

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on June 8, 2004, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts  
Fazal Khan  
Lawrence Littman  
Robert Schultz  
Mark J. Vleck  
David T. Waller

Absent:

Thomas Strat  
Wayne Wright

Also Present:

Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2004-06-063**

Moved by: Schultz  
Seconded by: Littman

**RESOLVED**, That Members Strat and Wright be excused from attendance at this meeting.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

2. MINUTES

**Resolution # PC-2004-06-064**

Moved by: Littman  
Seconded by: Drake-Batts

**RESOLVED**, To approve the May 25, 2004 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Littman, Schultz, Waller  
No: None  
Abstain: Chamberlain, Vleck  
Absent: Strat, Wright

### **MOTION CARRIED**

### 3. PUBLIC COMMENTS

There was no one present who wished to speak.

### TABLED ITEMS

#### 4. SITE PLAN REVIEW – Proposed Stone Haven Woods East No. 2 Site Condominium, 4 units/lots proposed, South side of Wattles, West of Crooks, Section 20 – R-1B

Mr. Savidant presented a summary of the Planning Department report for the proposed site condominium. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the alternate layout provided by the petitioner at the request of the Planning Department. The alternate layout provides an extension of Fadi Drive to the north and east, without a direct connection to Wattles Road.

Mr. Savidant noted that Stone Haven Woods is located on the west of the parcel. A narrow undeveloped parcel breaks Rothwell Street and Provincial Street to the west of the proposed development. Both sets of stub streets line up with each other. Clearly, these developments were designed to connect to one another in the future. When this parcel is developed as intended in the future, there will be two points of access into the proposed residential development, one from Wattles Road (Stone Haven) and one from Crooks Road (Rothwell). This will be consistent with City Management's policy of street interconnection, without creating a layout that is convenient to cut-through traffic.

The petitioner, Kamal Shouhayib of Choice Development, 755 W. Big Beaver Road, Suite 1275, Troy, was present. Mr. Shouhayib distributed letters to the Commissioners and addressed the importance of an access from Wattles Road to the proposed development. Mr. Shouhayib said the sale of homes has been slow because some prospective homebuyers are uncomfortable living in the proximity of a cemetery. He stressed that residents would not have to drive by the cemetery if a direct connection was provided to Wattles Road. Mr. Shouhayib demonstrated how the cemetery comes into play with the entrance off of Crooks Road only. Mr. Shouhayib acknowledged ownership of parcels to the east and south of the proposed development.

**Resolution # PC-2004-06-065**

Moved by: Chamberlain  
Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development) as requested for Stone Haven Woods East No. 2 Site Condominium, including 4 units, located south of Wattles Road and west of Crooks Road, Section 20, within the R-1B zoning district, Alternate 2 Layout, be granted; and

**FURTHER RESOLVED**, That should the City Council choose the Alternate 1 Layout, the City recommendation of a deceleration lane on Wattles Road shall not be implemented.

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

**MOTION CARRIED**

Mr. Vleck said he is not in favor of the motion because he would like to see the connection go directly to Wattles Road.

Ms. Drake-Batts agreed. She also stated the Alternate 2 Layout would reduce the value of the properties and make it more difficult for the developer to sell those homes that back up to Wattles Road, versus the original layout that provides two internal home sites.

Mr. Khan said he would like to see the connection go directly to Wattles Road to promote development of the parcels.

5. **PUBLIC HEARING – SPECIAL USE REQUEST (SU-324) – Proposed Dog Day Care/Commercial Kennel (Revised), BARK! LLC, North side of Industrial Row, East of Coolidge, Section 32 – M-1**

Chair Waller announced that the Commission received late this evening a request from the petitioner to table the item. Chair Waller sought the advice of the Assistant City Attorney with respect to the procedure to follow because this is the second request from the petitioner to table the item.

Mr. Motzny cited three alternative procedures the Commission could follow at its discretion: (1) After discussion, hold the Public Hearing and make a decision; (2) Hold the Public Hearing and postpone its decision to a future meeting date; or (3) Postpone both the Public Hearing and its decision to a future meeting date.

Mr. Savidant reported the petitioner requested the matter to be tabled because of a serious family illness.

After a brief discussion, Chair Waller resolved that the Public Hearing would be opened for those in attendance at tonight's meeting and continued to a future meeting date, and further that the Commission would postpone its decision to a future meeting date.

Mr. Savidant briefly explained the minor changes to the site plan application. He reported the applicant added an additional 6-foot high chain line fence with vinyl privacy strips, 5 feet to the west of the privacy fence to be located on the eastern boundary line. Mr. Savidant noted that this results in a slight decrease in the outdoor dog run area. In addition, the outdoor play area hours are 7:00 a.m. to 8:30 a.m. and 5:30 p.m. to 7:00 p.m., and only 10 dogs would be allowed outside at any one time.

#### PUBLIC HEARING OPENED

Gregory Need of Adkison Need & Allen law firm, 39533 Woodward Avenue, Bloomfield Hills, was present to represent the Dako Group, owners of the property at 2966 Industrial Row located immediately to the west of the proposal. Mr. Need said he would reserve his substantive comments for the next meeting. Mr. Need said that because the matter has been before the Commission once and also tabled twice, he would appreciate the Commission informing the petitioner that this would be the last time such a request would be entertained and that a decision would be made next month unless the Commission sees some reason to do something different.

