

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on November 2, 2004, in the Conference Room of the Troy City Library.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts (arrived 7:36 p.m.)  
Fazal Khan  
Robert Schultz  
Thomas Strat  
Mark. J. Vleck (arrived 7:32 p.m.)  
David T. Waller  
Wayne Wright

Absent:

Lawrence Littman

Also Present:

Mark F. Miller, Planning Director  
Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
Mark Stimac, Building & Zoning Director  
Howard Wu, Student Representative  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2004-11-122**

Moved by: Chamberlain  
Seconded by: Wright

**RESOLVED**, That Member Littman be excused from attendance at this meeting for personal reasons.

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

**MOTION CARRIED**

2. PUBLIC COMMENTS

There was no one present who wished to speak.

3. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Strat reported on the October 19, 2004 BZA meeting.

St. Augustine Lutheran Church, 5475 Livernois

The BZA granted a variance for a one year renewal of relief of the 4'6" high masonry wall required along the south and west sides.

3015 Crooks Road

The BZA granted the petitioner's request to withdraw the variance request.

D'Anna-Latter, LLC, 400 E. Big Beaver

The BZA granted relief to maintain the existing 4'6" high concrete screen wall located on the east and south sides.

[Mr. Vleck arrived at 7:32 p.m.]

4. MICHIGAN SOCIETY OF PLANNING ANNUAL CONFERENCE 2004

Item was postponed to the December 7, 2004 Special/Study Meeting.

5. PLANNING AND ZONING REPORT

Mr. Miller reported that a member of City Council has requested reconsideration of City Council's resolution authorizing City Management to move forward with the Big Beaver Road Corridor Study. The requested reconsideration is related to citizen input to the RFP process and will be considered at the November 8, 2004 City Council meeting.

Chair Waller said the RFP Committee met this past week. The meeting was an overall informational meeting about what has happened to date. Chair Waller said there was a lot of conversation about the need for citizen input throughout the entire RFP process.

[Ms. Drake-Batts arrived at 7:36 p.m.]

6. PUBLIC HEARING – SPECIAL USE REQUEST (SU 326) – Square Lake Marathon Station, Southwest corner of Livernois and Square Lake (5991 Livernois), Section 9 – H-S (Highway Service) District

Mr. Savidant gave a review of the Special Use Request and the revised site plan. Mr. Savidant reported that the revised site plan strikes a balance between safety, aesthetics and economic viability and is a significant improvement. Mr. Savidant said final consideration of the Site Plan and Special Use Request is on the November 9, 2004 Regular Meeting agenda. He noted the petitioner would be required to go before the Board of Zoning Appeals for several variances.

Mr. Miller said the Special Use and Site Plan Approvals would be contingent upon the petitioner receiving variances on several outstanding items.

There was discussion on the proposed 30-inch screen wall with respect to safety, visual obstruction, material, and sidewalk clearance.

Mr. Chamberlain asked if there are any current cross access easements to the property to the west.

Mr. Miller said there are no cross access easements.

Mr. Chamberlain requested that a note be placed in the file to assure that any cross access easements to the west match the subject property and are legally filed, should the property to the west be developed.

Mr. Schultz questioned which frontage -- Livernois or Square Lake -- is used to determine the canopy setbacks.

Mr. Savidant replied that both frontages were used in the setback determinations.

There was discussion on the number of required variances from the BZA and clarification on the variances received.

Mr. Strat pointed out discrepancies on the site plan with respect to the variances received and the setbacks applied. Mr. Strat also pointed out that the floor plan of the building is not to scale to the actual site plan. Mr. Strat questioned the parking calculations with respect to the snack bar. He expressed concern with the parking requirements, the traffic circulation, retention and the proposed screen wall.

Mr. Miller commented that the evolution of this particular site plan might have resulted in the site plan discrepancies.

Mr. Savidant stated that the parking spaces for the snack bar were calculated for retail and a restaurant without seating.

Mr. Miller said the parking calculations were determined with respect to the number of gas pumps and the retail use.

Mr. Miller further clarified that the Commission has the discretion to allow a wall that has masonry or similar material in lieu of the 10-foot landscaping strip, but the Commission cannot waive the wall. He reported that the fence as proposed does not meet the Zoning Ordinance standards. Mr. Miller noted that this site is so tight that it becomes a balancing act between the number of pumps, the size of the building, parking and landscaping. Mr. Miller confirmed that the Commission could make a recommendation to the BZA with respect to the wall or approve the site plan contingent on the wall.

The petitioner, Mike Elias of 5991 Livernois, Troy, was present. Mr. Elias said it was anticipated that the wrought iron fence would make for a good appearance and blend in with the makeup of the corner. Mr. Elias is amenable to suggestions and recommendations on the screen wall.

