



# TROY CITY COUNCIL

## REGULAR MEETING

### AGENDA

**FEBRUARY 3, 2014**  
CONVENING AT 7:30 P.M.

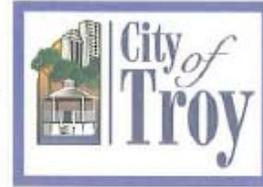
**Submitted By**  
**The City Manager**

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***NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.***

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TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: Brian Kischnick, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Kischnick".

Brian Kischnick, City Manager



# TROY CITY COUNCIL

## VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

### **VISION:**

To honor the legacy of the past and build a strong, vibrant future and be an attractive place to live, work, and grow a business.

### **GOALS:**

#### **Provide a safe, clean, and livable city**

- Practice good stewardship of infrastructure
- Maintain high quality professional community oriented police and fire protection
- Conserve resources in an environmentally responsible manner
- Encourage development toward a walkable, livable community

#### **Provide effective and efficient local government**

- Demonstrate excellence in community services
- Maintain fiscally sustainable government
- Attract and support a committed and innovative workforce
- Develop and maintain efficiencies with internal and external partners
- Conduct city business and engage in public policy formation in a clear and transparent manner

#### **Build a sense of community**

- Communicate internally and externally in a timely and accurate manner
- Develop platforms for transparent, deliberative and meaningful community conversations
- Involve all stakeholders in communication and engagement activities
- Encourage volunteerism and new methods for community involvement
- Implement the connectedness of community outlines in the Master Plan 2008

#### **Attract and retain business investment**

- Clearly articulate an economic development plan
  - Create an inclusive, entrepreneurial culture internally and externally
  - Clarify, reduce and streamline investment hurdles
  - Consistently enhance the synergy between existing businesses and growing economic sectors
  - Market the advantages of living and working in Troy through partnerships
-

2013-2014

# TOP 12 STRATEGIES

"STRATEGY IS ABOUT MAKING CHOICES, TRADE-OFFS; IT'S ABOUT DELIBERATELY CHOOSING TO BE DIFFERENT"  
- MICHAEL PORTER



1

Attract and retain quality employees  
Investigate programs to improve morale

Find a solution to the Downtown  
Development Authority Bond issue

2

3

Improve public perception of the city  
Analyze social media opportunities to connect

Support the Transit Center  
Hold promotional events

4

5

Strengthen Police/Fire  
Consider putting police officers back in schools

Redevelop sites/office space

6

7

Promote Troy  
Find a way to convince youth to stay in Troy

Evaluate efficiencies of outsourcing services  
and consider outsourcing other areas

8

9

Re-evaluate Vision 2020

Improve roads  
Examine budget allocation

10

11

Develop 3-Year budget projections

Increase lines of communication with Troy Schools

12



# CITY COUNCIL AGENDA

February 3, 2014 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**INVOCATION: Pastor Scott LeLaCheur From Zion Christian Church** **1**

**PLEDGE OF ALLEGIANCE:** **1**

**A. CALL TO ORDER:** **1**

**B. ROLL CALL:** **1**

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:** **1**

C-1 Safest City Presentation (*Introduced by: Brian Kischnick, City Manager*) 1

C-2 Economic Development Activity Update (*Introduced by: Brian Kischnick, City Manager*) 1

C-3 Proclamation for Random Acts of Kindness Week, February 10-16, 2014 Along with Nancy Morrison, Troy Community Coalition Executive Director, Promoting Incredible Kids Recognition Program (*Introduced by: Cindy Stewart, Community Affairs Director*) 1

C-4 Legislative Update by Representative Martin Howrylak 1

**D. CARRYOVER ITEMS:** **1**

D-1 No Carryover Items 1

**E. PUBLIC HEARINGS:** **2**

E-1 No Public Hearings 2

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<b><u>F.</u></b>	<b><u>PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:</u></b>	<b><u>2</u></b>
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<b><u>H.</u></b>	<b><u>POSTPONED ITEMS:</u></b>	<b><u>3</u></b>
H-1	No Postponed Items	3
<b><u>I.</u></b>	<b><u>REGULAR BUSINESS:</u></b>	<b><u>3</u></b>
I-1	Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – None	3
I-2	Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – None	3
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<b><u>J.</u></b>	<b><u>CONSENT AGENDA:</u></b>	<b><u>4</u></b>
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<b><u>K.</u></b>	<b><u>MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:</u></b>	<b><u>4</u></b>
K-1	Announcement of Public Hearings:	4
	a) February 10, 2014 - Rezoning Application – Proposed Professional/Medical Building West of Rochester, South Side of Colebrook (3545 Rochester Road)	

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	From R-1C (One Family Residential) District to CB (Community Business) District .....	4
b)	February 10, 2014 – Zoning Ordinance Text Amendment – Assisted Living Facilities ZOTA - 246.....	4
K-2	Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted	4
<b><u>L.</u></b>	<b><u>PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:</u></b>	<b>5</b>
<b><u>M.</u></b>	<b><u>COUNCIL REFERRALS:</u></b>	<b>5</b>
M-1	No Council Referrals Advanced	5
<b><u>N.</u></b>	<b><u>COUNCIL COMMENTS:</u></b>	<b>5</b>
N-1	No Council Comments Advanced	5
<b><u>O.</u></b>	<b><u>REPORTS:</u></b>	<b>5</b>
O-1	Minutes – Boards and Committees:	5
	a) Planning Commission-Draft – January 14, 2014 .....	5
	b) Planning Commission-Final – January 14, 2014 .....	5
	c) Zoning Board of Appeals-Draft – January 21, 2014 .....	5
	d) Animal Control Appeal Board-Draft – January 22, 2014 .....	5
O-2	Department Reports:	5
	a) Quarterly Financial Report Ending December 31, 2013 .....	5
O-3	Letters of Appreciation:	5
	a) To Cathy Russ From Kerry Bentivolio Regarding Hosting House of Representatives 11 <sup>th</sup> Congressional District Mobile Constituent Service .....	5
O-4	Proposed Proclamations/Resolutions from Other Organizations: None Submitted	5
O-5	Notice of Hearing for the Natural Gas Customers of Consumers Energy Company – Case No. U-17334 – February 6, 2014 at 9:00 AM	5

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<b><u>P.</u></b>	<b><u>COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):</u></b>	<b><u>5</u></b>
<b><u>Q.</u></b>	<b><u>STUDY ITEMS:</u></b>	<b><u>5</u></b>
Q-1	Bond Rating <i>(Introduced by: Brian Kischnick, City Manager with Special Guest Bobby Bendzinski, Bendzinski &amp; Co.)</i>	5
<b><u>R.</u></b>	<b><u>CLOSED SESSION:</u></b>	<b><u>5</u></b>
R-1	No Closed Session	5
<b><u>S.</u></b>	<b><u>ADJOURNMENT:</u></b>	<b><u>6</u></b>
<b><u>FUTURE CITY COUNCIL PUBLIC HEARINGS:</u></b>		<b><u>7</u></b>
<b><u>SCHEDULED REGULAR CITY COUNCIL MEETINGS:</u></b>		<b><u>7</u></b>
	February 10, 2014 Regular Meeting .....	7
	March 3, 2014 Regular Meeting .....	7
	March 17, 2014 Regular Meeting .....	7
	April 7, 2014 Regular Meeting .....	7
	April 14, 2014 Regular Meeting .....	7
	May 12, 2014 Regular Meeting.....	7
	May 19, 2014 Regular Meeting.....	7
	June 2, 2014 Regular Meeting .....	7
	June 16, 2014 Regular Meeting .....	7
	July 7, 2014 Regular Meeting.....	7
	July 21, 2014 Regular Meeting.....	7
	August 11, 2014 Regular Meeting .....	7
	August 25, 2014 Regular Meeting .....	7
	September 8, 2014 Regular Meeting.....	7
	September 22, 2014 Regular Meeting.....	7
	October 6, 2014 Regular Meeting .....	7
	October 20, 2014 Regular Meeting .....	7
	November 10, 2014 Regular Meeting.....	7
	November 24, 2014 Regular Meeting.....	7
	December 1, 2014 Regular Meeting.....	7
	December 15, 2014 Regular Meeting.....	7
<b><u>SCHEDULED SPECIAL CITY COUNCIL MEETINGS:</u></b>		<b><u>7</u></b>
	February 11, 2014 Special Joint City Council and Planning Commission Meeting .	7
	April 21, 2014 Special Budget Meeting .....	7
	April 23, 2014 Special Budget Meeting .....	7

**INVOCATION: Pastor Scott LeLaCheur From Zion Christian Church**

**PLEDGE OF ALLEGIANCE:**

**A. CALL TO ORDER:**

**B. ROLL CALL:**

- a) Mayor Dane Slater  
Jim Campbell  
Wade Fleming  
Dave Henderson  
Ellen Hodorek  
Ed Pennington  
Doug Tietz

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2014-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of \_\_\_\_\_ at the Regular City Council Meeting of February 3, 2014, due to \_\_\_\_\_.

Yes:

No:

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1 Safest City Presentation (Introduced by: Brian Kischnick, City Manager)**

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**C-2 Economic Development Activity Update (Introduced by: Brian Kischnick, City Manager)**

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**C-3 Proclamation for Random Acts of Kindness Week, February 10-16, 2014 Along with Nancy Morrison, Troy Community Coalition Executive Director, Promoting Incredible Kids Recognition Program (Introduced by: Cindy Stewart, Community Affairs Director)**

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**C-4 Legislative Update by Representative Martin Howrylak**

**D. CARRYOVER ITEMS:**

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**D-1 No Carryover Items**

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**E. PUBLIC HEARINGS:****E-1 No Public Hearings****F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:****In accordance with the Rules of Procedure for the City Council, Article 17 – Members of the Public and Visitors:**

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

The following has been approved by Troy City Council as a statement of the rules of decorum for City Council meetings. The Mayor will also provide a verbal notification of these rules prior to Public Comment:

*The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda, Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.*

*In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.*

*Please avoid these consequences and voluntarily assist us in maintaining the decorum befitting this great City.*

**G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:**

**H. POSTPONED ITEMS:**

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**H-1 No Postponed Items**

**I. REGULAR BUSINESS:**

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**I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – None**

**a) Mayoral Appointments: None**

**b) City Council Appointments: None**

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**I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – None**

**a) Mayoral Nominations: None**

**b) City Council Nominations: None**

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**I-3 No Request for Closed Session**

**J. CONSENT AGENDA:**

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**J-1a Approval of "J" Items NOT Removed for Discussion**Suggested Resolution

Resolution #2014-02-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) \_\_\_\_\_, which shall be **CONSIDERED** after Consent Agenda (J) items, as printed.

Yes:

No:

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**J-1b Address of "J" Items Removed for Discussion by City Council**

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**J-2 Approval of City Council Minutes**Suggested Resolution

Resolution #2014-02-

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) City Council Meeting Minutes-Draft – January 27, 2014

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**J-3 Proposed City of Troy Proclamations:**

- a) Proclamation for Random Acts of Kindness Week – February 10-16, 2014

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**J-4 Standard Purchasing Resolutions: None Submitted****K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**K-1 Announcement of Public Hearings:**

- a) February 10, 2014 - Rezoning Application – Proposed Professional/Medical Building West of Rochester, South Side of Colebrook (3545 Rochester Road) From R-1C (One Family Residential) District to CB (Community Business) District
- b) February 10, 2014 – Zoning Ordinance Text Amendment – Assisted Living Facilities ZOTA - 246

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**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**

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**L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:****M. COUNCIL REFERRALS:**

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda

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**M-1** No Council Referrals Advanced**N. COUNCIL COMMENTS:**

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**N-1** No Council Comments Advanced**O. REPORTS:**

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**O-1 Minutes – Boards and Committees:**

- a) Planning Commission-Draft – January 14, 2014
- b) Planning Commission-Final – January 14, 2014
- c) Zoning Board of Appeals-Draft – January 21, 2014
- d) Animal Control Appeal Board-Draft – January 22, 2014

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**O-2 Department Reports:**

- a) Quarterly Financial Report Ending December 31, 2013

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**O-3 Letters of Appreciation:**

- a) To Cathy Russ From Kerry Bentivolio Regarding Hosting House of Representatives 11<sup>th</sup> Congressional District Mobile Constituent Service

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**O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**

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**O-5 Notice of Hearing for the Natural Gas Customers of Consumers Energy Company – Case No. U-17334 – February 6, 2014 at 9:00 AM**

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**P. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):****Q. STUDY ITEMS:**

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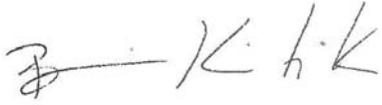
**Q-1** Bond Rating (*Introduced by: Brian Kischnick, City Manager with Special Guest Bobby Bendzinski, Bendzinski & Co.*)**R. CLOSED SESSION:**

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**R-1** No Closed Session

**S. ADJOURNMENT:**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Kischnick". The signature is written in a cursive style with a horizontal line through the middle of the letters.

