

The Regular Meeting of the Troy City Planning Commission was called to order by Vice Chair Schultz at 7:32 p.m. on September 12, 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 (arrived 8:30 p.m.)  
Mark J. Vleck  
David T. Waller  
Wayne Wright

Also Present:

Mark F. Miller, Planning Director  
Brent Savidant, Principal Planner  
Susan Lancaster, Assistant City Attorney  
Kathy Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

**Resolution # PC-2006-09-141**

Moved by: Kerwin  
Seconded by: Wright

**RESOLVED**, To approve the Agenda as presented.

Yes: All present (8)  
No: None  
Absent: Strat (arrived 8:30 p.m.)

**MOTION CARRIED**

3. MINUTES

**Resolution # PC-2006-09-142**

Moved by: Littman  
Seconded by: Kerwin

**RESOLVED**, To approve the August 22, 2006 Special/Study meeting minutes as published.

Yes: All present (8)  
No: None  
Absent: Strat (arrived 8:30 p.m.)

### **MOTION CARRIED**

#### 4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

### **POSTPONED ITEMS**

#### 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. Miller announced a request from the petitioner to postpone the matter for 90 days was received by the Planning Department on September 7. Mr. Miller reported a valid protest petition relating to the rezoning request was submitted to the Planning Department, and that copies were distributed to the Planning Commission. He indicated it is at the discretion of the Planning Commission to postpone the matter, or act upon the rezoning request.

[A person from the audience handed what appeared to be a traditional petition to Mr. Miller. Vice Chair Schultz said the item would be noted and filed.]

#### PUBLIC HEARING OPENED

P. J. Cumming of 5375 Daniels, Troy, was present. Ms. Cumming spoke in opposition to the proposed rezoning request and the postponement of the item. Ms. Cumming also addressed the proposed site plan.

Charles Jackson of 405 W. Square Lake Road, Troy, was present. Mr. Jackson spoke in opposition to the proposed rezoning request, and provided an additional sheet of signatures to the protest petition. He addressed traffic concerns, safety of school children, and the number of senior developments in the City. Mr. Jackson thinks it might be intentional on the part of the petitioner to request postponements, so residents would eventually forget about the proposed development.

Vice Chair Schultz indicated a postponement allows a petitioner additional time to work on outstanding items related to the proposal, noting in this case the petitioner might be attempting to gain access to a major thoroughfare.

Mr. Littman asked if the petitioner met with the residents.

Mr. Jackson replied that, to his knowledge, there has been no meeting with residents.

Rob Shouhayib of Choice Development, 755 W. Big Beaver Road, Troy, was present. Mr. Shouhayib respectfully requested a postponement to allow additional time to address the concerns of the residents and details of the plan. He indicated a meeting with residents on Daniels was held, and they would be happy to meet with any other residents. Mr. Shouhayib said a status report could most likely be provided within the next couple of weeks.

Mr. Vleck asked the petitioner if they are attempting to get direct access to a major thoroughfare.

Mr. Shouhayib replied that access to a major thoroughfare is an option under serious consideration.

Mr. Vleck said he would not be in favor of another postponement. Mr. Vleck said a status report on the proposed development prior to tonight's meeting would have been appreciated, and noted a lot of people are affected by the proposed development.

Mr. Khan said it would be appreciated if a request to postpone were received by the Planning Department to allow enough time to let residents know prior to the scheduled public hearing.

Mr. Waller indicated he would be in favor of honoring the petitioner's request to postpone. He has confidence in the petitioner's ability to produce good quality projects, based on their history of development in the City.

John Major of 5215 Daniels, Troy, was present. Mr. Major spoke in opposition of the proposed rezoning request and postponement. He confirmed the petitioner met with residents, but he did not believe all residents who would be affected were invited to the meeting. Mr. Major said the petitioner shows disregard for the residents as relates to the lack of information and notice of intention to postpone.

Vince Pangle of 5235 Wright, Troy, was present. Mr. Pangle spoke in opposition to the proposed rezoning request. He addressed the Zoning Ordinance standards for rezoning requests and the petitioner's presentation to request a postponement.

Millie Francuck of 5661 Wright, Troy, was present. Ms. Francuck spoke in opposition of the proposed rezoning request. She addressed the safety of school children and property contamination. Ms. Francuck suggested taking the matter to the residents as an advisory question.

Brooke Hertzberg of 233 McKinley Drive, Troy, was present. Ms. Hertzberg spoke in opposition of the proposed rezoning request. She addressed the negative impact the proposed use would have on the residential neighborhood.

