

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, May 14, 2002, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

- Pennington
- Kramer
- Starr
- Waller
- Vleck
- Littman
- Wright
- Chamberlain
- Storrs (7:31)

Absent

Also Present:

- Mark Miller, Planning Director
- Susan Lancaster, Assistant City Attorney
- Jordan Keoleian, Student Representative

2. PUBLIC COMMENTS

No public comments.

3. MINUTES – April 9, 2002

RESOLUTION

Moved by Wright

Seconded by Pennington

RESOLVED to approve the April 9, 2002 Planning Commission Regular Meeting Minutes as amended.

Yeas

All Present (9)

MOTION CARRIED

POSTPONED ITEM

4. SITE PLAN REVIEW (SP-586) – American Polish Cultural Center Expansion, Northwest Corner of Maple and Dequindre, Section 25 – B-2 and B-1

Mr. Miller stated that Mark Simpson, on behalf of the Polish Cultural Center, submitted a Site Plan to expand the existing Center. Subject property is located at the northwest corner of Maple Road and Dequindre Road and is 7.253 acres of size within the B-1 and B-2 Zoning Districts. The Planning Commission granted Site Plan Approval for an art center in 1984; then, in 1988, the Polish Cultural Center purchased the property and building. Currently, the Polish Cultural Center operates a restaurant, social club and offices within the existing building.

Mr. Miller further stated that the petitioner is proposing to split a 1.62 acre site from the original Polish Cultural Center property for the proposed Troy Professional Associates Office Building. A Site Plan Approval request for the proposed office building is item 5 on the May 14, 2002 Planning Commission Agenda. The use of a joint driveway and cross access is provided for the two developments in an effort to reduce the number of driveways and access points on Maple Road.

Mr. Miller further stated that the existing building is 19,200 square feet and the proposed addition is 16,343 square feet in size with a building height of approximately 31.5 feet. There are three (3) use activities proposed within the building and include a social club, restaurant and offices. Parking requirements are then based upon the three activities that will occur within the building.

Mr. Miller further stated that there are no natural features located on the subject property. An existing fenced private stormwater detention basin is located on the subject property. Petitioner proposes to use this existing basin for stormwater detention.

Mr. Miller further stated that the proposed Site Plan meets the Zoning Ordinance requirements; therefore, the Planning Department recommends approval.

Mr. Miller further stated that there were some changes made to the northern boundary and that the parking lot has been changed somewhat.

Mr. Miller concluded stating that the petitioner met with the Planning Department and staff and that the drawing does include vacating the cross access easement across the adjacent office property and to the back northwest of the Cultural Center.

Mr. Starr asked about the cross access easement further west to the Credit Union, is that going to have to be vacated as well?

Mr. Miller stated yes, and Staff is proposing cross access be provided in a new location.

Mr. Storrs asked if there has been any discussions with the Credit Union.

Mr. Miller stated not as of this date.

Mr. Storrs asked for clarification. Wouldn't it be appropriate to have cross access marked the same on both site plan drawings.

Mr. Miller stated it is on the Office property exclusively which is his error.

Mr. Starr asked the petitioner if he was aware of any cross access easement discussions with the Credit Union.

Mr. Grot, the petitioner, stated no.

Mr. Chamberlain stated that right now we are only dealing with the American Polish Cultural Center.

Proposed Resolution

Moved by Storrs

Seconded by Waller

RESOLVED, that Preliminary Site Plan Approval, as requested for the Polish Cultural Center Expansion located at the northwest corner of Maple Road and Dequindre Road, 7.253 acres in size within the B-1 and B-2 Zoning Districts is hereby granted, subject to the following condition:

- 1. Cross access easement will be provided.

Yeas
All present (9)

Nays

MOTION CARRIED

SITE PLANS

5. **SITE PLAN REVIEW (SP-875)** – Troy Professional Associates Office Building, North side of Maple and West of Dequindre, Section 25 – B-2

Mr. Miller stated that Mark Simpson on behalf of Troy Professional Associates L.L.C., submitted a Site Plan Request for an office building located on the north side of E. Maple Road and west of Dequindre Road, Section 25, within the B-2 Zoning District, being 1.62 acres in size. Access is from a single joint driveway and cross access easement with the American Polish Cultural Center. Cross access is also provided to the property to the west. Proposed building size is 14,655 square feet and requires 82 parking spaces, while 102 parking spaces are provided. Stormwater detention is in an existing basin located on the American Polish Cultural Center property. Based on the Natural Features Map there are no natural features located on the subject property.

