

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on July 27, 2004, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

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

Absent:

Mark J. Vleck
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Douglas J. Smith, Real Estate and Development Director
Kathy Czarnecki, Recording Secretary

Resolution # PC-2004-07-079

Moved by: Chamberlain
Seconded by: Schultz

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

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

2. PUBLIC COMMENTS

There was no one present who wished to speak.

3. DISCUSSION OF SALEEN / SSV TOUR

Chair Waller said the tour was very impressive.

Mr. Schultz said that Troy should be very pleased and proud to have a manufacturing facility of that caliber.

Mr. Smith said he is hopeful that other automotive vendors, suppliers and manufacturers are attracted to the City.

4. DISCUSSION OF SANCTUARY LAKE GOLF COURSE TOUR

Chair Waller said the course is now open for play.

Mr. Strat said he was impressed with the golf course, especially as it relates to storm water management. He said it is an excellent example of what can be done with storm water management.

Chair Waller said that Sylvan Glen Golf Course received an award late last year from the Michigan State Turf Grass Association. He said that during the planning and development stage of Sanctuary Lake Golf Course, there was discussion with respect to the City of Troy applying to the National Audubon Society for cooperative sanctuary status.

5. ORDINANCE REVISION DISCUSSION (ZOTA 205) – 10 Foot Landscape Greenbelts – Minimum Tree Requirements – Non Residential and Residential

Mr. Miller reported that the City's Landscape Analyst has the opinion that trees can be planted closer than 30 feet on center in a 10-foot landscape greenbelt. Mr. Miller referred to a memorandum from the City's Planning Consultant, Richard Carlisle, received by fax late this afternoon in which Mr. Carlisle states that he concurs with the opinion of the City's Landscape Analyst. Mr. Miller noted that coniferous trees including spruce or pine trees are not recommended in the landscaped greenbelt due to their spread and density. He asked for the direction and input of the Commission on the proposed zoning ordinance text amendment.

Mr. Chamberlain referenced the development that commenced this discussion of a proposed zoning ordinance text amendment; i.e., a narrow lot with less than 125 feet on a major road. He said another issue for discussion is whether it is appropriate or not to plant trees on main roads that are near utility lines. He questioned again the City's procedure and authoritative body to waive various trees that are required by the zoning ordinance. Mr. Chamberlain voiced his disappointment that City Management did not provide a suggested solution to the matter. When City Management opposes something the Planning Commission is working on, they should come forward with constructive ideas and suggested solutions.

Discussion continued on species of trees, types of vegetation, clustering of landscape material, landscape calculations for residential and non-residential developments, landscape requirements for municipal developments, review of other communities' landscape policies and website information, and the review and approval of landscape plans in the near future as a condition of site plan approval.

Mr. Smith said he is in support of allowing the Planning Commission greater flexibility with respect to landscape requirements. Mr. Smith gave an account of the landscape plan carried out administratively along Maplelawn, and said he would provide the Planning Commission documentation of that plan.

Chair Waller requested the City Attorney to prepare a written explanation outlining the City's procedure with respect to the relief of the City's landscape requirements and the person/s who are given the authority to waive the requirements.

It was the consensus of the Commission to continue its study and review of this matter.

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

Mr. Miller reported this is the last opportunity to discuss the proposed ZOTA relating to Site Plan Approval before its scheduled Public Hearing at the August 10, 2004 meeting. He asked if the members had any additional comments or discussion on the proposed amendment.

Section 03.41.05 was briefly discussed as it relates to the landscape plan approval prior to the application for preliminary site plan approval.

Mr. Strat requested and it was the consensus of the Commission to include the following comments in the Intent of Site Plan Review/Approval, Section 03.40.02:

- To achieve efficient use of the land
- To encourage creative, innovative design planning solutions
- To prevent adverse impact on adjoining or nearby properties
- To ensure safety for both vehicle and pedestrian usage [internal and external circulation]
- To protect natural resources
- To achieve innovative storm water management solutions

A brief discussion was held on the site plan approval process as it relates to the re-location of dumpsters.

It was the consensus of the Commission to require that Site Plans be sealed and signed by a professional engineer, registered architect or landscape architect and/or professional community planner.

Mr. Chamberlain suggested that consideration be given to incorporating the text into Chapter 39 as well.

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

Mr. Miller reported this is the last opportunity to discuss the proposed ZOTA relating to the R-1T provisions of the zoning ordinance before its scheduled Public Hearing at the August 10, 2004 meeting. He asked if the members had any additional comments or discussion on the proposed amendment.

There were no comments.

8. 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 reported this is the last opportunity to discuss the proposed ZOTA relating to the powers and duties and voting requirements of the Planning Commission before its scheduled Public Hearing at the August 10, 2004 meeting. He asked if the members had any additional comments or discussion on the proposed amendment.

There were no comments.