Peter Horan of 5520 Wright, Troy, was present. Mr. Horan spoke in opposition of the proposed rezoning request. He suggested that a vote of the audience be taken to determine how many residents are for or against the rezoning request.

Ms. Vleck addressed the parliamentary procedure followed by the Planning Commission.

It was the recommendation of Ms. Lancaster that the Planning Commission not conduct a show of hands, for or against, the proposed rezoning request, and provided a brief explanation of the basis of her recommendation.

Richard Hughes of 1321 Roger Court, Troy, was present. Mr. Hughes addressed the advisory vote option, and potential access to the subject property via a service drive along Interstate 75.

Mr. Wright briefly addressed a service drive along Interstate 75.

Gloria DePoorter of 100 Stalwart, Troy, was present. Ms. DePoorter spoke in opposition of the proposed rezoning request. She asked what evidence the City needs to prove the proposed use would not work in the neighborhood. Ms. DePoorter submitted two photographs of parked cars on a residential street within the proposed development.

Mr. Miller provided an explanation of the decision-making role of the Planning Commission.

Mr. Littman addressed the advisory role of the Planning Commission to City Council. Mr. Littman said he would be in favor of denying the rezoning request, and noted he voted against postponement of the item previously. He said there is nothing the petitioner can do to make the proposed development fit the Zoning Ordinance or Master Plan.

Ms. Kerwin said she would support denial of the rezoning request because it does not warrant rezoning.

Mr. Wright said he would support denial of the rezoning request also, indicating the proposed development did not make sense to him since the initial presentation.

**PUBLIC HEARING CLOSED**

**Resolution # PC-2006-09-143**

Moved by: Vleck  
Seconded by: Littman

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1B to R-EC rezoning request, located on the north side of Long

Lake, east side of I-75, within Section 9, being approximately 8.6 acres in size, be denied, for the following reasons:

- The application does not comply with the Future Land Use Plan
- The application does not meet the Location Standards of Section 19.40.00.

Yes: Kerwin, Khan, Littman, Vleck, Wright

No: Drake-Batts, Schultz, Waller

Absent: Strat (arrived 8:30 p.m.)

### **MOTION CARRIED**

Ms. Drake-Batts said the denial does not stop the petitioner from going forward with the proposed development; the petitioner will simply submit another application.

Mr. Waller agreed with Ms. Drake-Batts' comments. He thinks it is reasonable to give the petitioner another opportunity to resolve the major issues of the proposed development.

Vice Chair Schultz agreed with comments made by Ms. Drake-Batts and Mr. Waller.

Mr. Miller provided a brief explanation of the administrative procedure for Planning Commission recommendations to City Council, and informed residents to contact the Planning Department for further information.

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)

Mr. Miller identified handouts relating to the street vacation request that were distributed to members prior to the beginning of tonight's meeting. Mr. Miller reported the Planning Department received a written request to postpone the item to the October Regular meeting from Ken Demark. He noted Mr. Demark's relationship to the petitioner is unknown.

Mr. Miller said a review of the street vacation request determined the proposed vacation could negatively impact access to the property for large trucks backing onto the property to make pick-ups or deliveries. Mr. Miller asked for a clear understanding of the petitioner's need for the proposed street vacation.

Mr. Waller asked if the Planning Director or Assistant City Attorney had any advice with respect to the lawsuit filed on the street vacation request.

Ms. Lancaster said the City is convinced the subject street is a public road, and the lawsuit would have no bearing on the Planning Commission's determination of the matter.

#### PUBLIC HEARING OPENED

Paul Asker of Asker, Clos & Perlmutter, 35551 Ford Road, Westland, was present to represent the petitioner. Mr. Asker addressed his September 11, 2006 correspondence [copy provided to the Planning Commission prior to the beginning of tonight's meeting] and provided a detailed synopsis of the pending litigation relating to the proposed street vacation. He stated the vacation would allow Behr America to provide additional parking. He indicated that Daley would continue to be a driveway in which truck traffic could turn around. Mr. Asker said Behr America does not intend to fence or gate the vacated street.

[Mr. Strat arrived at 8:30 p.m.]

Mr. Miller recommended a cross access easement that would essentially give permission to others to trespass Behr property.

Mr. Asker said he would discuss the matter of cross access easement with his client.