Mr. Miller concluded stating that the Site Plan adheres to all Zoning Ordinance requirements and the Planning Department recommends approval.

Mr. Kramer asked if the cross access easement to the west of the credit union connected to an existing easement to the credit union.

Mr. Starr stated there is an existing drive and that's why I assumed there must be an existing easement as the credit union building is relatively new.

Mr. Miller stated that he didn't want to assume that connection is there.

Mr. Grot, petitioner came forward, and had no questions.

Mr. Starr stated that cross access easements are granted from one party to the next.

Ms. Lancaster replied yes. Each party gives the other permission. Mr. Miller could check to see if there is an existing easement.

Mr. Chamberlain asked if we could approve this.

Ms. Lancaster stated that it is in the best interest of the petitioner to get a cross access easement. We should not hold the whole site plan up for that. In addition, she would like to have a report as soon as possible on contact with the credit union and the activity of a mutual cross access easement .

Proposed Resolution

Moved by Waller

Seconded by Storrs

RESOLVED, that Preliminary Site Plan Approval, as requested for the Troy Professional Associates Office Building, located on the north side of E. Maple Road and west of Dequindre Road, 1.62 acres in size, Section 25, within the B-2 Zoning District is hereby (granted, subject to the following conditions:

1. A report be created regarding the cross access easement location on the existing credit union.

Yeas

All present (9)

Nays

MOTION CARRIED

6. SITE PLAN REVIEW (SP-881) – Proposed UnaSource / Beacon Health Medical Center Office Bldg., North side of Investment, West side of Crooks, Section 17, O-1

Mr. Miller stated that Debra Kruz on behalf of Affiliated Troy Physicians, L.L.C., submitted a Site Plan Approval request for UnaSource/Beacon Health Medical Center. The Subject property is 10.57 acres in size located on the north side of Investment Drive and on the west side of Crooks Road, Section 17, within the O-1 Zoning District. An existing 89,520 square feet, three story medical office building is located on the subject property. The proposed medical building is 49,999 square feet in size with a basement dedicated for mechanical and storage purposes. Access to the proposed building is an existing driveway to Investment Drive. There are no natural features located on the subject property. Included with the application is an Environmental Impact Statement

Mr. Miller further stated that on February 19, 2001 City Council granted the subject property a parking variance of 336 spaces with provision of an additional 100 landbanked parking spaces. This landbanked area is currently the stormwater detention basin, with a 1 on 6 slope and is unfenced. If in the future the 100 landbanked parking spaces are required by the City to be installed, then an underground detention facility will be necessary.

Mr. Miller further stated that in the northeast corner of the subject property, the Honey Baked Ham property provides a cross access easement. The petitioner was informed of the existing cross access location, but did not provide the necessary connection on the site plan.

Mr. Miller concluded stating that with consideration of the City Council parking variance and the need for a cross access easement, the proposed Preliminary Site

Plan adheres to all Ordinance Requirements. The Planning Department recommends approval.

Mr. Chamberlain asked where is the cross access easement.

Mr. Miller stated in the northeastern corner of the subject property.

Mr. Chamberlain asked if this property proposes to have a cross access easement.

Mr. Miller stated that the petitioner should answer that question.

Mr. Starr asked if the parking waiver, as provided, includes the 100 parking spaces.

Mr. Miller stated it would be the city's discretion whether they were needed. The Building Department should inspect the parking lot once a year to determine the need for use of the landbanked area.

Debra Cruz stated that they are proposing to build a surgery center and medical office space. Parking is proposed all the way around the building. They did a parking study and determined there is enough parking. However, they are building an additional 55 spaces just for the convenience of the customers.

Ms. Cruz further stated that in regard to the cross access easement, they have not shown that because we felt it was not necessary to have a cross access easement. However, if it's required by the Planning Commission, they will provide it.

Mr. Chamberlain stated that we probably will require it.

Ms. Cruz stated that there is space at the end of the row and we would take out some spaces where it could allow the access. They would like to have a slight berm.

Mr. Chamberlain stated that there is no guarantee that you will stay in this building or that Honey Baked Ham will stay in their building, that's why we would like cross access easement.

Mr. Wright asked when you built the first building, didn't you have a cross access easement? He asked if there was a parking problem.

Ms. Cruz stated the owners eliminated the cross access easement.

Mr. Kramer asked about the Medical Office Building having any provisions for overnight stays.

Ms. Cruz replied no there is none.

Mr. Miller stated that the site is visited annually in order to ensure that parking is sufficient.

