The Regular Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:34 p.m. on May 9, 2006, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:
Lynn Drake-Batts
Mary Kerwin
Fazal Khan
Lawrence Littman
Robert Schultz
Thomas Strat
Mark J. Vleck
David T. Waller

Absent:
Wayne Wright

Also Present:
Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Resolution # PC-2006-05-072
Moved by: Schultz
Seconded by: Waller

RESOLVED, That Member Wright is excused from attendance at this meeting for personal reasons.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2006-05-073
Moved by: Khan
Seconded by: Schultz

RESOLVED, To approve the Agenda as presented.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

3. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

Chair Strat announced that five (5) affirmative votes are required for approval and recommending actions, and the petitioner has the option to postpone the item prior to the presentation to the Planning Commission.

POSTPONED ITEMS

4. STREET VACATION REQUEST (SV 134-B) – Cherry Street east of Livernois, approximately 173 feet abutting Lots 6 and 7, Greenough Heights Subdivision, East of Livernois, South of I-75, Section 27 – Zoned O-1 (Low Rise Office) and R-1E (One Family Residential) Districts (the abutting parcels)

Mr. Miller reported the petitioners request a postponement of the item to allow time to determine what action they wish to pursue.

Resolution # PC-2006-05-074
Moved by: Schultz
Seconded by: Littman

RESOLVED, That the Planning Commission hereby postpones this item to the July 2006 Regular meeting of the Planning Commission.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

5. PUBLIC HEARING – PROPOSED REZONING (Z 632-B) – Proposed Condominium Development, West side of Rochester Road, North of Wattles, Section 15 – From CR-1 (One Family Residential Cluster) to R-1T (One Family Attached Residential) District

Mr. Miller said the petitioner informed the Planning Department that the vacant parcel to the south has been acquired, and they are in the process of combining the parcels. It is the recommendation of the Planning Department to postpone the item to allow for appropriate public hearing notification on the combined parcel.

PUBLIC HEARING OPENED

No one was present to speak.

Resolution # PC-2006-05-075
Moved by: Littman
Seconded by: Schultz

RESOLVED, That the Planning Commission hereby postpones this rezoning application and continue the Public Hearing to the June 2006 Regular meeting, to allow for appropriate public hearing notification on the combined parcel.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

6. PUBLIC HEARING – PROPOSED SPECIAL USE REQUEST (SU 335) – Proposed Daycare Center, Southeast corner of New King and New King, Section 8, Zoned R-C (Research Center) District

Mr. Miller provided a brief review of the special use request and revised site plan application.

Steven Vanden Bossche, 550 Hulet Drive, Bloomfield Hills, was present to represent the petitioner and owner. Mr. Vanden Bossche distributed colored elevations and material samples. He summarized the revisions to the site plan as relates to the roof, windows, concrete block, color scheme and landscaping in an effort to accommodate the Commission's wishes that the building appear less residential. He noted The Gale Group is in full agreement with the changes made and a letter to that effect is forthcoming. Mr. Vanden Bossche noted the original set of plans were sealed by a registered architect and apologized that the revised plans were inadvertently not sealed as required.

Chair Strat opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

Chair Strat addressed the proposed landscaping in terms of quality. It is his opinion that the revisions to the site plan have not changed the appearance of the building.

Mr. Schultz said letters from surrounding properties not owned by The Gale Group would have been more important. Mr. Schultz said the revisions to the site plan have not changed the appearance of the building other than by color. He would prefer the building to be locationally placed on the site so that the mature trees and berm would be saved.

Resolution # PC-2006-05-076
Moved by: Drake-Batts
Seconded by: Vleck

RESOLVED, That the Planning Commission hereby approves a total of 27 landbanked parking spaces on the abutting office property. This permits the provision of two hundred seventy eight (278) spaces when three hundred five (305) spaces are required on the site based on the off-street parking space requirements for offices, as per Article XL. The landbanked spaces meet the standards of Article 40.20.13 and will assist the applicant in minimizing the amount of storm water runoff on the site. These spaces shall be constructed should additional parking spaces be required.

BE IT FURTHER RESOLVED, That the Special Land Use and Site Plan Approval, pursuant to Section 26.30.05 of the Zoning Ordinance, as requested for the proposed daycare center, located on the southeast corner of New King and New King, Section 8, within the R-C Zoning District, be granted.

Discussion on the motion on the floor.

Mr. Littman asked if denial of the special use request could be based on the concept of saving trees.

Mr. Motzny said the Commission has authority to impose conditions on a Special Use Approval that relate to the land. In this case, the Commission has the authority to impose conditions with regard to the trees and what trees may or may not be removed.