Brian Kischnick, City Manager

**FUTURE CITY COUNCIL PUBLIC HEARINGS:**

**SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

February 10, 2014.....	Regular Meeting
March 3, 2014.....	Regular Meeting
March 17, 2014.....	Regular Meeting
April 7, 2014.....	Regular Meeting
April 14, 2014.....	Regular Meeting
May 12, 2014.....	Regular Meeting
May 19, 2014.....	Regular Meeting
June 2, 2014.....	Regular Meeting
June 16, 2014.....	Regular Meeting
July 7, 2014.....	Regular Meeting
July 21, 2014.....	Regular Meeting
August 11, 2014.....	Regular Meeting
August 25, 2014.....	Regular Meeting
September 8, 2014.....	Regular Meeting
September 22, 2014.....	Regular Meeting
October 6, 2014.....	Regular Meeting
October 20, 2014.....	Regular Meeting
November 10, 2014.....	Regular Meeting
November 24, 2014.....	Regular Meeting
December 1, 2014.....	Regular Meeting
December 15, 2014.....	Regular Meeting

**SCHEDULED SPECIAL CITY COUNCIL MEETINGS:**

February 11, 2014.....	Special Joint City Council and Planning Commission Meeting
April 21, 2014.....	Special Budget Meeting
April 23, 2014.....	Special Budget Meeting



## CITY COUNCIL REPORT

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January 30, 2014

TO: Brian Kischnick, City Manager

FROM: Mark F. Miller, Director of Economic and Community Development  
Glenn Lapin, Economic Development Specialist

SUBJECT: Economic Development Activity Update

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Economic development activity in the City of Troy realized positive progress in 2013. Whereas City Council members have attended various ribbon cutting ceremonies recently, particularly for retail and restaurant projects, this report will focus more on the office and industrial market activity.

According to CBRE, a leading international commercial real estate services company, Troy's office vacancy rate (less Kmart Headquarters) in the 4Q of 2013 was 23.8%. This compares to a 4Q 2011 office vacancy rate of about 27.2%, which was similar to the 4Q 2012 rate. The five-year office vacancy peak was in 3Q 2010 – about 29.3%.

Troy's industrial vacancy rate in the 4Q of 2013 was 6.2%. This compares to a 4Q 2011 industrial vacancy rate of about 10.3%. The five-year industrial vacancy peak was in 2Q 2010 – about 15.9%. Although the methodology for calculating office and industrial vacancy rates may vary between sources, the general trend is positive. The commercial brokers that focus on Troy have also provided positive feedback on the level of activity they are seeing.

Some recent projects of more significant scope include the following:

### **North Troy Corporate Park Area**

Magna – Magna moved from its Wilshire location, and consolidated other regional facilities, to 117,300 square feet of space at 700 Tower Drive in the North Troy Corporate Park. The office is expected to house 300 employees with more growth expected.

Dunham's - Dunham's has moved its corporate offices to 5607 New King. The company will occupy approximately 40,000 square feet for its 115 employees.

Residential Home Health – Residential Home Health moved its headquarters to 5440 Corporate Drive. The company is leasing 45,000 square feet for its 200 employees.

Mahindra – Mahindra will be expanding its Troy presence to 1055 W. Square Lake Road. The former Hi-Lex Building had been vacant for several years. The 30,000 square foot facility will house an engineering and automotive design technology center. Approximately 50 employees will occupy the building initially with 100 employees expected by the end of 2014.



# CITY COUNCIL REPORT

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Tata Engineering & Innovation Center - Tata's new Engineering & Innovation Center is located at 800 Tower Drive. Tata provides a wide range of engineering services from concept to assembly and everything in between including engineering software, clay models, manufacturing processes, testing and how to manage a vehicle throughout its lifecycle. The facility is expected to house approximately 50 employees with anticipated growth to 100 employees expected.

## **Big Beaver Corridor Area**

NS International - NS International, an instrument cluster supplier for automotive manufacturers, leased 111,313 square feet at 600 Wilshire Dr. – Magna's prior location. The subsidiary of Nippon Seiki has been based in Michigan since the 1980's, developing and supplying Heads-Up-Displays for cars and other vehicles. They currently have smaller offices in Troy. Approximately 171 employees are expected initially at the new North American headquarters location.

Doeren Mayhew - Doeren Mayhew, an internationally recognized top 100 U.S. accounting firm, opened its new headquarters at 305 W. Big Beaver. The 62,000 square foot space houses approximately 200 local professionals.

HTC Global Services – HTC Global Services, through a real estate holding company, purchased the 317,000 square foot building at 100 East Big Beaver (former AT&T Building). Renovations are planned.

DMC Children's Hospital - DMC has purchased the property at 350 W. Big Beaver for its new outpatient facility. DMC Children's Hospital will be building a 70,000 square foot facility on the site. The \$42 million project will employ approximately 100 people.

## **Maple Corridor Area**

MJR Troy Grand - This new 74,000 square foot theater complex consists of 16 state-of-the-art movie theaters with 3,200 seats. The project, located at 100 E. Maple Road, is now under construction and replaces a vacant Kmart Department Store. Approximately 70 new jobs will be created. Opening date is scheduled for May of 2014.

Gallagher-Kaiser Corporation - Gallagher-Kaiser Corporation, a global leader in the design, manufacture, and installation of industrial process systems, HVAC systems and industrial buildings, has moved to their new headquarters at 777 W. Chicago. Approximately 100 full-time employees are located at the new office, which include 3 floors and 33,000 square feet of offices and meeting space.

Entertainment Publications - After being purchased by a family member of the original company founders, Entertainment moved into its new headquarters at 1401 Crooks. The 42,000 square foot facility will house approximately 130 employees. Entertainment has worked to improve local communities as the leading consumer discount, promotion and coupon provider in the United States and Canada.



# CITY COUNCIL REPORT

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Toyota of Troy – New Troy Motor Mall dealership under construction on site of vacated dealership on Maple Road.

## **Stephenson Highway Corridor Area**

Rapid Global Business Solutions – RGBSI, a global engineering services and staffing company, has purchased the vacant 25,000 square foot building at 1200 Stephenson Highway for its new headquarters. The building will house about 100 employees.

Witzenmann - Witzenmann is expanding its Troy presence into a nearby building at 1305 Stephenson Highway. The 47,000 square foot building (formerly HOV Services) will house approximately 100 employees.

Continental Food Service – Continental bought the 30,000 square foot building at 700 Stephenson Highway for food production purposes. Approximately 50 employees are housed there.

Toyoda Gosei – Toyoda Gosei continues to invest in its 73,000 square foot property at 1400 Stephenson Highway. The company's sales and technical operations, with approximately 230 employees, are housed in the facility.

Economic development activity in 2013 was positive, and the City anticipates continued progress in 2014. The City's economic development strategy emphasizes partnerships in order to provide existing and prospective businesses with the resources necessary to locate in Troy and grow. The City's primary partners include Automation Alley, Walsh College, Troy Chamber, Oakland County's Economic Development Office, and the Michigan Economic Development Corporation. Through these and other partners, the City is able to address business needs by meeting directly with businesses and company executives.

As an example, the City's partnership with the statewide Intern in Michigan program provides Troy companies with direct access to college students seeking internships via the City of Troy website. These internships often translate into full time positions, thereby becoming a key source for companies seeking quality talent. In addition, the City co-sponsors an Oakland County Small Business Center program called Peerspectives. This program brings together local CEOs on a monthly basis at City Hall to address specific needs that each company is facing.

In 2014, the City is planning to partner with the Troy Chamber and Oakland County Small Business Center on a targeted business assistance program focused on the Maple Corridor at the City's south end. Additional attention will be given to the Maple Road Corridor through the master plan update process and a potential targeted market analysis to identify opportunities for future residential products.

City management looks forward to working with our partners to build upon Troy's standing as Michigan's best place to live and the State's premier address for business, retail and commerce.

**PROCLAMATION  
RANDOM ACTS OF KINDNESS WEEK  
FEBRUARY 10 - 16, 2014**

**WHEREAS**, The City of Troy is committed to celebrating the role simple acts of kindness plays in encouraging authentic, caring connections in schools, organizations and communities; and

**WHEREAS**, **February 10-16, 2014** is recognized internationally as **Random Acts of Kindness Week**, a time to remind everyone of the positive effects of kindness and the power to improve the quality of life; and

**WHEREAS**, 2014 marks the **20<sup>th</sup> year the Random Acts of Kindness Foundation** has celebrated kindness by providing materials and support for people in thousands of communities who participate with local kindness events; and

**WHEREAS**, **Random Acts of Kindness Week** is a celebration of simple kindness that encourage people to tap into their own human spirit and share kindness with one another thereby nourishing and strengthening our communities; and

**WHEREAS**, **Random Acts of Kindness** could be as simple as shoveling your elderly neighbor's driveway and sidewalk, walking a neighbor's dog, volunteering for a local nonprofit organization or at your place of worship, bringing soup to a sick friend, or simply a smile and a hug to someone going through a rough time; and

**WHEREAS**, The **Troy Community Coalition** promotes the message of **Random Acts of Kindness** through their annual Incredible Kids program, scheduled for February 27. This program spotlights so many wonderful young people that have made a positive impact in our community by performing random acts of kindness for their family, their neighbors or while at school; and

**WHEREAS**, **Troy Youth Assistance** also recognizes and honors young people in Troy who have made exemplary contributions to our community. Both organizations know the importance of **Random Acts of Kindness** in growing a caring and healthy community;

**NOW, THEREFORE BE IT RESOLVED**, that the Troy City Council hereby proclaims **February 10 - 16, 2014 as Random Acts of Kindness Week** in the City of Troy; and

**BE IT FURTHER RESOLVED**, That the Mayor and City Council encourage each and every member of our community to practice **Random Acts of Kindness** throughout the entire year. Studies show that giving to others helps us live more meaningful lives.

Presented this 3<sup>rd</sup> day of February 2014.

Reverend Susan Williams from St. Stephen's Episcopal Church performed the Invocation. The Pledge of Allegiance to the Flag was given.

**A. CALL TO ORDER:**

A Regular Meeting of the Troy City Council was held on Monday, January 27, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

**B. ROLL CALL:**

Mayor Dane Slater  
Jim Campbell  
Wade Fleming  
Dave Henderson  
Ellen Hodorek  
Ed Pennington  
Doug Tietz

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

---

**C-1 2013 "A Healthy Me is Drug Free" Pledges Presented by the Red Ribbon Chairperson for Troy Families for SAFE HOMES and Student Representatives from the Troy School District**

*This presentation was rescheduled to the February 10, 2014 Regular City Council Meeting.*

---

**C-2 Madeline Jaks, Housing Counselor for Community Housing Network, Inc., Provided a Presentation on Foreclosure Prevention for Residents**

---

**C-3 May Wang and Valerie Avore Provided a Presentation on Shen Yun 2014, Reviving 5,000 Years of Civilization**

---

**C-4 Tim Richnak and Kurt Bovensiep Provided a Presentation on the Status of Snow and Ice Control**

**D. CARRYOVER ITEMS:**

---

**D-1 No Carryover Items**

The Meeting **RECESSED** at 8:13 PM.

The Meeting **RECONVENED** at 8:19 PM.

**E. PUBLIC HEARINGS:****E-1 Rezoning Application (File Number Z 745) Proposed Amber 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**

The Mayor opened the Public Hearing for public comment and received comment from Dennis Cowan from Plunkett Cooney on behalf of the petitioner, Mr. Jerry Amber, as well as from the following residents/business owners:

Karen Crusse	Spoke in opposition of the proposed rezoning.
John Crusse	Spoke in opposition of the proposed rezoning.
Dick Minnick	Spoke in opposition of the proposed rezoning.
Sanjay Shah	Spoke in opposition of the proposed rezoning.
James Peterson	Spoke in opposition of the proposed rezoning.
Robert Warner	Spoke in opposition of the proposed rezoning.
Jean Wang	Spoke in opposition of the proposed rezoning.
Ted Lavanway	Spoke in favor of the proposed rezoning.
Dr. Craig Goldin	Spoke in opposition of the proposed rezoning.
Chetan Rastogi	Spoke in opposition of the proposed rezoning.
Sanjeev Bajwa	Spoke in opposition of the proposed rezoning.
Richard Peters	Inquired if the petitioner would collaborate with residents to come up with something suitable.
Dr. Michael Fahmy	Spoke in opposition of the proposed rezoning.
Rita Mehta	Spoke in opposition of the proposed rezoning.

The Mayor closed the Public Hearing.

Resolution #2014-01-007

Moved by Fleming

Seconded by Pennington

WHEREAS, The City is in receipt of a rezoning request, from O to BB, File Number Z-745, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the attached Topographic Survey.

THEREFORE BE IT RESOLVED, The proposed rezoning from O to BB is hereby **APPROVED**.

BE IT FINALLY RESOLVED, The Zoning District Map is hereby **AMENDED**.

Yes: Fleming, Henderson, Tietz

No: Slater, Campbell, Hodorek, Pennington

**MOTION FAILED**

The Meeting **RECESSED** at 10:04 PM.

The Meeting **RECONVENED** at 10:15 PM.

