

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on December 14, 2004, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts  
Lawrence Littman  
Thomas Strat  
David T. Waller  
Wayne Wright

Absent:

Fazal Khan  
Robert Schultz  
Mark J. Vleck

Also Present:

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

**Resolution # PC-2004-12-146**

Moved by: Littman  
Seconded by: Wright

**RESOLVED**, That Members Khan, Schultz and Vleck are excused from attendance at this meeting for personal reasons.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

2. MINUTES

**Resolution # PC-2004-12-147**

Moved by: Wright  
Seconded by: Strat

**RESOLVED**, To approve the November 2, 2004 Special/Study Meeting minutes as published.

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

**MOTION CARRIED**

**Resolution # PC-2004-12-148**

Moved by: Wright  
Seconded by: Strat

**RESOLVED**, To approve the November 9, 2004 Regular Meeting minutes as published.

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

**MOTION CARRIED****Resolution # PC-2004-12-149**

Moved by: Littman  
Seconded by: Wright

**RESOLVED**, To approve the December 7, 2004 Special/Study Meeting minutes as published.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED****Resolution # PC-2004-12-150**

Moved by: Wright  
Seconded by: Strat

**RESOLVED**, To approve the December 7, 2004 Joint Special Meeting minutes as published.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED****3. PUBLIC COMMENTS**

There was no one present who wished to speak.

**TABLED ITEM**

4. **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 presented a summary of the Planning Department report for the proposed Special Use Request. He briefly cited the most recent revisions to the site plan. Mr. Savidant said the improved site plan design has struck a balance between safety, aesthetics and economic viability. Mr. Savidant reported that the petitioner would like to install 8 pumps and has indicated that the project would not go forward should the Commission not approve the installation of 8 pumps.

Mr. Savidant reported that it is the recommendation of the Planning Department to approve the Special Use Approval and Site Plan on the condition that the petitioner seek and receive variances from the Board of Appeals in relation to the Zoning Ordinance requirements for landscaping, side yard and rear yard setbacks. Mr. Savidant further reported that the petitioner would be required to provide a sidewalk connection to Square Lake Road.

There was a brief discussion on the location and utilization of the required sidewalk to Square Lake Road.

Mr. Strat complimented the petitioner on the improved site plan. He questioned the dimensions of the 2.5-foot high screen wall.

Mr. Savidant stated that the thickness of the wall could be stipulated as one of the conditions to the site plan approval.

The petitioner, Mike Elias of 5991 Livernois, Troy, was present. Mr. Elias said he is very happy with the recent site plan because it provides more parking spaces, better circulation and a cross access easement to the south. Mr. Elias said every effort would be made to make the corner attractive. He explained that the installation of 8 pumps is very important for the investment of the project.

Mr. Miller noted that the Planning Department recognizes the fact that a service station use might not have a need for sidewalks as much as other uses, but the 5-foot connecting sidewalk is a requirement of the Zoning Ordinance. He said a variance from the Board of Zoning Appeals (BZA) would be required should the site plan be approved without the condition to provide a sidewalk.

Chair Waller stated that one of the reasons the subject parcel has a limited amount of property is that over the years the property has been decreased in size because of the widening of the roads. Chair Waller believes the City should review some of the requirements imposed on service stations within the H-S zoning district to make sure the requirements are reasonable in light of the fact that some properties have been downsized because of the taking of land for the public right-of-way.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED**

A brief discussion followed on the cross access easement agreement. Mr. Miller provided the procedure followed by the Planning Department to effectuate a cross access easement agreement and a reciprocal cross access easement agreement. He reported that the Planning Department is required to secure the easements prior to giving Final Site Plan Approval and that the easements are recorded with the Register of Deeds.