Larry Ianni of 3330 Adams Road, Troy, was present. Mr. Ianni said he would save his comments for the next meeting. Mr. Ianni addressed the Special Use Request sign posted at the proposed development. He said the owner has taken down the sign several times, and that he had put up the sign himself. Mr. Ianni requested if enforcement action could be taken against the owner.

Tyner Mayer, property owner of 2900 Industrial Row, Troy, was present. Mr. Mayer said his business would be closed for vacation and representatives would not be able to attend the July meeting. He requested that consideration be given to postponing the matter to another date other than the July meeting.

A. P. Hascall of 2921 Industrial Road, Troy, was present. Mr. Hascall said he would reserve his substantive comments for a future meeting date. He said that historically facilities in the area have shut down for the 4<sup>th</sup> of July vacation, and requested the matter be postponed after the month of July. Mr. Hascall also requested that notification of future postponements be given to affected residents and businesses. Mr. Hascall said he is not in favor of the proposed Special Use. He said he has witnessed the Special Use sign being taken down, and speculates the sign was taken down by the real estate agent to assist in the showing of the property to prospective tenants.

Deborah Plumm Lambourn, President of Tyner Mayer Laboratory, 2900 Industrial Row, Troy, was present. Ms. Lambourn submitted two photographs, dated 6-8-04, which shows the Special Use sign removed and placed at the rear of property. Ms. Lambourn requested postponement of the item to a meeting other than July, as a consideration to her and her employees who would be vacationing in the month of July.

There was no one else who wished to speak at this time.

A brief discussion followed.

Mr. Chamberlain informed the audience that City signs posted for proposed developments and rezonings are not legally required and are posted as a courtesy to the surrounding residents. He said that because there is no legal requirement to post the signs, no code enforcement action could be taken if the signs are removed.

Ms. Drake-Batts requested business owners who have a concern that the proposed special use would devalue their property, to provide proof of such at the next meeting.

Mr. Khan questioned if there is a limit on the number of times a petitioner can request a postponement.

Mr. Motzny replied there are no requirements in the Zoning Ordinance or in the Planning Commission Bylaws that place a limit on the number of postponements for one item. He emphasized it is the discretion of the Commission whether or not to postpone an item.

After a brief discussion, Chair Waller announced the Public Hearing would continue and the item would be postponed to the August 10, 2004 Regular Meeting.

**Resolution # PC-2004-06-066**

Moved by: Chamberlain

Seconded by: Khan

**RESOLVED**, That the Public Hearing and Special Use Approval request for the proposed BARK! Commercial Kennel, located on the north side of Industrial Row, east of Coolidge, Section 32, within the M-1 Zoning District, be postponed and continued to the August 10, 2004 Regular Meeting.

Yes: All present (7)

No: None

Absent: Strat, Wright

**MOTION CARRIED**

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## REZONING REQUEST

6. PUBLIC HEARING – PROPOSED REZONING (Z 402-C) – San Marino Club, North side of Big Beaver, West of John R, Section 23 – From R-1E to E-P and From E-P to O-1

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. Mr. Savidant noted that in addition to the 50-foot buffer along the northern property line, there is an existing gas line easement in which no structural development can take place, creating a greater distance between the residential development and the O-1 zoning. Clarification was provided with respect to a previous rezoning request for a similar “L” shaped parcel to the west of the proposed rezoning. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the rezoning request as submitted.

Mr. Vleck asked if the Planning Department is aware of future residential or commercial development on the R-1E zoned property to the west abutting the E-P zoned property.

Mr. Savidant replied in the negative. He also confirmed that the property owners to the west were notified of the proposed rezoning request.

Mr. Schultz questioned the location of the proposed 2,700 square foot recreational shelter.

Mr. Savidant replied the Planning Department reviewed the proposal with respect to the rezoning only. He said it is the intent of the petitioner to submit a Special Use Request for future recreational development, which is a permitted use in the R-1E zoning district.

David Endreszl of Endreszl & Associates Engineering, 8700 Pine Knob Road, Clarkston, and Bob Casadei, Trustee for the San Marino Club, Chairman of the Renovation and Improvement Committee and member of the Future Committee, were present on behalf of the San Marino Club.

Mr. Khan asked if there is existing landscaping on the E-P zoning parcel.

Mr. Casadei replied in the negative.

Mr. Endreszl said the substantial landscaping of 10” to 16” pine trees to the north, located on the parcel that is proposed for E-P rezoning, would remain as is.

Mr. Littman questioned the facility’s intent to put a soccer field.

Mr. Casadei said the northern third portion of the property (approximately 4 acres) would continue its existing use. Mr. Casadei said the existing soccer field would continue as a recreational area. He said it is planned to reorient the field so that it runs east to west, rather than north to south.

Mr. Endreszl stated the proposed O-1 zoning would be consistent with and align with the B-2 zoning on the adjacent property to the east, the Troy Sports Center property.

