

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on June 22, 2004, in the Council Board Room of the Troy City Hall.

Chair Waller asked for a moment of silence in memory of Ken Strobel, long time civic leader and former Planning Commissioner, who passed away last Friday.

Chair Waller introduced Howard Wu, senior at Troy Athens High School. Mr. Wu has expressed an interest in becoming the student representative for the Commission.

Chair Waller also acknowledged guests John Szerlag, City Manager; Doug Smith, Real Estate & Development Director; and Richard Carlisle, Planning Consultant.

1. ROLL CALL

Present:

Gary Chamberlain
Lynn Drake-Batts
Fazal Khan
Robert Schultz
Thomas Strat
David T. Waller
Wayne Wright

Absent:

Lawrence Littman
Mark J. Vleck

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
John Szerlag, City Manager
Douglas J. Smith, Real Estate & Development Director
Richard K. Carlisle, Carlisle/Wortman Associates
Kathy Czarnecki, Recording Secretary

Resolution # PC-2004-06-069

Moved by: Chamberlain
Seconded by: Wright

RESOLVED, That Members Littman and Vleck be excused from attendance at this meeting.

Yes: All present (7)
No: None
Absent: Littman, Vleck

2. MINUTES

Chair Waller requested that the June 8, 2004 Regular Meeting minutes, Agenda Item #4, Stone Haven Woods No. 2 Site Condominium, reflect there was discussion on the future possibility of an alternate point of access further to the west in Stone Haven Woods. This would provide a second point of access into Stone Haven Woods East No. 2 Site Condominium when the two existing stub streets (Provincial and Rothwell) were connected in the future.

Resolution # PC-2004-06-070

Moved by: Schultz

Seconded by: Khan

RESOLVED, To approve the June 8, 2004 Regular Meeting minutes as amended.

Yes: Chamberlain, Drake-Batts, Khan, Schultz, Waller

No: None

Abstain: Strat, Wright

Absent: Littman, Vleck

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

4. PLANNING AND DEVELOPMENT REPORT

Mr. Miller reported on the following:

- *Sanctuary Lake Golf Course Tour* – Tentative tour dates, July 16 and July 20, were discussed. It was noted that the official opening of the golf course is scheduled on July 15. The Planning Department will advise the Commission.
- *Saleen Assembly Facility Tour* – Scheduled on July 27 at 5:30 p.m., prior to the 7:30 p.m. Special/Study Meeting.
- *Rezoning Request Z 694, Knights of Columbus, west side of Dequindre, south of Big Beaver, Section 25, B-1 to B-2 or B-3* – Denied by City Council at its June 21, 2004 meeting.
- *Rezoning Request Z 687, Marathon Station, west side of Livernois, south of Square Lake Road, Section 9, B-1 to H-S* – Postponed by City Council and referred back to the Planning Commission to await further action by the petitioner.

- *Street Vacation SV 185, Beach Road, south of Hampton Lane, Section 19* – Approved by City Council at its June 21, 2004 meeting.
- *Final Site Plan, PUD 002 Rochester Commons, north side of Big Beaver Road, east of Rochester Road and west of Daley Street, Section 23* – Approved by City Council.
- *I-75/Crooks/Long Lake Interchange Improvement Project* – Approved by City Council; also approved City to enter into a Development Agreement with MDOT.
- *Development/Permit Report initiated by Planning Department* – Mr. Schultz informed Planning Department that the report is sufficient.
- *Rezoning Request Z 582, northeast corner of Maple and John R, Section 25, B-3 to H-S* – Approved by City Council; protest petition addressed.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Strat reported on the June 15, 2004 Board of Zoning Appeals meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

The June 16, 2004 Downtown Development Authority meeting was cancelled. The next DDA meeting is scheduled for July 14, 2004.

Mr. Miller announced that Messrs. Szerlag, Smith and Carlisle are present tonight to participate in the discussion of Agenda Items #7, #8 and #9, ZOTA's 199, 182 and 203. Mr. Miller said City Management and the City Attorney's office have taken considerable measures to comprehensively review proposed zoning ordinance text amendments prior to the Planning Commission forwarding its recommendation to the City Council.

Mr. Szerlag addressed the Commission. Mr. Szerlag advised City staff that it would be in the best interest of the City that a unified recommendation by the Planning Commission and City Management on proposed zoning ordinance text amendments be given to City Council. He said he would work with the Planning Commission and City staff on a unified approach, should there be any divergence on behalf of the City Management of a Planning Commission recommendation. Mr. Szerlag said if a unified approach is not possible, it would then be best to develop and provide objective criteria to City Council that would crystallize the reasons that City Management and the Planning Commission have differences on the matter.