9. POTENTIAL ORDINANCE REVISION DISCUSSION – Group Daycare Homes in the R-1 (One Family Residential) Districts

Mr. Miller gave a review of the group daycare home matter. He reported City Management is of the opinion to not move forward at this time to allow group daycare homes. City Management feels the negative affects from group daycare homes, specifically potential traffic impact, outweigh the need for group daycare homes. Mr. Miller said the Planning Department would assist the Commission in the development of a zoning ordinance text amendment should it desire to move forward.

Ms. Drake-Batts said she would support changes to the zoning ordinance to allow group daycare homes by Special Use.

Mr. Khan reported that there are surrounding communities that allow group daycare homes by Special Use, and those communities indicated to him that there have been no negative impacts to their communities.

Chair Waller asked if City Management's concerns related to traffic impact have been based on complaints or anticipation.

Mr. Miller replied anticipation. He said the number of children dropped off / picked up for daycare services and the additional employees required for group daycare facilities would result in traffic that is above and beyond the normal single family neighborhood traffic.

Ms. Drake-Batts commented that by allowing group daycare homes as a Special Use provides the neighbors with a say in the matter. Ms. Drake-Batts feels strongly that families must have a place to drop off their children for care. Ms. Drake-Batts, speaking from personal experience, said family daycare centers provide children with more love and attention than a public daycare center. She said her son was in a group daycare facility that cared for more than 6 children, and traffic was not an issue because (1) most parents had more than one child in its care; and (2) the varying work schedule of parents. Ms. Drake-Batts said children were dropped off

between the hours of 7:00 a.m. and 10:00 a.m., and picked up between the hours of 3:00 p.m. and 6:00 p.m. Ms. Drake-Batts recalled no traffic issues, citing that there was always available space in the driveway and never more than 2 cars at the home at one time. She noted that there are not many people who choose to be in that kind of business.

Mr. Schultz concurs that group daycare facilities should be allowed by Special Use. He said the additional traffic would be on public roads, of which the public has a right to use.

Mr. Littman supports the concept that group daycare homes should be allowed by Special Use and acknowledged the need for them. Mr. Littman said he would propose a motion to further discuss and review the matter should the Chair believe that would be the proper procedure to move forward.

Mr. Chamberlain said the Planning Commission is losing sight of the matter. He said that currently daycare facilities allow up to 6 children without a Special Use approval. Mr. Chamberlain thinks that daycare facilities for 7 to 12 children are businesses. He said there is a lot of land in Troy that is zoned for businesses and similar uses, and there are areas and zoning text that allow daycare centers adjacent to residential and office developments. Mr. Chamberlain said daycare centers for more than 6 children would be breaking down the residential neighborhood and making it a business endeavor. He commented that current home businesses do not entail the amount of traffic that one would see for group daycare homes. He reminded the Commission that Special Uses in residential areas have not been touched with respect to zoning ordinance text amendments. Mr. Chamberlain said he is not in favor of expanding daycare facilities in residential areas that would exceed the capacity of 6 children. He asked that the Planning Department provide additional information (i.e., number of daycare facilities in the City, capacity of the facilities) prior to review by the Commission. Mr. Chamberlain cautioned the Commission to not rush into the matter.

Mr. Savidant reported that currently in the City of Troy there are approximately 20 group daycare homes, 46 family daycare homes and 47 child daycare [commercial] centers.

Mr. Khan questioned the outcome of the current 20 group daycare homes should the Planning Commission not address the matter at this time. Mr. Khan would like the Commission to look further into the matter.

Mr. Miller said the Planning Department would prepare in-depth information on the types of daycare facilities, geographic locations, capacities of daycare facilities, and regulations, uses, impacts and experiences of daycare facilities in surrounding communities.

Chair Waller distributed handouts provided by Mrs. Sharon Schafer.

Kim Duford of 3141 McClure, Troy, and Sharon and Dave Schafer of 5593 Mandale, Troy, were present.

Ms. Duford, President of Oakland County Child Care Association (OCCCA), reviewed the data distributed to the Commission and noted the information was extracted from the State of Michigan government licensing site. Ms. Duford reported that Oakland County alone has the third highest number of parents in the work force. Ms. Duford said the association has been around forever, as long as there have been daycare homes. She said Troy's ordinance that dates back to 1968 does not currently address the needs of daycare. She said there is shortages of care for infants, special need children and school-age children, and family daycare homes alleviate the shortages as well give other options to parents. Ms. Duford asked the Commission to give consideration to the best environment and quality care for children. She said that the "cool" City of Troy should provide daycare options to its residents. She reported that over all these years, there have been no complaints from neighbors and no complaints on traffic. Ms. Duford stated that drop off / pick up times vary and most facilities do not enroll the total capacity of 12 children. Ms. Duford extended an invitation to the Commission to visit any of the daycare facilities to learn what home daycare is all about.