**F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

**G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:**

**H. POSTPONED ITEMS:**

**H-1** No Postponed Items

**I. REGULAR BUSINESS:**

**I-1** Board and Committee Appointments: a) Mayoral Appointments – Board of Review; b) City Council Appointments – Election Commission, Liquor Advisory Committee, Traffic Committee

**a) Mayoral Appointments:**

Resolution #2014-01-008  
Moved by Slater  
Seconded by Fleming

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Board of Review  
Appointed by Mayor  
3 Regular Members  
3-Year Term

**Term Expires: 01/31/2017**

**Eileen Turner**

Term currently held by: Eileen Turner

Yes: All-7  
No: None

**MOTION CARRIED**

**b) City Council Appointments:**

Resolution #2014-01-009  
Moved by Henderson  
Seconded by Pennington

RESOLVED, That Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

**Election Commission**

Appointed by Council  
2 Regular Members and 1 Charter Member  
1 Year Term

**Term Expires: 01/31/2015**

**David C. Anderson**

Term currently held by: David C. Anderson

**Term Expires: 01/31/2015**

**Timothy Dewan**

Term currently held by: Timothy Dewan

**Liquor Advisory Committee**

Appointed by Council  
7 Regular Members  
3 Year Term

**Term Expires: 01/31/2017**

**W. Stan Godlewski**

Term currently held by: W. Stan Godlewski

**Term Expires: 01/31/2017**

**David Gorcyca**

Term currently held by: Vacancy – Bohdan Ukrainec’s term  
(not registered elector in Troy).

**Traffic Committee**

Appointed by Council  
7 Regular Members  
3 Year Term

**Term Expires: 01/31/2017**

**Richard Kilmer**

Term currently held by: Richard Kilmer

**Term Expires: 01/31/2017**

**Al Petrusis**

Term currently held by: Al Petrusis

**Term Expires: 01/31/2017**

**Peter Ziegenfelder**

Term currently held by: Peter Ziegenfelder

Yes: All-7  
No: None

**MOTION CARRIED**

**I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – Historic District Commission**

**a) Mayoral Nominations:**

b) **City Council Nominations: Historic District Commission**

City Council took **NO ACTION** on this Item.

---

**I-3 No Request for Closed Session**

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**I-4 2013/14 Budget Amendment No. 1 – Library Services (Introduced by: Cathleen Russ, Library Director)**

Resolution #2014-01-010  
Moved by Henderson  
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **APPROVES** 2013-14 Budget Amendment No. 1 as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7  
No: None

**MOTION CARRIED**

---

**I-5 2013/14 Budget Amendment No. 2 – Furlough Termination (Introduced by: Thomas Darling, Director of Financial Services)**

Resolution #2014-01-011  
Moved by Slater  
Seconded by Campbell

RESOLVED, That Troy City Council hereby **APPROVES** the 2013-14 Budget Amendment No. 2 – Termination of Furlough Requirements as submitted; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7  
No: None

**MOTION CARRIED**

**J. CONSENT AGENDA:**

---

**J-1a Approval of “J” Items NOT Removed for Discussion**

Resolution #2014-01-012  
Moved by Pennington  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-7  
No: None

**MOTION CARRIED**

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**J-1b Address of “J” Items Removed for Discussion by City Council**

---

**J-2 Approval of City Council Minutes**

Resolution #2014-01-012-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) City Council Meeting Minutes-Draft – January 13, 2014

---

**J-3 Proposed City of Troy Proclamations: None Submitted**

---

**J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Michigan Intergovernmental Trade Network (MITN) Gasoline and Diesel Fuel**

Resolution #2014-01-012-J-4a

RESOLVED, That Troy City Council hereby **DETERMINES** it to be in the City’s best interest to **EXERCISE** and **APPROVE** the option to renew the two year cooperative contract to purchase gasoline and diesel fuel in truck transport and tank wagon deliveries from the low bidders meeting specifications – Petroleum Traders Corporation of Fort Wayne, IN, RKA Petroleum Companies of Romulus, MI, and Atlas Oil Company of Taylor, MI, as a result of a bid process through the City of Sterling Heights for MITN Purchasing Cooperative members including Troy at factors and prices contained in the bid tabulation opened November 1, 2011, with the contract expiration of January 31, 2016.

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**J-5 2014 Poverty Exemption Guidelines (Changes From the Previous Year)**

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Resolution #2014-01-012-J-5

RESOLVED, That pursuant to MCL 211.7u, the City Council of the City of Troy hereby **APPROVES** the proposed “Poverty Exemption Guidelines” for 2014, as presented by the City Assessor in a memorandum dated January 16, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

---

**J-6 Joint City Council and Planning Commission Meeting – February 11, 2014**

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Resolution #2014-01-012-J-6

RESOLVED, That Troy City Council hereby **SCHEDULES** a joint meeting with Troy Planning Commission on Tuesday, February 11, 2014 from 6:00 PM to 7:00PM in the Council Board Room at Troy City Hall.

**J-7 Delegation of Fireworks Inspections**

Resolution #2014-01-012-J-7

RESOLVED, That the City of Troy is interested in receiving authority from the State of Michigan to conduct all necessary fireworks inspections in the City of Troy, in exchange for receipt of up to 70% of the collected fireworks certificate fees;

BE IT FURTHER RESOLVED, That the City of Troy **AGREES** to abide by the terms of the State of Michigan Fireworks Delegation of Authority Program for the 2014 calendar year, and **AUTHORIZES** the Troy Fire Chief and the Troy City Clerk to administratively **APPROVE** and **EXECUTE** the final version of any document required by the State of Michigan to effectuate the requested delegation, including but not limited to the Fireworks Delegation of Authority Authorization Application and Delegation Agreement, and when these documents are finalized, they shall be **ATTACHED** to the original Minutes of this meeting.

**J-8 Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County**

Resolution #2014-01-012-J-8

RESOLVED, That Troy City Council hereby **APPROVES** payment to renew the City of Troy’s membership in the Traffic Improvement Association for the year 2014 in the amount of \$25,100, and funds are available in the 2013-2014 Police Department Operating Funds, Membership and Dues.

**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

**K-1 Announcement of Public Hearings: None Submitted**

**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**

**L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

Richard Peters	Spoke about upcoming Presidential speech, unemployment benefits, and affordable housing in the City.
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**M. COUNCIL REFERRALS:**

**Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda**

**M-1 No Council Referrals Advanced****N. COUNCIL COMMENTS:**

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**N-1 Council Comments Advanced**

Mayor Slater congratulates former Council Member Maureen McGinnis on the birth of her daughter, McKenzie, and says that everyone is doing well.

Council Member Fleming acknowledged that Troy has been designated 1<sup>st</sup> overall safest city in Michigan.

**O. REPORTS:**

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**O-1 Minutes – Boards and Committees:**

- a) Zoning Board of Appeals-Final – May 22, 2013
  - b) Planning Commission-Draft – December 10, 2013
  - c) Planning Commission-Final – December 10, 2013
  - d) Employees' Retirement System Board of Trustees-Final – December 11, 2013
  - e) Retiree Health Care Benefits Plan and Trust-Final – December 11, 2013
  - f) Zoning Board of Appeals-Final – December 17, 2013  
Noted and Filed
- 

**O-2 Department Reports:**

- a) Annual Towing Contract Renewal  
Noted and Filed
- 

**O-3 Letters of Appreciation:**

- a) To Chief Gary Mayer From U.S. Department of Justice Federal Bureau of Investigation Regarding Lt. Tom Gordon Hosting a Complex Terrorist Attack Tabletop Exercise
  - b) To Paul Featherston From Anne Wilkinson, International Academy of Design and Technology Regarding Teaching a Codes Class  
Noted and Filed
- 

**O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**  
Noted and Filed**P. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):****Q. STUDY ITEMS:**

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**Q-1 No Study Items**

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**R. CLOSED SESSION:**

**R-1** No Closed Session

**S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 10:29 PM.

---

Mayor Dane Slater

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M. Aileen Bittner, CMC  
City Clerk



## CITY COUNCIL AGENDA ITEM

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Date: January 30, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development  
R. Brent Savidant, Planning Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING (FEBRUARY 10, 2014) – 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

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 applicant indicated their intent to construct a two-story office building on the site. Offices are permitted by right in the CB district; the present R-1C district does not permit offices. Maximum building height in the proposed CB district is 2 stories/30 feet which is consistent with the abutting R-1C district.

The Planning Commission considered this rezoning on February 14, 2012 and recommended denial of the application, based on the potential for negative impacts on the residential neighborhood to the west. The applicant was encouraged to combine the subject property with the abutting property to the east. The applicant has done so, after a lengthy bidding and acquisition process.

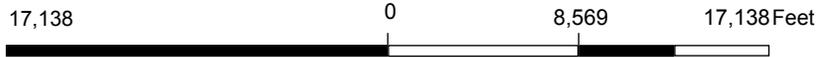
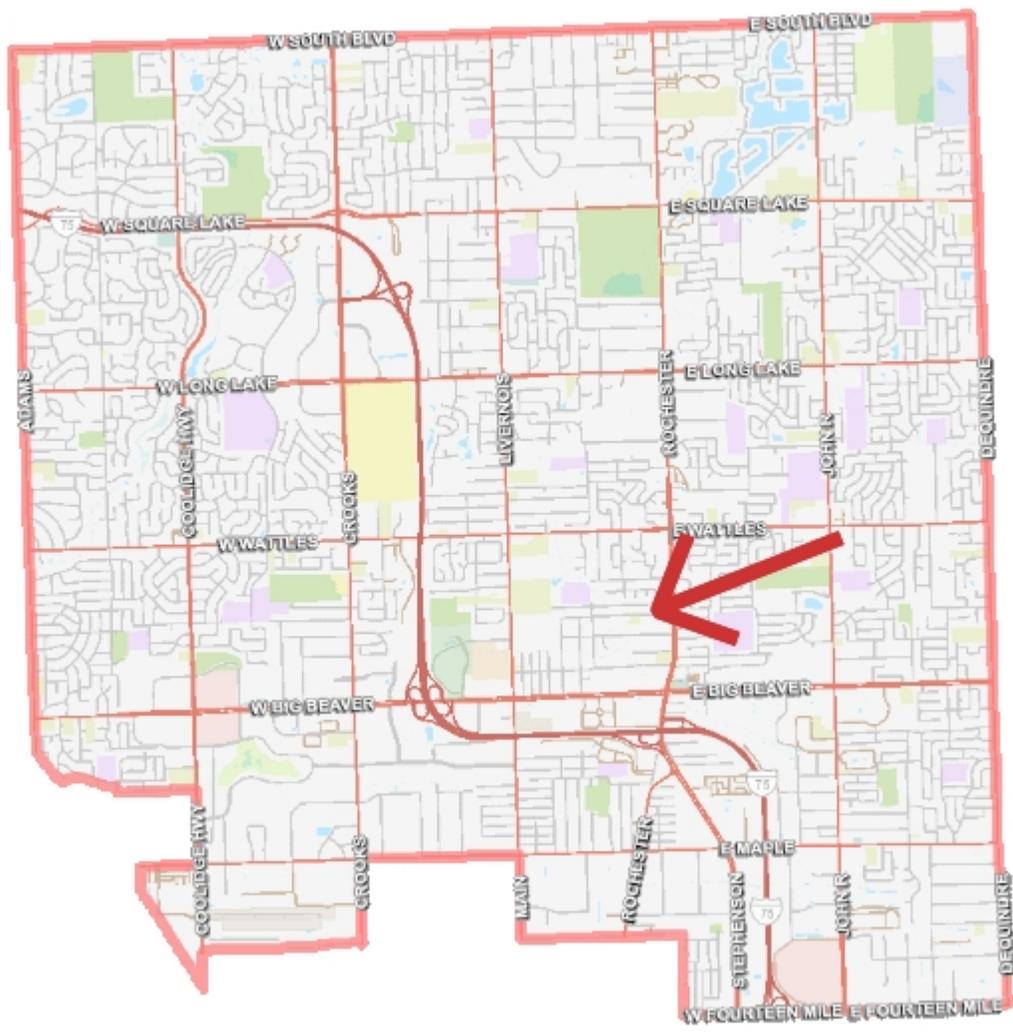
The Master Plan classifies this area as Rochester Road. A description of this classification is attached.

The Planning Commission held a public hearing on this item on January 14, 2014 and recommended approval of the rezoning with an 8-0 vote.

A public hearing is scheduled for this item on February 10, 2014.

Attachments:

1. Maps
2. Agenda item from January 14, 2014 Planning Commission meeting.
3. Draft minutes from January 14, 2014 Planning Commission meeting (excerpt).



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



Legend:

Street Name Text

169 0 85 169Feet

Scale 1: 1,015



**Legend:**

**Street Name Text**

**Form Based Zoning (Current)**

- (PUD) Planned Unit Development
- (CF) Community Facilities District
- (EP) Environmental Protection District
- (BB) Big Beaver Road (Form Based)
- (MR) 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
- (MF) Multi-Family Residential
- (MHP) Manufactured Housing
- (UR) Urban Residential
- (RC) Research Center District
- (PV) Planned Vehicle Sales

150 0 75 150 Feet

Scale 1: 902

DATE: January 9, 2014

TO: 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 (3545 Rochester Road), 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 applicant indicated their intent to construct a two-story office building on the site. Offices are permitted by right in the CB district; the present R-1C district does not permit offices.

The Planning Commission considered this rezoning on February 14, 2012 and recommended denial of the application, based on the potential for negative impacts on the residential neighborhood to the west. The applicant was encouraged to combine the subject property with the abutting property to the east. The applicant has done so, after a lengthy bidding and acquisition process.

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 January 14, 2014 Planning Commission Regular meeting.