**Resolution # PC-2004-12-151**

Moved by: Wright  
Seconded by: Chamberlain

**RESOLVED**, That the Special Use Approval Request and Site Plan for the Square Lake Marathon Station, located on the southwest corner of Square Lake Road and Livernois Road, Section 9, within the H-S Zoning district, be granted, subject to the following conditions:

1. The filing of the cross access easement with the property to the south.
2. The granting of variances by the Board of Zoning Appeals for the side yard setback requirements for the canopy support, pump island and canopy edge, the landscaping requirements, the rear yard setback requirements and the connecting sidewalk to Square Lake Road.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

Mr. Strat will draft a letter of recommendation to the Board of Zoning Appeals to recommend BZA approval of the conditions set forth by the Planning Commission.

**REZONING REQUESTS**

5. **PUBLIC HEARING – PROPOSED REZONING (Z 695)** – Proposed Becker Overflow Parking Area, South side of Henrietta, East of Rochester Road, Section 27 – From R-1E (One Family Residential) to P-1 (Vehicular Parking)

Mr. Savidant reported that the petitioner submitted a request to postpone the rezoning request to the February 8, 2005 Regular Meeting. The petitioner would like more time to address design issues associated with the application.

**Resolution # PC-2004-12-152**

Moved by: Wright  
Seconded by: Strat

**RESOLVED**, That the rezoning request for the proposed Becker Overflow Parking Area, located on the south side of Henrietta and east of Rochester Road, Section 27, from R-1E to P-1, be postponed to the February 8, 2005 Regular Meeting.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

6. **PUBLIC HEARING – PROPOSED REZONING (Z 696-B)** – Proposed Chary Villas (additional property to the north), West side of Rochester Road, North of Square Lake, Section 3 – From R-1B (One Family Residential) to R-1T (One Family Attached)

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the rezoning application.

Bill Mosher of Apex Engineering Group of 47745 Van Dyke, Shelby Township, was present to represent the petitioner. Mr. Mosher stated the application meets the Future Land Use Plan and locational standards. He said the intent is to combine the recently rezoned 4 parcels to the south with the subject parcel to develop 18 units of unattached products. Mr. Mosher offered to address any concerns or questions the Commission might have.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED****Resolution # PC-2004-12-153**

Moved by: Littman  
Seconded by: Wright

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1B to R-1T rezoning request, located on the west side of Rochester Road and north of Square Lake Road, within Section 3, being approximately 1 acre in size, be granted.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

### **MOTION CARRIED**

7. PUBLIC HEARING – PROPOSED REZONING (Z 699) – Proposed Briggs Crossing Condominium, West side of Rochester Road, South of Trinway, Section 10 – From R-1C (One Family Residential) to R-1T (One Family Attached)

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. Mr. Savidant referenced three handouts relating to the proposed rezoning request. They are: (1) an amended page 2 of the Planning Department report with respect to natural features; (2) a table identifying R-1T zoning districts parcel sizes and depths; and (3) a letter of opposition received today.

Mr. Savidant cited the sizes and depths of specific parcels located within the R-1T zoning district from former rezoning requests. Mr. Savidant reported that Article 12.40.01 states that the R-1T zoning district may be applied to property when the application of such a classification is consistent with the intent of the Future Land Use Plan, and therefore involves areas indicated as medium density or high density residential. Mr. Savidant said the subject application would meet this standard and the locational standards of the R-1T district should the Planning Commission determine that the depth of the parcel is consistent with the depth of the area classified on the Future Land Use Plan as Medium Density Residential.

The petitioner, Fred Binder of 5215 Rochester Road, Troy, was present. Mr. Binder said he thinks the request fits within the Future Land Use Plan, and it does appear that similar depths have been approved in the past.

Mr. Chamberlain referenced the Future Land Use Plan with respect to the depth of the R-1T zoning versus the commercial to the south. He said it appears that the subject parcel would be deeper or the same depth as the commercial to the south.

### PUBLIC HEARING OPENED

No one was present to speak.

### PUBLIC HEARING CLOSED

#### **Resolution # PC-2004-12-154**

Moved by: Chamberlain  
Seconded by: Wright

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1C to R-1T rezoning request, located on the west side of

Rochester Road and south of Trinway, within Section 10, being approximately 2.74 acres in size, be granted, for the following reason:

1. That it complies with the Future Land Use Plan of the City of Troy.

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

### **MOTION CARRIED**

Mr. Littman said he thinks the parcel goes too deep when you look at the neighborhood and how it is put together.

