

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on August 14, 2007, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson  
Mary Kerwin  
Robert Schultz  
Thomas Strat  
John J. Tagle  
Kathleen Troshynski  
Mark J. Vleck  
Wayne Wright

Absent:

Lawrence Littman

Also Present:

Mark F. Miller, Planning Director  
R. Brent Savidant, Principal Planner  
Susan Lancaster, Assistant City Attorney  
Jonathan Shin, Student Representative  
Joel Cortright, Student Representative  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2007-08-125**

Moved by: Wright  
Seconded by: Tagle

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

Yes: All present (8)  
Absent: Littman

**MOTION CARRIED**

2. APPROVAL OF AGENDA

**Resolution # PC-2007-08-126**

Moved by: Kerwin  
Seconded by: Wright

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

Yes: All present (8)  
Absent: Littman

**MOTION CARRIED**

3. MINUTES

**Resolution # PC-2007-08-127**

Moved by: Kerwin

Seconded by: Tagle

**RESOLVED**, To approve the July 24, 2007 and July 31, 2007 Special/Study Meetings minutes as presented.

Yes: All present (8)

Absent: Littman

**MOTION CARRIED**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

**STREET VACATION REQUEST**

5. PUBLIC HEARING – STREET VACATION REQUEST (SV 32-B) – Lincoln Drive, West of John R, South of Big Beaver, approximately ±260.00 feet long, ±25 feet wide, Section 26 – Zoned PUD #7 (The Village at Big Beaver)

Mr. Miller presented a summary of the Planning Department report on the proposed street vacation. He reported it is the recommendation of City Management to approve the request with the condition that temporary easements would be retained for the water main and gas line. Mr. Miller indicated the easements would be relocated during construction and engineering of the Sunrise Senior Living portion of the planned unit development project.

Mr. Hutson asked if the temporary easements would be vacated automatically, or if they would remain.

Ms. Lancaster said the temporary easements would cease upon vacation and that the Resolution should state that.

Robert Jacobs, Attorney, of Jackier Gould, P.C., 121 W. Long Lake Road, Bloomfield Hills, was present to represent the petitioner.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

**Resolution # PC-2007-08-128**

Moved by: Wright

Seconded by: Kerwin

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the street vacation request, as submitted, for a street located west of John R, south of Big Beaver, approximately 260 feet long by approximately 25 feet wide, Section 26, be approved, subject to the following condition:

1. A temporary water main easement and natural gas line easement shall be retained until such time that easements are executed for the relocated water main and natural gas line.

Yes: All present (8)

Absent: Littman

**MOTION CARRIED****SITE PLAN REVIEWS**

6. SITE PLAN REVIEW (SP 941) – Proposed AAA Insurance Office, North side of Maple, East of Livernois (121 E. Maple), Section 27, Zoned O-1 (Low Rise Office) 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. Mr. Miller indicated a dumpster is not required on the site, but noted there is a requirement to screen a dumpster should one be placed on the site.

The petitioner, Marcella DeGiulio-Galka of 121 E. Maple, Troy, was present. Ms. DeGiulio-Galka asked for clarification on storm water detention.

Mr. Miller addressed the engineering process as relates to storm water detention.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

Mr. Strat asked the petitioner what method of trash removal she would be using.

Ms. DeGiulio-Galka replied that trash would be kept in the basement area and placed outside for curb pick-up. She said a shredding company has been hired, and she estimates there would be two trash bags per week.

Mr. Strat asked if the petitioner uses the City's residential trash removal service.

Ms. DeGiulio-Galka replied in the affirmative, and said they have been using the service for the last 17 years.

Chair Schultz informed the petitioner that it might be in her best interest to hire a trash hauling service. He indicated the City's residential service should not be picking up trash in the O-1 zoning district.

Mr. Tagle asked the petitioner to address the size and setback compliance of the existing building.

Ms. DeGiulio-Galka said the existing single floor building is 2,800 square feet and does not comply with existing setbacks.