**Attachments:**

1. Maps
2. City of Troy Master Plan (excerpt)
3. Report prepared by Carlisle/Wortman Associates, Inc.
4. Concept drawing
5. Minutes from February 14, 2012 Planning Commission Regular meeting.

G:\REZONING REQUESTS\Z 739 Professional Medical Building Sec 22\2013 Application\PC Memo 01 14 14.doc

## PROPOSED RESOLUTION

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

### **Resolution # PC-2014-01-**

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 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:

Absent:

**MOTION CARRIED / FAILED**



Legend:

Street Name Text

169 0 85 169Feet

Scale 1: 1,015

Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 1/10/2014



**Legend:**

**Street Name Text**

**Form Based Zoning (Current)**

- (PUD) Planned Unit Development
- (CF) Community Facilities District
- (EP) Environmental Protection District
- (BB) Big Beaver Road (Form Based)
- (MR) 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
- (MF) Multi-Family Residential
- (MHP) Manufactured Housing
- (UR) Urban Residential
- (RC) Research Center District
- (PV) Planned Vehicle Sales

150 0 75 150 Feet

Scale 1: 902

## 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.

## DESIGN CONCEPT

- Commercial strip development should be limited and gradually replaced with mixed use.
- Commercial development should be encouraged to expand in the form of dense multi-story mixed-use concentrations at major intersections. Concentrations are limited to within 1,000 feet of the intersection.
- The areas between nodes should develop as lower-rise office and multiple-family. The height differences encourage a visual “pulse.”

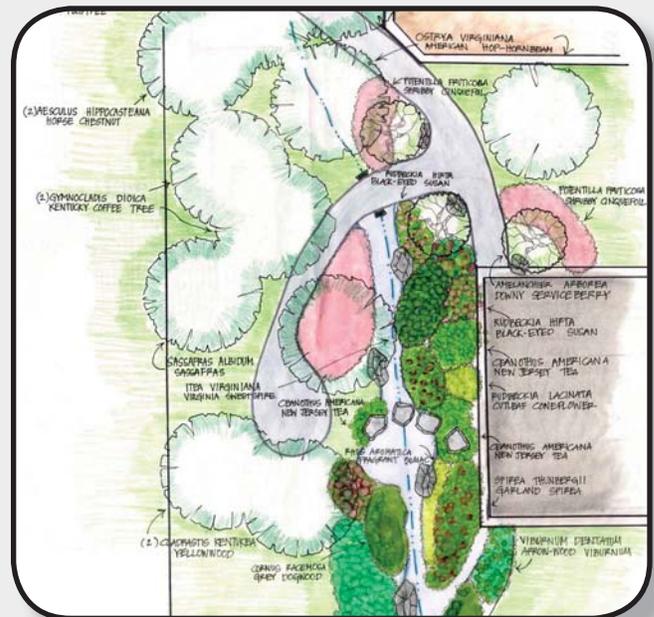
## SITE DESIGN ATTRIBUTES

- Parking areas should be within rear yards or interior parts of the site. A single row of parking may be appropriate in front and exterior side yards in limited applications.
- Parking will connect to adjacent sites, eventually linking several developments with a rear access lane. The number of drives connecting to Rochester Road should be minimized.
- Defined internal walks will connect the businesses and buildings together.
- Internal walks will be connected to the public sidewalk system.
- Buildings will be separated from street traffic by a greenbelt or sculptural storm water detention basin.
- Height and size of signage will be reduced to contain visual clutter.

## BUILDING DESIGN ATTRIBUTES

- The height at nodes will be multi-story not exceeding four stories.

- The height between nodes should not exceed two stories.
- Ground level stories should be, at a minimum, twelve feet in height; with large expanses of transparent glass at intersection nodes.
- Fenestration for the ground level of buildings in nodes will be accentuated through the use of awnings, overhangs or trim detailing.



Design for a Rain Garden in Troy; City of Troy



Lovell Pond in Troy; an example of an innovative, urban stormwater basin; Photo by Jennifer Lawson



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  
January 7, 2014

## Rezoning Analysis For City of Troy, Michigan

<b>Applicant:</b>	Steve Muci
<b>Project Name:</b>	970 Colebrook Professional/Medical Building Rezoning
<b>Location:</b>	3545 Rochester Road (formerly 970 Colebrook)
<b>Current Zoning:</b>	R-1C, Single Family Residential District
<b>Action Requested:</b>	Rezoning to CB, Commercial Business
<b>Required Information:</b>	As noted in review.

### BACKGROUND

The applicant is seeking the rezoning of a portion of 3545 Rochester Road to develop a medical office building. 3545 Rochester has split zoning. The eastern section of the parcel that fronts on Rochester Road is zoned CB, Commercial Business. The western portion, which was formally 970 Colebrook, has R1-C zoning. In 2012, the applicant had requested a rezoning of 970 Colebrook. The Planning Commission recommended denial of the rezoning request and recommended that the applicant combine with the lot on Rochester to create one developable parcel.

In 2013, the applicant combined the two parcels to create one developable parcel for the purpose of building a medical office. A medical office cannot be built on the combined parcel because the western portion of the parcel is zoned R-1C, Single Family Residential District. The applicant seeks a rezoning of the western portion of the parcel to CB, Community Business District. If the rezoning is approved, the applicant will submit for a site plan review for the medical office building.



**ZONING and LAND USE**

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

	Zoning	Land Use	Master Plan
<b>North</b>	P, Parking and GB, General Business	Parking / Commercial	Rochester Road
<b>South</b>	CB, Commercial Business	Commercial	Rochester Road
<b>East</b>	CB, Commercial Business	Commercial	Rochester Road
<b>West</b>	R-1C, One-Family Residential	Single-family homes	Single Family Residential

Since the western parcel has been combined with the portion of the parcel on the Rochester Road, a rezoning would be consistent with surrounding properties.

**Items to be Addressed:** None.

**PREVIOUS PLANNING COMMISSION REVIEW**

The Planning Commission first considered this rezoning in 2012. Due to potential impacts upon the interior neighborhood including creating an additional curb-cut on Colebrook the application was

recommended for denial. In the deliberation, the Planning Commission noted that they would support the rezoning if the applicant were able to obtain the corner parcel and combine to create one parcel.

In our 2012 staff report we noted that 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. By combining the two parcels into one developable parcel, the applicant is able to mitigate the two aforementioned concerns.

**Items to be Addressed:** None.

## MASTER PLAN

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.*

*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. Now that the western portion of the parcel has been combined with the corner parcel on Rochester Road, the combined parcel will provide an appropriate transition between Rochester Road and the adjacent single-family residential neighborhood. The proposed rezoning to CB, Commercial Business is consistent with the overall goals of the Master Plan and the specific recommendations for this area.

**Items to be Addressed:** None.

## CONCEPTUAL SITE PLAN

The applicant has submitted a conceptual site plan. The submitted site plan is not binding but portrays the conceptual layout that the applicant proposes to develop the site. The applicant has addressed many of the concerns of our previous review and the Planning Commission including:

- Providing only one curb cut on Colebrook
- Placing the building adjacent to Rochester Road
- Placing parking in the rear of the site
- Landscape buffer along western (residential) property line
- Future cross-access to property to the south

Though conceptual site plan and not binding there are requirements in the Zoning Ordinance that will be addressed through the Site Plan review process such as screening and buffering that ensure protection of the adjacent single-family properties.

**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.

## STANDARDS OF REVIEW

Section 16.03 C. states that a rezoning may only be approved upon a finding and determination that all of the following are satisfied:

1. *The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:*
  - a. *A change in City policy since the Master Plan was adopted.*
  - b. *A change in conditions since the Master Plan was adopted.*
  - c. *An error in the Master Plan.*
2. *The proposed rezoning will not cause nor increase any non-conformity.*
3. *Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.*
4. *The rezoning will not impact public health, safety, or welfare.*
5. *The rezoning will ensure compatibility with adjacent uses of land.*

The rezoning of the subject site to CB, Commercial Business is in compliance with the City of Troy Master Plan. Further, it is consistent with the development pattern of this area of the City, and will not be a detriment to the public health, safety or welfare, and will not burden public services and facilities.

**Items to be Addressed:** None.

## SUMMARY

We would recommend approval of the subject rezoning 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.*



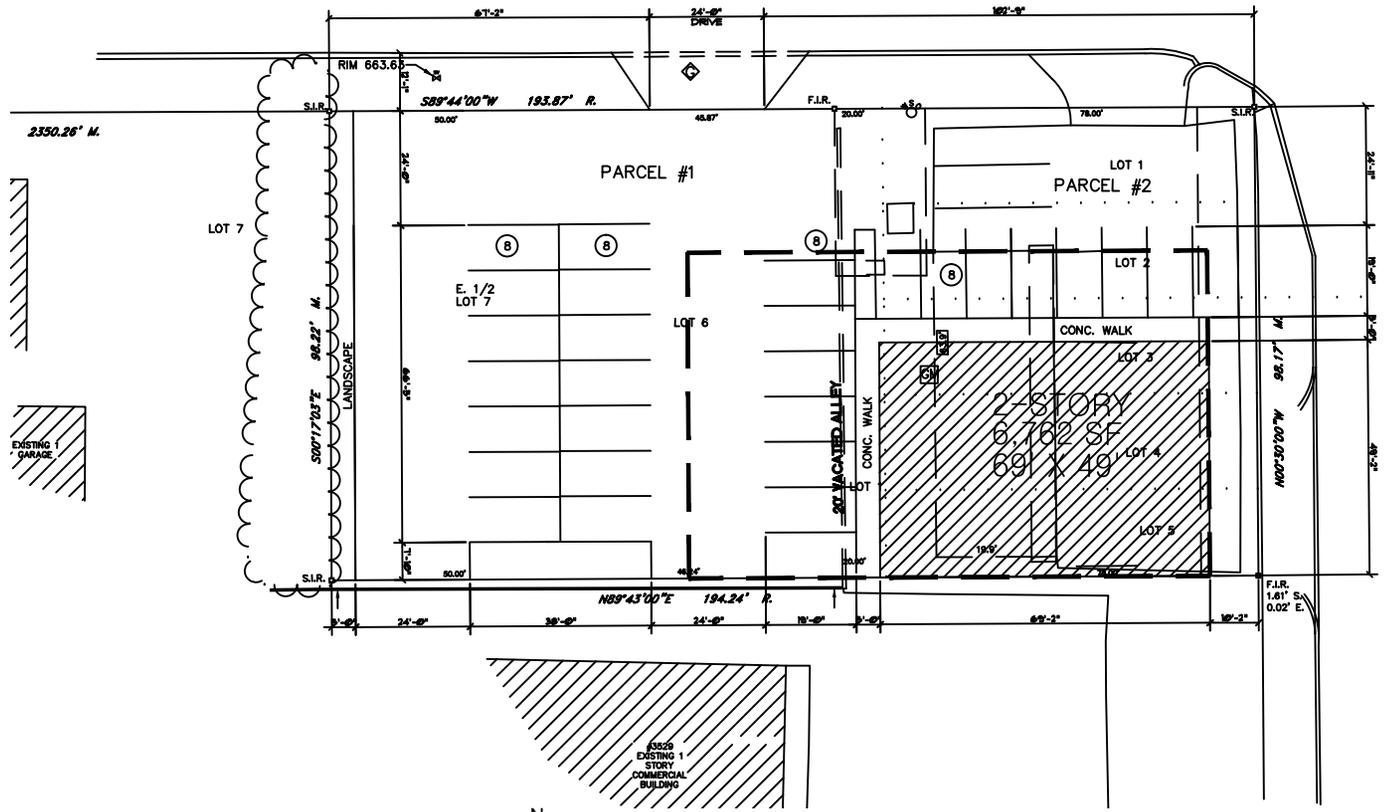
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**CARLISLE/WORTMAN ASSOC., INC.**  
**Benjamin R. Carlisle, LEED AP, AICP**

**PARKING REQUIREMENTS**  
 OFFICE:  
 3381 / 300 = 12 CARS  
 MEICAL OFFICE:  
 3381 / 200 = 17 CARS  
**TOTAL REQUIRED: 29 CARS**  
**TOTAL PROVIDED: 29 CARS**

ST MH  
 RM 062.30  
 (D)

**COLEBROOK ST. (50' WD.)**



**PRELIMINARY SITE PLAN**  
 SCALE: 1" = 40'-0"

## **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**

Zak Branigan summarized the rezoning report.

There was general discussion of this item.

Artur Kokaj, 17106 Addington Drive, Commerce Township, MI, representing the applicant, discussed the project with the Planning Commission.

The conditional rezoning process was discussed with the applicant.

### **PUBLIC HEARING OPENED**

Dennis Bushon, 3515 Rochester Road, encouraged the applicant to combine the subject parcel with the abutting parcel to the east, located on the corner of Colebrook and Rochester Road.

### **PUBLIC HEARING CLOSED**

Mr. Schultz stated the rezoning had the potential to be detrimental to the residential neighborhood to the east.

Chair Maxwell agreed with Mr. Schultz and added that he had concern with the potential negative impacts on the elementary school located in the neighborhood. He stated he would support a rezoning if the subject parcel were to be combined with the property fronting on Rochester Road.

### **Resolution # PC-2012-02-008**

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 denied.

