The Regular Meeting of the Troy City Planning Commission was called to order by Vice Chair Schultz at 7:30 p.m. on June 13, 2006, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:
Lynn Drake-Batts
Mary Kerwin
Fazal Khan
Lawrence Littman (arrived 7:43 p.m.)
Robert Schultz
Thomas Strat (arrived 8:55 p.m.)
Mark J. Vleck
David T. Waller

Absent:
Wayne Wright

Also Present:
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Resolution # PC-2006-06-096
Moved by: Khan
Seconded by: Vleck

RESOLVED, That Members Littman, Strat and Wright are excused from attendance at this meeting for personal reasons.

Yes: All present (6)
No: None
Absent: Littman (arrived 7:43 p.m.), Strat (arrived 8:55 p.m.), Wright

MOTION CARRIED

2. APPROVAL OF AGENDA

Due to audience participation, it was suggested to move Agenda items #5 and #8 for consideration prior to Agenda item #4.

Resolution # PC-2006-06-097
Moved by: Kerwin
Seconded by: Waller

RESOLVED, To approve the Agenda as revised.

Yes: Drake-Batts, Kerwin, Khan, Schultz, Waller
No: Vleck
Absent: Littman (arrived 7:43 p.m.), Strat (arrived 8:55 p.m.), Wright

MOTION CARRIED

Mr. Vleck is of the opinion that the Agenda should be followed as printed because arrival times of interested parties are most likely based on the placement of agenda items.

3. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

POSTPONED ITEM

5. 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. Savidant announced the Planning Department received a written request from the petitioner to postpone the item for 90 days. Mr. Savidant read the petitioner's request.

Resolution # PC-2006-06-098
Moved by: Kerwin
Seconded by: Khan

RESOLVED, That the Planning Commission hereby postpones this item to the September Regular meeting.

Discussion.
Mr. Vleck said he would vote in favor of the postponement one more time only. He said the requested postponement date should be sufficient time for the petitioner to complete the required information.

Vote on the motion on the floor.

Yes: All present (6)
No: None
Absent: Littman (arrived 7:43 p.m.), Strat (arrived 8:55 p.m.), Wright

MOTION CARRIED

REZONING REQUEST

8. PUBLIC HEARING – PROPOSED REZONING (Z 716) – City Initiated Rezoning of the non-conforming parcels in the area of Troyton Manor, Adrienne Manor, and the southern portion of John F. Englehardt Subdivisions, Section 30, From R-1C (One Family Residential) to R-1E (One Family Residential) District

Mr. Savidant provided a comprehensive explanation on the City-initiated rezoning request. He reported it is the recommendation of City Management to approve the rezoning request.

[Mr. Littman arrived at 7:43 p.m.]

Mr. Savidant noted the Planning Department received an enormous amount of phone calls on the proposed rezoning. A major concern expressed by the residents was if the proposed rezoning would allow monster homes. Mr. Savidant assured the residents that the proposed rezoning would not allow monster homes.

PUBLIC HEARING OPENED

Ron Ezell of 1081 Norwich, Troy, was present. Mr. Ezell asked if homes would be limited to one story.

Vice Chair Schultz stated there would be no increase or decrease in height limits. Mr. Savidant confirmed this.

PUBLIC HEARING CLOSED

Resolution # PC-2006-06-099
Moved by: Kerwin
Seconded by: Khan

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to R-1E rezoning request, located south of Big Beaver, west of Coolidge, within Troyton Manor, Adrienne Manor, and the southern portion of John F. Englehardt Subdivisions, within Section 30, being approximately 49.69 acres in size, be granted.

Yes: All present (7)
No: None
Absent: Strat (arrived 8:55 p.m.), Wright

MOTION CARRIED

POSTPONED ITEMS

4. PUBLIC HEARING – PROPOSED REZONING (revised request) 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. Savidant presented a summary of the Planning Department report on the proposed rezoning request, and reported it is the recommendation of City Management to approve the rezoning application.

PUBLIC HEARING OPENED

Paul Woleben of 880 Barclay Court, Troy, was present. Mr. Woleben, initiator of the protest petition, voiced opposition to the proposed rezoning. He addressed density, building height, property values and environmental surroundings. Mr. Woleben said the proposed rezoning would allow 14 to 16 units to be built on the site.

Dawn Aronoff of 864 Barclay Court, Troy, was present. Ms. Aronoff voiced opposition to the proposed rezoning and indicated she signed the protest petition. She said her concerns are similar to those expressed by Mr. Woleben, and it would be more reasonable to put in single family homes.