**Resolution # PC-2004-11-123**

Moved by: Khan  
Seconded by: Schultz

**RESOLVED**, That the Public Hearing be continued to the November 9, 2004 Regular Meeting.

Yes: All present (8)  
No: None  
Absent: Littman

**MOTION CARRIED**

7. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215) – Articles 04.20.00, 10.00.00, 30.00.00, 31.00.00, and 40.00.00 Accessory Structures and Neighborhood Compatibility

Mr. Miller reported that extensive meetings have been held wherein the Planning Department and Building Department reviewed the proposed zoning ordinance text amendments as revised by the Planning Commission at its last meeting. Mr. Miller distributed the most current revisions. He noted that the Planning Consultant, Richard Carlisle, has reviewed the revisions and said the changes are appropriate. Mr. Miller reported that Mr. Carlisle was not able to attend tonight's meeting due to a conflict in his calendar. Mr. Miller reported that the proposed language has not been reviewed by the City Attorney's Office for legalities or format.

Mr. Stimac clarified that three separate resolutions are being prepared so that the resolutions can be considered independently. The three resolutions relate to (1) accessory building provisions; (2) commercial vehicle definitions; and (3) the commercial vehicle appeal process.

Chair Waller asked around the table whether the members would like to consider submitting commercial vehicles to City Council as part of their review on accessory buildings and neighborhood compatibility.

It was the consensus of the members to consider all three items.

There was a brief discussion on the publication of the Public Hearing notice for the proposed zoning ordinance text amendments. The Attorney's Office will provide an opinion on the legality of the notice prior to the November 9, 2004 Regular Meeting.

Discussion followed on specific sections of the proposed zoning ordinance text amendment.

Section 04.20.32

It was determined that trailers should be defined.

Section 40.65.02

Mr. Stimac explained the revision cleans up a long-standing inconsistency in the section. Mr. Stimac noted that the revision has no impact on the proposed amendments relating to accessory structures.

The typographical error in the third line will be corrected; i.e., change the word “of” to “or”.

Section 40.66.00

There was discussion on:

- Gross vehicle weight rating (GVWR)
- Lettering, graphics, advertising on vehicles
- Dual use of vehicles (commercial and personal)
- Limitation on the number of vehicles
- Household occupancy; i.e., more than one family member in same commercial business
- Indoor and outdoor parking and storage
- Home occupation ordinance and enforcement

[There was a 5-minute recess for technical reasons.]

*Proposed revision.* Outdoor parking of more than one commercial vehicle with the gross vehicle weight rating (GVWR) of less than 10,000 pounds or the indoor or outdoor parking of any commercial vehicle with the gross vehicle weight rating (GVWR) above 10,001 pounds shall be prohibited.

Sections 43.74.00, 43.74.01, 43.74.02

There was discussion on:

- Time period of appeals
- Tracking / updating of VIN numbers
- Administration approval
- Fee for appeals and renewals

*Proposed revision:* The BZA may grant appeals for an initial period not to exceed two years, and may thereafter extend such actions for a period up to 3 years.

04.20.01, 04.20.02 Definitions

*Proposed revision:* Include public parking garages in definitions.

Section 40.56.01

There was discussion on:

- Building height limitation
- Ground floor living area formula; i.e., quad, tri-level, 3-car garage
- Footprint language
- Door height limitation
- Limitations on number of detached accessory buildings

[There was a 5-minute recess for technical reasons.]

Section 40.56.02

There was discussion on:

- Footprint language relating to combined ground floor area

Section 40.56.03

There was discussion on:

- Limitations on number of detached accessory supplemental buildings
- Locations of detached accessory supplemental buildings
- Carports, sheds

*Proposed revisions:*

- (1) Reword Section 40.56.03 (C) with respect to setbacks
- (2) Change limitation of detached accessory supplement buildings to 3

Section 40.57.06

There was discussion on:

- Variance requirements for barns and greenhouses

## 8. REVIEW OF NOVEMBER 9, 2004 REGULAR MEETING

Mr. Chamberlain requested that the order of agenda items be rearranged so that the Public Hearing items are scheduled at the end of the meeting.

## 9. PUBLIC COMMENTS – Items on Current Agenda

Tom Krent of 3184 Alpine, Troy, was present. Mr. Krent said he lives three doors north and across the street from the monster garage at 3129 Alpine. Mr. Krent distributed two documents. One document provided guidelines to aesthetics. The second document related to suggestions for revisions to the Zoning Ordinance with regards to residential accessory buildings. Mr. Krent addressed the following with respect to size, use and compatibility: (1) Length of structures along a shared property line; (2) Maximum ground covering area of attached garages; (3) Home business; (4) Intent of compatibility; (5) Preventing industrial looking buildings in residential districts.

Mr. Vleck said he likes the idea of the correlation of the square footage of the house to the attached accessory structure and using similar type of materials.

### **GOOD OF THE ORDER**

Mr. Strat brought to the attention of the members that a seminar on sustainable stormwater management is being held at the Troy Marriott Hotel on November 16, 2004.

Mr. Vleck commented on the minor league baseball stadium that is under discussion by the City Council.

Several members commented on traffic roundabouts and the roundabout simulation provided via email by the Planning Department.

### **ADJOURN**

The Special/Study Meeting of the Planning Commission was adjourned at 10:24 p.m.

Respectfully submitted,

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David T. Waller, Chair

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Kathy L. Czarnecki, Recording Secretary