Yes: All present (7)

Absent: Sanzica, Ullmann

**MOTION CARRIED**

## **REZONING REQUEST**

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**



## CITY COUNCIL AGENDA ITEM

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Date: January 30, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development  
R. Brent Savidant, Planning Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING (FEBRUARY 10, 2014) – ZONING ORDINANCE TEXT AMENDMENT (File Number: ZOTA 246) – Assisted Living Facilities

The Oakland Troy Senior Project assisted living facility received Preliminary Site Plan Approval from the Planning Commission on November 26, 2013. During the site plan review process, many residents expressed concern regarding the potential of an assisted living facility being developed within abutting single-family residential neighborhoods. City Council members expressed the same concern during numerous public meetings. Based on these comments, the Planning Commission developed a draft text amendment that is intended to ensure that assisted living facilities are compatible with adjacent single family residential neighborhoods.

Draft amendments include the following:

- Revised the definition of “assisted living”
- Revised Schedule of Uses to permit assisted living facilities by Special Use Approval in the R-1A through R-1E, RT and CF districts
- The minimum lot area shall be 3 acres
- Frontage on and access to a major arterial is required
- A 50-foot greenbelt is required when adjacent to any land zoned or used for residential development

The attached Planning Commission item provides additional background.

The Planning Commission held a public hearing on this item on January 14, 2014, and recommended approval of the text amendment with an 8-0 vote.

A public hearing for this item is scheduled for the February 10, 2014 City Council Regular meeting.

Attachments:

1. Zoning Ordinance Text Amendment Public Hearing Draft
2. Planning Commission item from January 14, 2014 Regular meeting
3. Planning Commission minutes from January 14, 2014 Regular meeting (excerpt)

CITY OF TROY

AN ORDINANCE TO AMEND  
CHAPTER 39 OF THE CODE  
OF THE CITY OF TROY  
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Revise the following definition in Section 2.02 to read as follows:

ASSISTED LIVING: A dependent elderly housing facility without cooking facilities in individual rooms and with only central dining service. Limited medical care ~~is available~~, including memory care, may be provided.

Revise the following table in Section 4.21 to read as follows:

	R1A-R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Senior assisted/independent living	P, <u>S</u>	P, <u>S</u>	P	P	NP	P, <u>S</u>	NP	P	P	P	NP	P	NP	NP	NP

Revise Section 6.25 to read as follows:

- A. The maximum allowable density varies by housing type, but shall not exceed the following:
  - 1. Dwellings may be provided for as single-family detached, two-family or multiple-family units. When such dwellings contain kitchens, the minimum site area requirements for purposes of calculating density shall be as follows:
    - i. Dwelling Unit Size Site Area/Unit (Square Feet)
    - ii. Efficiency/one (1) bedroom 2,000
    - iii. Two (2) bedroom 2,500
    - iv. Each additional bedroom 500 additional

2. Where facilities do not contain kitchen facilities within individual dwelling units, the site area per bed shall be one thousand five hundred (1,500) square feet.
- B. Height, lot coverage and setback requirements of the MF Districts as set forth in Section 4.08, Multiple Family Residential Requirements shall apply.
- C. Parking is not allowed in any required front yard. Parking is permitted in side and rear yards provided a minimum twenty (20) foot setback is observed.
- D. The maximum linear length of an uninterrupted building façade facing public streets, residentially zoned or used property, and/or parks shall be thirty (30) feet. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance. Building wall offsets (projections and recesses); cornices, varying building materials or pilasters shall be used to break up the mass of a single building.
- E. The drop-off / pick-up of residents shall be provided at the front entrance of the building with a covered canopy.
- F. The minimum lot area shall be three (3) acres.
- G. Frontage on a major arterial street shall be required. All site access shall be provided on a major arterial street.
- H. A 50-foot greenbelt buffer shall be provided adjacent to any land zoned or used for residential purposes. Such greenbelt shall be maintained as landscaped open space and shall not include any buildings, parking, or drive-aisles.

### Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

### Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Dane Slater, Mayor

\_\_\_\_\_  
Aileen Bittner, City Clerk

DATE: January 9, 2014

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PUBLIC HEARING - ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 246) – Assisted Living Facilities

During the site plan review process for the Oakland Troy Senior Project assisted living facility, many residents expressed concern regarding the potential of an assisted living facility being developed in inappropriate areas, specifically within single-family residential neighborhoods. City Council members expressed the same concern during numerous public meetings. Based on these comments, the development of draft text amendment language is considered a priority by City Council.

The attached memo prepared by Carlisle/Wortman Associates, Inc. summarizes the issue. The Planning Commission discussed this memo at the December 10, 2013 Planning Commission Regular meeting. The board agreed with the recommendations in the memo and directed the Planning Department to put the suggested revisions in ordinance form.

The draft text amendment is attached. The attached map identifies potential assisted living facility sites, should the draft text amendment be approved.

Attachments:

1. Report prepared by CWA
2. Draft text amendment
3. Map

G:\ZOTAs\ZOTA 246 Assisted Living Facilities\PC Memo 01 14 2013.doc

**PROPOSED RESOLUTION**

**ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 246) – Assisted Living Facilities**

**Resolution # PC-2014-01-**

Moved by:

Seconded by:

***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:

No:

Absent:

**MOTION CARRIED / DENIED**



CARLISLE

WORTMAN  
associates, inc.

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

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

## **MEMORANDUM**

**TO:** R. Brent Savidant, AICP, Planning Director

**FROM:** Ben Carlisle, AICP

**DATE:** December 2, 2013

**RE:** Assisted Living Zoning Regulations

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Due to questions regarding compatibility between Assisted Living Facilities and adjacent single-family properties, the City Council has requested that the Planning Commission review potential Zoning Ordinance amendments. The City Council has requested the Planning Commission to consider these amendments expeditiously so that regulations may be in place prior to the submission of another Assisted Living Facility application. This memo presents recommendations of additional regulations based on review of current regulations, review of best practices, and direction from the City Council and Planning Commission.

### **CURRENT REGULATIONS:**

The current regulations for Assisted Living are controlled by the Use Table as set forth in Section 4.21; Specific Use Standards set forth in Section 6.25; and height, lot coverage and setback requirements of the Multiple Family Districts as set forth in Section 4.08.

#### **Regulations Summary:**

- Permitted use in R1 A-E, Single-Family Residential; RT, One-Family Attached Residential; MF, Multi-Family Residential; UR, Urban Residential; CF, Community Facility; CB, Commercial Business; GB, General Business; IB, Integrated Business, and OM, Office Mixed Use.
- Density requirements:
  - 2,000 sq/ft lot area per unit for one bedroom
  - 2,500 sq/ft lot area per unit for two bedrooms
- Maximum height: 2 stories and 25-feet
- Setbacks:
  - Front, Side, and Rear: 30 feet
- Lot Coverage: 35%
- Parking Locations
  - Not permitted in front yard
  - Setback at least 20 feet from side and rear property lines

## RECOMMENDATIONS FOR CONSIDERATION

A tenant of the Zoning Ordinance is the protection of single-family residential properties. In order to better protect single-family residential properties, we recommend the Planning Commission consider the following amendments to regulate Assisted Living Facilities:

1. Amend Definition of Assisted Living to Include Memory Care. Adding memory care to the Assisted Living definition would clarify the components that are permitted under Assisted Living use category.
2. Require Assisted Living as a Special Use in all R1 Districts. A Special Use permit requires notification and a public hearing. Furthermore, a Special Use permit allows the Planning Commission to review the project under the Special Use standards, which ensure mitigation of impacts upon adjacent properties.
3. Require that all Assisted Living facilities be located adjacent to major arterial and that all site access is located off a major arterial. Such requirement would 1) ensure that these facilities are located on major mile roads, which can accommodate increased site activity including traffic; 2) ensure that those facilities are not located in the interior of a single-family subdivision; and 3) reduce neighborhood cut-through traffic.
4. Require a minimum of three (3) acres per site. Requiring a minimum of three (3) acres per site will ensure that sites are large enough to provide adequate transitions, buffers, and setbacks. In discussion with Assisted Living developers and operators, they note that sites less than three (3) acres are typically not market feasible for such use due to their limited size.
5. Require a 50-foot greenbelt buffer adjacent to any land zoned or used for residential purposes. This buffer is similar to what is required for Places of Worship. Such buffer will provide an appropriate transition to adjacent single-family properties.

The attached map indicates the potential properties upon which an Assisted Living Facility could be developed.

### RECOMMENDED TROY ZONING AMENDMENT:

New language is underlined. Removed language is ~~struck through~~.

#### Section 2.02: Definition:

ASSISTED LIVING: A dependent elderly housing facility without cooking facilities and only central dining service. Limited medical care, including memory care, may be provided. ~~is available.~~

**Section 4.21: Use Table:**

The table is as follows:

	R1A-R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Senior assisted/independent living	P, S	P, S	P	P	NP	P, S	NP	P	P	P	NP	P	NP	NP	NP
<b>For Comparison Purposes Only</b>															
Multiple-family dwellings (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Convalescent centers	NP	NP	S	S	NP	P	NP	P	P	P	P	P	NP	NP	NP
Adult foster care, family home	P	P	P	P	P	P	NP								
Adult foster care, Small group home	S	S	S	S	S	S	NP								
Adult foster care, large group home	S	S	S	S	S	S	NP								
Adult foster care, congregate facility	S	S	S	S	S	S	NP								

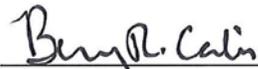
**Section 6.25: Specific Use Standards:**

- A. The maximum allowable density varies by housing type, but shall not exceed the following:
  - 1. Dwellings may be provided for as single-family detached, two-family or multiple-family units. When such dwellings contain kitchens, the minimum site area requirements for purposes of calculating density shall be as follows:
    - i. Dwelling Unit Size Site Area/Unit (Square Feet)
    - ii. Efficiency/one (1) bedroom 2,000
    - iii. Two (2) bedroom 2,500
    - iv. Each additional bedroom 500 additional
  - 2. Where facilities do not contain kitchen facilities within individual dwelling units, the site area per bed shall be one thousand five hundred (1,500) square feet.
- B. Height, lot coverage and setback requirements of the MF Districts as set forth in Section 4.08, Multiple Family Residential Requirements shall apply.
- C. Parking is not allowed in any required front yard. Parking is permitted in side and rear yards provided a minimum twenty (20) foot setback is observed.

- D. The maximum linear length of an uninterrupted building façade facing public streets, residentially zoned or used property, and/or parks shall be thirty (30) feet. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance. Building wall offsets (projections and recesses); cornices, varying building materials or pilasters shall be used to break up the mass of a single building.
- E. The drop-off / pick-up of residents shall be provided at the front entrance of the building with a covered canopy.
- F. The minimum lot area shall be three (3) acres.
- G. Frontage on major arterial street shall be required. All site access must be provided on a major arterial street.
- H. A 50-foot greenbelt buffer shall be provided adjacent to any land zoned or used for residential purposes. Such greenbelt shall be maintained as landscaped open space and shall not include any buildings, parking, or drive-aisles.

**Section 4.08: Multiple Family:**

No recommended amendments.



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CARLISLE/WORTMAN ASSOC., INC.  
Benjamin R. Carlisle, LEED AP, AICP

Attachment:

1. Map

CITY OF TROY

AN ORDINANCE TO AMEND  
CHAPTER 39 OF THE CODE  
OF THE CITY OF TROY  
PLANNING COMMISSION PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Revise the following definition in Section 2.02 to read as follows:

ASSISTED LIVING: A dependent elderly housing facility without cooking facilities in individual rooms and with only central dining service. Limited medical care ~~is available~~, including memory care, may be provided.

Revise the following table in Section 4.21 to read as follows:

	R1A-R1E	RT	MF	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Senior assisted/independent living	P, <u>S</u>	P, <u>S</u>	P	P	NP	P, <u>S</u>	NP	P	P	P	NP	P	NP	NP	NP

Revise Section 6.25 to read as follows:

- A. The maximum allowable density varies by housing type, but shall not exceed the following:
  - 1. Dwellings may be provided for as single-family detached, two-family or multiple-family units. When such dwellings contain kitchens, the minimum site area requirements for purposes of calculating density shall be as follows:
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    - ii. Efficiency/one (1) bedroom 2,000
    - iii. Two (2) bedroom 2,500
    - iv. Each additional bedroom 500 additional

2. Where facilities do not contain kitchen facilities within individual dwelling units, the site area per bed shall be one thousand five hundred (1,500) square feet.
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- H. A 50-foot greenbelt buffer shall be provided adjacent to any land zoned or used for residential purposes. Such greenbelt shall be maintained as landscaped open space and shall not include any buildings, parking, or drive-aisles.

### Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

### Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

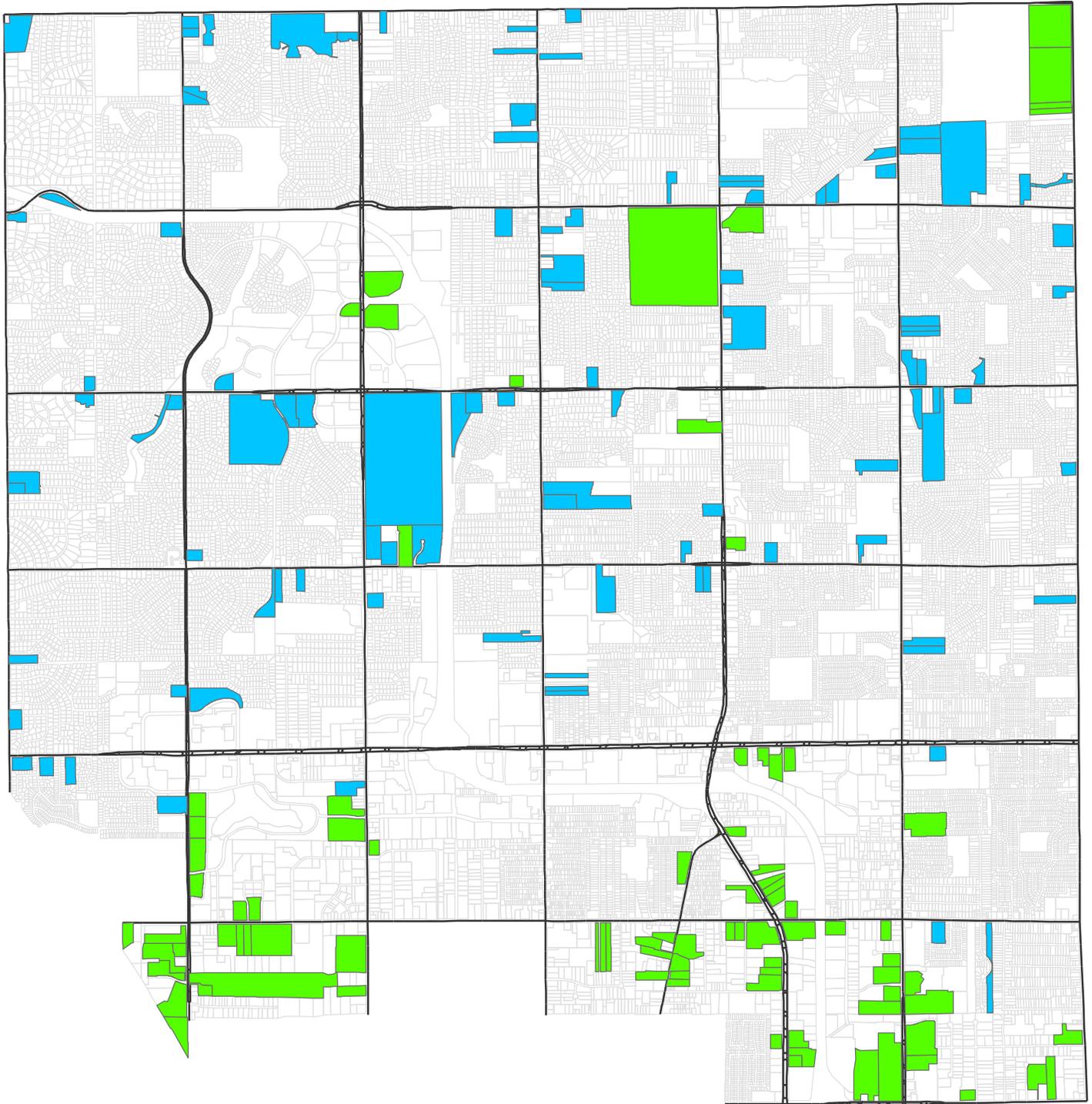
This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Dane Slater, Mayor

\_\_\_\_\_  
Aileen Bittner, City Clerk

# POTENTIAL ASSISTED LIVING FACILITY SITES



## Legend

-  Special Use
-  Permitted Use
-  Major Arterial



Based on proposed minimum development standards including location on major arterial and 3-acre minimum site

**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**

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,

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John J. Tagle, Chair

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Kathy L. Czarnecki, Recording Secretary

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:

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- 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.

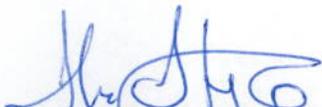
11. PLANNING COMMISSION COMMENTS

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,




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John J. Tagle, Chair




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Kathy L. Czarnecki, Recording Secretary

On January 21, 2014, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chair Kneale called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Bruce Bloomingdale  
Glenn Clark  
Kenneth Courtney  
David Eisenbacher  
Allen Kneale  
Thomas Krent  
David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist  
Julie Quinlan Dufrane, Assistant City Attorney

2. APPROVAL OF MINUTES – December 17, 2013

Moved by Bloomingdale  
Seconded by Eisenbacher

RESOLVED, to approve the December 17, 2013 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

- A. VARIANCE REQUEST, MARVIN PISARCZYK for WITZENMANN USA, 1201 and 1305 STEPHENSON HIGHWAY – In order to construct an addition to both buildings that will connect the buildings, a 10 foot variance to the required minimum 10 foot side yard setback. This variance is needed for both properties. Zoning Ordinance Section 4.15 (C), IB Zoning District.

Moved by Krent  
Seconded by Courtney

RESOLVED, to grant the request with the condition that if the tenant vacates either building, the structure shall be removed in its entirety.

Yes: All

MOTION PASSED

- B. VARIANCE REQUEST, BRANDON MULLER for CLARK HILL PCL, 268-388 JOHN R – In order to construct parapet walls, a 5 foot variance to the required maximum 30 foot height limit. Zoning Ordinance Section 4.13 (C), CB Zoning District.

Moved by Krent  
 Seconded by Eisenbacher

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

- C. ZONING ORDINANCE INTERPRETATION, 4924 ROCHESTER – To interpret whether the proposed principal use of property constitutes a community center, a club, place of worship, or some other use under the City’s Zoning Ordinance. Zoning Ordinance Section 15.04 (B and D).

Moved by Bloomingdale  
 Seconded by Courtney

RESOLVED, to allow the property owner’s representative 5 minutes to make his presentation.

Yes: All

MOTION PASSED

Moved by Clark  
 Seconded by Courtney

RESOLVED, the Zoning Board of Appeals interprets the proposed use of the property as a place of worship.

Yes: Bloomingdale, Clark, Courtney, Eisenbacher, Krent  
 No: Kneale, Lambert

MOTION PASSED

- 5. COMMUNICATIONS – None

- 6. MISCELLANEOUS BUSINESS – For the February Zoning Board meeting, the Board agreed to start discussion of potential Zoning Ordinance amendment recommendations. Board Member Krent advised he has been keeping a list, which he will forward to Mr. Evans for inclusion with next month’s agenda packet.

7. PUBLIC COMMENT – One person thanked the Board for their professional conduct and devotion to their duty.
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 11:14 p.m.

Respectfully submitted,

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Allen Kneale, Chair

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Paul Evans, Zoning and Compliance Specialist

G:\ZONING BOARD OF APPEALS\Minutes\2014\Draft\2014 01 21 ZBA Minutes Draft.doc

Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on January 22, 2014 in the Lower Level Conference Room of the Troy City Hall.

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1. ROLL CALL

Present:

Patrick Carolan  
Al Petruilis  
Jayne Saeger  
Steve Toth  
Gretchen Waters

Also Present:

Paul Evans, Zoning and Compliance Specialist  
Susan Lancaster, Assistant City Attorney

2. APPROVAL OF AGENDA

Motion by Toth  
Second by Carolan

RESOLVED, to add "Election of Officers" to Agenda item 5, Other Business.

Yes: All

Motion by Petruilis  
Second by Carolan

RESOLVED, to approve the agenda as amended

Yes: All

3. APPROVAL OF MINUTES

Moved by Petruilis  
Seconded by Toth

RESOLVED, to approve the May 22, 2013 meeting minutes.

Yes: All

MOTION PASSED

#### 4. HEARING OF CASE

- A. **WAIVER REQUEST, JAMIE AND RENEE MUTER, 5760 CLIFFSIDE** – In order to keep up to 3 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .193 acres in size. Animal Ordinance Section: 90.70.20 (f)

Mr. Evans presented the case. The applicant currently has an animal license for 1 chicken. For reasons that are not clear, the existing Animal Permit was issued in 2010 without conducting an Animal Control Appeals Board hearing in advance. No waiver for property size was ever granted. It appears the Muter's did everything the City asked, and 2013 a nearby resident questioned the presence of chickens on the property. Since the license was issued in error, the appropriate action is to consider the waiver request.

Mr. Muter was present and gave the board a brief history of events related to the existing Animal License. He explained that in 2010, the City Clerk told him that even though the license stated "1 chicken", it could be for any number of chickens. The chicken coop is designed for up to 3 chickens, and he does not want any more than that. He currently has hens, no roosters, and is not certain how long he wants to keep the animals.

The public hearing was opened.

- A resident residing on Rosebrook spoke against the request.
- Mr. Evans summarized written comments received: 3 supporting, 2 against.

The public hearing was closed.

The Board sought information from Mr. Muter including the age of the chickens, the condition of the coop, and confirmation the yard was fenced. The Board discussed the unique circumstance that the Animal License was issued due to a City error, the purpose of tonight's hearing, the effects of the animals upon neighboring property, and the possible duration of the Animal License should a waiver be granted.

Motion by Carolan  
Second by Toth

RESOLVED, to approve the request, because of the City error, with conditions:

- The license will expire September 17, 2015
- The license will be amended to allow 3 chickens

All: Yes

5. OTHER BUSINESS

Election of Officers

Motion by Petrulis  
Second by Carolan

RESOLVED, to elect Jayne Saeger as Chair

Yes: All

Motion by Toth  
Second by Carolan

RESOLVED, to elect Al Petrulis as Vice Chair

Yes: All

Motion by Petrulis  
Second by Waters

RESOLVED, to elect Patrick Carolan as Secretary

Yes: All

2014 Meeting Dates

Motion by Petrulis  
Second by Carolan

RESOLVED to move the November 26, 2014 meeting date to November 5, 2014.

Yes: All

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 8:03 p.m.

Respectfully submitted,

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Jayne Saeger, Chair

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Paul Evans, Zoning and Compliance Specialist



**INTERIM FINANCIAL STATEMENTS  
FOR THE SIX MONTHS ENDED  
DECEMBER 31, 2013**

**CITY OF TROY**  
**QUARTERLY REPORT**  
**SIX MONTHS ENDED DECEMBER 31, 2013**  
**HIGHLIGHTS**

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**General Fund**

**Revenues**

Total revenues are \$40.6 million to date. This includes recognition of total annual tax revenues of \$29.5 million. Revenues are up \$1.5 million compared to the same period last year. Most of this, \$1.2 million, is due to the timing of receiving a State Shared Revenue payment (received in December 2013 in the current year as opposed to January 2013 in the prior year). Accordingly this is not an increase in projected revenues but only a timing difference in recognition. The remaining \$300 thousand is due from an increase in licenses and permits of \$100 and interest and rents of \$200 thousand. New revenue sources include contracted services to Somerset Mall of \$90,000 and Transit Center sponsorships \$15,000 year to date.

**Expenditures**

Total expenditures to date amount to \$24.1 million or 44.71% of the annual budget. This is up \$1.2 million to the prior year primarily due to the 1.) Building Inspection costs up \$300 thousand related to the increase in building inspection activity. 2.) Engineering costs up \$158 thousand due to increased costs for consultants on building review activity. 3.) Streets and Drains up \$140 thousand due to increased winter maintenance, and 4.) Transfers out up \$400,000 related to the increased in budgeted transfers from the General Fund to the Capital Projects Fund.

## **Refuse Fund**

### **Revenues**

Refuse revenues are \$4.7 million to date. This represents an increase of \$197 thousand from prior year due to the increase in the millage rate of 0.05 mils required to meet escalating costs.

### **Expenditures**

Expenditures to date of \$1.96 million are relatively similar for the prior year.

## **Library Fund**

### **Revenues**

Revenues of \$3.2 million are up \$158 thousand from the same time period in the prior year. This increase is due to funding from the culture grant of \$20 thousand and local contributions of \$107 thousand.

### **Expenditures**

Expenditures of \$1.5 million represent 45.76% of the annual budget and are up \$43 thousand from the prior year during this time frame. The increase is primarily due to additions to the library's collection.

## **Capital Fund**

### **Revenues**

Revenues of \$12.2 million and represent 91.62% of the fund's annual budgeted financial resources. Increases over the prior year during the same time are due primarily to the grant funded transit center.

### **Expenditures**

Expenditures for capital projects of \$7.0 million represent 46.7 percent of budgeted expenditures. This compares to 21.2 percent of budgeted expenditures

to the same time period in the prior year. Major expenditures include the Transit Center and Streets, Drain projects.

### **Sanctuary Lake Golf Course**

Revenues of \$735 thousand are in line with prior year amounts for the same time period. Expenditures for operations (“Billy Casper”) are up \$84 thousand due to 1.) Golf cart leases not in prior year \$36 thousand, 2.) Repairs and maintenance up \$17 thousand. Capital expenses are up \$105 thousand from prior year for purchases of grounds maintenance equipment..

### **Sylvan Glen Golf Course**

Revenues of \$725 thousand are up \$12 thousand from the same time period in the prior year. This is primarily due to rounds play and weather conditions. Operating expenditures (Billy Casper) are up \$37 thousand due to Golf cart leases not in prior year of \$36 thousand. Capital expenses are up \$103 thousand from prior years for purchases of grounds maintenance equipment.

### **Aquatic Center**

Aquatic Center revenues of \$284 thousand are up \$4 thousand compared with prior year amounts during the same time period. Expenditures of \$304 thousand are down \$36 thousand for the same period primarily from timing differences in a variety of operating expenditures.