Vote on the motion on the floor.

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

MOTION CARRIED

Mr. Littman said the project could have been designed to save trees without causing any hardship to the owner.

Mr. Schultz said a better product could have been brought forward with respect to neighborhood compatibility and landscaping.

Chair Strat agreed with the comments of Messrs. Schultz and Littman. He believes the project will adversely impact the adjacent properties.

7. PUBLIC HEARING – PROPOSED SPECIAL USE REQUEST (SU 336) – Proposed Restaurant, Southeast corner of Livernois and Big Beaver, Section 27, Zoned O-S-C (Office Service Commercial) District

Mr. Miller presented a summary of the Planning Department report for the proposed special use request and reported it is the recommendation of City Management to approve the Special Use Request and Site Plan as submitted.

Ms. Kerwin addressed a potential traffic concern in relation to the proposed development's proximity to the U.S. Post Office. She noted there were no comments from the Transportation Engineer to this regard, and asked what impact the proposed development might have in terms of traffic safety.

Mr. Miller said the layout of the U.S. Post Office is a problem in terms of traffic safety, and it is his opinion the proposed development would make the traffic circulation better. He noted the proposed development provides a number of reasonable and safe driveways.

Tysen McCarthy of Redico, One Towne Square, Southfield, was present. Mr. McCarthy said the revised site plan best serves the needs of the restaurant customers and contributes to the long-term viability of the restaurant and long-term commitment to the City. He said they diligently worked with the Planning Department to assure all Zoning Ordinance requirements were met. Mr. McCarthy said the plan offers extensive landscaping and is consistent with the surrounding environment. He requested the Commission's favorable approval.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Mr. Schultz addressed the landscaping in detail with the petitioner and indicated the landscaping is a major concern of his.

Mr. Littman addressed the safety of the southern driveway and asked the petitioner if any consideration was given to discourage vehicular traffic from turning southbound onto Livernois.

Mr. McCarthy stated an existing traffic sign at the southern driveway designates right-hand turn only.

Chris Lavoie, chief engineer and planning consultant for Kona Grill, 4941 Forest Avenue, Downers Grove, Illinois, was present. Mr. Lavoie said they worked with City staff and indicated their willingness to incorporate a design to address the traffic concern, but there has been no clear direction from the City or any formal comments provided from the City's Traffic Engineer.

Chair Strat expressed concerns with the proposed landscaping and the safety of vehicular and pedestrian traffic at the southern driveway.

Resolution # PC-2006-05-077
Moved by: Kerwin
Seconded by: Waller

RESOLVED, That the Planning Commission hereby approves a reduction in the total number of required restaurant parking spaces to one hundred forty five (145) when a total of one hundred seventy three (173) spaces are required on the site based on the off-street parking space requirements for restaurants, as per Article XL. The Planning Commission also approves a reduction in the number of total required parking spaces for the office building and restaurant to one thousand two hundred twenty three (1,223) when a total of one thousand four hundred forty one (1,441) spaces are required on the site based on the off-street parking space requirements for offices and restaurants, as per Article XL. This reduction meets the standards of Article 40.20.12 and will assist the applicant in minimizing the amount of storm water runoff on the site.

BE IT FURTHER RESOLVED, That the Special Use Approval and Site Plan Approval, pursuant to Section 26.30.05 of the Zoning Ordinance, as requested for the proposed restaurant, located on the southeast corner of Big Beaver and Livernois, Section 27, within the O-S-C Zoning District, be granted:

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

MOTION DENIED

Mr. Schultz would prefer the development up against the minimum setback line. He indicated the petitioner only had to agree to place the additional 9 trees to win his vote. With no such offer from the petitioner, Mr. Schultz is opposed to the site plan.

Mr. Vleck said the development's ingress/egress onto the main road is contrary to public safety and poses a dangerous situation.

Mr. Littman said the Commission's responsibility is to protect the health, safety and welfare of citizens. He said the driveway location on Livernois is currently dangerous and the proposed development would make it more dangerous.

Chair Strat concurred with the comments.

Mr. McCarthy offered to provide the additional 9 trees suggested by Mr. Schultz. He was not aware the procedural format would allow him the opportunity to do so at this time.

A motion to reconsider the item was briefly entertained, but not acted upon.

Refer to page 15 for additional action taken on this item.

REZONING REQUESTS

8. PUBLIC HEARING – PROPOSED REZONING (Z 714) – Proposed Senior Housing Development, North of Long Lake, East side of I-75, Section 9 – From R-1B (One Family Residential) to R-EC (Residential Elder Care) District

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning request and reported it is the recommendation of City Management to deny the request. There were five letters of opposition distributed to the members prior to the beginning of tonight's meeting.