Chair Waller emphasized team effort and said he would like as much as possible that it appear to the outside world that the Planning Commission and City Management are together.

7. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199) – Article 03.40.00 Site Plan Approval

Mr. Miller presented a summary on ZOTA 199, Site Plan Approval. He reported City Management recommends a minor change; that is, change the reference of “proposed” grading plans to “preliminary” grading plans.

There was a brief discussion on the one-year timeframe given to a petitioner to either receive final site plan approval or renew the preliminary site plan approval.

Chair Waller asked that the Planning Commission be provided an explanation should the Planning Director grant a wetlands determination waiver [reference Section 03.43.01 (9)].

Additional minor changes were discussed and agreed to.

Ms. Lancaster reported that the Legal Department would keep a copy of the Condominium Master Deed and Condominium Bylaws for filing purposes only.

There was a brief discussion on the timeframe within the approval process to submit the required legal condominium documents.

It was the consensus of the Commission to schedule ZOTA 199, Site Plan Approval, for a Public Hearing at the August 10, 2004 Regular Meeting.

8. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 182) – Articles 12.00.00 and 30.10.08 R-1T One Family Attached

Mr. Miller presented a summary on ZOTA 182, R-1T One Family Attached. He reported that City Management recommends two revisions to the proposed text amendment. They are: (1) eliminate the possibility of interconnectivity between internal private streets in an R-1T development with internal public streets in adjacent neighborhoods; and (2) eliminate the requirement of common access drives for abutting developments.

Mr. Carlisle stated he is in agreement with the two revisions suggested by City Management. He further said that providing cross access between private and public roads within a condominium development could discourage the building of private roads, and he thinks that would not be in the best interest of the City.

Mr. Schultz said he does not support interconnection of roadways from condominium sites to public roads, nor does he support the interconnection of roadways between neighboring condominium sites. He said each site is an individual not-for-profit Michigan corporation responsible for liability and the maintenance of the property, and enforcing those developments to interconnect is not in the best interest of the people buying those homes.

Mr. Khan agreed with Mr. Schultz's comments.

It was the consensus of the Commission that the recommendation to City Council would incorporate the City Management revisions. It was further determined to schedule ZOTA 182, R-1T One Family Attached Residential District, for a Public Hearing at the August 10, 2004 Regular Meeting.

9. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 203) – Article 02.00.00 – Changes, Amendments and Approvals, edit text to replace Chapter 40 of the City Code (to be repealed) and include language regarding Voting Requirements

Mr. Miller presented a summary on ZOTA 203, Changes, Amendments and Approvals to Article II, Chapter 40. He reported that City Management recommends the proposed text be changed to reflect that the compensation of the Planning Commission would be determined by the City Council. This text change would eliminate the requirement to amend the Zoning Ordinance should there be a change in the Planning Commission compensation.

A short discussion followed.

It was the consensus of the Commission that the recommendation to City Council would incorporate the City Management revision. It was further determined to schedule ZOTA 203, Changes, Amendments and Approvals to Article II, for a Public Hearing at the August 10, 2004 Regular Meeting.

Mr. Szerlag thanked the Commission in addressing ZOTA's 199, 182, 203 in an expedient fashion. Mr. Szerlag said that he would place the items on the September 27, 2004 Regular City Council Meeting, should the Commission act favorably on the proposed amendments.

Further, Mr. Szerlag said City Council has asked if the Planning Commission could expedite scheduling the Public Hearing on ZOTA 202, relative to the outdoor storage of commercial and recreational vehicles in the M-1 light industrial district.

Mr. Miller replied that the Public Hearing for ZOTA 202 has been scheduled for the July 13, 2004 Regular Meeting.

[Messrs. Szerlag and Smith exited the meeting.]

10. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 200) – Article 34.70.00 One Family Cluster Option

Mr. Savidant presented a summary on ZOTA 200, One Family Cluster Option. He presented four drawings to demonstrate alternative versions of the cluster development option; i.e., parallel plan, cluster development based on proposed language, cluster development based on proposed language with 20% density bonus and formula plan (3.8 units per acre).

There was a lengthy discussion on the parallel plan versus the formula plan.

Mr. Khan expressed his thoughts and experience on cluster development using both the parallel and formula plans. Mr. Khan prefers the formula plan and believes that most developers prefer the formula plan because it invariably allows for a larger lot size development. He cited several examples of his experience with cluster developments in community cities. Mr. Khan said the proposed 20% bonus would create a problem, and noted that the proposed amendment does not address preservation issues.