Proposed Resolution

Moved by Kramer

Seconded by Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the UnaSource/Beacon Health Medical Center, being 10.57 acres in size, located on the north side of Investment Drive and on the west side of Crooks Road, Section 17, within the O-1 Zoning District is hereby granted, subject to the following conditions:

1. Cross access easement will be provided to Honey Baked Ham.
2. Any changes made to this Site Plan will be approved by the Planning Commission.

Yeas

Starr
 Chamberlain
 Pennington
 Wright
 Vleck
 Waller
 Kramer
 Littman

Nays

Storrs

MOTION CARRIED

Mr. Storrs stated he was not in favor of the underground detention.

7. SITE PLAN REVIEW (SP-618 A) – Proposed Bosco’s Pizza Industrial Building Addition, East side of Rochester, South of Maple, Section 34 – M-1

Mr. Miller stated that Thomas Kemp, Kemp Building and Development submitted a Site Plan Approval request on behalf of Waggoner Equities L.L.C. Existing building received Preliminary Site Plan Approval in 1985. The petitioner’s intent is to create an industrial condominium with the northern half of the building for Bosco’s Pizza Co., and it is their desire to relocate from their existing facilities on 1135 Rochester Road, Troy, Michigan. No tenant is identified for the southern half property. The subject property is 10.37 acres in size within the M-1 Zoning District. A small office addition is proposed for Bosco’s Pizza Co. in the front of the northern building. Gross building area is 181,210 square feet. Access to the subject property includes

two driveways on Rochester Road, thus reducing the current number of driveways. An additional driveway provides access to Souter Road. There is an existing encroachment of parking into the front yard setback that is a legal nonconforming structure. Proposed parking lot improvements greatly improve existing internal traffic circulation patterns. The Natural Features Map indicates the subject property is located on the Spencer Barnard Drain which is the southern boundary of the property line, which also includes 100 year flood plain. According to the City Engineer no stormwater detention is necessary for the subject property due to its existing characteristics.

Mr. Miller concluded stating that all Zoning Ordinance requirements are met, with the exception of the continuing parking in the front yard setback, a legal nonconforming structure. Planning Department recommends approval of the Preliminary Site Plan Approval request.

Mr. Storrs asked if the only reason we are seeing a Site Plan is because of the office.

Mr. Miller stated that this process has been going on for awhile. That the petitioner has been seeking a new location for months. The Planning Department felt it was necessary to present the Site Plan to the Planning Commission.

Mr. Littman asked if industrial condo means anything to the Planning Commission.

Mr. Miller stated that the process started when the petitioner came to us desiring to split the property because Bosco only needed the northern portion of the building. There was no reasonable way to split the property without tearing down portions of the building. City Staff came up with the idea of an industrial condominium.

Mr. Littman asked does this mean anything to us.

Mr. Miller replied no.

Ms. Pennington asked if there was cross access all the way around the property.

Mr. Miller stated that the subject property is a single condominium. The northeast corner has a 20 feet drive and the standard is 24 feet. This may be used for emergencies.

Proposed Resolution

Moved by Wright

Seconded by Starr

RESOLVED, that Preliminary Site Plan Approval, as requested for the Proposed Bosco’s Pizza Co. Industrial Building Addition, located on the east side of Rochester Road, south of Maple Road, Section 34, within the M-1 Zoning District, 10.37 acres in size, is hereby granted, subject to the following conditions:

- 1. Any changes to this Site Plan shall be approved by the Planning Commission.

Yeas
All Present (9)

Nays

MOTION CARRIED

- 8. SITE PLAN REVIEW (SP-271) – Proposed Delmia Corp. Parking Lot Expansion, North side of New King, West side of Crooks, Section 8 – R-C

Mr. Miller stated that Steve Schneemann, Neuman Smith & Associates submitted a Preliminary Site Plan Approval request on behalf of Delmia Corporation, for the addition of 71 parking spaces. Access and driveways to the development will not change. The existing stormwater detention basin, located in the southeast corner of the subject property, shall be reconfigured and be unfenced with a 1:6 slope. No natural features are located on the subject property. All Zoning Ordinance requirements are met. The Planning Department recommends approval of the Preliminary Site Plan.

Proposed Resolution

Moved by Vleck

Seconded by Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the Delmia Corporation, 71 parking space expansion, located on the north side of New King Street and on the west side of Crooks Road, Section 8, with the R-C Zoning District, being 6.16 acres in size, is hereby granted.