David Donnellon of Design Resources, 755 W. Big Beaver Road, Troy, was present to represent the petitioner (purchaser of subject property) and Kamax (seller of subject property). Mr. Donnellon said both purchaser and seller understand the needs of the neighborhood. He addressed (1) transitional zoning/use; (2) traffic; i.e., construction and delivery service through Kamax off of Long Lake Road; (3) density; (4) wetlands; and (5) development phases of the project.

Ms. Drake-Batts asked if Kamax is the owner or tenant of the building, if the right of first refusal to Choice Development Corporation is in writing and if the petitioner met with the neighbors to discuss the proposed development.

Mr. Donnellon replied that Kamax owns the building and the right of first refusal is in writing. Mr. Donnellon said there have been conversations with the neighbors, but no meetings have been held.

Mr. Waller asked when the agreement with Kamax on the through-traffic was achieved.

Mr. Donnellon said the agreement was recently reached and had not been shared with the Planning Department prior to tonight's meeting.

Mr. Motzny confirmed the Commission's responsibility this evening is to act upon the rezoning request, and no consideration should be given to the proposed site plan. He noted the Commission has no authority to impose any conditions on the rezoning request.

Prior to opening the Public Hearing, Chair Strat asked that comments be limited to three minutes per speaker and not be repetitive in content.

PUBLIC HEARING OPENED

Jennifer Gasiecki of 196 Stalwart, Troy, was present. Ms. Gasiecki spoke in opposition of the proposed rezoning. She expressed concerns with traffic, preservation of trees, safety and noise.

J. Mark Brown of 467 McKinley, Troy, was present. Mr. Brown distributed copies of a letter in opposition of the proposed rezoning. He said the proposed development does not comply with the City's future land use plan and would have a negative impact on the neighborhood.

Charles Jackson of 405 West Square Lake Road, Troy, was present. Mr. Jackson spoke in opposition of the proposed rezoning. He addressed safety of children, cut-through traffic and density.

P. J. Cumming of 5375 Daniels Drive, Troy, was present. Ms. Cumming spoke in opposition of the proposed rezoning. Ms. Cumming is a commercial interior designer who specializes in senior and elderly care. She expressed a strong concern with ambulance traffic on a round-the-clock basis. Ms. Cumming also addressed the wildlife in the area.

Vince Pangle of 5235 Wright Street, Troy, was present. Mr. Pangle spoke in opposition of the proposed rezoning. He addressed land use, transitional zoning, density, traffic, and future development should the senior facility close. Mr. Pangle questioned the petitioner's qualifications to run a senior facility and suggested the land be bought and developed as a platted subdivision.

Blaine Dixon of 80 Stalwart, Troy, was present. Ms. Dixon spoke in opposition of the proposed rezoning. She expressed concerns with neighborhood compatibility and characteristics, safety, traffic and wildlife.

Roy Bray of 5580 Houghten, Troy, was present. Mr. Bray spoke in opposition of the proposed rezoning. He addressed city services and the potential disruption of those services to the existing neighborhood.

Ron Marceau of 5600 Houghten, Troy, was present. Mr. Marceau spoke in opposition of the proposed rezoning. He expressed concerns with construction noise, parking and density.

PUBLIC HEARING CLOSED

Mr. Donnellon requested that the item be tabled to the next meeting to provide an opportunity to address concerns expressed tonight by the neighbors.

Resolution # PC-2006-05-078
Moved by: Drake-Batts
Seconded by: Waller

RESOLVED, To postpone the rezoning request to the June 2006 Regular meeting so the petitioner can meet with residents and figure out if there is a good solution for everybody.

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

MOTION CARRIED

Ms. Kerwin said her concern is the disturbance and noise from emergency vehicular traffic (ambulance, fire and EMS).

Mr. Littman said discussions with the neighbors would be on issues that are not related to the consideration of the rezoning request.

Chair Strat requested a recess at 8:55 p.m.

The meeting reconvened at 9:06 p.m.

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9. PUBLIC HEARING – PROPOSED REZONING (Z 717) – Proposed Medical/General Office Building, Northwest corner of Lovell and Rochester Road, Section 3 – From R-1C (One Family Residential) to O-1 (Low Rise Office) District

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning and reported it is the recommendation of City Management to approve the rezoning application.

The petitioner, Franco Mancini of 47858 Van Dyke, Shelby Township, was present. Mr. Mancini addressed the proposed medical use and its transition to the residential environment.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

There was brief discussion on the number of building stories allowed in the O-1 zoning district.

