

The Special Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on September 24, 2002, in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

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

Absent

- Storrs

Moved by Wright

Seconded by Littman

RESOLVED, that Mr. Storrs be excused from attendance at this meeting.

Yeas

All Present (8)

Absent

Storrs

MOTION CARRIED

Also Present:

- Mark Miller, Planning Director
- Susan Lancaster, Assistant City Attorney
- Brent Savidant, Principal Planner

- 2. MINUTES - August 27, 2002
- September 10, 2002

RESOLUTION

Moved by Starr

Seconded by Wright

RESOLVED to approve the August 27, 2002 Planning Commission Special Study Meeting Minutes as corrected.

Yeas:
Wright
Starr
Kramer
Pennington
Chamberlain
Vleck
Waller

Abstain:
Littman

Absent:
Storrs

MOTION CARRIED

RESOLUTION

Moved by Starr

Seconded by Wright

RESOLVED to approve the September 10, 2002 Planning Commission Special Study Meeting Minutes as corrected.

Yeas:
Starr
Littman
Kramer
Pennington
Chamberlain
Waller
Wright

Abstain:
Vleck

Absent:
Storrs

MOTION CARRIED

3. CURRENT DEVELOPMENT REPORT

Mr. Miller stated that the full-time Secretary II position for the Planning Department has been posted.

Mr. Miller stated that regarding the Golf Course, the City has purchased the Mead property which is directly west by the clubhouse area and the City desires to install walls instead of a berm. Mark talked to Gary Shripka who is contemplating getting a recommendation from the Planning Commission regarding having a wall for the parking lot instead of a berm.

Mr. Miller further stated that we have had a PUD application submitted for the Big Beaver School site which will be known as Backbay Village. He would like the

Planning Commission to go to the site and walk it before we do anything else. Mr. Carlisle will be involved in the review of this PUD and he would like Mr. Carlisle to do a preliminary review prior to attending a study session. Maybe we could schedule the study session for the last meeting in October, as Mr. Carlisle stated it will be his first possible available day. This meeting would just be a preliminary review of the application.

Mr. Miller further stated that City Council had a study meeting to discuss street interconnection, among other things. He presented the Planning Commission's policy on street interconnection. For future residential development applications, staff will present pros and cons of each street interconnection alternative and what the potential effects could be.

Mr. Miller further stated that there was a public hearing at the Brownfield Redevelopment Authority regarding the Stanley Door Building. Saleen, a company that makes the Saleen Mustang, is proposing the redevelopment of this property. They are going to have a public hearing at City Council to seek funding for tax-exempt assistance. They are trying to convert the building into an assembly facility. It would also be a museum of Ford products. I think they're coming here because their only relationship with the "Big 3" is Ford. People who are buying a Saleen car will be able to watch their car while in the building process.

Mr. Miller further stated that the recent corporate moves to the City were:

- Axiom, Inc., 989 Chicago Road
- TMD Friction, 1035 Crooks
- INA, Big Beaver right next to Altair
- Delmia
- UnaSource
- Midtown Square – 145 units have been sold and 130 have been built
- Papa Vinos is now open

Both of the road projects, Big Beaver and Maple are scheduled to be opened up mid November.

Mr. Miller concluded stating that Scott Shuptrine is going out of business.

Mr. Chamberlain requested that the property Scott Shuptrine sits on be checked out.

Mr. Miller stated that in our pushing of industrial buildings, we should make the Stanley Door Building go through a Site Plan approval based upon previous policies of the City. It is yet to be determined whether it will be required to go through site plan review.

Mr. Waller commented that he applauded the effort that Mr. Miller was undertaking and asked where is it written, or is it, that a building that doesn't physically change and parking doesn't change, should or should not come in front of the Planning Commission?

Mr. Miller replied that's the problem. When I first started working here I asked when do things go back to the Planning Commission for site plan approval? I was told at that time that there was a policy. I asked where is this policy? It's not written anywhere and it's not in the zoning ordinance. We've been looking at this and believe it should be put into the zoning ordinance.

4. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

No meeting since previous DDA report.

5. BOARD OF ZONING APPEALS REPORT

Ms. Pennington stated that there were three (3) denials that came before the BZA at the last meeting. The most notorious one involved the Ham Radio Antenna. When we got to this issue, the chairman did ask the petitioner quite a few questions in regard to the height of the antenna he is requesting and inquired as to their ability to transmit and communicate. We did not get a an answer from the petitioner. One of the items brought up was a retractable antenna. It retracts down when not in use. It was not something the petitioner was looking at. This item went through three (3) motions and was denied each time. Then it was moved to try at less than fifty (50) feet and it still got denied. There were objections from the residents living in the surrounding areas.

Ms. Pennington concluded, stating another denial was a request for a twelve (12) foot variance from the rear yard setback. The petitioner got it to build an addition to a bedroom with the petitioner stating that his sister-in-law had had a heart attack and it was approved in 1991 and now his wife is ill and he is trying to build a sun room. The people behind them very strongly objected and that's why it was denied.

6. ORDINANCE REVISION DISCUSSION – SPECIAL USES

Mr. Miller stated that the document included in your packets will be presented when we submit this information. This document was created for an easy, readable format in order to provide justification as to what districts we are going to change and why. This document will also be used as a study tool.

Mr. Chamberlain asked how do we get to the end product?

Mr. Miller stated that we prepare the revisions.

Ms. Lancaster stated she had asked Mr. Savidant and Mr. Miller how do we implement what we initially got started in February/March in regards to the Planning Commission. There are some concerns because I kept hearing from Mr. Miller and Mr. Savidant that what you did by raising these issues by right, was that they were finding in studying the ordinance there were so many things that intertwined with each other. That they were getting overwhelmed because every time they would look at one section, it would have an impact on so many other parts of the ordinance. Legally, she had many concerns because when you amend a zoning ordinance, you have to look at it just as though you drafted a whole new ordinance. She believes it is too early to decide to do a major revision at this time. Every other department head in the City should be consulted as to how each revision might affect each part of the City. You might need to bring in someone like the Chamber of Commerce to look at it, maybe more developers, etc. In order to defend an ordinance, you have to show that an ordinance is reasonable. This process needs to be slowed down which would allow Mr. Savidant and Mr. Miller to meet with some developers and receive more input. We should have some more documentation as to why we are doing this. She believes that more study is needed to justify the changes.

Mr. Chamberlain stated that we are not adding language and we are not going out and making more Special Uses. We are reducing. Therefore, he does not understand why we need to bring in more developers, Chamber of Commerce, etc. We are reducing the number of Special Uses.

Mr. Miller stated there are some things that we would like to present for change and it's approaching the point that it means we need to do a complete review of the whole zoning ordinance. One way to attack this is incrementally. At the next meeting I'll present more information and see if we're moving closer to where we want to be.

Mr. Chamberlain stated that's all he wants. That's what he's looking for.

Mr. Miller stated that after you make recommendations on anything, the City Staff gets the opportunity to look at it also and make any recommendations they want.

Mr. Starr stated that it is a great long-term document. A suggestion would be to sequence the numbers. It would be great to cross-reference.

Mr. Chamberlain stated that we should have Mr. Carlisle get in there and start tearing it apart.

Mr. Miller stated that he and Mr. Savidant have looked at this. He thinks the zoning ordinance is a shell. This is a late sixties, early seventies ordinance that has been

incrementally changed over the years. The whole zoning ordinance needs to be looked at.

Mr. Chamberlain stated that he does not want to slow the process down. He stated he would like a timeline.

Mr. Wright stated that some things, like the child care centers, that in some districts their use is permitted under SC. In some other districts their use is subject to Special Use approval. He doesn't understand what the use under Special Conditions is doing in there.