Chair Schultz addressed a news article that implied people were living in the office building at the time of the fire. He asked if there were any legal implications if it should be discovered that people reside in buildings within the O-1 zoning district.

Ms. Lancaster said people are not allowed to reside in office buildings, and indicated it could result in being ticketed.

Ms. DeGiulio-Galka said there was no one living in the building.

**Resolution # PC-2007-08-129**

Moved by: Vleck  
Seconded by: Kerwin

**RESOLVED**, That the proposed office, located on the north side of Maple, east of Livernois, located in Section 27, on approximately 10,200 net square feet in area, within the O-1 zoning district, be granted.

Yes: All present (8)  
Absent: Littman

**MOTION CARRIED**

7. **SITE PLAN REVIEW (SP 641-C)** – Proposed Industrial Building Addition, West side of Barrett, North of Maple (1893 Barrett), Section 28, Zoned 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.

Mr. Tagle asked about the notation on the site plan relating to a waiver of the dumpster screen wall.

Mr. Miller said there is no requirement to screen the dumpster because of its location on the site.

Mr. Tagle questioned the number of landbanked parking spaces as relates to the application.

Mr. Miller said the Planning Department would verify the number of designated landbanked parking spaces.

Mr. Tagle addressed the turning radius of a semi trailer truck on the site. He said the site plan shows that a turning semi trailer truck would clip the building. Mr. Tagle said it appears that the landscaped area is in the way.

Mr. Miller indicated that issue should be discussed with the petitioner, as the City does not have a standard on turning radii unless it relates to a fire truck.

Thomas Roth of Roth and Associates, project architect, and Joe Gutowski of N D Industries, 1893 Barrett Drive, were present.

Mr. Roth addressed the truck turning radius and said the CAD software could not put in a 90-degree curb radius.

Mr. Gutowski addressed the building expansion, the landscaped area and existing truck wells. He said they worked with the Troy Fire Department to resolve outstanding issues that existed over the years.

Discussion followed.

Messrs. Roth and Gutowski were confident that a semi trailer truck could maneuver the turn.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

**Resolution # PC-2007-08-130**

Moved by: Vleck

Seconded by: Strat

**RESOLVED**, That the proposed industrial building addition, located on the west side of Barrett, north of Maple, located in Section 28, on approximately 2.0 acres in area, within the M-1 zoning district, be granted, subject to the following condition:

1. Verification of landbanked parking.

Yes: All present (8)

Absent: Littman

**MOTION CARRIED**

8. SITE PLAN REVIEW (SP 305-H) – Proposed West Bed Tower Expansion, William Beaumont Hospital, West side of Dequindre, South of South Blvd. (44201 Dequindre), Section 1, Zoned C-F (Community Facilities) and E-P (Environmental Protection) 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.

Tom Platz of Harley Ellis Devereaux, 26913 Northwestern Hwy, Southfield, was present to represent the petitioner. Mr. Platz addressed construction of the three additional stories. He indicated the fifth floor would be completed immediately, and the 6<sup>th</sup> and 7<sup>th</sup> floors would be shelled until 2012.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

**Resolution # PC-2007-08-131**

Moved by: Troshynski

Seconded by: Wright

**RESOLVED**, That the proposed William Beaumont Hospital west bed tower expansion, located on the west side of Dequindre, south of South Boulevard, located in Section 1, on approximately 67.695 acres in area, within the C-F and E-P zoning districts, be granted.

Yes: All present (8)

Absent: Littman

**MOTION CARRIED**

## **SITE CONDOMINIUM SITE PLAN**

9. **SITE CONDOMINIUM SITE PLAN REVIEW** – Villas of Troy Site Condominium, 12 units/lots proposed, South of Wattles Road, West side of Finch, Section 21, Zoned R-1B (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report on the proposed site condominium project. He addressed the two flood plain lines shown on the plans, indicating that one flood plain line represents the FIRM map and the second flood plain line is representative of a study completed by Spalding DeDecker in February 2001. Mr. Savidant reported it is the recommendation of City Management to approve the application subject to (1) a determination by the Planning Commission that the Parallel Plan is feasible; and (2) flood plain boundary approval by the MDEQ and FEMA prior to final site condominium approval.