Yeas
All Present (9)

Nays

MOTION CARRIED

- 9. SITE PLAN REVIEW (SP-880) – Proposed INA USA Corp. Office Bldg., South side of Big Beaver, East side of Bellingham, Section 26 – R-C

Mr. Miller stated that Modris Pudists, Minoru Yamasaki Associates, Inc., submitted a Preliminary Site Plan Approval request on behalf of INA USA Corporation. INA's current location is at 335 East Big Beaver, Troy, Michigan. The subject property is 6.814 acres in size within the R-C Zoning District. The proposed two story building includes a 48,800 square feet office and 30,400 square feet research shop. Included with the application package is an Environmental Impact Statement. Access to the development is two driveways located on Bellingham Road and Big Beaver Road. Cross access easements are provided to Altair to the east and to the south of the subject property at four locations. Stormwater detention is provided in an existing common basin, for the Big Beaver Business Park, located south of the subject property. No natural features are located on the subject property.

Mr. Miller further stated that all Zoning Ordinance requirements are met, including the land banking of 42 (16.7%) parking spaces. The Planning Department recommends approval of the Preliminary Site Plan Approval request.

Mr. Storrs asked if we can approve land bank parking.

Mr. Miller stated it is permitted in the R-C zoning.

Mr. Storrs asked what is the use of the building.

Mr. Pudists, Petitioner, stated it is technical research. Basically, there are cells for engineering block testing. They support the automotive industry. Most are dry cells that drive electric motors.

Mr. Kramer asked if the City permits hot cells in the R-C zoning district.

Mr. Miller stated that this was reviewed by Mark Stimac and there were no problems noted. There are Environmental Performance Standards to address these issues. The use is research, which is permitted and any activities would then be required to meet the building code requirements.

Mr. Kramer stated that it is a fine line if you think about this kind of use because we will have special heat exchanger noise, exhaust, and smoke stack operations. With all of it combined, I just want to make sure it is proper in the R-C district.

Ms. Lancaster stated that we could adjourn and have Mark Stimac check into it and then have it come back to the Planning Commission.

Mr. Miller stated in looking at the M-1 district, it allows manufacturing. If what the petitioner wants is basic research design and experimental, then it's R-C use.

Mr. Pudists stated that's exactly what it is and we did talk to the Building Department and they were satisfied with it.

Mr. Kramer stated he would want a little more assurance than that.

Mr. Waller stated that Magna does similar things.

Mr. Chamberlain stated that we split R-C down the middle, R-C office and R-C industrial.

Mr. Waller asked Mr. Miller to clarify this and propose changes to the ordinance to make it more clear and put noise conditions, exhaust conditions, pollution, etc. Find out what is too much testing to make it industrial.

Proposed Resolution

Moved by Storrs

Seconded by Waller

RESOLVED, that Preliminary Site Plan Approval, as requested for the INA USA Corporation Office Building, located on the south side of Big Beaver Road and on the east side of Bellingham Road, Section 26, within the R-C Zoning District, being 6.814 acres in size, is hereby granted.

Yeas

- Vleck
- Pennington
- Littman
- Storrs
- Chamberlain
- Waller
- Starr
- Wright

Nays

- Kramer

MOTION CARRIED

Mr. Kramer stated that he believes the intensity of the testing is outside of the R-C definition.

- 10. SITE PLAN REVIEW (SP-878) – Proposed Ring Dr. Spec Industrial Bldg., West of John R, South of Maple, Section 35 – M-1

Mr. Miller stated that Brian Laughun, B & L Contracting, on behalf of Bob Begeny, Begeny Enterprises, submitted a Preliminary Site Plan Approval request for an industrial speculative building. Subject property is Lot 3, and part of Lot 2 of Ring Industrial Park Subdivision and is 0.86 acres in size, within the M-1 Zoning District. A single driveway is provided to Ring Drive. Building size is 12,000

square feet. Stormwater detention is provided in a common basin located at the southwest area of Lot 11. No natural features are located on the subject property.

Mr. Miller further stated that the Preliminary Site Plan adheres to all Zoning Ordinance requirements. The Planning Department recommends approval.

Mr. Starr asked if there are the required number of handicapped parking spaces.

Mr. Miller stated yes, that the standards are set by the total number of spaces.

Brian Laughun, on behalf of the petitioner, came forward and stated that he had no questions or comments.

Mr. Kramer asked if we could approve this request.

Mr. Chamberlain stated that it is a common stormwater detention basin. This allows maximum footprint of the building. We just went through one like this recently. Shame on us if we blew it on that one.