Robert Easterly of 189 E. Big Beaver, Troy, was present. Mr. Easterly represents Prototfab Corp. located at 2835 Daley. He clarified that Ken Demark, who requested a postponement of the item, is one of the principals of Photofab Corp. Mr. Easterly addressed his correspondence dated July 6, 2006 and September 11, 2006, copies of which were distributed to the Planning Commission prior to the beginning of tonight's meeting. Mr. Easterly provided a detailed synopsis of the pending lawsuit and detailed the direct and negative affect the proposed street vacation would have on his client's business.

There was general discussion on parcel ownership, underground utilities, trespassing concerns, discrepancies in the legal description, City Management's recommendation for denial, and justification of postponing the matter.

#### PUBLIC HEARING CLOSED

#### **Resolution # PC-2006-09-144**

Moved by: Littman

Seconded by: Khan

**RESOLVED**, To postpone this matter to the October 2006 Regular meeting to allow petitioners to start court proceedings and for petitioners to look at the possibility of providing a turnaround easement.

Discussion on the motion on the floor.

Mr. Vleck stated he would vote affirmatively on the motion. He would like the opportunity to review the material that was distributed to the members prior to the beginning of the meeting.

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

**MOTION CARRIED**

Ms. Drake-Batts said she did not need 30 days to make a decision on the matter.

\_\_\_\_\_

Vice Chair Schultz requested a recess at 9:11 p.m.

The meeting reconvened at 9:23 p.m.

\_\_\_\_\_

[Chair Strat resided.]

7. 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. Miller reported the petitioner requested in a written communication dated September 11, 2006, to postpone the matter to the October 2006 Regular meeting.

The petitioner was not present.

**Resolution # PC-2006-09-145**

Moved by: Khan  
Seconded by: Schultz

**RESOLVED**, To postpone the matter to the December 2006 Regular meeting.

Discussion on the motion on the floor.

Ms. Kerwin addressed traffic congestion at this location and expressed concerns with safety. She asked if City Management could study the site with respect to traffic and potential implications in the interim of another postponement.

Mr. Miller said he would ask the City's Traffic Engineer to conduct a minor traffic study at this location. He will keep the members advised of the findings.

Vote on the motion on the floor.

Yes: All present (9)  
 No: None

**MOTION CARRIED**

8. REZONING REQUEST (Z 719) – Proposed Troy Medical Office, West side of Livernois, North of Big Beaver, Section 21 – From R-1B (One Family Residential) to O-1 (Low Rise Office)

Mr. Miller said the petitioner requested a postponement to the November 2006 Regular meeting to pursue the option of a conditional rezoning. Mr. Miller said no action is necessary.

Ms. Lancaster recommended entertaining a motion to postpone the item so the record would be clear.

Mr. Savidant said the petitioner indicated during conversations with the Planning Department that he might request a review of the item at a study session.

**Resolution # PC-2006-09-146**

Moved by: Schultz  
 Seconded by: Khan

**RESOLVED**, To postpone the item until the November 2006 Regular meeting.

Yes: All present (9)  
 No: None

**MOTION CARRIED**

9. SITE PLAN REVIEW (SP 932) – Proposed Stonewood Pangborn Industrial Building Addition, Southeast Corner of Coolidge and Industrial Row (2963 Industrial Row), Section 32, M-1 (Light Industrial) District

Mr. Miller presented a summary of the Planning Department report on the proposed site plan, and reported it is the recommendation of City Management to approve the site plan as submitted contingent upon providing the required 9.5 feet of width for all the parking spaces.

The petitioner, Benny Spielmann of 13211 Northend Avenue, Oak Park, was present. Mr. Spielmann indicated Mr. Pangborn, part owner of Stonewood Pangborn, and the project architect were also present. He addressed the site plan revisions that were made in consideration of Planning Commission comments from the August Regular meeting. Mr. Spielmann indicated he had no problem

eliminating one parking space, and that would allow the necessary space to widen all the parking spaces to the required 9.5-foot width.

Alternate options discussed related to obtaining a variance from the Board of Appeals (BZA) for a reduction in parking, or a reduction in width of the total parking spaces.

Members Vleck and Littman indicated their support of the proposed development by eliminating one parking space.

Mr. Miller briefly addressed handicapped parking.

Chair Strat said the proposed site plan is cramped, but he is supportive of new development coming into the City.

Mr. Spielmann provided copies of the revised site plan, signed and sealed by his architect, which shows the elimination of one parking space and the reconfiguration of 9.5 foot-wide parking spaces.