Resolution # PC-2006-05-079
Moved by: Schultz
Seconded by: Khan

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to O-1 rezoning request, located on the northwest corner of Lovell and Rochester Road, within Section 3, being approximately 1 acre in size, be granted.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

10. PUBLIC HEARING – PROPOSED REZONING (Z 718) – Proposed Curves Weight Management and Work Out Facility, North of Maple, West side of Livernois (1631 Livernois), Section 28 – From O-1 (Low Rise Office) to B-3 (General Business) District

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning and reported it is the recommendation of City Management to approve the rezoning application.

Mr. Savidant pointed out that a letter from John Gonway addressing the rezoning request was distributed to the members prior to the beginning of tonight's meeting.

The petitioner, Beth Anne Beattie of 37756 Gregory Drive, Sterling Heights, was present. Ms. Beattie said there would be no alternations to the existing property; the property would stay as-is.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2006-05-080
Moved by: Vleck
Seconded by: Schultz

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O-1 to B-3 rezoning request, located north of Maple, on the west side of Livernois, within Section 28, being approximately 14,250 square feet in size, be granted.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

11. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT REQUEST (ZOTA 219) – Articles II and III, Conditional Rezoning

Mr. Savidant reviewed the recent revisions incorporated in the proposed zoning ordinance language and provided an overall summary of the conditional rezoning concept for the benefit of the audience.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2006-05 –
Moved by: Schultz
Seconded by: Khan

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles II and III of the City of Troy Zoning Ordinance, pertaining to Conditional Rezoning, be amended as printed on the Proposed Zoning Ordinance Text Amendment, Planning Commission Public Hearing Draft, dated May 2, 2006.

Discussion on the motion on the floor.

There was discussion on Section 03.24.02 (B), Standards for Approval.

Mr. Savidant introduced incorporation of the following language: "The conditions of the proposed development and/or proposed use are not in material conflict with the

Future Land Use Plan or are made conflicting due to a change in conditions, a change in City policy, or a mistake in the Future Land Use Plan."

Resolution # PC-2006-05-081
Moved by: Schultz
Seconded by: Littman

RESOLVED, To postpone this item to the next Special/Study meeting scheduled on the last Tuesday of May, to allow time to revise the document and on which a vote can be taken at that time.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

STREET VACATION

12. PUBLIC HEARING – STREET VACATION REQUEST (SV 186) – Deinmore Avenue abutting lots 95 to 102 and 105 to 112 of Beaver Hills Subdivision and Stalwart Avenue abutting lots 97 and 99 and 109 and 110 of Beaver Hills Subdivision, Section 9 – Currently Zoned R-1B (One Family Residential) Districts (the abutting parcels)

Mr. Savidant presented a summary of the Planning Department report for the proposed street vacation request and reported it is the recommendation of City Management to postpone the street vacation request until such time that the property is consolidated into one future development.

PUBLIC HEARING OPENED

Vince Pangle of 5235 Wright Street, Troy, was present. Mr. Pangle spoke in opposition of the street vacation request. He addressed the platting process of site condominium and subdivision developments.

Mr. Motzny addressed Mr. Pangle's comments relating to the platting process. Mr. Motzny explained a recent court decision upheld a site condominium development could be placed over a plat without the necessity to vacate the plat; however, to vacate a plat still requires Circuit Court action.

PUBLIC HEARING CLOSED

Resolution # PC-2006-05-082
Moved by: Schultz
Seconded by: Khan

RESOLVED, That the street vacation (SV 186) request is hereby postponed until such time that the property is consolidated into one future development.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

SITE PLAN REVIEWS

13. SITE PLAN REVIEW (SP 348-B) – Proposed Retail Plaza, North of Big Beaver, West side of Rochester Road (3385 Rochester Road – Former Taco Bell Site), Section 22, B-3 (General Business) District

Mr. Savidant presented a summary of the Planning Department report for the proposed retail plaza and reported it is the recommendation of City Management to approve the site plan as submitted.

Elias Madi of DeMattia Associates Architects, 5608 Perry Tower Drive, West Bloomfield, was present to represent the petitioner. Mr. Madi said the proposed development meets all City requirements and would be a nice addition to the area.

Resolution # PC-2006-05-083
Moved by: Littman
Seconded by: Khan

RESOLVED, That Preliminary Site Plan Approval, as requested for the proposed Retail Plaza, located on the west side of Rochester Road, north of Big Beaver, located in Section 22, on approximately 0.53 acres, within the B-3 zoning district, is hereby granted.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

14. SITE PLAN REVIEW (SP 689-B) – Proposed Addition to Behr America, South of Big Beaver, East and West sides of Daley (2700-2852 Daley), Section 26, M-1 (Light Industrial) District

Mr. Savidant presented a summary of the Planning Department report for the proposed addition to Behr America and reported it is the recommendation of City Management to approve the site plan as submitted.