Gary Jacobs of 872 Barclay Court, Troy, was present. Mr. Jacobs expressed opposition to the proposed rezoning, noting his concerns are similar to those already expressed. Mr. Jacobs also addressed the private street that would abut his property line.

Edvin Hoti of 964 Barclay Drive, Troy, was present. Mr. Hoti expressed opposition to the proposed rezoning. He said the $3,000 fence he put up would have to be removed. Mr. Hoti addressed the impact on property values, and said it would be more logical to put in single family homes.

Yudong Zhou of 856 Barclay Court, Troy, was present. Mr. Zhou voiced opposition to the proposed rezoning. He addressed property values and the potential negative affect on the neighborhood.

PUBLIC HEARING CLOSED

Vice Chair Schultz referenced the resident who expressed concern about his fence. He asked if there would be any reason the fence would have to be removed with the onset of development, if the fence is in fact on the resident's property.

Mr. Motzny said he knew of no reason why the resident would have to remove his fence.

Mr. Vleck said he would be more in favor of considering the rezoning request as a conditional rezoning.

Mr. Khan said the rezoning request is consistent with the Master Land Use Plan, but he thinks a better site plan could be designed. Mr. Khan asked if 16 units could be placed on the site.

Mr. Savidant said the developer could come back with a site plan that shows more units than shown on the site plan submitted with the rezoning application.

Eric Salswedel of SDA Architects, 42490 Garfield, Clinton Township, was present to represent the owners. Mr. Salswedel said realistic calculations would produce approximately 8 units on the site. He said a higher density would not be realistic due to the size and shape of the parcel. Mr. Salswedel said the co-owners would like to construct town homes in the range of 2,000-2,400 square feet in which they can move into themselves. He addressed the preservation of trees and the cul de sac that is required by the Fire Department.

Bala Murthy of 1741 Greenwich, Troy, was present. Mr. Murthy is a co-owner of the subject parcel and has been a resident of Troy since 1990. He said letters were sent to neighbors to assure them the proposed development would not spoil the beauty of the neighborhood. Mr. Murthy said they intend to construct nice homes that are true to the spirit of Troy and preserve as many trees as possible.

Mr. Littman said the members do not doubt the honesty and intent of the owners. He explained that should the property get rezoned, there is no guarantee the site plan submitted with the rezoning request would be the same site plan submitted for site plan approval, or the property could be sold and developed in a different manner. Mr. Littman thanked the owners for purchasing the additional lots. He asked if the survey showed any encroachments, such as the aforementioned fence. He encouraged the owners to give the neighbors the courtesy of reviewing the site plan prior to submittal.

Mr. Salswedel said the certified survey required for the rezoning request establishes boundary only and it is not known at this time if there are any encroachments on either side of the property line.

Mr. Khan commented that moving the cul de sac closer to the homes, and not all the way back to the property line, might be more satisfactory to the neighbors.

Vice Chair Schultz reminded members that tonight's meeting is for consideration of the rezoning request only.

Resolution # PC-2006-06-100
Moved by: Khan
Seconded by: Littman

RESOLVED, That the Planning Commission hereby recommends to the City Council that the CR-1 to R-1T rezoning request, located on the west side of Rochester Road, north of Wattles, within Section 15, being approximately 2.27 acres in size, be granted, for the following reasons:

1. That the application is consistent with the intent of the Master Land Use Plan and therefore involves areas indicated as medium density or high density residential.
2. The R-1T is consistent with the intent of the Master Land Use Plan

Discussion on the motion.
Mr. Vleck said the request is consistent with the Master Land Use Plan, but it would be preferable to consider the request as a conditional rezoning. Mr. Vleck said he would not support the site plan should it come before the Planning Commission showing the cul de sac back to the property line. He would support the conceptual plan, as submitted with the rezoning request, with a buffer zone provided for the neighbors.

Yes: All present (7)
No: None
Absent: Strat (arrived 8:55 p.m.), Wright

MOTION CARRIED

6. SITE PLAN REVIEW – Proposed Village of Tuscany Site Condominium, 9 units/lots proposed, South side of Long Lake, West of John R, Section 14, Zoned CR-1 (One Family Residential Cluster)

Mr. Savidant presented a summary of the Planning Department report on the proposed Village of Tuscany Site Condominium, and reported it is the recommendation of City Management to approve the application as submitted subject to approval of the landscape plan prior to final site plan approval. Mr. Savidant noted that the Planning Department received two letters from neighbors abutting the subject property to the south that were distributed to members prior to tonight's meeting.