Mr. Schultz asked if the petitioner would entertain making the existing E-P zoned property to the north 75' wide instead of 50' wide.

Mr. Casadei said they would prefer not to make the E-P zoned parcel larger than what is required.

Chair Waller asked the reasoning behind the north/south E-P zoning on the property.

Mr. Casadei said at that time, the San Marino Club had no expansion plans and it was the recommendation of the City to relocate the E-P zoning to the north property lot line.

#### PUBLIC HEARING OPENED

No one was present to speak.

#### PUBLIC HEARING CLOSED

Mr. Savidant reported that non-commercial outdoor recreational facilities are permitted by Special Use in the E-P zoning district.

#### **Resolution # PC-2004-06-067**

Moved by: Vleck  
Seconded by: Khan

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1E to E-P and E-P to O-1 rezoning request, located on the north side of Big Beaver and west of John R, within Section 23, being 11.08 acres in size, be granted.

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

### **MOTION CARRIED**

Mr. Schultz was not in favor of the motion because he thinks environmentally protected property should be replaced in kind and size, and the E-P zoned property should be 75 feet instead of 50 feet.

### **SITE PLAN**

7. SITE PLAN REVIEW (SP 908) – Proposed Travis Office Plaza, Proposed Office Building, South side of Maple, West of Dequindre, Section 36 – O-1 and E-P

Mr. Savidant presented a summary of the Planning Department report for the proposed office building. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan with the conditions that (1) the applicant land banks one off-street parking space per the requirements of Article 40.20.13; (2) the applicant installs the land banked parking space at the request of the City should there be a need for the additional parking space; and (3) the Planning Commission hereby reduces the number of required off-street parking spaces to 62, when a total of 75 spaces are required, per Article 40.20.12. Mr. Savidant reported that the Planning Department recognizes that the proposed basement uses indicated on the site plan shall not generate any additional traffic onto the site. He also emphasized that any uses proposed for the basement other than those shown on the site plan shall require site plan approval.

Mr. Chamberlain questioned the 3 land banked parallel parking spaces noted on the site plan.

Mr. Savidant said the Planning Department does not believe the 3 land banked parallel parking spaces noted on the site plan are functional or safe given their proximity to the cross access easement.

It was determined that the motion on this item should reflect removing the notation on the site plan designating 3 land banked parallel parking spaces.

There was discussion on the following:

- Land banked parking spaces and related landscaping requirements.
- Proposed landscaping of the wall along the property line.
- Location of the trash enclosure.
- Sidewalks within the E-P zoning district.
- Requirement of a cross access easement and removal of the wall should there be future redevelopment of the property to the east:
- Use of the basement area and enforcement of its proposed use.

The petitioner, Art Kalajian of 1871 Austin, Troy, was present to represent the owner, Travis Realty. Mr. Kalajian displayed renderings that showed the building elevation and proposed landscaping. He addressed the E-P buffer, the proposed landscaping and parking. Mr. Kalajian said the real estate/title company would occupy approximately two-thirds of the building and three small tenants would occupy the remainder of the space. Mr. Kalajian said that more than one-half of the basement area would be used for storage and archived material. Mr. Kalajian clarified that there would be approximately 15,400 square feet of usable space.

Mr. Savidant noted that the wall must be designated on the site plan, but it is the intent of the petitioner to request a variance from the Board of Zoning Appeals for removal of the wall in lieu of extensive landscaping.

**Resolution # PC-2004-06-068**

Moved by: Chamberlain  
Seconded by: Schultz

**RESOLVED**, That the landscaping design within the 15-foot wide E-P landscape buffer has been approved by the Department of Parks and Recreation and has been accepted by the Planning Commission, as per Article 08.50.07.B.

**FURTHER RESOLVED**, That the applicant may land bank one off-street parking space as per the requirements of Article 40.20.13. The applicant shall install the land banked parking space at the request of the City should there be a need for the additional parking space.

**FURTHER RESOLVED**, That the Planning Commission hereby reduces the number of required off-street parking spaces to 62, when a total of 75 spaces are required, as per Article 40.20.12. This reduction recognizes that the proposed

basement uses indicated on the site plan shall not generate any additional traffic onto the site. Any uses proposed for the basement other than those shown on the site plan shall require site plan approval.

**FURTHER RESOLVED**, That the Preliminary Site Plan Approval, as requested for the proposed Travis Office Plaza, located on the south side of Maple, west of Dequindre, Section 36, within the O-1 and E-P Zoning Districts be granted, subject to the following conditions:

1. That the cross access easement on the southeast side corner of the parcel be filed.
2. That the notation in the lower third of the site plan providing for 3 land banked parallel parking spaces on Drawing A-O be removed from the site plan proposal.

Yes: All present (7)  
No: None  
Absent: Strat, Wright

**MOTION CARRIED**

**GOOD OF THE ORDER**

Mr. Chamberlain requested the Planning Department establish a DVD library of Planning Commission meetings.

**ADJOURN**

The Regular Meeting of the Planning Commission was adjourned at 8:57 p.m.

Respectfully submitted,

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David T. Waller, Chair

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Kathy L. Czarnecki, Recording Secretary