Mr. Miller stated that in part of the subdivision there is a common stormwater detention basin for the subdivision. Looks like something we have to add to our to do list.

Mr. Chamberlain stated that the subdivision was laid out in the late eighties.

Mr. Starr stated that if we were to add another handicapped spot, would you lose a parking place.

Mr. Laugun stated no, we would not.

Proposed Resolution

Moved by Pennington

Seconded by Vleck

RESOLVED, that Preliminary Site Plan Approval, as requested for the Ring Drive Spec Industrial Building, located on the west side of Ring Drive, west of John R, south of Maple Road, Section 35, within the M-1 Zoning District, being 0.86 acres in size, is hereby granted.

Yeas
All Present (9)

Nays

MOTION CARRIED

SPECIAL USE REQUESTS

11. **PUBLIC HEARING – SPECIAL USE REQUEST (SU-314)** – Atlantis Auto Wash, North side of Maple and West of Livernois, Section 28 – H-S

Mr. Miller stated that Cordell Craig submitted a Special Use Request for the proposed Atlantis Auto Wash located on the north side of Maple Road, with 60 feet of frontage, and West of Livernois Road. The subject property is 0.7343 acres in size within the H-S Zoning District. There is a single driveway access from Maple Road to the proposed auto wash. The Planning Department recognizes that the introduction of an additional driveway is not desirable, however, there appears to be no other means to provide access to the subject property. The Zoning Board of Appeals granted a building setback variance of five (5) feet, to permit a five (5) feet setback on the west property line. Stormwater detention will occur in an existing basin adjacent to the north property line of the subject property. There are no natural features located on the subject property.

Mr. Miller further stated that there are two (2) alternative vacuum locations indicated on the Site Plan. The location between the stacking spaces is the furthest away from the residential property, but there is more potential for conflicts with internal traffic circulation. While the location near the north property line is separated from the internal traffic circulation, it is located closer to residential properties. The Planning Department notes positive and negative aspects to both locations. Mr. Craig indicates a preference for the north property location. The Planning Department recommends approval of the Special Use Request and Site Plan, with consideration of the vacuum locations.

Cordell Craig, Petitioner, stated that he would move the dumpster. He would like to keep the vacuums up closer for customer convenience. We are trying to bring in the quietest vacuums we can.

Mr. Wright asked if the staff preferred the vacuums near the detention basin.

Mr. Miller noted positive and negative points to both locations.

Mr. Wright stated that he understands what is being said about the vacuums, but he thinks it would be better to get them away from residential. Those vacuums are noisy.

Mr. Starr asked how the people will get in and out.

Mr. Craig stated that rather than making the parking areas straight through, we will probably make them at an angle.

Mr. Chamberlain stated the vacuum cleaners are seldom used.

Bob Waldren, 3785 Rochester Road, stated that it varies. The noise of the vacuum is not the problem. It is the inconsiderate customer who turns their radio up in order to hear it over the vacuum.

Mr. Vleck asked where is the parking provided on this plan.

Mr. Craig pointed out parking for the employees.

Mr. Keoleian stated that he noticed that there are no lamp posts.

Mr. Craig stated there are three.

Mr. Littman agrees with the vacuum position, away from residential.

Public hearing opened.

Tom Alexander, 18161 West 13 Mile Road, stated that he had just purchased property to the east of the proposed car wash and is concerned about moving the building forward and has concerns when coming from the west.

Mr. Chamberlain stated that the building is not being moved forward.

Public hearing closed.

Proposed Resolution

Moved by Littman

Seconded by Wright

RESOLVED, that Special Use Approval, as requested for the Atlantis Auto Wash, located on the north side of Maple Road and west of Livernois Road, Section 28, within the H-S Zoning District, being 0.7343 acres in size, is hereby granted, in accordance with section 23.30.04 of the Zoning Ordinance, subject to the following conditions:

1. The vacuum cleaners will be located between the stacking spaces and the dumpsters will be moved to the northwest section of the property.

Yeas

All Present (9)

Nays

Absent

MOTION CARRIED

Proposed Resolution

Moved by Littman

Seconded by Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the Atlantis Auto Wash, located on the north side of Maple and west of Livernois Road, Section 28, within the H-S Zoning District, being 0.7343 acres in size, is hereby granted, subject to the following conditions:

- 1. The vacuum cleaners will be located north of the collection booth and the dumpsters will be moved to the northwest section of the property.