Mr. Carlisle does not recommend the formula method. He said that because characteristics are so different for every property, the parallel plan is the only reasonable plan to utilize. Mr. Carlisle acknowledged the fact that the City's non-regulated wetlands and non-restrictive tree ordinance may be factors in cluster development in Troy. Mr. Carlisle said a density bonus might be necessary in Troy because cluster development has not been a practice. He cited benefits of offering a density bonus would be reduced infrastructure costs and increased values. Mr. Carlisle said the quality of the development would bring higher values because people are looking for an open space environment. Mr. Carlisle encouraged that criteria be set in the ordinance as a basis for the bonus determination.

Chair Waller said that saving open space, roads, trees, and wetlands should be kept in mind as the City's goal.

Mr. Miller stated that the CR-1 zoning district is not very good as it currently stands, and an alternative option should be provided. Mr. Miller said the CR-1 zoning district should not be removed because non-conforming uses would be created for the five developments currently in the CR-1 zoning district. He said the Planning Commission has indicated a desire to preserve natural features without creating an ordinance, and to use creativity in the development of small infill properties.

Ms. Lancaster suggested consideration be given to the development of mini residential PUD's.

Chair Waller confirmed the Public Hearing is scheduled for the July 13, 2004 Regular Meeting.

[Mr. Carlisle exited the meeting.]

11. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 197) – Special Use Approvals in All Zoning Districts

Mr. Miller presented a summary on ZOTA 197, Special Use Approvals. Mr. Miller asked for direction on the matter, as it has been in the planning stage for over two years.

Mr. Chamberlain briefly explained the process he used in formatting the ordinance and proposed text revisions.

A brief discussion followed with respect to family day care homes and private/public schools.

It was the consensus of the Commission to move forward with the matter. A draft document for further review will be prepared by the Planning Department. An estimated timeline for completion of a draft document is early September.

12. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 202) – Outdoor Storage of Commercial and Recreational Vehicles in M-1 Light Industrial District

Mr. Miller reported that a Public Hearing for ZOTA 202 has been scheduled for the July 13, 2004 Regular Meeting. Mr. Miller confirmed that letters were addressed to the owners of the outdoor storage facilities, to which there have been no formal responses.

13. REVIEW OF JULY 13, 2004 REGULAR MEETING

A cursory review of the regular meeting items was conducted.

Mr. Miller informed the Commission that the proposed development at the former Maple Athletic Club site is seeking variances from the Board of Zoning Appeals.

Ms. Drake-Batts and Mr. Wright announced they would not be in attendance at the July 13, 2004 Regular Meeting.

14. PUBLIC COMMENT

There was no one present who wished to speak.

GOOD OF THE ORDER

Chair Waller told Mr. Wu that he would be a welcomed member should he choose to become the Commission's student representative.

Mr. Savidant reported that he, Ms. Lancaster, Mr. Motzny and Mr. Miller viewed the Northwyck Condominiums (PUD 1) models and were very impressed. He encouraged everyone to look at them.

Mr. Schultz also visited the Northwyck Condominium models last Sunday. He said he was very impressed with the finish of the units, daylight basements, etc., and noted the development is a very nice addition to the City.

Mr. Strat said he would like to share tapes of three seminars he attended at the APA Annual Conference in Washington, D.C.; (1) Homeland Security; 2) How to Write Ordinances and 3) Hybrid Zoning. Mr. Strat will provide tapes of each seminar to the Planning Department so members can sign out a copy for viewing.

Mr. Chamberlain addressed current and future planning projects and the time involved in the review and approval process. Mr. Chamberlain asked the status of the proposed zoning ordinance text with respect to the number of trees on small frontages.

Mr. Miller replied that the Commission postponed the matter in consideration of Mr. Chamberlain's absence from several meetings. Mr. Miller said the matter would be placed on the next Special/Study Meeting agenda.

Ms. Lancaster welcomed Mr. Wu and told him that he would find the Regular Meeting of the Commission to be more exciting and fun. Ms. Lancaster said it was good to be here tonight!

Chair Waller reminded everyone that *A Green Day In Troy* is being held Thursday, June 24, at Walsh College. He encouraged everyone to attend.

Mr. Miller asked Mr. Wu to give serious consideration to coming on board. He told Mr. Wu that a student representative is considered an equal, non-voting member and his opinions would be valued.

Chair Waller encouraged Mr. Wu to contact Jordan Keoleian, a former student representative, who would be delighted to share his Commission experience. Chair Waller said Cindy Stewart, Community Affairs Director, would be able to provide the contact information.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:55 p.m.

Respectfully submitted,

David T. Waller, Chair

Kathy L. Czarnecki, Recording Secretary

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