8. PUBLIC HEARING – PROPOSED REZONING (Z 602-B) – Proposed Red Wagon Shoppe, Northwest corner of Maple and Livernois, Section 28 – From O-1 (Low Rise Office) to B-1 (Local Business), B-2 (Community Business) or B-3 (General Business)

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning. Mr. Miller said the Planning Department cannot recommend rezoning the parcel to the B-1 zoning district, as requested by the petitioner, because it does not comply with the Future Land Use Plan. Mr. Miller reported that it is the recommendation of the Planning Department to approve rezoning the parcel to B-3 General Business, which complies with the Future Land Use Plan.

Mr. Chamberlain asked if the current building would become non-conforming if zoned B-1, B-2 or B-3.

Mr. Miller replied that there would be no non-conformity issues if the parcel is zoned B-1. He said there would be front and rear yard setback non-conformities if zoned B-2, and a rear yard setback non-conformity if zoned B 3. Mr. Miller said it appears there would not be enough landscaped open space no matter what the site is zoned.

Mr. Chamberlain asked if the site immediately to the west currently meets the zoning requirements of the B-2 zoning district.

Mr. Miller replied that the site immediately to the west meets the front yard setback requirements, but he is uncertain about the rear yard setback requirements.

Mr. Wright asked the zoning classification for the K-Mart property.

Mr. Miller responded that it is in the B-2 zoning district.

The petitioner, Larry Farida of 3105 Interlaken, West Bloomfield, was present. Mr. Farida, owner of the Red Wagon Shoppe on the south side of Maple, said he would like to move the wine cellar building to the north side of Maple. This move would

provide him with additional square footage. Mr. Farida said he has applied to the State of Michigan for a liquor license. It is his understanding that one license is available in the City of Troy and would most likely be approved if the property were zoned for retail use. Mr. Farida said another alternative would be to purchase a liquor license from licenses held in escrow.

### PUBLIC HEARING OPENED

John Gonway of Hyman Lippitt, P.C., 322 N. Old Woodward, Birmingham, was present. Mr. Gonway represents Peter P. Ruppe, Inc., the owner of the parcel of land to the immediate west of the subject property. Mr. Gonway distributed additional copies of his letter dated December 14, 2004, that addresses his client's concerns relating to the proposed rezoning.

Mr. Gonway said the property, whose most visible tenants are The Good Food Company and Priya Indian Cuisine Restaurant, has a history of parking problems and it is his client's concern that the parking problems would increase should the rezoning be approved. Mr. Gonway also expressed concern with respect to the conceptual site plan relating to square footage. Mr. Gonway requested that the item be tabled for additional review.

Peter P. Ruppe, Jr., of 19815 E. Nine Mile, St. Clair Shores, was also present.

Chair Waller stated the request before the Commission tonight is only the rezoning, and no consideration is given at this time for any site plan, sketch or drawing submitted with the application. He confirmed that the decision of the Commission tonight is only a recommendation to the City Council.

### PUBLIC HEARING CLOSED

Mr. Chamberlain said the Maple Road corridor has been taken under review by the Planning Commission with the intent to make the thoroughfare more viable. He said the intent is to bring all of the land into conformance with the Future Land Use Plan. Mr. Chamberlain said he would prefer to rezone the subject parcel to B-3, and asked the petitioner if he would be agreeable to either B-2 or B-3 zoning.

Mr. Farida said he would be agreeable to any of the business zoning classifications.

### **Resolution # PC-2004-12-155**

Moved by: Chamberlain  
Seconded by: Littman

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the O-1 to B-1, B-2 or B-3 rezoning request, located on the northwest corner of Maple Road and Livernois, within Section 28, being approximately 30,301 square feet in size, be granted, and that the zoning district be B-3 (General Business), not B-1 or B-2, so that the parcel would be in compliance with the Future Land Use Plan.

Discussion on the motion on the floor.

