

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, May 7, 2002, in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

**Present:**

Waller  
Littman  
Chamberlain  
Kramer  
Starr  
Vleck  
Storrs (8:00 p.m.)

**Absent**

Wright  
Pennington

**Also Present:**

Mark Miller, Planning Director  
Susan Lancaster, Assistant City Attorney  
Doug Smith, Real Estate and Development Director

RESOLUTION

Moved by Vleck

Seconded by Kramer

RESOLVED, that Ms. Pennington and Mr. Wright be excused from attendance at this meeting.

Yeas: All Present (7)

Absent: Pennington  
Wright

MOTION CARRIED

**STUDY ITEMS**

2. MINUTES

RESOLUTION

Moved by Littman

Seconded by Waller

RESOLVED to approve the March 26, 2002 Planning Commission Meeting Minutes as corrected.

Yeas  
Chamberlain  
Kramer  
Starr  
Waller  
Littman

Abstain  
Vleck

Absent  
Pennington  
Wright  
Storrs (8:00 p.m.)

MOTION CARRIED

RESOLUTION

Moved by Waller

Seconded by Starr

RESOLVED to approve the April 2, 2002 Planning Commission Meeting Minutes as corrected.

Yeas  
Chamberlain  
Kramer  
Starr  
Waller  
Littman

Abstain  
Vleck

Absent  
Pennington  
Wright  
Storrs (8:00 p.m.)

MOTION CARRIED

3. CURRENT DEVELOPMENT REPORT

Mr. Miller commented on the Rabbani case presently in Court and that it will probably be completed by the end of this week.

4. CR-1 AND OPEN SPACE PRESERVATION – H.B. 5029

Mr. Miller stated that we, the Planning Department and the Planning Commission, have gone through at least two, maybe three, CR-1 rezoning requests and one approval, which was Choice Group. We need a little direction and/or comments on when it would be appropriate to use the CR-1 option, especially on Paragon north of I-75. We need some creative options in order to develop it. Our Ordinance needs some rework. For example, Wattles should not get 100 percent density transfer. We should put aside the house bill and go through them separately. He stated that it seems that he may be going in a direction that the Commission probably doesn't necessarily agree with.

Mr. Vleck stated that when we are using that type of zoning under the Ordinance, one of the major objections are setbacks. We should amend the Ordinance to address this problem.

Mr. Miller stated he agreed. That there should be a minimum set of setbacks required. The 35 foot required setback needs to be examined. In the meantime, input would be greatly appreciated.

Ms. Lancaster commented on the last meeting and wondered if the commission was waiting out the Senate Bill.

Mr. Miller stated that the new State Act will apply to these issues in the future and that once December 15, 2002 hits, we have to have a cluster option in the R-1A and R-1B districts. By Right of Ownership, the property owner can preserve twenty (20) percent of the property as dedicated open space and then take the overall site density and put it on the remainder of the parcel. They will not be required to rezone.

Mr. Chamberlain stated they have to follow the cluster ordinance.

Mr. Miller replied exactly.

Mr. Chamberlain stated that throughout the summer, we have to rewrite our Ordinance.

Mr. Miller stated we have to have it in placed by December.

Ms. Lancaster stated that it is mandatory that we amend this Ordinance and it needs to be in place for adoption by December 15, 2002.

Mr. Littman asked why just R-1A and R-1B.

Mr. Miller stated because the State Act says it applies only to property zoned to permit 3 or fewer dwelling units per acre, with public sewer.

Mr. Littman asked if there is any wording as to what could go into this.

Mr. Miller replied, yes there is.

Mr. Littman asked does it have to be wetlands.

Mr. Chamberlain commented on the definition of the preservation.

Mr. Miller stated that it is land that is in an undeveloped state. It is really broad, with the exception of golf courses.

Mr. Kramer stated that in 4i of the City/Village Zoning Act, there is no increase in density. The density is the same as in the existing zoning.

Mr. Chamberlain stated that City Staff should come back to us with suggested changes to CR-1 setbacks from the adjacent property on the bill and then re review the density.

Mr. Starr asked does R-1A and R-1B zoning district have to be changed to follow the Open Space Amendment.