### **Sewer Fund**

#### **Revenues**

Sewer fund revenues of \$7.4 million are down \$823 thousand primarily from consumption (down 8,900 mcf(s)) compared to the prior year period.

### **Expenditures**

Sewer fund expenses of \$6.1 million are down \$892 thousand compared to the prior year period. This again is due to decreased consumption due to damper weather patterns compared to the prior year during the same time period.

### **Water Fund**

#### **Revenues**

Water fund revenues of \$8.9 million are down \$975 thousand due primarily from consumption (down 8,900 mcf(s)) compared to the prior year.

#### **Expenditures**

Water fund expenses of \$8.0 million are down \$2.3 million due primarily from the decrease in consumption and capital expenses in the prior year of \$2.5 million.

**Quarterly Financial Report  
General Fund  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>General Fund Revenues</b>							
TAXES	29,612,174	29,658,000	29,431,797	99.24	29,663,000	29,460,914	99.32
LICENSES AND PERMITS - BUSINESS	55,369	45,050	25,868	57.42	52,900	26,823	50.71
LICENSES AND PERMITS - NON-BUSINESS	2,199,404	1,886,500	1,098,403	58.22	2,052,000	1,209,226	58.93
FEDERAL GRANTS	12,146	7,000	0	0.00	23,000	1,400	6.09
STATE GRANTS	6,392,682	5,597,000	3,205,050	57.26%	6,411,500	4,417,542	68.90
CONTRIBUTIONS FROM LOCAL UNITS	36,804	15,000	13,031	86.87	20,000	13,844	69.22
CHARGES FOR SERVICES - FEES	1,831,397	1,590,000	722,818	45.46%	1,810,500	792,828	43.79
CHARGES FOR SERVICES - RENDERED	2,565,599	2,181,585	433,840	19.89	2,206,300	409,566	18.56
CHARGES FOR SERVICES - SALES	103,152	94,000	60,786	64.67	91,000	52,891	58.12
CHARGES FOR SERVICES - REC	3,004,376	2,591,000	1,427,413	55.09	2,744,500	1,369,447	49.90
FINES AND FORFEITURES	784,171	725,900	451,110	62.14	797,800	487,779	61.14
INTEREST & RENT	1,035,749	1,051,100	465,283	44.27%	1,134,000	649,682	57.29%
OTHER REVENUE	720,743	733,770	354,212	48.27	891,100	425,237	47.72
OTHER FINANCING SOURCES	2,252,993	4,883,654	1,471,952	30.14	4,190,900	1,299,582	31.01
	<b>50,606,758</b>	<b>51,059,559</b>	<b>39,161,563</b>	<b>76.70%</b>	<b>52,088,500</b>	<b>40,616,760</b>	<b>77.98</b>
<b>General Fund Expenditures</b>							
FINANCE	2,543,478	2,911,973	1,302,896	44.74	2,586,600	1,201,908	46.47
POLICE	21,250,093	22,892,408	10,273,331	44.88	24,113,900	10,075,812	41.78
FIRE	4,309,551	4,541,551	2,471,401	54.42	4,757,100	2,745,762	57.72
BUILDING INSPECTION	1,770,773	1,720,244	709,673	41.25	1,617,600	1,030,055	63.68
ENGINEERING	1,779,929	1,791,177	819,437	45.75	1,894,800	977,125	51.57
OTHER GENERAL GOVERNMENT	1,631,078	1,803,921	762,196	42.25	1,906,500	788,420	41.35
COUNCIL/EXEC ADMINISTRATION	3,114,860	3,247,645	1,485,507	45.74	3,522,100	1,619,211	45.97
STREETS, DRAINS AND PARKS	6,477,014	7,862,776	2,985,879	37.97	8,153,800	3,127,385	38.35
RECREATION	3,575,134	3,879,078	1,764,864	45.50	3,952,500	1,844,431	46.66
NATURE CENTER	39,989	33,100	21,554	65.12	85,400	65,609	76.83
LIBRARY	0	0	0	0.00	0	0	0.00
HISTORIC DISTRICT	142,631	144,686	104,006	71.88	149,300	102,957	68.96
TRANSFERS OUT	1,134,786	1,231,000	134,786	10.95	1,120,200	500,000	44.63
	<b>47,769,316</b>	<b>52,059,559</b>	<b>22,835,531</b>	<b>43.86</b>	<b>53,859,800</b>	<b>24,078,674</b>	<b>44.71</b>

**Quarterly Financial Report  
Refuse Fund  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Refuse Fund Revenues</b>							
TAXES	4,446,398	4,468,000	4,498,432	100.68	4,600,000	4,696,246	102.09
CHARGES FOR SERVICES - SALES	6,012	4,500	3,160	70.22	6,000	2,846	47.43
INTEREST & RENT	7,875	10,000	6,578	65.78	8,000	7,021	87.76
	<b>4,460,285</b>	<b>4,482,500</b>	<b>4,508,170</b>	<b>100.57</b>	<b>4,614,000</b>	<b>4,706,112</b>	<b>102.00</b>
<b>Refuse Fund Expenditures</b>							
CONTRACTORS SERVICE	4,142,764	4,205,000	1,884,589	44.82	4,315,000	1,869,791	43.33
OTHER REFUSE EXPENDITURE	130,731	148,183	69,129	46.65	101,300	56,306	55.58
RECYCLING	58,066	72,284	32,815	45.40	74,200	33,553	45.22
	<b>4,331,561</b>	<b>4,425,467</b>	<b>1,986,533</b>	<b>44.89</b>	<b>4,490,500</b>	<b>1,959,650</b>	<b>43.64</b>

**Quarterly Financial Report  
Library Fund  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Library Fund Revenues</b>							
TAXES	2,962,459	2,972,000	2,999,402	100.92	2,956,000	3,014,584	101.98
STATE GRANTS	40,413	15,001	0	0.00	15,000	20,232	134.88
CONTRIBUTIONS FROM LOCAL UNITS	109,669	99,000	2,123	2.14	100,000	107,546	107.55
CHARGES FOR SERVICES-FEES	3,836	3,100	2,178	70.26	3,650	1,960	53.71
CHARGES FOR SERVICES-RENDERED	19,916	19,250	9,721	50.50	20,500	9,551	46.59
CHARGES FOR SERVICES-SAL;ES	666	50	384	768.00	100	560	560.01
FINES AND FORFEITURES	118,011	100,000	49,098	49.10	100,000	57,943	57.94
INTEREST AND RENT	18,484	13,000	7,742	59.55	13,000	8,979	69.07
OTHER REVENUE	22,539	2,750	20,039	728.68	27,750	27,209	98.05
	<b>3,295,993</b>	<b>3,224,151</b>	<b>3,090,686</b>	<b>95.86</b>	<b>3,236,000</b>	<b>3,248,566</b>	<b>100.39</b>
<b>Library Fund Expenditures</b>							
LIBRARY	2,856,967	3,128,850	1,445,525	46.20	3,253,000	1,488,478	45.76
	<b>2,856,967</b>	<b>3,128,850</b>	<b>1,445,525</b>	<b>46.20</b>	<b>3,253,000</b>	<b>1,488,478</b>	<b>45.76</b>

**Quarterly Financial Report  
Capital Fund  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Capital Fund Revenues</b>							
TAXES	6,481,465	6,516,000	6,554,859	100.60	6,480,000	6,594,551	101.77
FEDERAL GRANTS	10,597	0	0	0.00	985,000	985,000	100.00
STATE GRANTS	4,429,635	6,660,736	404,021	6.07	1,640,000	2,349,732	143.28
CONTRIBUTIONS FROM LOCAL UNITS	638,392	187,000	439,893	235.24	312,700	0	0.00
CHARGES FOR SERVICES - FEES	137,934	140,000	33,875	24.20	140,000	68,745	49.10
CHARGES FOR SERVICES - RENDERED	12,222	354,000	73,501	20.76	264,000	130,500	49.43
INTEREST & RENT	41,154	85,200	32,276	37.88	67,200	35,813	53.29
OTHER REVENUE	319,944	0	72,025	0.00	0	320,854	0.00
OTHER FINANCING SOURCES	2,895,015	5,392,788	878,384	16.29	3,452,500	1,737,552	50.33
	<b>14,966,358</b>	<b>19,335,724</b>	<b>8,488,834</b>	<b>43.90</b>	<b>13,341,400</b>	<b>12,222,747</b>	<b>91.62</b>
<b>Capital Fund Expenditures</b>							
FINANCE	120,470	129,000	68,880	53.40	129,000	29,814	23.11
TRANSFERS OUT	0	181,500	0	0.00	46,000	0	0.00
OTHER GENERAL GOVERNMENT	4,445,870	6,900,736	492,680	7.14	1,840,000	1,608,677	87.43
POLICE	52,269	265,000	8,590	3.24	520,000	295,636	56.85
FIRE	551,572	585,000	530,832	90.74	580,000	508,347	87.65
STREETS, DRAINS, AND PARKS	0	0	0	0.00	52,700	0	0.00
STREETS, DRAINS AND PARKS	8,517,474	9,472,494	2,553,861	26.96	10,937,700	4,230,961	38.68
RECREATION	0	300,000	0	0.00	221,000	0	0.00
LIBRARY	590,556	690,000	282,856	40.99	622,000	328,883	52.88
HISTORIC DISTRICT	26,926	50,000	0	0.00	46,500	0	0.00
	<b>14,305,137</b>	<b>18,573,730</b>	<b>3,937,700</b>	<b>21.20</b>	<b>14,994,900</b>	<b>7,002,319</b>	<b>46.70</b>

**Quarterly Financial Report  
Sanctuary Lake Golf Course  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Sanctuary Lake Golf Course Revenues</b>							
CHARGES FOR SERVICES - SALES	242,460	207,147	140,423	67.79	265,200	157,677	59.46
CHARGES FOR SERVICES - REC	1,052,816	1,158,311	595,047	51.37	1,213,100	577,671	47.62
INTEREST & RENT	106	0	106	0.00	0	0	0.00
	<b>1,295,383</b>	<b>1,365,458</b>	<b>735,577</b>	<b>53.87</b>	<b>1,478,300</b>	<b>735,347</b>	<b>49.74</b>
<b>Sanctuary Lake Golf Course Expenditures</b>							
SANCTUARY LAKE - BILLY CASPER	1,268,634	1,022,056	717,044	70.16%	1,172,700	801,762	68.37
SANCTUARY LAKE - CITY	407,609	893,596	85,547	9.57	687,800	111,612	16.23
SANCTUARY LAKE CAPITAL	0	58,000	1,470	2.53	0	106,122	0.00
	<b>1,676,243</b>	<b>1,973,652</b>	<b>804,061</b>	<b>40.74%</b>	<b>1,860,500</b>	<b>1,019,497</b>	<b>54.80</b>

**Quarterly Financial Report  
Sylvan Glen Golf Course  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Sylvan Glen Golf Course Revenues</b>							
CHARGES FOR SERVICES - SALES	46,465	34,886	26,965	77.29	55,916	35,760	63.95
CHARGES FOR SERVICES - REC	969,022	1,033,967	560,712	54.23	1,041,284	563,548	54.12
INTEREST & RENT	160,237	168,400	126,504	75.12	163,400	126,634	77.50
	<b>1,175,724</b>	<b>1,237,253</b>	<b>714,181</b>	<b>57.72</b>	<b>1,260,600</b>	<b>725,943</b>	<b>57.59</b>
<b>Sylvan Glen Golf Course Expenditures</b>							
SYLVAN GLEN - BILLY CASPER	1,022,922	911,957	558,044	61.19%	984,700	594,686	60.39
SYLVAN GLEN - CITY	29,680	60,000	15,051	25.08	78,900	-25,739	-32.62
SYLVAN GLEN CAPITAL	0	44,700	0	0.00	224,400	103,422	46.09
	<b>1,052,603</b>	<b>1,016,657</b>	<b>573,094</b>	<b>53.09</b>	<b>1,288,000</b>	<b>672,370</b>	<b>52.20</b>

**Quarterly Financial Report  
Aquatic Center Fund  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Aquatic Center Fund Revenues</b>							
CHARGES FOR SERVICES - REC	441,772	559,048	252,489	45.16	542,000	238,200	43.95
INTEREST & RENT	39,650	30,400	27,906	91.80	38,400	46,180	120.26
OTHER REVENUE	2	0	2	0.00	100	1	0.50
	<b>481,423</b>	<b>589,448</b>	<b>280,396</b>	<b>47.57</b>	<b>580,500</b>	<b>284,381</b>	<b>48.99</b>
<b>Aquatic Center Fund Expenditures</b>							
AQUATIC CENTER	542,185	610,700	340,719	55.79%	570,800	304,222	53.30
CAPITAL	0	0	0	0.00	58,000	0	0.00
	<b>542,185</b>	<b>610,700</b>	<b>340,719</b>	<b>48.78</b>	<b>628,800</b>	<b>304,222</b>	<b>48.38</b>