**Resolution # PC-2006-09-147**

Moved by: Schultz

Seconded by: Khan

**RESOLVED**, That Preliminary Site Plan Approval, as requested for the proposed Stonewood Pangborn Industrial Building Addition, located on the southeast corner of Coolidge and Industrial Row, located in Section 32, on approximately 0.92 acres, within the M-1 zoning district, is hereby granted, and that the Planning Commission allows a reduction of one parking place along the north edge of the building from seven (7) parking spaces to six (6) 9.5 foot wide parking spaces, pursuant to Section 40.20.12, with the following condition.

1. That the eliminated parking space is turned into a greenbelt.

Yes: All present (9)

No: None

**MOTION CARRIED**

**SPECIAL USE REQUESTS**

10. **PUBLIC HEARING – SPECIAL USE REQUEST (SU 337)** – Existing Clark Station, Southwest corner of Rochester Road and South Blvd. (6951 Rochester Road), Section 3, Zoned H-S (Highway Service) District

Mr. Savidant presented a summary of the Planning Department report on 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 with conditions. City Management recommends deleting the north drive on Rochester Road, providing protection for the new canopy supports or eliminating them, and providing a 30-inch screen wall in lieu of the 10-foot wide greenbelt along those portions of South Boulevard and Rochester Road where a 10-foot greenbelt is not provided. Mr. Savidant reviewed Section 39.70.05, as relates to the material of screen wall, and Section 23.30.02 (A), as relates to curb cuts for ingress and egress to service stations.

William Quinlan of Quinlan Associates, 31325 Harper Avenue, St. Clair Shores, was present to represent the petitioner. Mr. Quinlan asked for approval of the site plan as submitted. He indicated the proposed second curb cut on Rochester Road would better facilitate interior traffic and not impede right-turning traffic from South Boulevard to Rochester Road. Mr. Quinlan said the petitioner has concerns that the required screen wall would hinder maneuverability.

There was discussion on alternate layouts, preservation of the existing islands, fill locations for underground tanks, loss of trees, and curb cuts as relates to accessibility and maneuverability.

No one present indicated they wished to speak on this application.

**Resolution # PC-2006-09-148**

Moved by: Khan  
Seconded by: Schultz

**RESOLVED**, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 23.30.02 of the Zoning Ordinance, as requested for the existing Clark Station, located at the southwest corner of Rochester Road and South Blvd., located in Section 3, within the H-S zoning district, are hereby granted, subject to the following conditions:

1. Delete the north drive on Rochester Road.
2. Provide protection for the new canopy supports, or eliminate those supports.
3. Provide a 30-inch screen wall in lieu of the ten-foot wide greenbelt along those portions of South Boulevard and Rochester Road where a 10-foot greenbelt is not provided.

Yes: All present (9)  
No: None

**MOTION CARRIED**

11. PUBLIC HEARING – SPECIAL USE REQUEST (SU 338) – Proposed Auto Detailing and Repair Facility, East side of Souter, South of Maple Road (1402 Souter), Section 34, Zoned M-1 (Light Industrial) District

Mr. Savidant reported the petitioner submitted a request in writing, dated September 5, 2006, to postpone the item to the October Regular meeting.

**Resolution # PC-2006-09-149**

Moved by: Khan  
Seconded by: Wright

**RESOLVED**, That the subject item be postponed to the October 10, 2006 Regular meeting.

Yes: All present (9)  
No: None

**MOTION CARRIED**

12. PUBLIC HEARING – SPECIAL USE REQUEST (SU 339) – Proposed Health Club, South side of Big Beaver, West of Rochester Road (former Home Expo Bldg.), Section 27, Zoned B-2 (Community Business) District

Mr. Savidant presented a summary of the Planning Department report on the proposed special use request, and reported it is the recommendation of City Management to approve the special use request as submitted.

There was discussion on the site plan comments provided by the City's Landscape Analyst. It was assumed that the intent of the comments is that any missing, dying or dead landscape material would be replaced with new landscape material.

David Hunter of Professional Engineers Associates, 2430 Rochester Court, Troy, was present to represent the petitioner. Mr. Hunter said Monte Rosenberger of DeBartolo Development was present also. He indicated the petitioner is purchasing the former Home Depot parcel that is approximately 9 acres, and would be responsible for the landscaping within that parcel. Mr. Hunter said DeBartolo Development is under contract to purchase the entire building and is looking at proposed retail uses for the remainder of the building.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED**

Mr. Schultz asked if the subject parcel would be included if the Planning Commission specified in the Special Use Approval that landscaping must be brought up to the standards of the originally approved site plan.