Phil Tocco of 5645 Winslow Court, Ypsilanti, was present to represent Behr America. Mr. Tocco is an employee of Behr America in Troy. He provided a brief overview of the proposed addition and addressed environmentally friendly recommendations of the City's Environmental Specialist.

Mr. Schultz addressed the proposed landscape plan in relation to providing a pocket park along Big Beaver Road.

Resolution # PC-2006-05-084
Moved by: Schultz
Seconded by: Littman

RESOLVED, That Preliminary Site Plan Approval, as requested for the Proposed Addition to Behr America, located south of Big Beaver, on the east and west sides of Daley, located in Section 26, on approximately 11.7 acres, within the M-1 zoning district, is hereby granted.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

OTHER ITEMS

15. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

GOOD OF THE ORDER

Ms. Drake-Batts asked a favor of Mr. Motzny and City Attorney Lori Bluhm in assisting the Chair in the correct pronunciation of her name.

Mr. Miller provided information on the Maple Road presentation by Lawrence Technological University students.

Ms. Kerwin addressed a novel approach of inside parking she observed in San Antonio.

Mr. Schultz commended the Handleman Company on planting replacement trees for the emerald ash trees that were removed.

Mr. Schultz addressed agenda item #7, Special Use Request (SU 336), for the Kona Grill restaurant located on the southeast corner of Livernois and Big Beaver.

Resolution # PC-2006-05-085
Moved by: Schultz
Seconded by: Waller

RESOLVED, To reconsider agenda item #7 special use request on tonight's meeting for Kona Grill located on the southeast corner of Livernois and Big Beaver.

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

MOTION CARRIED

Resolution # PC-2006-05-086
Moved by: Schultz
Seconded by: Waller

RESOLVED, That the Planning Commission hereby approves a reduction in the total number of required restaurant parking spaces to one hundred forty five (145) when a total of one hundred seventy three (173) spaces are required on the site based on the off-street parking space requirements for restaurants, as per Article XL. The Planning Commission also approves a reduction in the number of total required parking spaces for the office building and restaurant to one thousand two hundred twenty three (1,223) when a total of one thousand four hundred forty one (1,441) spaces are required on the site based on the off-street parking space requirements for offices and restaurants, as per Article XL. This reduction meets the standards of Article 40.20.12 and will assist the applicant in minimizing the amount of storm water runoff on the site.

BE IT FURTHER RESOLVED, That the Special Use Approval and Site Plan Approval, pursuant to Section 26.30.05 of the Zoning Ordinance, as requested for the proposed restaurant, located on the southeast corner of Big Beaver and Livernois, Section 27, within the O-S-C Zoning District, be granted, subject to the following conditions:

1. The addition of a minimum of nine (9) trees of an appropriate species along the north side of the south driveway and in the triangularly-shaped island along the east boundary edge of the restaurant's parking lot.

Discussion on the substitute motion on the floor.

Mr. Schultz provided an explanation for bringing the agenda item back on the floor.

Mr. Motzny outlined the procedure to follow for a substitute motion.

Mr. Littman offered the following amendment to the substitute motion on the floor.

Resolution # PC-2006-05-087
Moved by: Littman
Seconded by: Strat

RESOLVED, That the southern driveway be designed with some type of impediment to making turns onto southbound Livernois from that driveway.

Discussion on the amendment to the substitute motion on the floor.

Discussion followed on the purview of traffic control devices and the enforcement of related conditions placed on special use approvals.

Vote on the amendment to the substitute motion on the floor.

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

MOTION CARRIED

Vote to approve motion on the floor, as amended, as substitute motion.

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

Vote on the amended substitute motion.

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

Good of the Order (continued)

Mr. Littman requested from the City Attorney's office clarification between postponing and tabling actions.

Mr. Miller provided a brief report on City Council agenda items: (1) ZOTA 215-A Accessory Buildings and (2) PUD 5 Caswell Town Center.

Mr. Motzny addressed the difference between a tabling action and a postponing action.

Mr. Khan said he voted no on the Kona Grill agenda item because the petitioner was not present for the discussion and action by the Planning Commission.

Chair Strat agreed the petitioner should be present.

The Regular Meeting of the Planning Commission was adjourned at 10:33 p.m.

Respectfully submitted,

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Thomas Strat, Chair

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Kathy L. Czarnecki, Recording Secretary

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