Joseph Vaglica of Gateway Engineers, 8155 Annsbury, Shelby Township, was present to represent the petitioner. He addressed the landscape plan with respect to the comments of the City's Landscape Analyst.

Vice Chair Schultz asked the petitioner to address the neighbors' requests to provide an evergreen buffer to shield headlights.

Mr. Vaglica indicated there would be no problem providing evergreens along the cul de sac on the south side of the property.

Mr. Motzny confirmed that the Planning Commission, under Section 11.50.04 of the Zoning Ordinance, has the discretion to condition approval on the provision of a landscaped berm or equivalent obscuring device, as well as specifications on type, quantity and height of such provision.

Antonio Vettraino 6924 Montclair, Troy, co-owner of the subject property, was present. Mr. Vettraino confirmed there would be no problem providing a buffer of evergreen trees along the southerly line.

Brief comments were made on providing a fence as a buffer.

Vice Chair Schultz opened the floor for public comment.

John Makris of 4919 Calvert Drive, Troy, was present. Mr. Makris addressed the natural, environmental setting of the neighborhood. He asked why the City has marked some trees for removal. Mr. Makris asked for reassurance that the designated landscaped areas would be part of the dedicated parcel, and maintained and dedicated as open space within the development in the future.

Vice Chair Schultz provided a brief explanation on City policy to remove noxious trees prior to the onset of new development.

Mr. Makris said a 50-foot high cottonwood is the most prominent tree existing on the site, and asked if the City would make an exception to its removal.

Vice Chair Schultz said that request would have to be pursued through the Planning Department during regular business hours.

It was brought to the attention of Mr. Makris that some of the landscaping and trees to which he is referring is located on the proposed development's property, and it would be at the discretion of the property owner/s to keep or remove the landscaping.

The floor was closed.

Resolution # PC-2006-06-101
Moved by: Khan
Seconded by: Littman

RESOLVED, That Preliminary Site Plan Approval, as requested for Village of Tuscany One-Family Residential-Cluster Site Condominium, including 9 units, located on the south side of Long Lake and west of John R, Section 14, within the CR-1 zoning district be granted, subject to the following conditions:

1. Landscape Plan approval required prior to Final Site Plan Approval.
2. Provide a buffer of evergreen trees along the south property line, 15 foot on center, staggered, and 8 foot high.

Yes: All present (7)
No: None
Absent: Strat (arrived 8:55 p.m.), Wright

MOTION CARRIED

Vice Chair Schultz requested a recess at 8:40 p.m.

The meeting reconvened at 8:50 p.m.

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7. SITE PLAN REVIEW – Proposed Tuscany Estates Site Condominium, 11 units/lots proposed, West side of Dequindre, North of Big Beaver Road, Section 24 – R-1C (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report on the proposed Tuscany Estates Site Condominium, and reported it is the recommendation of City Management to approve the site condominium application as submitted. He noted the City of Troy requires ownership of all ponds used for either detention or retention of storm water within single family developments.

The petitioner, Anthony Fanelli of 50466 Heatherwood, Shelby Township, was present. Mr. Fanelli confirmed that he maintains a good working relationship with the property owner to the north who is requesting screening from the development.

Vice Chair Schultz asked if the Resolution should include stipulation for an access to the detention basin on behalf of the City.

Mr. Savidant replied in the affirmative.

[Mr. Strat arrived 8:55 p.m.]

Resolution # PC-2006-06-102
Moved by: Littman
Seconded by: Vleck

RESOLVED, That the Planning Commission recommends to City Council, that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Tuscany Estates Site Condominium, including 11

units, located on the west side of Dequindre and north of Big Beaver Road, Section 24, within the R-1C zoning district be granted, subject to the following condition:

1. Inclusion of an access to the easement for the City to maintain the water detention.

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

MOTION CARRIED

[Vice Chair Schultz continued to chair the meeting at the request of Chair Strat.]

STREET VACATION

9. PUBLIC HEARING – STREET VACATION REQUEST (SV 187) – Alley, north of Big Beaver between Frankton and Troy Street, approximately 244 feet abutting Lots 26 through 37 and 91 and 92 of Eyster's Beaver Gardens Subdivision, Section 22 – Zoned O-1 (Low Rise Office) and R-1E (One Family Residential) Districts (the abutting parcels)

Mr. Savidant presented a summary of the Planning Department report on the proposed street vacation request, and reported it is the recommendation of City Management to approve the request as submitted. Mr. Savidant said the parcel to the south would get 9 feet and two parcels abutting to the north would each get 9 feet.

The petitioner, Dale Garrett of Andale Investment Company, 5877 Livernois, Troy, was present.