Mr. Savidant said it would.

Mr. Littman asked if there would be enough parking on site for a health club.

Mr. Savidant replied that the applicant meets all parking requirements of the Zoning Ordinance.

Mr. Vleck asked how the percentage of required landscaping for the subject parcel would relate to the required landscaping for the entire site.

Mr. Savidant stated the petitioner is seeking only a special use approval, and no site improvements are planned at this time.

Mr. Miller said the site is considered as one development at this time. He indicated the Assessing Department would require the petitioner to meet all Zoning Ordinance requirements prior to granting a request to split the lot.

**Resolution # PC-2006-09-150**

Moved by: Vleck  
Seconded by: Littman

**RESOLVED**, That Special Use Approval, pursuant to Section 21.30.03 of the Zoning Ordinance, as requested for the proposed Health Club, located on the south side of Big Beaver, west of Rochester Road, located in Section 27, within the B-2 zoning district, is hereby granted.

Yes: All present (9)  
No: None

**MOTION CARRIED**

13. PUBLIC HEARING – SPECIAL USE REQUEST (SU 271-B) – Amendment of Special Use Approval, Existing Rainbow Rascals Child Development Center, West side of Crooks, South of Investment Drive (4533 Crooks), Section 17, Zoned R-1B (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report. It is the recommendation of City Management to approve the amendment of the Special Use Approval to permit the overnight parking of two commercial vehicles on the property, subject to conditions. City Management recommends limiting the overnight parking to two vehicles with a maximum capacity of 15 passengers and parking the vehicles on the two most northeastern parking spaces. Photographs of

two vehicles the petitioner would like to use were distributed to the members prior to the beginning of tonight's meeting.

The petitioner, Patrick Fenton, owner and operator of Rainbow Development, 17500 W. Eleven Mile Road, Lathrup Village, was present. Mr. Fenton said the Troy facility currently does not have any vehicles parked on site.

#### PUBLIC HEARING OPENED

John Vidosh of 1077 Whisper Way Ct., Troy, was present. Mr. Vidosh spoke in opposition of the request. Mr. Vidosh was present at the meeting when Rainbow Rascals received their Special Use Approval and recalls the two conditions to the approval. He stated the petitioner has violated those conditions and have not been good neighbors, as relates to a second dumpster and parked bus. Mr. Vidosh addressed the location of parked vehicles should tonight's request be granted. He also expressed distaste for the windmills placed on the lawn by the children and the length of time the windmills have remained.

#### PUBLIC HEARING CLOSED

Mr. Fenton provided explanations for the violations cited by Mr. Vidosh, and indicated they were appropriately handled.

Mr. Wright said the reason Planning Commission did not allow overnight parking of commercial vehicles when a Special Use Approval was granted was because the child development center is situated in the R-1B residential zoning district.

Chair Strat agreed with the resident's comments on the windmills at this site.

#### **Resolution # PC-2006-09-151**

Moved by: Waller

Seconded by: Schultz

**RESOLVED**, That conditions of Special Use Approval, pursuant to Section 10.30.03 of the Zoning Ordinance, as requested for the existing Rainbow Rascals Child Development Center, located on the west side of Crooks Road, south of Investment Drive, located in Section 17, within the R-1B zoning district, are hereby amended to permit the overnight parking of two commercial vehicles on the property, subject to the following conditions:

1. There shall be a maximum of two vehicles with a maximum capacity of 15 passengers each parked on the parcel overnight. These vehicles shall be parked on the two most northeastern parking spaces on the parcel.

Yes: Drake-Batts, Kerwin, Khan, Littman, Schultz, Vleck, Waller

No: Strat, Wright

#### **MOTION CARRIED**

Mr. Wright voted no because the center is located in a residential zoning district.

Chair Strat concurred.

### **ZONING ORDINANCE TEXT AMENDMENT**

14. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 226) – Articles 04.00.00 and 24.00.00 – Medical Equipment Sales and Service in the O-1 (Low Rise Office) District

Mr. Miller briefly reviewed the proposed zoning ordinance text amendment relating to medical equipment sales and service in the O-1 district. He indicated that City Management concurs with the direction of the Planning Commission.

#### **PUBLIC HEARING OPENED**

No one was present to speak.

#### **PUBLIC HEARING CLOSED**

A short discussion followed.

- Special use approval versus permit by right.
- Domino affect to retail uses.
- Intensity of proposed use.
- Impact on office district.
- Intent of City Council direction.