Ms. Lancaster stated that is what we are going to be working on.

Mr. Starr asked do we want to do that for all R-1 zoning.

Mr. Chamberlain stated that it goes to the top of R-1, then it covers everything under that. Then it's all inclusive.

Mr. Kramer asked that when we take a look at the CR-1, what about the issue of sidewalks on one or both sides of the street; private or public.

Mr. Miller stated that currently, we allow sidewalks on public roads.

#### 5. INFILL RESIDENTIAL AND CROSS ACCESS EASEMENTS

Mr. Miller commented on problems with Rhode Island. We have an existing residential area developed, roads with ditches, no sidewalks, lacking curbs and gutters. Our discussions should be on how do we get the traffic to the new subdivision. How do we integrate them and how are they interconnected. City Council is pushing to have access off of Big Beaver. Direction is being sought on developing certain plans or standards.

Mr. Miller stated that as an example, a rezoning request for attached condominiums will be coming to us next Tuesday. The property is north of Lamb on Rochester Road. The Planning Department will be recommending approval. They are medium density, R-1T, with an additional driveway south of that and that there is also an existing stub road. We will have another road when the development comes in, and also would like to see a reduction in the number of driveways.

Mr. Chamberlain stated that we have got every issue we have ever had to deal with of how we handle egress and ingress, vehicle and pedestrian, all in one area. They will probably get rezoning on this and then the Site Plan will come in. We need to get our ducks in a row. We need to get all these issues sorted out.

Mr. Miller stated it does have positive points. Another major issue is non-residential infill development. Currently, in residential where the proposed Ordinance by Dick Carlisle could be used is in those types of situation where properties are under utilized. One is the existing Troy Baptist Church and second is the Door Building.

Mr. Chamberlain stated we should talk about the Carlisle report. This could lead us to some solutions.

Mr. Vleck stated that one of his concerns deals with section 4 under c. long term aesthetic beauty.

Mr. Chamberlain stated it's in the eyes of the beholder.

Mr. Starr stated that this report doesn't look like anything that would come out of Troy. It seems to have been created by a first year master student with an ego trip. I thought a PUD was wide open. We want it to work with the surrounding area. It wants to be an island of its own.

Mr. Kramer stated that he thinks we have to back up a little bit here. We are a group chartered to do some planning where if it is a matter of Health, Safety, and Welfare, and we need to do something. Mr. Starr expressed it quite well. Why don't we have a plan where we are going to bring up the standards we have defined based on the Health, Safety, and Welfare of the City. The City will have a plan in place on how that will be implemented.

Mr. Chamberlain commented on the streets that don't meet standards today, and that we are going to have to tackle them probably this fall. It is a long term problem and it is going to cost a lot of money.

Mr. Storrs stated that he didn't get much out of it. He doesn't think it's worth messing with.

Mr. Chamberlain stated that this thing seems like the original PUD language we have. We trashed it and rewrote it and he thinks that we are going to have to do the same with this. We need to make it right. We do a disservice to the City and the Community if we were to go with it.

Mr. Vleck stated he has the same problem as everyone else does. A bunch of gobbledygook. Where did this come from.

Mr. Waller stated we have made the comment that it looks like it's been written by a Master Student. There are some things in here that are foreign. The language is not the kind of language we have in the City of Troy, although we have to understand the benefit of some of the things that are in here. Maybe we can throw out some of it and think over the rationale on others.

Mr. Littman stated it was overly verbose. Too many generalities, they are meaningless.

Mr. Chamberlain stated the driveways are too short, setbacks are right on the street, and what about snow removal. Discussions were held regarding City Management wanting a June public hearing.

Mr. Smith stated that the Infill Development Option doesn't meet what the City wants out of the proposed Ordinance and we need to allow for Infill PUD on property less than 10 acres in size. He asked how do we accomplish this without this large Ordinance? He stated that the infrastructure is okay and it does provide some great flexibility. Maybe if we should have some reward system if it could meet all those requirements; however, this one doesn't even come close. He stated that all this really needs is a simple amendment to the PUD. The way it is just doesn't do it.

Mr. Waller stated that one thing that might help would be a copy of the order the City of Troy provided to Carlisle.

