The Regular Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:30 p.m. on July 11, 2006, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

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

Absent:
Fazal Khan
Wayne Wright

Also Present:
Mark Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney

Resolution # PC-2006-07-115
Moved by: Schultz
Seconded by: Vleck

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

Yes: All present (7)
No: None
Absent: Khan, Wright

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2006-07-116
Moved by: Littman
Seconded by: Schultz

RESOLVED, To approve the Agenda as submitted.

Yes: All (7)
No: None
Absent: Khan, Wright

MOTION CARRIED

3. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

POSTPONED ITEM

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 explained that the applicants for the street vacation request are Elerious and Pricilla King and James and Cheryl Klemanski, who abut the subject right-of-way on the south and north, respectively. Mr. King passed away in January and Mrs. King is now experiencing health problems. The applicants have been unable to determine how to proceed with this item.

PUBLIC HEARING OPENED

There was no one present who wished to speak.

PUBLIC HEARING CLOSED

Mr. Schultz indicated he would not vote for a postponement of the item at a future meeting because the item has been in front of the Planning Commission a number of times.

Resolution # PC-2006-07-117
Moved by: Schultz
Seconded by: Littman

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

Yes: All (7)
No: None
Absent: Khan, Wright

MOTION CARRIED

SPECIAL USE REQUEST

5. PUBLIC HEARING – SPECIAL USE REQUEST (SU 117-C) – Proposed Private School, Proposed St. Mark Christian Academy at St. Mark Coptic Orthodox Church, West side of Livernois, South of Kirk Lane (3603 Livernois), Section 21 – R-1B

Mr. Savidant presented a report on the item.

Mr. Schultz said he visited the site that afternoon and saw three dumpsters in the western parking lot. He indicated that two of the dumpsters were unscreened.

Father Mina Essak, 1833 Freemont, Troy, was present to represent St. Mark Coptic Orthodox Church. Fr. Essak said there are two dumpsters on site, one of which is enclosed. He indicated the second dumpster, which was removed from its enclosure to the east to accommodate construction of the entry drive and parking lot, would be returned to its original location upon construction completion. Fr. Essak said the third dumpster to which Mr. Schultz referred is not a dumpster but a container used for church fundraising.

Mr. Schultz stated there were three dumpsters located at the back of the property.

Father Maximus Habib, 3415 Crooks, Troy, was present to represent St. Mark Coptic Orthodox Church. Fr. Habib said there are three dumpsters and indicated a pad and enclosure would be constructed for the third dumpster in the near future.

Mr. Miller clarified a container used for recycling newspapers is considered a dumpster under the Zoning Ordinance and must be screened.

Mr. Littman asked the petitioner to address timing inconsistencies with respect to what is constructed and what is improved.

Fr. Habib said the only construction remaining were the approach and the asphalt, which would be completed within two weeks.

Chair Strat addressed the approach to the dumpster, and indicated the site plan notation specifies the approach is 5 foot wide.

Fr. Habib said the approach to the dumpster would be 20 feet wide.

Mr. Schultz asked if it was possible for the Planning Commission to ask the Building Department to provide a list of all violations on the property prior to approving the application.

Mr. Miller replied that would be a reasonable request.

Chair Strat addressed the existing day care facility as relates to Zoning Ordinance requirements.

Mr. Vleck sought clarification on whether the day care facility and school were presently in operation.

Fr. Habib responded in the affirmative. He indicated they had received temporary approval. Fr. Habib said they did not want to construct the drive and parking lot until the buildings on the property were completed.

Mr. Schultz asked the Assistant City Attorney if a private school that did not receive Special Use Approval and is presently operating would be in violation of the Zoning Ordinance.

Mr. Motzny responded in the affirmative.

Ms. Kerwin asked if the Traffic Engineer approved the design. She expressed concern with the safety of automobiles entering and exiting the site.

Mr. Miller replied that the City Engineer waived the requirement for a deceleration lane. He indicated the site is too narrow for a second drive.

Fr. Habib said the house to the north is higher than the church property and a deceleration lane would require an excessively steep driveway. He further stated the church entry drive had been widened and the slope of the drive had been reduced.

PUBLIC HEARING OPENED

Rita Momin of 3631 Cherished View, Troy, was present. Ms. Momin addressed the distance of the school to her house and a concern that church visitors would trespass her property. She also stated the church does not maintain the landscaped berm.

John Shepperd of 278 Kirk Lane, Troy, was present. Mr. Shepperd said some church visitors park on Kirk Lane and walk to the church. He hopes that Ruthland, which stubs at the church property, would not be opened in the future.

Krishna Patel of 3615 Cherished Lane, Troy, was present. Ms. Patel expressed concern with traffic dropping off children in the morning. She said turning left onto Livernois would be difficult and dangerous.

Kurtis Wishart of 387 Kirk Lane, Troy, was present. Mr. Wishart expressed concern with the number of children attending the day care facility and school.

Joseph Martin of 409 Kirk Lane, Troy, was present. Mr. Martin expressed concern with the lack of green space between the church and surrounding property to serve as a buffer zone. He also addressed the lack of playground space on the property.

Howayda Messiha of 42200 Malbeck, Sterling Heights, was present. Ms. Messiha, who has two children in the day care facility, said she never parks in the street.