Ms. Schafer reviewed statistics that she shared with the Commission at the May 4, 2004 Special/Study Meeting. Ms. Schafer, who has been licensed to provide daycare in the City of Troy over 15 years, said that very nice families have come through her home. She expressed her appreciation for the Commission's efforts on her behalf, and said she would be happy to address any concerns or questions of the Commission.

Mr. Khan questioned if the Mayor and City Council and other daycare providers in Troy have been informed that this matter is under consideration for further review.

Ms. Schafer reported that other daycare providers in Troy have met and discussed the matter, but she thought it in the best interest at this time to keep the communication on a small scale. Ms. Schafer said she also discussed group and family daycare with members of the City Council, but has not made contact with the Mayor.

Chair Waller acknowledged that the matter should be reviewed further and brought back to a future study session. It was the consensus of the Commission that it would consider any proposed zoning ordinance text amendment to be the initiative of the Planning Commission.

Mr. Miller recommended that the City's zoning ordinance should be updated as it relates to definitions related to daycare facilities, as the text is clearly outdated.

10. POTENTIAL ORDINANCE REVISION DISCUSSION – Automobile Service Station Minimum Lot Area Requirements in the H-S (Highway Service) District

Mr. Miller provided information relating to zoning districts and minimum lot area for service stations. Mr. Miller reviewed the matrix that lists service stations and other uses in Troy.

A lengthy discussion followed with respect to cross access easements, driveway entrances, future outlook of service stations, retail and mixed uses, obsolete zoning text, the City's history relating to control of service stations, and Brownfield properties.

It was the consensus of the Commission to further study and discuss potential ordinance revisions relating to service stations.

11. POTENTIAL ORDINANCE REVISION DISCUSSION – “Green” Development

Mr. Miller reported that the Planning Department's research revealed that other communities have not incorporated “green” or sustainable development into their zoning ordinances. Chair Waller has indicated a desire to become the first community in Oakland County to adopt such standards in the Zoning Ordinance.

Mr. Miller also suggested that the City's Environmental Specialist attend the next study meeting to discuss environmental issues and design plans for City projects, specifically on the proposed Presidential Place Site Condominium.

Resolution # PC-2004-07-080

Moved by: Chamberlain

Seconded by: Littman

RESOLVED, That the August 3, 2004 Special/Study Meeting be held at the Nature Center.

Discussion on the motion.

Mr. Chamberlain said there is no requirement to videotape study meetings.

Mr. Strat questioned if topic of environmental issues and the Environmental Specialist's intent to make the meeting a working session would have any relation and/or advantage to meeting at the Nature Center.

Engineering regulations on “green” and sustainable development were discussed.

Positive comments were made with respect to Troy being a catalyst in this endeavor.

Ms. Drake-Batts suggested that the Planning Commission's priority work list be revised to incorporate its review and study of (1) “green” and sustainable development and (2) service stations.

Vote on the motion on the floor.

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

Mr. Schultz thinks the City's Community Affairs office should be provided more time to prepare for the videotaping of an off-site meeting.

Mr. Littman thinks the meeting will be very educational and the meeting should be taped.

12. REVIEW OF AUGUST 10, 2004 REGULAR MEETING

Mr. Miller announced that the Planning Department unofficially received word that the Special Use Request for the proposed Bark! Dog Day Care located on the north side of Industrial Row, east of Coolidge, in Section 32, has been withdrawn. Mr. Miller reported he would follow through and confirm this information.

13. PUBLIC COMMENT

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Littman questioned the status of the Maple Road Corridor Study.

Chair Waller replied that the Maple Road Corridor Study sub-committee is moving forward with the study. He indicated he would make contact with all the sub-committees to review the status of other projects.

Mr. Strat gave a report on the July 20, 2004 Board of Zoning Appeals (BZA) meeting. Of particular interest was a variance request petitioned by White Chapel Cemetery to construct a pole barn of an average roof height of 23 feet. The variance was approved. Mr. Strat said he thought the Planning Commission should have reviewed the request.

Mr. Khan asked if the City gave tax incentives to the Saleen Facility.

Mr. Miller replied in the negative.

Chair Waller replied that the State did, and said the Real Estate and Development Department could provide more information.

Mr. Miller reported on the following planning and zoning development items:

- Crestwood Site Condominium, north side of Wattles, east of Livernois, Section 15, R-1C – Received final approval by the City Council at their July 19, 2004 meeting.
- Oakland Mall correspondence with respect to the Lord & Taylor store.
- Downtown Development Authority (DDA) and City Council joint meeting is forthcoming, at which time the DDA will present their vision.
- Royal Diner Restaurant on Maple Road – Building expansion and mixed use addressed.
- Former Maple Athletic Club – Proposed medical office use site plan is being reviewed by the Planning Department as it relates to parking requirements, prior to the review and approval by the Planning Commission.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:40 p.m.

Respectfully submitted,

David T. Waller, Chair

Kathy L. Czarnecki, Recording Secretary