with the Planning Commission's recommendation and extra stipulations that were never mentioned to them before. Ms. Schafer referenced an earlier discussion with respect to Troy's changing industrial area, and said the need for child care has changed also for Troy families. Ms. Schafer said the majority of people are in favor of group child care homes, and the City is making a decision based on 3 or 4 people who are not in support of them.

Curtis Childs of 1931 Atlas Court, Troy, was present to address group child care homes. Mr. Childs said he is glad the matter is going to City Council, but he is disappointed in the language. He said to say that group child care homes have a negative impact on residential neighborhoods is wrong based on the positive response received from the public.

Carol McBratnie of 1130 Larkmoor Blvd., Berkley, was present to address group child care homes. Ms. McBratnie said the requirement to put up privacy fences appears to be overkill.

GOOD OF THE ORDER

Mr. Kulesza addressed the status of the amendments to the By-laws.

Chair Strat said they would address that matter at the next Study session.

Mr. Miller asked that the Planning Department be kept in the loop with the most recent proposed changes to the By-laws.

There was discussion on whether to hold a January 3, 2006 Special/Study meeting.

Resolution # PC-2005-12-200
Moved by: Vleck
Seconded by: Littman

RESOLVED, That the Planning Commission not meet on January 3, 2006.

Yes: All present (7)
No: None
Absent: Schultz, Waller

MOTION CARRIED

Ms. Drake-Batts reiterated her position on the group child care home matter. Ms. Drake-Batts concurs with the recommendation of City Management. She said the members owed it to the child care providers to get the matter to City Council for a final decision.

Mr. Vleck addressed group child care homes. Mr. Vleck intended to discuss the new stipulations placed in the recommendation to City Council at the previous Study meeting, but could not because of lack of a quorum. His intent this evening was to get the matter to City Council with as much information from the Commission as possible. Mr. Vleck said his concern with group child care homes in residential areas is the impact they have on direct neighboring properties. He said, after talking to many people, it is his opinion that group child care homes are not always the rosy scenario that they have been painted out to be.

Mr. Khan said the City is not eliminating child care homes in Troy. He said family child care homes are allowed in the City, and anyone operating a group child care home could operate a family child care home should City Council decide not to allow group child care homes.

Mr. Miller provided status reports on Troy Futures and the Big Beaver Corridor Study.

Chair Strat said he is glad the group child care home matter is on its way to City Council for a decision.

Mr. Motzny wished everyone a happy holiday.

Mr. Chamberlain announced that tonight is his last meeting. He said it has been a pleasure to serve this Board.

Messrs. Strat, Vleck, Miller, Motzny, Khan, Wright, Littman and Kulesza thanked Mr. Chamberlain for his many years of service to the City. Mr. Chamberlain's experience, knowledge and insight are only a few of his attributes that would be missed.

The Regular Meeting of the Planning Commission was adjourned at 10:55 p.m.

Respectfully submitted,

_____
Thomas Strat, Chair

_____
Kathy L. Czarnecki, Recording Secretary

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