Yeas

Nays

Absent

All Present (9)

MOTION CARRIED

12. PUBLIC HEARING – SPECIAL USE REQUEST (SU-315) – Pro Car Wash West, North of Troywood, West side of Rochester, Section 22 – H-S

Mr. Miller stated that Robert Waldron, Pro Enterprises, Inc., submitted a Special Use Request to expand Pro Car Wash West. The existing facility, being 1.04 acres in size, received Preliminary Site Plan Approval in 1984, for an expansion and Special Use Approval was not required at that time. The subject property is located on the west side of Rochester Road, with an existing single driveway access. There is an existing cross access easement for Picano’s Restaurant overflow parking located on the subject property. No natural features are located on the property. No stormwater detention is required due to the existing characteristics of the property. Zoning Ordinance requirements are met and the Planning Department recommends approval.

Bob Waldren, Petitioner, came forward and stated that he has been in the car wash business since 1976. He is requesting this expansion in order to move the cars away from Rochester when they are a finished product. It will not allow them to wash any more cars.

Mr. Chamberlain stated that it probably meets all our Ordinance requirements, but what about a six (6) foot high wall around the dumpster to hide it from the property to the west. Is there anything we can ask for, like a higher than six (6) foot wall to hide those dumpsters from the residents to the west.

Mr. Miller stated that on this one we can ask the petitioner to do this.

Mr. Chamberlain asked the petitioner if he would be willing to make this an eight (8) foot wall.

Mr. Waldren stated that he has no problem with that. The importance of it is pretty clear, that it should be screened in order to hide dumpsters from the residents and that he would be willing to screen when necessary.

Public hearing opened.

Carl Fucinary, 3657 Edenberry, stated that he owns residential property to the west of the car wash. He doesn't have an issue with the car wash being expanded. Mr. Waldren has been a good neighbor. He would like to see a posting of signs regarding the noise ordinance. He stated that regarding the dumpsters being moved to the corner, the people who service those dumpsters usually come in around 6:00 a.m. He would like to see the petitioner contact the service people and request that they come in at a later time.

Mr. Chamberlain asked if there is an ordinance regarding the time frame for the servicing of dumpsters and that screening height has to be equal to dumpster height.

Ms. Lancaster stated that she does believe the time frame to be 7:00 a.m. We need to put something in place to answer this concern.

Mr. Waldren stated that the trash hauler has been contacted and has agreed to service the dumpster in the evening rather than in the morning. He also stated that he has already ordered signs for noise and that he wants to continue being a good neighbor.

Public hearing closed.

Proposed Resolution

Moved by Waller

Seconded by Wright

RESOLVED, that Special Use Approval, as requested for the Pro Car Wash West, located north of Troywood and on the west side of Rochester Road, Section 22, within the H-S Zoning District, being 1.04 acres in size, is hereby granted, in accordance with section 23.30.03 of the Zoning Ordinance, subject to the following conditions:

1. The dumpster be located in the northwest corner of the property.
2. Dumpster screening be no less than the height of the dumpster.

- 3. Petitioner offered to install signage to address excess noise by customers.

Yeas
 Vleck
 Littman
 Chamberlain
 Kramer
 Pennington
 Wright
 Waller
 Starr

Nays
 Storrs

MOTION CARRIED

Mr. Storrs voted against the resolution because he felt the dumpster should be moved away from the residential area.

Proposed Resolution

Moved by Waller

Seconded by Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the Pro Car Wash West addition, located north of Troywood and on the west side of Rochester Road, Section 22, within the H-S Zoning District, being 1.04 acres in size is hereby granted, subject to the following conditions:

- 1. The dumpster be located in the northwest corner of the property.
- 2. Dumpster screening be no less than the height of the dumpster.
- 3. Petitioner offered to install signage to address excess noise by customers.

Yeas
 Vleck
 Littman
 Chamberlain
 Kramer
 Pennington
 Wright
 Waller
 Starr

Nays
 Storrs

MOTION CARRIED

Mr. Storrs voted against the resolution because he felt the dumpster should be moved away from the residential area.

REZONING PROPOSALS

13. **PUBLIC HEARING - PROPOSED REZONING (Z-681)** – Proposed Wattles Road Condominium, East side of Rochester, North side of Lamb, Section 14 – R-1C to R-1T, Section 14

Mr. Miller stated that Mr. David Stollman, Biltmore Land Co. LLC submitted a R-1C One Family Residential to R-1T Medium Density Residential rezoning request for 18.10 acres of land located on the east side of Rochester Road and the north side of Lamb Road. The subject properties are large lot single family residences. This rezoning proposal consolidates 13 properties west of the Shallow Brook Subdivision. An Environmental Impact Statement was submitted with the application. It appears that no natural features are located on the subject properties.