Mr. Storrs stated that this could be an action item for Doug Smith. He could make the amendment to the PUD and then get with Mark. We will discuss the amendment at the first Special Study meeting in June.

Mr. Miller stated that what has come out of this Carlisle report is a lot more than what we were expecting. We did portray to Carlisle exactly what Doug Smith said. We wanted to have some control.

Mr. Chamberlain stated it's got to be mandatory, at least in terms of pedestrian connections, because there is a school the kids have to get to. Vehicular traffic also needs to be studied. These are the kinds of things we need to look at. Where are the parks, the schools, etc.

Mr. Storrs stated that we clearly need to encourage vehicle interconnection.

Mr. Chamberlain stated that when we do the Ordinance language, we have to take into consideration the type of street we have in place today, the schools, the parks, etc.

Mr. Waller asked about the main access off of Lamb, eastern site.

Ms. Lancaster stated it has to be site related.

Mr. Vleck stated he agreed with Doug Smith. If we could maintain the setbacks taking a piece of property like this, we could then maintain a more uniform development.

Mr. Kramer stated that somebody has got to carry the message to the City and decide on interconnection.

Mr. Chamberlain stated that we are moving to have something there by November or December. We will then know where the City really wants to go.

Mr. Miller stated this is a R-1T issue and we need to revise separate from the infill issue.

Mr. Chamberlain agreed, stating that one is a R-1T issue and the second part is how are we going to handle these infill redevelopments. Mr. Miller and Mr. Smith could come up with some language for the first meeting in June.

Mr. Miller stated he agrees with the Planning Commission on interconnection.

6. UPDATE OF TROY BAPTIST PUD

Mr. Miller stated that the enclosed correspondence is from John Szerlag, City Manager, to the Troy Baptist Church indicating general agreement of the conceptual plan by the development team and City Management. It is expected that the PUD will be presented at the June 11, 2002 regular meeting and be discussed at all study meetings as necessary.

Mr. Miller further stated that Dick Carlisle was involved in the plan direction. We laid down design standards while trying to preserve more of the uplands in the northeast corner. There were some changes to the parking area that were allowed. The office was eliminated with the introduction of the medium density condos in that area, 170 units. The plan shows some pedestrian amenities. This is a conceptual plan. We do know that some changes will be addressed. We had a final meeting with City Management and they agreed to this conceptual plan. This summarizes where we are today. We are shooting for a public hearing at the

June meeting. This plan was reviewed very quickly to get this done. There are some additional setbacks on the north boundary.

Mr. Chamberlain asked if it meets the zoning requirements.

Mr. Miller stated that the 50 foot rear yard setback exceeds the required rear yard setback.

Mr. Chamberlain stated he was against conservancy. He doesn't want to see Michigan or Oakland County get it. They will trade land.

Mr. Waller commented on the north end of the conservation agreement behind unit 40, across to 47 and 51, inasmuch these are condos, they could still walk out their back door and still use the area there, but they couldn't build a deck or a gazebo.

Ms. Lancaster replied it would strictly not be their property.

Mr. Waller asked why is it packed so tightly behind those units.

Mr. Miller replied they are trying to preserve natural features.

Mr. Storrs stated there is no vehicle access between the houses and the church access. There is no way to get traffic out of there.

Mr. Vleck asked when is hydraulic analysis going to be completed.

Mr. Starr asked if the wetlands in the middle of the condo area, northeast corner, was going to be a problem for the MDEQ.

Mr. Miller stated that they are actually going to increase that area with natural plantings.

Mr. Storrs commented that if we could anticipate a problem and fix it before it happened, wouldn't that be beneficial. Maybe we could have some procedural questions in place on how to make it work.

Mr. Chamberlain stated a PUD is a PUD. When you're done building, it is supposed to be complete.

Mr. Kramer stated he liked what he saw. His question was regarding this large wonderland preserve, if we are treating this as a public place or private place. He would like to see some definition. Is the intent here to keep this as a preserve that no one uses.

