

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:30 p.m. on February 22, 2005, in the Council Board Room of the Troy City Hall.

It was the consensus of the members to add the Zoning Board of Appeals report to the agenda as item #4; the remaining items follow thereafter in consecutive order.

1. ROLL CALL

Present:

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

Absent:

Lawrence Littman

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
John Szerlag, City Manager
Brian Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate and Development Director
Mark Stimac, Building and Zoning Director
Kathy L. Czarnecki, Recording Secretary

Resolution # PC-2005-02-022

Moved by: Schultz

Seconded by: Wright

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

Yes: All present (8)

No: None

Absent: Littman

MOTION CARRIED

2. MINUTES

Resolution # PC-2005-02-023

Moved by: Wright

Seconded by: Khan

RESOLVED, To approve the February 1, 2005 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Schultz, Strat, Waller, Wright

No: None

Abstain: Chamberlain, Vleck

Absent: Littman

MOTION CARRIED

Resolution # PC-2005-02-024

Moved by: Schultz

Seconded by: Wright

RESOLVED, To approve the February 8, 2005 Regular Meeting minutes as published.

Yes: All present (8)

No: None

Absent: Littman

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

4. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright reported on the February 15, 2005 Board of Zoning Appeals meeting.

Interpretation Request – 3129 Alpine

Neighboring residents of 3129 Alpine hired an attorney to seek an interpretation of the Zoning Ordinance as relates to the large accessory structure constructed at this location. The allegation is that the building permit was issued erroneously and in violation of the Zoning Ordinance. The BZA tabled the item for 30 days to provide time for a response from the City administration.

Renewal Request – Nino Salvaggio, 6835 Rochester Road

The BZA granted relief of the ordinance to maintain a 6' high landscaped berm in lieu of the 6' high masonry screening wall required along the south and west sides of the property.

Variance Request, 2352 Lanergan

The BZA granted relief of the rear yard setback requirement to construct a family room addition.

5. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-A) – Accessory Buildings

Mr. Miller provided a summary of the proposed zoning ordinance text amendment as relates to garage door height, foot print ratios, number of detached buildings and greenhouses. He reported that garage door height and foot print ratios have not yet been resolved. Mr. Miller referenced and distributed a comparison of garage door regulations with adjacent communities.

Mr. Khan circulated a photograph of the garage constructed at 5287 Windmill.

City Manager John Szerlag was present to mediate the differences between City Management and the Planning Commission as relate to garage door height. Mr. Szerlag said the intent would be to reach one recommendation to present to the City Council, or provide two alternatives from which City Council could decide.

The parameters of City Council, Planning Commission and City Management were discussed.

City Council Parameters

- Zoning Ordinance allows commercial vehicles in residential areas to be stored inside, and often the commercial vehicles exceed 8 feet in height.
- City Council does not currently regulate garage door heights; Community cities do not regulate garage door heights, nor is the City's Planning Consultant aware of any cities that do regular garage door heights.
- Recreational vehicles are permitted by the City Council in residential areas behind front yard setback, inside or outside.
- City Council passed a resolution that referred the matter back to the Planning Commission stating concern with the height limitation on a garage door.

Planning Commission Parameters

- Preserve residential character.
- BZA approval of door greater than 8 feet (Public Hearing).
- Storage of commercial possessions in residential area.
- Separate review of ZOTA 215 A, B, and C.
- National standard residential garage door height is 7 feet.
- Study completed on outdoor storage of vehicles in M-1 district.

(Minority)

- Recreational vehicle cannot fit into 8-foot garage door; difficult to enforce.
- Knock out labor class in community.
- 10-foot limit on garage door height.

City Management Parameters

- Consistency in the Zoning Ordinance. Based on the requirements of provisions of the Zoning Ordinance, it is legal to park a commercial vehicle inside a garage. To create a technical requirement in the Zoning Ordinance that prohibits a permitted use would provide an inconsistency.
- Creates a practical difficulty in the Zoning Ordinance through which the BZA would not have a solution.
- Neighborhood compatibility through limits that are defined by the other ordinances.
- Regulating garage door height does not prohibit building a structure without a door to store the same vehicle; i.e., a carport with a 14-foot opening.
- Package of zoning ordinance text amendments; ZOTA 215 A, B and C.

Planning Commission discussion points:

- Definition of a home occupation.
- Overreaction to construction of one monster garage.
- No height restriction could result in construction of additional monster garages.
- Highway viaduct height restrictions.
- Parking lot striping.
- Parking structure limitation of 7 feet.
- Percentage of City population who own recreational vehicles in excess of 8 feet.
- Garage size comparisons with different percentages of foot print ratios.
- Planning Commission study and report to City Council on outdoor storage of recreational vehicles in the M-1 district.
- Review of ZOTA 215 A, B and C as a package.
- Residential use of existing vacant industrial property.
- Comparison to communities such as Rochester Hills, Birmingham, West Bloomfield.
- Intent of Zoning Ordinance; i.e., written for majority of residents.
- Review of City Council communication.