Susan Tawfek of 8313 Hickory Drive, Sterling Heights, was present. Ms. Tawfek said she would like the school to be opened as soon as possible.

PUBLIC HEARING CLOSED

Mr. Littman stated the applicant needs the approval requirements to catch up with what is developed.

Mr. Waller expressed concern with the number of Zoning Ordinance deficiencies on site.

Chair Strat expressed concern with the landscaping and the size of the day care facility.

Mr. Schultz stated he is concerned that the school will operate without approval as the day care facility has done for three years.

Resolution # PC-2006-07-118
Moved by: Littman
Seconded by: Waller

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 10.30.02 of the Zoning Ordinance, as requested for the proposed private school, located at St. Mark Coptic Orthodox Church, on the west side of Livernois Road, south of Wattles Road, located in Section 21, within the R-1B zoning district, is hereby postponed for 30 days to allow the petitioner, their architect and City Staff time to make the site legal based on what is there today and what has been approved, to bring the site into compliance.

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

MOTION CARRIED

Ms. Drake-Batts stated that it appears the applicant has been working with the City, and on the advice of the City, to move forward with the project.

STREET VACATION

6. PUBLIC HEARING – STREET VACATION REQUEST (SV 148-C) – Daley Street, South of Big Beaver, East of Rochester Road, abutting Lots 28 and 33 of Supervisor's Plat No. 11 Subdivision, Section 26 – Zoned M-1 (Light Industrial) District (the abutting parcels)

Chair Strat requested that Mr. Miller present a brief report on the item. There was an error with the legal description for the proposed vacation. The applicants did not intend to vacate the street in front of 2835 Daley Street. The applicant submitted a faxed letter requesting postponement to the August 2006 Regular meeting to provide them with time to revise the application. Furthermore, the Public Hearing must be re-advertised.

PUBLIC HEARING OPENED

Robert Easterly, attorney for the owners of 2835 Daley, was present. Mr. Easterly requested postponement of the item to the September 12, 2006 Regular meeting. He indicated his client would be unable to attend the August Regular meeting.

PUBLIC HEARING CLOSED

Resolution # PC-2006-07-119
Moved by: Littman
Seconded by: Schultz

RESOLVED, That the Planning Commission hereby postpones the item to the September 2006 Regular meeting to allow all parties to be represented.

Yes: All (7)
No: None
Absent: Khan, Wright

MOTION CARRIED

SITE PLAN REVIEW

7. SITE PLAN REVIEW (SP 514-B) – Existing Industrial Building Proposed Training Center, Southwest Corner of Crooks and Maplelawn (2107 Crooks Road), Section 29, M-1 (Light Industrial) District

Mr. Miller presented a report on the item.

Mr. Waller asked why the cross access easement was removed from the property.

Mr. Miller replied the cross access easement remains in place but a notation of such was inadvertently omitted from the site plan.

Glenn DeSimone of Prime Design Systems, 2397 Old Kent Road, Warren, was present. Mr. DeSimone provided a brief description of the proposed project and building operation. He indicated their intent to keep the cross access on the property.

Mr. Littman asked if they would be seeking LEED certification for the project.

Mr. DeSimone replied it was too early in the development process to make a determination, but indicated LEED certification would be a considered.

Resolution # PC-2006-07-120
Moved by: Schultz
Seconded by: Waller

WHEREAS, The applicant has provided one hundred ten (110) parking spaces and has provided a statement indicating that the maximum parking demand generated by the Proposed Training Center shall be fifty-five (55) spaces.

RESOLVED, That the Planning Commission hereby approves a reduction in the total number of required parking spaces to one hundred ten (110) when a total of one hundred ninety (190) spaces are required on the site based on the off-street parking space requirements for office and conference room, as per Article XL. This reduction meets the standards of Article 40.20.12.

BE IT FURTHER RESOLVED, The existing cross access easement shall be shown on the site plan.

BE IT FINALLY RESOLVED, That Preliminary Site Plan Approval, as requested for the Existing Industrial Building Proposed Training Center, located on the southwest corner of Crooks and Maplelawn (2107 Crooks Road), located in Section 29, on approximately 2.65 acres, within the M-1 zoning districts, is hereby granted.

Yes: All (7)
No: None
Absent: Khan, Wright

MOTION CARRIED

OTHER ITEMS

8. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Miller announced that the elections in August and November conflict with Planning Commission meetings. After discussing this issue with the Chair and Vice Chair, it was determined that the August 8, 2006 Regular meeting would be held at the Library Meeting Room. The Planning Commission must determine where to hold the November 7, 2006 Special/Study meeting.

Mr. Miller announced there would be a Special City Council meeting on July 24, 2006 at 6:00 p.m. for a presentation of the Big Beaver Corridor Study by Birchler/Arroyo Associates, Inc. Birchler/Arroyo Associates, Inc. will also make a presentation to the Planning Commission at the August 22, 2006 Special/Study meeting. Richard Carlisle will also be in attendance at this meeting.

Chair Strat stated the entire meeting on August 22 should be dedicated to the Big Beaver Corridor presentation.

Ms. Kerwin concurred with Chair Strat.

The Regular Meeting of the Planning Commission was adjourned at 9:06 p.m.

Respectfully submitted,

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Thomas Strat, Chair

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Brent Savidant, Principal Planner

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