#### **Resolution # PC-2006-09-152**

Moved by: Wright

Seconded by: Kerwin

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that Articles IV and XXIV, pertaining to revisions to permit Medical Equipment Sales and Service in the O-1 (Low Rise Office) District, as printed on the proposed Zoning Ordinance Text Amendment, be approved.

Yes: Kerwin, Khan, Strat, Waller, Wright

No: Drake-Batts, Littman, Schultz, Vleck

#### **MOTION CARRIED**

Members Drake-Batts, Littman, Schultz and Vleck indicated their preference to allow medical equipment sales and service by special use approval.

There was a brief discussion on existing medical uses in the O-1 zoning district.

**SITE PLAN REVIEWS**

15. SITE PLAN REVIEW (SP 883-C) – Amendment to Consent Judgment – Heartland Health Care Skilled Nursing Facility, South side of South Blvd., East of Livernois, Section 3 – Consent Judgment

Mr. Miller reviewed the request to amend the Consent Judgment by providing an additional 16 parking spaces on site. It is the recommendation of City Management to approve the revised site plan as submitted. Mr. Miller indicated the revisions would not affect compliance with any Zoning Ordinance provisions. It was noted that the Planning Department report incorrectly states the parking spaces would be incorporated on the southwest side of the building; it should read the southeast side.

The petitioner was present in the audience.

Chair Strat opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

**Resolution # PC-2006-09-153**

Moved by: Wright

Seconded by: Kerwin

**RESOLVED**, That the Planning Commission recommends to City Council that Preliminary Site Plan Approval, pursuant to a proposed Amendment to Consent Judgment, for a revised site plan, located on the south side of South Boulevard and East of Livernois Road within Section 3, within the O-1 zoning district, be approved.

Yes: All present (9)

No: None

**MOTION CARRIED**

16. SITE PLAN REVIEW (SP 909) – Landowner – Proposed Amendment to Consent Agreement – Starbucks Restaurant, Northwest corner of Big Beaver Road and Crooks Road, Section 20 – H-S (Consent Judgment)

Mr. Miller reported a request to postpone the item to the October 2006 Regular meeting was received today from Joseph M. Rogowski, Berry Reynolds & Rogowski, PC, on behalf of the petitioner. It was noted the petitioner requested a postponement from the Board of Zoning Appeals (BZA) for requested variances relating to the proposed development.

Mr. Miller provided a history of the item. He indicated that City Management was not provided enough time to consider the application and make a recommendation, but identified some concerns after a cursory review of the site plan.

Ms. Lancaster explained the administrative process for a Consent Agreement amendment. She indicated the Planning Commission would review the site plan before a presentation of the complete package to the City Council. The request to amend the Consent Agreement and site plan approval would be considered and determined by the City Council.

There was discussion on the relationship of the proposed use with implementation of the Big Beaver Corridor plan.

**Resolution # PC-2006-09-154**

Moved by: Schultz  
Seconded by: Littman

**RESOLVED**, To postpone this item to the October 2006 Regular meeting.

Yes: All present (9)  
No: None

**MOTION CARRIED**

**OTHER ITEMS**

17. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

**GOOD OF THE ORDER**

The members and City Management overwhelmingly welcomed back Mr. Wright!

Mr. Wright said it was good to be back!

Ms. Drake-Batts addressed traffic congestion on the northwest corner of Big Beaver and Crooks, near the retail center [Einstein Bagels]. She asked if a “no left turn” sign on to Crooks could be erected.

Mr. Miller said he would bring it to the attention of the City’s Traffic Engineer.

Mr. Schultz, former member of the City’s Traffic Committee, said placement of directional signs is based on the number of accidents.

Mr. Waller addressed the landscaping on Crooks and Big Beaver, in front of Kelly Services.

Ms. Kerwin announced the dates/times for the grand opening/open house/ribbon cutting of the new Boys and Girls Club.

Ms. Lancaster said it was good to see everybody!

Mr. Miller reviewed agenda items on the next study session meeting. He reminded members that a venue must be determined for the November 7, 2006 Special/Study meeting.

Mr. Vleck commented on the number of postponements at tonight's meeting, and the length of time it took to conduct the meeting.

Mr. Littman reminded members of the upcoming Kresge Foundation tour.

Chair Strat addressed the progress made on streamlining the PUD process.

The Regular Meeting of the Planning Commission was adjourned at 11:20 p.m.

Respectfully submitted,

---

Thomas Strat, Chair

---

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2006 PC Minutes\Final\09-12-06 Regular Meeting\_Final.doc