Mr. Littman instructed the petitioner that a request to table the site plan would be appropriate only at the time of Site Plan Approval. Mr. Littman said he is in favor of supporting the Future Land Use Plan and would not want to create non-conforming uses. Mr. Littman said there are few parcels on Maple Road that do meet the setback requirements, including the property immediately to the west of the subject parcel. Mr. Littman said he believes B-3 zoning would work the best.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED****SITE CONDOMINIUM SITE PLANS**

9. SITE PLAN REVIEW – Proposed Chesapeake Grove Site Condominium 27 units/lots proposed, North side of Square Lake, East of John R, Section 1 – R-1D

Mr. Wright brought to the attention of the Commission that his wife's sister and brother-in-law are owners of property on Silverstone, which backs up to the subject proposal. Mr. Wright said he feels the personal association would have no affect on his vote.

Mr. Miller presented a summary of the Planning Department report for the proposed development. Mr. Miller noted that City Management prefers the Preliminary Site Plan layout with two points of ingress/egress. Mr. Miller reported that it is the recommendation of the Planning Department to approve the Chesapeake Grove Site Condominium. He noted that if the Michigan Department of Environmental Quality (MDEQ) does not issue a wetland permit to fill wetland B, units 6 and 7 would be undevelopable.

Mr. Chamberlain addressed the landscape plan and the 5-foot concrete sidewalk depicted on the site plan along Square Lake Road. Mr. Chamberlain voiced strong opposition to planting spruce trees against the sidewalk because the trees will spread and cover the sidewalk in five years.

Mr. Miller noted that an 8-foot wide concrete sidewalk in accordance with the Zoning Ordinance could be a condition to the site plan approval.

The petitioner, Joe Maniaci of Mondrian Properties, 1111 W. Long Lake, Troy, was present. Mr. Maniaci noted that the retention basin is not on the subject property. He has agreed to make improvements to the adjacent subdivision's retention basin as well as replace of all the pumps.

**Resolution # PC-2004-12-156**

Moved by: Chamberlain  
 Seconded by: Littman

**WHEREAS**, The State of Michigan as provided by Public Act 207 of 1921 and Public Act 285 of 1931 and subsequent changes thereto provides for city planning and authorizes Planning Commissions and their powers; and

**WHEREAS**, the City of Troy Planning Commission is empowered by the City of Troy Zoning Ordinance to approve matters coming before the Commission and recommend to City Council, where City Council holds that approval power for themselves.

**THEREFORE BE IT 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 Chesapeake Grove Site Condominium, including 27 units, located on the north side of Square Lake Road and east of John R Road, Section 1, within the R-1D zoning district be granted, subject to the following conditions:

1. That the landscape plan drawing be changed to show an 8-foot concrete sidewalk on Square Lake Road.
2. That the landscape plan be changed to show the plantings of low limb trees pushed further north from the sidewalk so the plantings will not infringe on the use of the sidewalk when they reach maturity.

Yes: All present (6)  
 No: None  
 Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

10. **SITE PLAN REVIEW** – Proposed Covington Estates Site Condominium, 5 units/lots proposed, South side of Long Lake Road, East of Somerton, Section 15 – R-1C

Mr. Miller presented a summary of the Planning Department report for the proposed site condominium development. Mr. Miller reported that it is the recommendation of the Planning Department to approve Covington Estates Site Condominiums with the conditions to provide a temporary construction access easement on Long Lake Road and one common driveway for the two units that front on Long Lake Road.

There was a brief discussion on the following:

- common driveway for the two units that front on Long Lake Road;
- property to the immediate south in relation to the storm water detention;
- designated common space for the development;
- potential regulated wetlands on site.

The petitioner, Dennis Siavrakas of Bryden Development Corporation, 3190 Rochester Road, Troy, was present. Mr. Siavrakas said he is in agreement with the recommendations of the Planning Department.

**Resolution # PC-2004-12-157**

Moved by: Chamberlain  
Seconded by: Littman

**WHEREAS**, The State of Michigan as provided by Public Act 207 of 1921 and Public Act 285 of 1931 and subsequent changes thereto provides for city planning and authorizes Planning Commissions and their powers; and

**WHEREAS**, the City of Troy Planning Commission is empowered by the City of Troy Zoning Ordinance to approve matters coming before the Commission and recommend to City Council, where City Council holds that approval power for themselves.