There was lengthy discussion on:

- Feasibility of the Parallel Plan.
- Distinction of conflicting flood plain lines, as relates to the number of developable units.
- MDEQ approval procedure of which preliminary site plan approval is required at the time of MDEQ submission.
- Precedence of action by MDEQ and FEMA over the Planning Commission.

Mr. Miller said the City's Engineering Department has determined that the proposed Parallel Plan is feasible. He indicated it is very likely that the petitioner would get approval by the MDEQ.

Mr. Savidant said the Engineering Department's determination is based on the flood plain lines as represented by the Spalding DeDecker study. He indicated that two of the proposed eleven units would conflict with the flood plain line.

Ms. Kerwin expressed concern with the word "shall" in the approval condition cited in the Planning Department report. The report references that the Planning Commission "shall" determine that the Parallel Plan is feasible. Kerwin said the engineering report should have indicated in narrative form that the Spalding DeDecker flood plain lines were used in its determination that the Parallel Plan is feasible.

Mr. Miller apologized if the language in the Planning Department report appeared too strong. He noted that the proposed Resolution does not contain that language, and City Management is not asking the Planning Commission to make a determination on the feasibility of the Parallel Plan.

Also discussed were alternative detention methods and ingenuity in storm water management.

Mr. Savidant said it would be a first for the City to require a developer to provide bioswales in a single family residential development. He reviewed the procedure for preliminary and final site condominium approvals, and noted the Planning Commission would not review the plan for final approval.

Mr. Miller said neither the Planning Commission nor City Council have the authority to dictate what engineering methods would be utilized. He indicated that the site plan could change because the only requirement from the petitioner at the time of preliminary site condominium review is to show on the plan what they might do. Mr. Miller further stated that the Engineering Department does not have the authority to require alternative storm water management methods.

The petitioner, Joe Maniaci of Mondrian Properties, 50215 Schoenherr, Shelby Twp, was present. Mr. Maniaci said the intent of the cluster development is to leave the natural open space and not impede into the wetlands or flood plain area. He indicated there would be a small impact on one of the wetlands near the detention basin. Mr. Maniaci said his engineer and the City's Engineering Department extensively reviewed the site plan and the plan meets all City ordinance requirements. He said development is feasible using either set of flood plain lines. He indicated the development would be easier using the Spalding DeDecker flood plain lines, and he is confident of the findings reported in their study. Mr. Maniaci addressed the development process of site condominium development versus single family homes.

Ms. Troshynski addressed the size of the homes on the smaller lots as proposed, and asked the petitioner if he had a "Plan B".

Mr. Maniaci replied they have not looked at options to reduce the number of units due to cost factors. He said the lots are wider and the homes will appear larger than they really are because of the property depth. Mr. Maniaci said the lots would have the same spatial relationship as the neighbors to the south.

Mr. Miller addressed the 100 year flood plan impact on the proposed development, as relates to the FIRM flood plain lines and the Spalding DeDecker flood plain lines.

Chair Schultz opened the floor for public comment.

Joe McKeever of 840 Huntsford, Troy, was present. Mr. McKeever addressed the density of the proposed development and storm water management in the area. He asked Mondrian Properties to complete all construction phases, specifically sidewalks, of existing developments before beginning a new project. Mr. McKeever said he would like to see future development of the southeast corner.

Chair Schultz said the southeast corner is wetland and not buildable. He informed Mr. McKeever to contact the Building Department about the sidewalk construction in the area.

Bob Beauchamp of 880 Huntsford, Troy, was present. Mr. Beauchamp addressed his concern for the health of the pine trees in the area with the placement of the drain to the south side of the property.