Mr. Miller further stated that the current use of the subject properties includes 10 single family homes and 3 vacant residential parcels. The adjacent land uses include: single family residences to the north, east, and west; and Tom's Landscape Nursery to the south.

Mr. Miller further stated that the current Future Land Use Plan designation for the subject property is Medium Density Residential. The adjacent land use designations include: Medium Density Residential to the north, south, and west; and Low Density Residential to the east.

Mr. Miller further stated that the current zoning district classification of the subject property is R-1C One Family Residential. The adjacent zoning district classifications include: R-1C One Family Residential to the north, south, east, and west.

Mr. Miller concluded stating that the subject rezoning request is consistent with the Future Land Use Plan and compatible with the existing land uses. Based upon these findings the Planning Department recommends approval of the R-1T rezoning request.

Mr. Waller stated that there are some challenges on how it is going to be developed. The Planning Commission has to work closely with the developer to insure this is designed correctly.

Mr. Littman asked what number of units are allowed under the R-1T zoning in comparison to its existing zoning.

Mr. Miller stated that R-1T permits 6.2 units per acre while the existing classification allow 3.1 units per acre.

Mr. Kramer asked what are the neighbors looking at and could you explain why the property lines are different.

Mr. Miller stated that we met with the petitioner on the front end because they are consolidating all the properties.

Mr. Chamberlain asked if those are the property lines as recorded. He also stated that whatever land is to the west of the property line, we want to understand how it will be used. Obviously, it is not big enough to do much of anything.

David Stollman, Petitioner, came forward and stated he is putting the plan together in one unified development so it would be a cohesive project rather than it being piecemeal. The rezoning request was consistent with the Future Land Use Plan. Biltmore has been building here for 28 years. We are working with Staff as necessary.

Public hearing opened.

John Moran, 1110 Robertson, stated that he sees no reason for the property to be rezoned. The traffic impact will be greatly inhibited by the condos proposed. He would rather see single family homes.

John Hughes, 4495 Harold, stated that he is northeast of the property in question. He moved in about 15 years ago and was under the impression this would always remain single family. He believes it would dramatically reduce the value of their property and that they don't want a road in their backyard.

Mr. Chamberlain stated that it would be premature for the Commission to see a plan because it is not a site plan approval at this phase. It is only a rezoning.

Mr. Miller stated that the rear end setback is a minimum of 35 feet.

James McCauley, 4435 Harold, stated he had a letter for the Planning Commission and thanked the Commission for letting him talk tonight. He stated

he was against this rezoning; the property does not meet the R-1T intent. He stated that this property can be used under the current zoning.

Mr. McCauley further states that in approving the rezoning, it is doubling the density for that area. From that standpoint, traffic will double. The plan shows very little open space. It is not desirable. He stated that his property has an entrance on Rochester Road and this plan does not enhance the area.

Craig Ceserone, 4332 Willow Creek, stated that he thought condominiums back there would be a blight.

Cheryl Brikho, 1030 Shallowdale, stated that she agrees with her neighbors. She is opposed to this development. She feels that it is not the best use of this property.

Mike Brillinger, 4448 Harold, stated he agrees with the other comments. He stated that the units on the property would be low income houses. Traffic is already terrible. He stated he didn't move to Troy to live in a Hazel Park environment.

Craig Livingston stated that a number of houses back up to this project. His concerns are in agreement with the rest of the speakers today. He is also concerned about drainage. The yards in that area are very heavy clay. Clay holds water. It is not the best use of that land.

Mary Ellen Kreshover, 4434 Harold, stated that she is opposed to this. She stated that she agrees with her neighbors who have explained it all so well.

Cynthia Green, 4481 Harold, stated that she supports what her neighbors have said.

Patricia Moran, 1110 Robertson, stated she is opposed to this rezoning. There is a traffic safety issue; whereas, additional traffic will be running through the subdivision. We feel for our children's safety.

Public hearing closed.

Mr. Stollman stated that he thinks it is a classic example of everyone wanting to save open space. The City needs to balance the right of the property to developing the subject property.

Mr. Chamberlain stated that he refuses to look at a site plan when the issue is rezoning.

Mr. Kramer stated that he would like to have the petitioner address the most basic question and that is what is the benefit to the City of Troy to double the density of this project.

Mr. Stollman stated that one of the major issues of the City was lack of housing for those who couldn't afford to buy a home or who no longer wanted to live in a house. These type of densities allow for condominiums to help balance the use of housing stock

Mr. Littman stated that nothing is permanent. Do you have a thought on what these units would sell for.