Mr. Miller stated that in our negotiations, it was brought up about this upland wooded area in the northeast, which would actually be dedicated to the City. Robertson Brothers was in agreement to dedicate that to the City for better ownership. The City chose to go with the conservancy idea for public access. That was what was conceptually approved on. We wanted to decide which side of the fence we are on. If it's an improvement for the public, there has to be some access to it.

Mr. Kramer commented that he was still looking for some definition.

Mr. Chamberlain commented on water flow in this area and that it runs northwest to the southeast. We can't make the water pool in these areas. All these residents' yards are going to flood if we put a six (6) foot dam in there. We have to figure out a way to move the water underneath.

Mr. Vleck agreed there are potential problems and that it is a pretty substantial drain. The creek holds a substantial amount of water. If you do any type of blockage back there, you will have substantial problems.

Mr. Chamberlain asked how do we mitigate that. These are issues that need to be resolved before this PUD is approved.

Mr. Littman commented that we need to understand vehicular separation and the concern regarding emergency vehicles and only one entrance.

Mr. Waller stated we must save trees and vegetation. We need to let the water flow.

Jim Clarke of Robertson Brothers came forward.

Mr. Chamberlain stated that we have really come some distance into this process. It sure is a lot further than it was.

Mr. Clarke stated the plan itself has come a long way. We have integrated it all together. He complimented Mark Miller and City Staff in their working so cooperatively with them. One consideration on who to dedicate that land to may be to the MDEQ. He also stated that the parking now accommodates the maximum number of required spaces.

Mr. Kramer stated he would like to be sure there is some language in there about the height.

Mr. Smith commented on filling it in as Phase II on the Site Plan.

Ms. Lancaster stated that could be a condition on its approval. You can actually do an outline of the square footage. Everything else would have to come back for

review, but actually you would have already approved. You can do the volume and the architectural pieces at a later date.

Mr. Vleck stated he would like to see the language include what the setbacks are going to be. He commented on the drain being included in the Natural Features Map and would like to see how it's going to be addressed.

Mr. Littman commented on a second entrance, even if it's just for emergencies.

Mr. Vleck asked if the Commission looks at engineering and drainage as part of the approval process for the PUD.

Mr. Storrs stated he doesn't like the egress on the southwest.

Mr. Waller stated that regarding access, other departments of the City would help us on what their feelings are on that in lining up utilities and easements going out east and west, 600 to 800 feet. Is that the only place they can bring in water and sewer.

Mr. Miller stated that we will be looking at it closer as we get more information.

Mr. Kramer asked what are we expecting in terms of details which is going to aid in our decision regarding approval of this.

Mr. Storrs stated he thought it was a good idea for us to get with the other departments and chat with them about it. A concern is safety on Rochester Road and at the Rochester Villas.

Mr. Chamberlain stated the Commission has five (5) weeks for the target recommendation, which would be the first Tuesday in June.

## 7. PUBLIC COMMENTS

Mr. Bob Schultz commented on cross access stub streets going into new developments and City Council not being supportive in their use. He stated he would rather see the developer use the stub street.

Mr. Chamberlain stated that we need to talk about this infill in total and then go to City Management with those issues.

Mr. Schultz commented on the Spectadium Complex and the removal of their trees five weeks ago and that they still have not been replaced.

## FOR THE GOOD OF THE ORDER

Mr. Miller commented on the draft for the detention basin and that it is presently being reviewed and drafted.

Ms. Lancaster stated that Steve Vandette, City Engineer, does want the Commission to have this. He does have an open door and is very interested in hearing your ideas.

Mr. Miller commented on the office development on Town Center Drive and the fact that stormwater detention is in the parking lot. The Planning Commission was dealing with stormwater detention.

Ms. Lancaster commented on a seven (7) year moratorium in the State of Nevada and that so many planners were involved in this. It would take so long to come up with a resolution.

Mr. Waller stated the petitioners that come to the City normally have to bring 15 copies of the plan in. The intent is to get it distributed to the different departments for review. The City Engineer did not have the opportunity to review that. Mr. Miller stated that a staff engineer does review it.

Mr. Chamberlain stated there will be a walkabout on June 3<sup>rd</sup> at 6:00 p.m. at Dequindre and Long Lake.

8. Meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP  
Planning Director