PUBLIC HEARING OPENED

Richard Hughes of 1321 Roger Court, Troy, was present. Mr. Hughes said the street vacation has to happen.

PUBLIC HEARING CLOSED

Resolution # PC-2006-06-103
Moved by: Waller
Seconded by: Kerwin

RESOLVED, That the Planning Commission hereby recommends to the City Council that the street vacation request, as submitted for the alley, located north of Big Beaver between Frankton and Troy Street, approximately 244 feet abutting Lots

26 through 37 and 91 and 92 of Eyster's Beaver Gardens Subdivision, in Section 22, be approved.

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

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENTS

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

Mr. Savidant reviewed the recent changes to the proposed ordinance text amendment relating to conditional rezoning. He reported it is the recommendation of City Management to approve the zoning ordinance text amendment as proposed.

Proposed language in Section 03.24.02 (6) was discussed briefly.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Ms. Kerwin said she was looking forward to the tool of conditional rezoning. She expressed appreciation for the work and deliberation undertaken in study sessions.

Resolution # PC-2006-06-104
Moved by: Kerwin
Seconded by: Khan

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles II and III, pertaining to Conditional Rezoning, be amended as printed on the proposed Zoning Ordinance Text Amendment, Planning Commission Public Hearing Draft, dated May 24, 2006.

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

MOTION CARRIED

11. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-C) – Article 43.74.00, Article 40.65.02 and Article 44.00.00, pertaining to Commercial Vehicle Parking Appeals

Mr. Savidant reviewed the recent changes to the proposed ordinance text amendment relating to commercial vehicle parking appeals. Mr. Savidant indicated the Planning Department report inadvertently did not specify a recommendation from City Management. He reported, to the best of his knowledge, that City Management recommends approval of the zoning ordinance text amendment as proposed.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2006-06-105
Moved by: Kerwin
Seconded by: Khan

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles XLIII and XLIV, pertaining to changing the responsibility for reviewing and approving Temporary Parking of Commercial Vehicle in One-Family Residential Districts to the Board of Zoning Appeals from City Council, be amended as printed on the proposed Zoning Ordinance Text Amendment, Planning Commission Public Hearing Draft, dated May 24, 2006.

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

MOTION CARRIED

Mr. Vleck said he does not agree with two standards (A and B) required for approval under Section 43.74.01. In his opinion, Section 43.74.01 C, relating to the location available on the residential site to park a commercial vehicle, is the only standard that should be required for approval.

SITE PLAN REVIEWS

12. SITE PLAN REVIEW (SP 930) – Proposed Industrial Building, West side of Chicago, South of Maple Road (1099 Chicago), Section 35, M-1 (Light Industrial) District

Mr. Savidant presented a summary of the Planning Department report on the proposed industrial building, and reported it is the recommendation of City Management to approve the site plan as submitted.

The petitioner, Niraj Sarda of First Industrial Development Services, 2000 Town Center, Southfield, was present. Mr. Sarda said several parties are in negotiation to build a 50,000 square foot building on Parcel 2, of which it is planned to split from the parent parcel.

Vice Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

Resolution # PC-2006-06-106
Moved by: Waller
Seconded by: Drake-Batts

RESOLVED, That Preliminary Site Plan Approval, as requested for the proposed Industrial Building, located on the west side of Chicago, south of Maple Road, located in Section 35, on approximately 7.597 acres, within the M-1 zoning district, is hereby granted.

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

MOTION CARRIED

13. SITE PLAN REVIEW (SP 305-D) – Proposed South Parking Lot and North Drive Beaumont Hospital, South of South Blvd., West side of Dequindre Road, Section 1, C-F (Community Facility) and E-P (Environmental Protection) Districts

Mr. Savidant presented a summary of the Planning Department report on the proposed south parking lot and north drive for Beaumont Hospital. He noted that the petitioner did not include copies of the elevations or floor plans for the temporary loading dock and trailer for inclusion in the Planning Commission packet. Mr. Savidant reported it is the recommendation of City Management to approve the site

plan as submitted with the condition that an 8-foot wide sidewalk is provided along Dequindre Road.

There was discussion relating to easements to the property owned by the City of Detroit Water Department and the City of Troy's Flynn Park.

Craig McEwen, architect, and Mark Hieber, landscape architect, were present to represent Harley Ellis Devereaux. John Krolicki was present to represent Beaumont Hospital Troy.