Mr. Stollman stated anywhere from \$250,000 to \$350,000.

Mr. Kramer stated that we received a summary from the City Assessor on the property valuation, and asked Mr. Miller if he remembered the number of condominiums. It was a very large number already because this Commission has approved so many in the past year.

Mr. Miller stated he did not remember the number.

Mr. Waller stated that recently the State amended the City and Village Zoning Act, with open space provisions. We don't have an ordinance yet to comply, but does this particular parcel of 18 acres fit that open space provision.

Ms. Lancaster stated that we will have to develop cluster zoning in conformance with the amendment.

Mr. Waller asked the petitioner if the cluster option is an option.

Mr. Stollman stated that we do not meet the criteria for the open space preservation amendment.

Mr. Wright stated he agrees with the residents. This parcel is large enough for single family homes.

Proposed Resolution

Moved by Wright

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1C to R-1T rezoning request located on the east side of Rochester Road and north of Lamb Road in Section 14, being 18.10 acres in size, be denied for the following reason:

1. Parcel is large enough to be developed as currently zoned and there is no real need for rezoning.

<u>Yeas</u>	<u>Nays</u>	<u>Absent</u>
Vleck	Littman	
Waller	Chamberlain	
Kramer	Storrs	
Pennington	Starr	
Wright		

MOTION CARRIED

Mr. Littman stated the rezoning request is consistent with the Future Land Use Plan.

Mr. Storrs stated he agreed with Mr. Littman. Rochester Road frontage could be developed in a non-commercial mode. We need to do something like this. He didn't think there was a risk in getting substandard housing in this location. Maybe we could reduce the depth of R-1T to the east providing an R-1C transition to it.

Mr. Starr agreed with prior comments. He wasn't anticipating this size or depth of rezoning request.

Mr. Chamberlain stated that the Future Land Use Plan is trying to keep the subject property residential as opposed to commercial. This rezoning request was an effective way to block out commercial encroachment. He agreed with Mr. Storrs in creating a transition. This is consistent with the Future Land Use Plan.

14. PUBLIC HEARING - PROPOSED REZONING (Z-597) – Proposed Long Lake Road Condominium, West of Rochester, South of Long Lake, Section 15 – R-1C to R-1T

Mr. Miller stated that David Stollman, Biltmore Land Co. LLC submitted a R-1C One Family Residential to R-1T Medium Density Residential rezoning request for 14.51 acres of land owned by William Goodman, Goodman Development Co. LLC. Subject property is located on the south side of Long Lake Road and west of Rochester Road. This vacant property was part of a B-2 rezoning request, apparently for a Home Depot, that was recommended for denial by the Planning Commission and denied by City Council. The Natural Features Map indicates potential for woodlands on the subject property.

Mr. Miller further stated that the subject parcel is vacant. The adjacent land uses include: a single family residence to the west where preliminary site plan

approval has been granted for a 15 unit condominium development; single family residences, vacant residential parcels, and a daycare facility to the north; a mix of small retail and office uses to the east; and the Versatube facility to the south.

Mr. Miller further stated that the current Future Land Use Plan designation for the subject property is Medium Density Residential. The adjacent land use designations include: Low Density Residential to the north and west; Medium Density Residential to the south; and Community Service Area Commercial and Non-Center Commercial to the east.

Mr. Miller further stated that the current zoning district classification of the subject property is R-1C One Family Residential. The adjacent zoning district classifications include: R-1C One Family Residential to the north, R-1C and CR-1 One Family Residential to the west, O-1 Low Rise Office and B-2 Community Business to the east, and M-1 Light Industrial to the south.

Mr. Miller concluded stating that the subject rezoning request is consistent with the Future Land Use Plan and compatible with the existing land uses. Based upon these findings the Planning Department recommends approval of the R-1T rezoning request.

Mr. Stollman stated that the parcel is surrounded by different uses and there is only one owner compared to eight on the previous rezoning request.

Mr. Littman asked if this parcel has a wetlands and would the property be a candidate for cluster homes.

Mr. Stollman stated there are no regulated wetlands on the site.

Public hearing opened and closed.

Proposed Resolution

Moved by Littman

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1C to R-1T rezoning request located on the south side of Long Lake Road and west of Rochester Road in Section 15, being 14.51 acres in size is hereby granted.

Yeas

Nays

Absent

All Present (9)

MOTION CARRIED

ADJOURN

Adjourned 11:00 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director