Mr. Littman stated, since whatever we do, Council is going to have to approve, we need to show them how we got from here to there.

Mr. Starr stated that the Open Space Preservation language will need to be added.

Mr. Miller commented, it will be added after City Council adopts it.

Mr. Waller stated that we should continue to do our work just on this chart. Let's stick to one thing at a time and logically explain how this works.

Mr. Savidant stated we could use this chart as part of the ordinance if and when it is updated.

Ms. Pennington agreed with Mr. Savidant.

Mr. Chamberlain stated that we will discuss this item at future study meetings.

7. HAM RADIO – REPORT STATUS

Mr. Kramer stated that the sub-committee met earlier this evening. There was a general discussion of the issue. One of the topics for discussion was a review of the summary that he had prepared which talked about some the technical issues. There are three (3) different options for discussion. One was keeping the ordinance as it is; two is put a rubber stamp on it at fifty (50) feet; and three, let's look at the guidelines we possibly could send to the BZA as a means to make intelligent decisions in the future. A couple of those that were focused on was possibly adding a City expert's point of view at such time that they would consider a review of the petitioner's technical presentation. If you remember what we are looking at here, is an ordinance that remains as our ordinance is today in line with the FCC's recommendation that we must permit effective communications. At some point there may be a technical requirement or discussion that needs to be investigated or supported by the City. We've made some progress and I suspect in line with those next steps, we have a sub-committee meeting and/or a study

session with this entire body where we receive input both from the amateur radio community and other interested parties.

Mr. Chamberlain commented, in other words, you mean your thinking about a Dr. Jaworski for antennas. Is that what you're saying?

Mr. Kramer stated that would be a resource available to the BZA as required. I don't think we would automatically hire a consultant every time a petition came in. We would have a consultant available to review the petitioner's set of circumstances that they put together as to why their current antenna does not allow for proper communication, at that point.

Mr. Chamberlain asked, that could be one of your recommendations?

Mr. Kramer replied, yes.

Mr. Chamberlain stated that Mr. Kramer had commented earlier about having a sub-committee meeting and/or a study session with the entire body, the amateur radio community and other interested parties and that he would like to see all those other folks brought back to the Board. He would like to see that if there are any changes and/or recommendations for no changes, he would like to see the sub-committee bring them in. He does not want to see this whole Board get wrapped around trying to write an ordinance.

Mr. Chamberlain asked the Board if they would like to see this brought back to the Board or rather continue to let the sub-committee work on it more thoroughly and then bring it back. The Board agreed that the sub-committee should proceed as is and then bring it back to the Board when they have it pretty much wrapped up.

8. INFILL DEVELOPMENT OPTION

Mr. Miller stated he would like to have Mr. Carlisle come in for the first informational review on the PUD. Mr. Carlisle would like to talk to this Board personally as he has not had that opportunity to do so since the Board read his paper on "Infill Development".

Mr. Chamberlain commented, let's do that. He also asked if Mr. Carlisle has been appraised of the fact of what we're looking at. All these little developments and trying to tie all those small infill projects together so we don't have so many curb cuts, what do we do with the snow, what do we do with the water, what do we do with the parking, how do we interconnect to the bigger subdivisions, etc. That's what this is all about.

Mr. Miller asked did you receive the R-1T revisions where we tried to address some of those issues? Section 12.50.05 beefs up the pedestrian connection on motorized connection. Down towards the bottom of the page we talk about a snow removal plan. As you recall we had Fountain Park where there was one entrance and then a circular drive; there was going to be nowhere to put the snow. When we did this, we took that information and incorporated it into the ordinance and I don't know if you have any comments or input as to what we did with the R-1T district and whether you want to move forward with these revisions and separately deal with Dick Carlisle on more of the larger infill development options.