Mr. Krolicki said a letter of intent signed by the Detroit Water and Sewage Department to execute the easement has been received. He indicated the easement for Flynn Park is being negotiated with the City's Parks and Recreation Director. Mr. Krolicki addressed the employee entrance off of South Boulevard with respect to a secured entrance.

Mr. Hieber addressed in detail the environmental aspect of the development.

Internal departmental review comments were addressed one-by-one with the petitioners.

Vice Chair Schultz addressed the size of the parking lot and the amount of asphalt. He said a reduction in the width of the parking space from the required 9.5 feet to 9.0 feet would lessen the expanse of asphalt and impervious surface and create more green space. Vice Chair Schultz asked if the petitioner would consider going before the Board of Zoning Appeals (BZA) to request a variance on the width of the parking spaces.

Mr. McEwen agreed to entertain the option for a BZA variance, but addressed the timeframe involved in the BZA approval process as relates to ongoing construction plans. He asked the members' consideration in granting site plan approval subject to their submission for a variance request.

It was understood that should a variance be granted by the BZA, the petitioners would be required to submit a revised site plan for review and approval by the Planning Commission. The petitioners were advised to work with the Building Department on various development aspects while seeking a BZA variance.

There was a brief discussion regarding the temporary status of the trailer and loading dock.

Vice Chair Schultz opened the floor for public comment.

Richard Hughes of 1321 Roger Court, Troy, was present. Mr. Hughes addressed the walking distance from the hospital's parking lot to various hospital departments and sustainable green design.

Paul Fleck of 2805 Ranieri Drive, Troy, was present. Mr. Fleck's home abuts the hospital property to the south. He indicated there have been numerous meetings between the hospital representatives and neighbors to the south. Mr. Fleck asked if an additional separation between the south side of the property line and the edge of the pavement could be provided, should the hospital be granted a variance.

Gerald Guirey of 2777 Ranieri Drive, Troy, was present. Mr. Guirey, vice president of the Ranieri Homeowners Association, was involved in reaching the agreement with Beaumont Hospital approximately five years ago. He indicated there are some modifications to the letter of agreement, but the spirit of the agreement has been maintained. Mr. Guirey said Beaumont has been very open and communicative.

Mr. Littman suggested that a copy of the executed letter of agreement between the neighbors and Beaumont be provided to the City.

The floor was closed.

Resolution # PC-2006-06-107
Moved by: Khan
Seconded by: Strat

RESOLVED, That Preliminary Site Plan Approval, as requested for the proposed South Parking Lot and North Drive Beaumont Hospital, located south of South Boulevard, on the west side of Dequindre, located in Section 1, on approximately 65.9 acres, within the C-F and E-P zoning districts, is hereby granted, subject to the following conditions:

1. Provide an 8-foot wide sidewalk along Dequindre Road, as per Section 39.70.03.

2. That the applicant will explore getting a variance on the width of the parking spaces from the Board of Zoning Appeals, and if it is approved they will bring in a new site plan for the parking lot back to this body for an amendment.

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

MOTION CARRIED

14. SITE PLAN REVIEW (SP 388-C) – TGI Friday's Restaurant, Southeast Corner of Big Beaver and I-75 (585 W. Big Beaver), Section 28, Zoned O-S-C (Office Service Commercial) District

Mr. Savidant presented a summary of the Planning Department report on the proposed revised site plan for TGI Friday's Restaurant, and reported it is the recommendation of City Management to approve the revised site plan as submitted.

Tim Germain, project engineer, Nowak & Fraus, 1310 N. Stephenson Hwy, Royal Oak, was present.

Resolution # PC-2006-06-108
Moved by: Waller
Seconded by: Kerwin

RESOLVED, That the Planning Commission hereby approves a reduction in the total number of required parking spaces to three hundred eighty three (383) when a total of four-hundred one (401) spaces are required on the site based on the off-street parking space requirements for restaurants and office uses, as per Article XL. This reduction meets the standards of Article 40.20.12 and will assist the Drury Inn and TGI Friday's Restaurant in minimizing the amount of storm water runoff on the site.

BE IT FURTHER RESOLVED, That Preliminary Site Plan Approval, as requested for the Revised Site Plan for TGI Friday's Restaurant Re-Build, located on the southeast corner of Big Beaver and I-75, located in Section 28, within the O-S-C 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

Chair Strat announced a review of the June 1, 2006 Big Beaver Corridor presentation is on the June 21, 2006 Downtown Development Authority (DDA) agenda.

The Regular Meeting of the Planning Commission was adjourned at 10:18 p.m.

Respectfully submitted,

_____
Robert Schultz, Vice Chair

_____
Kathy L. Czarnecki, Recording Secretary

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