**THEREFORE BE IT 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 Covington Estates Site Condominium, including 5 units, located south of Long Lake Road and east of Somerton Street, Section 15, within the R-1C zoning district be granted, subject to the following conditions:

1. Provision of a temporary construction access easement on Long Lake Road.
2. Provide one common driveway for the two units that front on Long Lake Road.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

**SITE PLAN REVIEW**

11. **PUBLIC HEARING - SITE PLAN REVIEW (SP 883-C)** – Proposed Heartland Health Care Skilled Nursing Facility, Southeast corner of Livernois and South Blvd., Section 3 – R-1B (One Family Residential) and O-1 (Low Rise Office) District (Consent Judgment)

Mr. Miller presented a summary of the Planning Department report for the proposed Heartland Health Care Skilled Nursing Facility. He noted the petitioner's proposal is to amend an existing Consent Judgment agreement and provided a detailed explanation of the development relating to the Consent Judgment.

Mr. Miller reported that the Planning Department recommends approval of the site plan as submitted with one condition relating to the landscape plan. Mr. Miller said the Planning Department recommends that the Consent Judgment be revised to allow the proposed use. He said the revised Consent Judgment and preliminary site plan would go to City Council for review and approval.

Chair Waller asked if staff had any discussion with the petitioner with respect to landbanking excess parking spaces and providing permeable pavement.

Mr. Miller responded in the negative.

Mr. Savidant noted that the petitioner met with representatives of the Meadowland Estates Homeowners Association to discuss the potential development, and that the homeowners association has provided a letter of support.

Peter DeLoof, Attorney with Seeligson DeLoof Hopper & Deve of 401 E. Liberty Street, Ann Arbor, was present to represent the petitioner. Mr. DeLoof introduced the petitioner, Brion Harrigan, Director of Development for ManorCare Health Services Inc., 12530 Coral Grove, Germantown, Maryland. He also introduced the project's engineer, Brad Brickel of Nowak & Fraus, 1310 N. Stephenson Highway, Royal Oak.

Mr. Harrigan provided a brief account of the health care company.

Mr. DeLoof circulated a rendering of the project and a sample material board.

Mr. Miller stated that the Consent Judgment allows the City more authority in the building material selection, and City Management would encourage input from the Planning Commission in that respect. Mr. Miller said the petitioner has indicated they would be receptive to any materials within reason.

Chair Waller asked how to address the canopy that is too close to the property line.

Mr. Miller replied the canopy would be addressed in the revised language of the Consent Judgment.

Mr. Chamberlain voiced strong objection to the tree selection noted on the landscape plan and he would recommend that the plantings be placed further from the sidewalk.

Mr. DeLoof said they have tried to be responsive to the concerns of the neighboring subdivision and to the City administration. Mr. DeLoof said that in terms of landscaping, he would work with the City and the neighbors.

PUBLIC HEARING OPENED

Peter Leto of Leto & Associates, 2525 Telegraph Road, Suite 302, Bloomfield Hills, was present. Mr. Leto, retained counsel for Meadowland Estates Homeowners Association, distributed a letter of site plan endorsement from the homeowners association. Mr. Leto expressed two concerns of the association. The subdivision's retention pond to the southeast currently retains some water, and he requested that the City assess the situation. Also, the association would like additional green foliage placed in the corner lot of Whitetail Court and Fieldstone.

PUBLIC HEARING CLOSED

Mr. Strat complimented the landscaping of the detention pond, and asked if a fence would be required.

Mr. Miller said the swale would be deep and no fence is necessary. He also noted that the petitioner would be responsible for maintenance.