**Quarterly Financial Report**  
**Sewer Fund**  
**For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Sewer Fund Revenues</b>							
CHARGES FOR SERVICES - FEES	152,032	80,000	117,989	147.49	120,000	77,934	64.94
CHARGES FOR SERVICES - RENDERED	12,826,830	12,950,000	8,055,583	62.21	14,304,000	7,261,842	50.77
INTEREST & RENT	79,717	165,000	60,525	36.68	115,000	70,779	61.55
OTHER REVENUE	197,532	0	0	0.00	0	0	0.00
	<b>13,256,111</b>	<b>13,195,000</b>	<b>8,234,097</b>	<b>62.40</b>	<b>14,539,000</b>	<b>7,410,555</b>	<b>50.97</b>
<b>Sewer Fund Expenditures</b>							
COST OF SALES AND SERVICES	9,711,070	9,600,000	5,444,618	56.71	10,193,000	4,759,599	46.69
ADMINISTRATION	1,822,355	620,731	791,031	127.44%	635,400	801,654	126.17
CAPITAL	0	1,800,000	162,305	9.02	1,800,000	190,655	10.59
MAINTENANCE	692,095	1,018,817	339,281	33.30	1,092,350	310,189	28.40
TRANSFERS OUT	0	542,310	216,977	40.01	527,050	0	0.00
	<b>12,225,521</b>	<b>13,581,858</b>	<b>6,954,212</b>	<b>51.20%</b>	<b>14,247,800</b>	<b>6,062,096</b>	<b>42.55</b>

**Quarterly Financial Report  
Water Fund  
For the Period Ending December 31, 2013**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Water Fund Revenues</b>							
CHARGES FOR SERVICES - FEES	842,534	681,000	493,596	72.48	718,000	450,718	62.77
CHARGES FOR SERVICES - RENDERED	51,963	51,000	25,997	50.97	51,000	24,939	48.90
CHARGES FOR SERVICES - SALES	15,066,707	14,896,000	9,397,419	63.09	16,396,000	8,456,656	51.58
INTEREST & RENT	56,203	122,000	44,924	36.82	79,000	54,797	69.36
OTHER REVENUE	330,884	0	0	0.00	0	0	0.00
	<b>16,348,291</b>	<b>15,750,000</b>	<b>9,961,936</b>	<b>63.25</b>	<b>17,244,000</b>	<b>8,987,109</b>	<b>52.12</b>
<b>Water Fund Expenditures</b>							
TRANS AND DISTRIBUTION	122,214	354,850	45,338	12.78	374,900	32,540	8.68
CUSTOMER INSTALLATION	105,965	102,181	51,587	50.49	113,200	56,802	50.18
CONTRACTORS SERVICE	212,569	197,650	95,006	48.07	209,200	126,198	60.32
MAIN TESTING	30,702	67,642	21,575	31.90	76,500	14,390	18.81
MAINTENANCE OF MAINS	310,382	492,976	123,063	24.96	530,200	162,544	30.66
MAINTENANCE OF SERVICES	175,837	291,424	99,214	34.04	325,500	98,156	30.16
MAINTENANCE OF METERS	538,028	587,486	236,161	40.20	630,000	289,274	45.92
MAINTENANCE OF HYDRANTS	176,017	376,376	132,112	35.10	400,800	191,937	47.89
WATER METERS & TAP-INS	220,847	337,459	130,979	38.81	353,300	151,224	42.80
COST OF SALES AND SERVICES	9,311,146	9,115,000	5,105,631	56.01	10,665,000	5,163,823	48.42
ADMINISTRATION	3,110,354	717,128	1,561,173	217.70%	737,200	1,572,979	213.37
CAPITAL	0	5,125,000	2,590,564	50.55	4,300,000	45,334	1.05
WATER METER READING	34,376	65,928	35,563	53.94	72,800	16,981	23.33
ACCOUNTING & COLLECTING	91,362	171,590	63,435	36.97	197,300	72,966	36.98
	<b>14,439,799</b>	<b>18,002,690</b>	<b>10,291,401</b>	<b>54.14</b>	<b>18,985,900</b>	<b>7,995,148</b>	<b>42.11</b>

City of Troy  
Schedule of Cash and Investments  
Dec 2013

Fund	Financial Institution	Acct #	G/L Account	Balance per Bank (cost)	Outstanding Checks	Deposits in Transit	Transfers	Other Items	Balance per Books
Trust & Agency Fund	Comerica	1852985173	701.1001.001	\$ 16,157,028.10	\$ (44,029.44)	\$ -	\$ 1,314.56	\$ (504,523.89)	\$ 15,609,789.33
Trust & Agency Fund	Fifth Third Bank	7509286493	701.1001.100	\$ 557,856.54	\$ (15,656.56)	\$ -	\$ -		\$ 542,199.98
DDA	Bank of NY Mellon	677706	394.1017.160	\$ 1,368,964.03					\$ 1,368,964.03
Sewer	Huntington Bank	07382450957	590.1001.180	\$ 709,962.44					\$ 709,962.44
Budget Stabilization	Huntington Bank	07382450944	257.1120	\$ 2,144,593.72					\$ 2,144,593.72
Water	Fifth Third Securities	069-038407	591.1001.100	\$ 520,577.43					\$ 520,577.43
Water	Fifth Third Securities	069-038407	591.1120	\$ 3,586,123.73					\$ 3,586,123.73
Water	Comerica	1852675147	591.1017.110	\$ 5,525,914.52					\$ 5,525,914.52
Water	Huntington Bank	07382450177	591.1003	\$ 183,127.13					\$ 183,127.13
Sanctuary Lake Golf Course - Oper	Fifth Third Bank	7913275280	583.1001.100	\$ 357,054.49	\$ (2,894.83)				\$ 354,159.66
Sanctuary Lake Golf Course - Onsite	Fifth Third Bank	7913275272	583.1001.130	\$ 8,605.02	\$ (92.14)				\$ 8,512.88
Sylvan Glen Golf Course - Oper	Fifth Third Bank	7913275306	584.1001.100	\$ 173,340.20	\$ (7,429.42)				\$ 165,910.78
Sylvan Glen Golf Course - Onsite	Fifth Third Bank	7913275264	584.1001.130	\$ 2,756.18					\$ 2,756.18
Pooled Fund	Comerica	1852985181	751.1001.001	\$ 51,864,033.98	\$ (315,655.27)	\$ 1,750.07	\$ (1,314.56)	\$ (187,348.04)	\$ 51,361,466.18
Pooled Fund	Fifth Third Bank	7509286444	751.1001.100	\$ 774,652.54	\$ (284,138.12)	\$ -	\$ -	\$ (1,443.27)	\$ 489,071.15
Pooled Fund	MBIA-Class	MI-01-0290-0001	751.1120	\$ 1,694,942.16					\$ 1,694,942.16
Pooled Fund	Huntington Bank	01381713471	751.1001.140	\$ 605,187.11					\$ 605,187.11
Pooled Fund	The Private Bank	501003	751.1003	\$ 1,088,255.48					\$ 1,088,255.48
Pooled Fund	The Private Bank	568100	751.1003	\$ 2,156,265.19					\$ 2,156,265.19
Pooled Fund	Flagstar	1014963452	751.1003	\$ 3,718,315.42					\$ 3,718,315.42
Pooled Fund	Bank of Michigan	110000654	751.1003	\$ 206,242.78					\$ 206,242.78
Pooled Fund	Comerica	1852675154	751.1120	\$ 1,199,389.39					\$ 1,199,389.39
Pooled Fund	Comerica	P1R-131229	751.1001.230	\$ 7,743.05					\$ 7,743.05
Pooled Fund	Comerica	P1R-131229	751.1120	\$ 10,002,013.88					\$ 10,002,013.88
Pooled Fund	The Private Bank	503615	751.1003	\$ 1,753,081.79					\$ 1,753,081.79
Pooled Fund	Huntington Bank	07382448749	751.1003	\$ 1,120,055.31					\$ 1,120,055.31
Pooled Fund	Morgan Stanley Smith Barney	310-144417-526-1-0	751.1001.230	\$ 2,034,319.86					\$ 2,034,319.86
Pooled Fund	Morgan Stanley Smith Barney	089-128204-227-1-0	751.1001.230	\$ 7,009,937.28					\$ 7,009,937.28
Pooled Fund	Morgan Stanley Smith Barney	089-128204-227-1-0	751.1120	\$ 6,780,115.16					\$ 6,780,115.16
Pooled Fund	Fifth Third Securities	069-005851	751.1001.230	\$ 3,306,737.28					\$ 3,306,737.28
Pooled Fund	Fifth Third Securities	069-005851	751.1120	\$ 34,591,095.73					\$ 34,591,095.73
<b>Total</b>				<b>\$ 161,208,286.92</b>	<b>\$ (669,895.78)</b>	<b>\$ 1,750.07</b>	<b>\$ -</b>	<b>\$ (693,315.20)</b>	<b>\$ 159,846,826.01</b>

COMMITTEE ON OVERSIGHT  
& GOVERNMENT REFORM

SUBCOMMITTEE ON ECONOMIC GROWTH,  
JOB CREATION AND REGULATORY AFFAIRS

SUBCOMMITTEE ON NATIONAL SECURITY,  
HOMELAND SECURITY, AND FOREIGN OPERATIONS

COMMITTEE ON SMALL BUSINESS

SUBCOMMITTEE ON INVESTIGATIONS,  
OVERSIGHT AND REGULATIONS

SUBCOMMITTEE ON CONTRACTING  
AND WORKFORCE

# Congress of the United States

## House of Representatives

Washington, DC 20515-2211

KERRY BENTIVOLIO

ELEVENTH DISTRICT

MICHIGAN

Troy Library Director Cathleen Russ  
City of Troy  
511 West Big Beaver Road  
Troy MI 48084

January 2, 2014

Dear Cathleen,

I am writing to express my most heartfelt gratitude for your municipality's willingness to host the U.S. House of Representatives Eleventh Congressional District of Michigan Mobile Constituent Service Center (Mobile CSC) in September. The Mobile CSC was designed in order to better serve our mutual constituents by providing a convenient, local means for them to express their concerns, receive assistance in their dealings with federal agencies, and get their questions answered. The Center has been highly successful in fulfilling this purpose, a result that would have been impossible without your indispensable support and commitment to providing exceptional government services to the people of Troy.

The Mobile Constituent Service Center serves an absolutely vital role in our district office's operations, and I trust it has also proved beneficial to your community. I know that many times mutual constituents of ours may contact the office of local government for what are in fact federal issues. When the Mobile CSC is in your area, directing these individuals to visit us hopefully will not only lead to a resolution of their federal issues, but also redirect potential disruptions that might otherwise prevent your team from focusing on the vital tasks they so faithfully accomplish each and every day.

Now that the Mobile CSC's scheduled rotation has finished for this year's season, I would welcome any suggestions you might have regarding ways we could improve this service in 2014. Please do not hesitate to contact my office with any constructive criticism or feedback. My district team has already identified a few areas we would like to improve, including:

- Working with municipalities to schedule stop dates much further in advance
- Engaging in joint promotion of the stop by issuing joint press releases with the hosting municipality and coordinating a notification on its website, newsletter, and/or local public cable channels
- Informing even more of our constituents of stops by listing brief notices in local newspapers

Within the next few months, my district team will be contacting your main office to both discuss a potential stop in your area next year and to ask your opinion of how this year's stop went. Additionally, I would very much appreciate the opportunity to meet with you and discuss any concerns or issues you and the residents of your municipality may have. Again, you have my thanks for all of your help in making my Mobile Constituent Service Center's first year a success. If there is ever anything I can do to assist you, please do not hesitate to contact my office.

Sincerely,

Kerry Bentivolio  
Member of Congress

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING  
FOR THE NATURAL GAS CUSTOMERS OF  
CONSUMERS ENERGY COMPANY**

**CASE NO. U-17334**

- Consumers Energy Company requests Michigan Public Service Commission approval to implement a gas cost recovery plan and a base gas cost recovery (GCR) factor of \$4.3962 per thousand cubic feet (Mcf), plus additional amounts contingent on future events determined using the GCR Factor Ceiling Price Adjustment Mechanism.
- The information below describes how a person may participate in this case.
- You may contact Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- The first public hearing in this matter will be held:

**DATE/TIME:** February 6, 2014, at 9:00 a.m.  
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

**BEFORE:** Administrative Law Judge Peter L. Plummer

**LOCATION:** Constitution Hall  
525 West Allegan  
Lansing, Michigan

**PARTICIPATION:** Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) December 27, 2013 application, which seeks approval of its GCR plan and GCR factors for the 12-month period April 2014 through March 2015. Consumers Energy is requesting authorization of its GCR factors for the period April 2014 through March 2015 consisting of the sum of two parts: (i) a base factor of \$4.3962 per Mcf, plus (ii) additional amounts contingent upon future events, determined using the GCR Factor Ceiling Price Adjustment Mechanism. The Company is also requesting that the Commission review its natural gas plans and projections through March 2019 and find its 5-year plan reasonable and prudent.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets). Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov).

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by January 30, 2014. (Petitions to intervene may also be filed using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department-Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information: available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Consumers Energy's request may be reviewed on the Commission's website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets), and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in 1982 P.A. 304 proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

[CONSUMERS ENERGY COMPANY HAS REQUESTED THE GAS COST RECOVERY FACTORS DESCRIBED IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE COMMISSION MAY APPROVE, REJECT OR AMEND THE FACTORS AND OTHER PROPOSALS.]

January 13, 2014