City Management discussion points:

- Community values.
- Criteria of commercial vehicles.
- Definition of a commercial vehicle.
- Research of residential accommodations in industrial areas.
- Relationship of City staff and Planning Commission.

The following options for solutions were determined and will be forwarded to City Council.

Solution 1 – 8-Foot Door Height – Planning Commission Option

Interests

Neighborhood compatibility / residential character.
Neighborhood notification (BZA).

Outcome or consequence of interests

Limit size of commercial and recreational vehicles stored on residential properties.
ZOTA 215 B and C must be brought forward.

Solution 2 – No Door Height Limitation – City Management Option

Interests

Current language of Zoning Ordinance.
Consistent with adjacent or similar communities.
Maintains consistency of technical requirements of Zoning Ordinance with the permitted uses.

Outcome or consequence of interests

Allows large door

Chair Strat requested a recess at 8:55 p.m.

The meeting reconvened at 9:08 p.m.

6. PLANNED UNIT DEVELOPMENT (PUD 4) – Proposed The Monarch Tower Homes and Villas Condominium, 209 units, 11,166 S.F. retail space and structured parking, North side of Big Beaver Road between Alpine and McClure, Section 20 – O-1 (Low Rise Office), P-1 (Vehicular Parking) and R-1B (One Family Residential) Districts

Chair Strat reviewed the different phases of the building design process. He noted the subject development is not in its final stages and encouraged the members to think in terms of a global review.

Mr. Miller provided a brief overview of the development proposal and the development process for a Planned Unit Development (PUD). He said staff and the City's Planning Consultant have discussed several evolutions of the preliminary plan. The City's Planning Consultant has prepared a summary of recommendations after review of the complete package that was submitted on December 21, 2004.

Mr. Miller reported that an amendment to the Future Land Use Plan would be necessary should the development go forward. A timetable will be established by the Planning Department to identify the major milestones of the project. Mr. Miller informed the members that a videotape of the Public Input Meeting held on February 8, 2005 is not available.

Jennifer Mooney of Joseph Freed and Associates, Palatine, Illinois, introduced the project development team.

Present:

Laith Hermiz, Joseph Freed and Associates
Ed Connell, Joseph Freed and Associates
Bob Dudick, Joseph Freed and Associates
Ron Phillips, Tadian Homes
Gary Jonna, Whitehall Real Estate Interests
Aaron Hoffmans, SB Architects

Not present:

Landry Newman Architects
Grissim Metz Andriese Associates
Professional Engineers Associates
Robert Charles Lesser & Company

Ms. Mooney provided a brief account of the project development team and gave an overview of the proposed project.

Mr. Hoffmans provided an in-depth presentation on the project design, the condominium towers and villa townhomes. A height comparison study was illustrated.

Ms. Mooney concluded the presentation with design highlights, use appropriateness and public benefits to the City of Troy identified as: Big Beaver corridor support; benchmark structure; attractive high quality, high-end development; landscape and streetscape enhancement; and an additional \$2 million in revenue.

A question and answer session followed the presentation. Points discussed were:

- Tentative construction date; October / November 2005.
- Affect of presales on construction.
- Market studies.
- Property values and comparable trends.
- Pedestrian pathway / connection to the south side of Big Beaver.

The members agreed to continue its discussion on the proposed development at its next study meeting. They intend to review the proposal on a monthly basis and asked if a member of the project development team might be available to attend the meetings also. A parallel timeline as relates to the Future Land Use Plan will be created by the Planning Department.

Mr. Miller noted four major points from the Planning Department perspective.

- (1) Recommendations of the City Planning Consultant should be addressed.
- (2) Specific attention should be directed to the public benefit.
- (3) Review of the intersection to the north.
- (4) Amendment to the Future Land Use Plan.

The members and City staff thanked the project development team for the excellent presentation.

7. PUBLIC COMMENTS

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Chamberlain addressed a concern discussed at the last meeting. Mr. Chamberlain said the City Clerk's office provides to the members of City Council information on the Planning Commission; i.e., name, telephone number, email address. This could be the source of information released to the public. Mr. Chamberlain said the City Clerk's office would send a letter to City departments and the City Council asking that they keep the information confidential.

Mr. Miller informed the members that the Section 36 condemnation case (City of Troy vs Premium Construction) is at trial this week.

Mr. Chamberlain announced that the City Council denied the rezoning request located on the west side of Rochester Road, South of Trinway, Section 10, from R-1C to R-1T (Z-699) at its February 21, 2005 meeting.

Chair Strat expressed his appreciation for the support and confidence of the members to send him to San Francisco to attend the American Planning Association National Conference. The finances for the trip are being worked out.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:47 p.m.

Respectfully submitted,

Thomas Strat, Chair

Kathy L. Czarnecki, Recording Secretary

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