**Resolution # PC-2004-12-158**

Moved by: Chamberlain  
Seconded by: Littman

**WHEREAS**, The State of Michigan as provided by Public Act 207 of 1921 and Public Act 285 of 1931 and subsequent changes thereto provides for city planning and authorizes Planning Commissions and their powers; and

**WHEREAS**, the City of Troy Planning Commission is empowered by the City of Troy Zoning Ordinance to approve matters coming before the Commission and recommend to City Council, where City Council holds that approval power for themselves.

**THEREFORE BE IT RESOLVED**, That the Planning Commission recommends to City Council that Preliminary Site Plan Approval, pursuant to a Consent Judgment, for a proposed nursing home, located on the southeast corner of South Boulevard and Livernois Road within section 3, within the O-1 zoning district, be approved, subject to the following conditions:

1. That City Management reviews the detention pond serving the existing residential development for proper construction, as it appears that water is being retained on site.
2. That the trees along the South Boulevard sidewalk as shown by the petitioner, being that they are ornamental and evergreens, be pushed away from the sidewalk so that the ultimate growth size shall not impede the use of the sidewalk.

Yes: All present (6)  
 No: None  
 Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

**ZONING ORDINANCE TEXT AMENDMENTS**

12. PUBLIC HEARING - ZONING ORDINANCE TEXT AMENDMENT (ZOTA 210) – Article 03.20.07 – Rezoning Protest Petitions

Mr. Miller provided a brief review of the proposed zoning ordinance text amendment relating to protest petitions.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED**

**Resolution # PC-2004-12-159**

Moved by: Littman  
 Seconded by: Wright

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that Article 03.20.07, pertaining to Rezoning Protest Petitions, be amended as printed on the Proposed Zoning Ordinance Text Amendment.

Yes: All present (6)  
 No: None  
 Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

13. PUBLIC HEARING - ZONING ORDINANCE TEXT AMENDMENT (ZOTA 209) – Articles 04.20.152, 28.30.09, and 28.30.10 – Veterinary Hospitals in the M-1 (Light Industrial) District

Mr. Miller provided a brief review of the proposed zoning ordinance text amendment relating to veterinary hospitals.

Mr. Chamberlain brought to the attention of the Planning Department one typographical error in the third line of Section 22.30.05(B); that is, to delete the “0” in front of the word “zoned”. Mr. Chamberlain said he was informed from a veterinarian friend of his that the facility terms used by veterinarians (i.e., clinic, hospital) are synonymous with respect to medical treatment.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution # PC-2004-12-160**

Moved by: Wright  
Seconded by: Drake-Batts

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that Articles 04.20.152, 28.30.09, and 28.30.10, pertaining to Veterinary Hospitals in the M-1 (Light Industrial) District, be amended as printed on the Proposed Zoning Ordinance Text Amendment and further, that Article 22.30.05(B) be amended per Member Chamberlain's comments.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

14. JANUARY 4, 2005 SPECIAL/STUDY MEETING – Cancellation and Schedule Alternative Meeting

Mr. Miller said that in light of the fact that there are a number of items to be reviewed by the Commission, due to the holiday season there would be limited staff hours available to prepare for the scheduled meeting of January 4, 2005. He asked for direction from the Commission.

It was the consensus of the members to cancel the January 4, 2005 meeting, and an additional meeting could be scheduled at the January 11, 2005 Regular Meeting should the Commission so desire.

**Resolution # PC-2004-12-161**

Moved by: Chamberlain  
Seconded by: Wright

**RESOLVED**, That the Planning Commission cancels the January 4, 2005, Special/Study Meeting.

Yes: All present (6)  
No: None  
Absent: Khan, Schultz, Vleck

**MOTION CARRIED**

Chair Waller asked the Planning Department to prepare a summary of Planning Commission items that remain on its plate, and to rank the items by priority.

15. PUBLIC COMMENT

There was no one present who wished to speak.

**GOOD OF THE ORDER**

Mr. Chamberlain said the City's tree ordinance should be revisited for review.

Mr. Miller announced that the proposed Minor League Baseball Facility is on the December 20, 2004 City Council agenda.

Holiday wishes were exchanged.

ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 9:34 p.m.

Respectfully submitted,

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David T. Waller, Chair

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Kathy L. Czarnecki, Recording Secretary