Chair Schultz said the Engineering Department would address that concern.

Jo Alice Pelletier of 800 Huntsford, Troy, was present. Ms. Pelletier addressed the proposed development as relates to density, environmental impact and disruptions, and storm water management. She also addressed the approval process of the City.

Chair Schultz provided a brief explanation of the two-dimensional site plans that are reviewed by the Planning Commission, and multi-dimensional plans reviewed by other City departments.

Edith Masana of 3830 Finch, Troy, was present. Ms. Masana addressed the area's environment, natural features and wildlife. She asked what safety measures the developer would take for the protection of children near the creeks. Ms. Masana also addressed the drainage system.

Duane Devereaux 3812 Finch, Troy, was present. Mr. Devereaux addressed the maintenance of the wetlands directly behind his house. He maintains his property, but there has been no maintenance of the wetlands that abuts his property.

Irene Pawlak of 3848 Finch, Troy, was present. Ms. Pawlak shared a personal, negative experience she had with Spalding DeDecker. She addressed the drainage in the area, and asked the City to take its time and review the situation before making a decision on the proposed development.

Chair Schultz reviewed the procedure a petitioner must follow to seek MDEQ approval.

The floor was closed.

**Resolution # PC-2007-08-132**

Moved by: Vleck

Seconded by: Strat

**RESOLVED**, That the Planning Commission recommends to City Council, that the Preliminary Site Plan (Section 34.60.00 Open Space Preservation Option), as requested for Villas of Troy Site Condominium, including 11 units, located south of Wattles, west side of Finch, Section 21, within the R-1B zoning district, be granted, subject to the following conditions:

1. Prior to Final Site Plan Approval, the flood plain boundary shall be approved by the MDEQ and FEMA.

**FURTHERMORE**, That the following design recommendations are provided to City Management and to the property owners:

1. That they will work with the neighboring properties to preserve the health of as many trees on the neighboring property when installing the drainage system.

Yes: Schultz, Strat, Tagle, Vleck  
No: Hutson, Kerwin, Troshynski, Wright  
Absent: Littman

### **MOTION FAILED**

Mr. Wright said he is not convinced the Parallel Plan is feasible and that they can get 11 units on the property.

Ms. Kerwin voiced concerns with the potential impact to neighboring properties as relates to density, environment and flooding. She also addressed the engineering report on the matter.

Mr. Hutson said he is not satisfied that the Parallel Plan is feasible.

Ms. Troshynski voiced concern with the density of the proposed development. She said the development was not well thought out as far as size and use of the property, and addressed the sale of homes without basements.

A brief discussion followed on:

- Action that could be taken by the petitioner.
- Recommendation for denial to City Council.
- Procedure to reconsider the motion.

### **Resolution # PC-2007-08---**

Moved by: Kerwin

**RESOLVED**, Reconsideration of this issue.

Motion **FAILS** due to a lack of a second.

---

**OTHER ITEMS**10. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

11. **PLANNING COMMISSION COMMENTS**

Mr. Miller briefly addressed details of the August 22 and August 28, 2007 Special/Study meetings.

Mr. Strat regrettably said he would not be in attendance at the August 22<sup>nd</sup> meeting.

Ms. Kerwin asked the Chair if he could share information on the study being conducted on the City's permit approval process.

Chair Schultz said his interview with Zucker Systems is scheduled tomorrow.

Mr. Vleck thanked the Troy Parks and Recreation Department for a great job in accommodating the Troy Youth Football Association.

Mr. Hutson addressed the prepared Resolutions by the Planning Department, as relates to general or more specific language for site plan approval.

Chair Schultz reminded everyone of the Special meeting called on Wednesday, August 22 at 7:30 p.m.

The Regular Meeting of the Planning Commission was adjourned at 9:14 p.m.

Respectfully submitted,

---

Robert Schultz, Chair

---

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2007 PC Minutes\Draft\08-14-07 Regular Meeting\_Draft.doc