Mr. Chamberlain went around the table and asked each Board member how they wanted to proceed. All board members present agreed they wanted to move forward with these revisions and separately deal with Dick Carlisle on the larger infill development options.

Ms. Pennington asked about 12.50.09 regarding interconnection, do we really need cross-access easement?

Mr. Miller stated that the word "may" is permissive and not mandatory.

Ms. Pennington asked, do we need this paragraph in here?

Mr. Chamberlain stated that cross-access has been one of our big issues.

Mr. Miller stated that maybe he should outline some of the problems that we are having with cross-access. We have main thoroughfares, for example, Rochester Road. In 1999 these main thoroughfares were planned and zoned for single family, but there were constant pressures over twenty (20) or thirty (30) years to bring in non-residential uses such as commercial office. So what the City Planning Commission did was revise the Future Land Use Plan in 1999 to allow medium density along some of these main thoroughfares. What happens is someone comes in and consolidates a number of small parcels. What we're afraid of is we're going to have individual pods, so we're trying to look at when do we connect these sites. He doesn't believe that medium density residential developments will always be connected to existing single-family. Maybe if there was a public road put in there we'd look at it. We all know we would probably have a tremendous amount of opposition to that.

Ms. Pennington stated that it needs to be looked at on a case by case basis.

Mr. Chamberlain addressed Mr. Miller stating that we want to break this out and try and get this thing enacted as soon as possible and then work on it with Mr. Carlisle regarding the whole ordinance and that when Mr. Carlisle does comes in on this to alert him to be looking for other things.

Mr. Miller stated Mr. Carlisle knows the Planning Commission appreciates good solid information to read and look at but they also prefer people to sit down and discuss things as opposed to a power point presentation. I'm 99% sure that you prefer him to sit down with you at the table, have good back-up material for you to read, but sit down and have it presented to you during table discussions.

Mr. Chamberlain stated that what we want is data in our packet before he presents it.

Mr. Starr stated that the introduction talked about the transfer of development rights and that's the last we heard of it. He asked if there was anywhere within the City to transfer development rights to?

Mr. Miller replied, no.

Mr. Starr asked do we have a place where it would make sense to take them to?

Mr. Miller stated the question is where do you want more intensity of development. In my knowledge of Troy, I don't think any one wants more development than what the ordinance allows anywhere than where we see now.

Mr. Starr stated he understands what he's saying, but that we also want that open space up there. That is going to involve some kind of trade-off.

Mr. Miller stated that the Planning Department, Lori Bluhm, the City Attorney, and Dick Carlisle have studied this and decided there is no place to transfer development rights. We do not recommend the Transfer of Development Rights program to the City.

Mr. Kramer stated that a point of future discussions, at one point in time we had a PUD that talked about 10 acres, will there be, should there be, any upper limitation on infill ordinance that points the developer to the PUD just because of its size? When does one become the other? Maybe Mr. Carlisle will have some comments on that.

Mr. Waller stated that he has looked at some of the aerials over Troy and that there are some huge parcels in the middle of mile roads.

9. PUBLIC COMMENT

Mr. Phil Ode, 4508 Whisper Way, when I was at the Council meeting their direction was for the Planning Commission to write an ordinance that would allow amateur radio operators to put up a radio antenna without having to go to the

BZA. At the last meeting I was here you appointed a sub-committee of which I was supposed to be a member of.

Mr. Chamberlain stated he did not say that.

Mr. Ode stated it was the understanding he had.

Mr. Chamberlain stated that he remembered exactly how he stated it. I polled for the sub-committee, I made the appointments around the table of the Planning Commission and I said the sub-committee was free to pick anybody they wanted to help, and you volunteered, I didn't say you were accepted. That is the way I remember it.

Mr. Ode stated he is an amateur radio operator, licensed by the FCC. He stated he would like to be helpful with this and does not want to mislead anyone with the wrong information.

10. ADJOURN

The Special Study Meeting of the Planning Commission was adjourned at 10:30 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director