The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:32 p.m. on January 24, 2006 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:
Lynn Drake-Batts
Mary Kerwin
Fazal Khan
Lawrence Littman
Robert Schultz
Thomas Strat
Mark J. Vleck
David T. Waller
Wayne Wright

Also Present:
Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Tonni Bartholomew, City Clerk
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Ms. Drake-Batts requested to add the Election of Officers on the Agenda.

Chair Strat said the item would be number 4 on the Agenda.

Resolution # PC-2006-01-015
Moved by: Wright
Seconded by: Vleck

RESOLVED, To approve the amended Agenda as recommended by the Chair.

Yes: All present (9)
No: None

MOTION CARRIED

3. PUBLIC COMMENTS (Items not on the Agenda)

There was no one present who wished to speak.

4. ELECTION OF OFFICERS

Ms. Drake-Batts addressed the procedure that was followed for the election of officers at the January 10, 2006 Regular Meeting. She asked that the floor be open to discuss the procedures and a potential motion to rescind the election outcome due to irregular procedures followed during the election process.

Mr. Motzny referred to his memorandum that was distributed to the members, and said it is his opinion there is no basis for calling into question the final results of the election. He said, however, that a motion to rescind the election results could be made and seconded, should that be the decision of the members.

Ms. Drake-Batts cited Robert's Rules of Order as relates to election procedures and nominations. Ms. Drake-Batts said the slate of candidates she put forth at the January Regular Meeting was not discussed or voted on and a substitute motion took precedence.

Chair Strat introduced Tonni Bartholomew, City Clerk, and asked Ms. Bartholomew to address the matter as the City's parliamentarian.

Ms. Bartholomew, upon her review of the January 10, 2006 Regular Meeting videotape, said it appears that the first slate of candidates were nominated in the course of a casual conversation and handled as a motion. Ms. Bartholomew agrees with the City Attorney that the second motion, as a substitute motion, and approved by a majority of the Planning Commission, stands. She said it appears the election process was legal and the proper procedure was followed. Ms. Bartholomew provided explanations on a motion to rescind and a motion to reconsider.

Mr. Vleck apologized for any confusion that occurred at the January Regular Meeting when he put a substitution motion on the floor for the election of officers. He said the election procedure should be clear so there is no question or confusion in the future.

Brief comments on the election process were made from around the table.

Resolution # PC-2006-01-016
Moved by: Drake-Batts
Seconded by: Wright

RESOLVED, To rescind the election outcome due to irregular procedures followed during the process.

Discussion on the motion on the floor.

Ms. Kerwin asked what practice has been followed by the Planning Commission regarding the changing of the Chair position at elections.

Mr. Wright said one-year terms and an upward rotation of officer positions have been the practice. Mr. Wright said it has been a practice that the newest member would be the alternate representative on the Board of Zoning Appeals (BZA). He noted that there has never been a Chair or Vice Chair who has not served on the BZA.

Mr. Schultz said rotation of officer positions does not work when there are members who choose not to hold those positions, and noted that has been the case in recent years.

Mr. Vleck said hot issues sometimes throw normal planning items on the back burner, and one-year terms might not provide the time an officer would wish to accomplish planning matters. He said Mr. Chamberlain and Ms. Beltramini served as Chair for more than one year. Mr. Vleck said he would not be able to offer the dedicated time to a Chair position.

Mr. Miller said the election process for the past 4.5 years he has been Planning Director has remained essentially the same. Mr. Miller said under the City and Village Zoning Act an officer term is for one year only, even though the member's appointment to the Planning Commission is three years.

Mr. Khan said term limitations have been discussed because some members have expressed that one year is not enough time to work on various projects.

Mr. Littman said this year was the first time the Commission had competing slates for the officer positions. Mr. Littman shared some history from his years on the Commission. He said it appears that "going through the Chairs" sequence might not work in the future given there are members who might not have an interest in being an officer.

Ms. Kerwin said civility and no surprises are important, and people learn and grow in different positions. Ms. Kerwin shared her experience of officer positions from the Board of Education. She said the Resolution on the floor is an uncivil one because she does not want any hurt feelings or anyone not feeling valued for their contributions.

Mr. Schultz said there was no lack of civility or any surprises at the last Regular Meeting. He said the process followed for the election of officers was the same process used by the Planning Commission for more than a decade. Mr. Schultz pointed out that the Election of Officers was an Agenda item and a proposed Resolution was distributed in the agenda packet. Mr. Schultz said the Bylaws specifically state that the election is held at the first Regular Meeting of each year.

Mr. Khan said he is not interested in an officer position because of lack of time and other commitments.

Vote on the motion on the floor.

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

MOTION FAILED

Mr. Khan said he voted no because he did not think there was any irregularity in the election process.

Mr. Schultz said the election process was the same process followed by the Commission for years. Mr. Schultz did not vote in favor of the motion because both legal counsel and the parliamentarian said the election was open, above board and correct.

Mr. Vleck said he sought advice from legal counsel at the time he put forth his substitution motion and thought the voting process was clear to all members. Mr. Vleck said both legal counsel and the parliamentarian said the election was proper. He would like to see the Bylaws revised to assure that a specific election process is in place.

Ms. Kerwin said the motion to rescind was a mistake, and a motion to reconsider would have been more appropriate.

Mr. Littman said he accepts the parliamentarian's ruling that the election was legal. Mr. Littman said the matter could have been handled better. He thinks the Commission should have backed off and approached the matter differently when it was clear that there were competing slates.

Chair Strat agreed with all the comments.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright reported on the January 17, 2006 Board of Zoning Appeals (BZA) meeting. An item of interest was the request for interpretation on the validity of site plan approval for Briggs Park Condominium development. The BZA took no action because it was the City Attorney's determination that the BZA had no jurisdiction to act on the request.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported on the December 21, 2005 Downtown Development Authority (DDA) meeting. Mr. Miller said a Public Hearing would be scheduled at a February City Council meeting to consider amending the DDA boundaries.

There was a brief discussion on the number of cancelled DDA meetings and components of downtown development authorities established in other communities.

7. PLANNING AND ZONING REPORT

Mr. Motzny reported on the following litigation matters:

- Rathka -v- City of Troy
- Piscopo -v- Troy, etal

Mr. Miller reported on the following:

- PUD 4, The Monarch Private Residences – Received Final Approval by City Council on December 19, 2005; A lower tower configuration will be constructed to meet FAA regulations.
- Z 710, Rochester Road Retail Center (Marshall Music) – Rezoning request from B-1 to B-2 granted by City Council on November 21, 2005.
- Z 711, Northwest corner of Maple and Crooks – Rezoning request from H-S and O-1 to B-3 granted by City Council on January 9, 2006.
- Z 479-C, Northeast corner of Rochester Road and Charrington – Rezoning request from B-1 to H-S granted by City Council on January 23, 2006.
- Big Beaver Corridor Study Update – Vision Fair held on January 18, 2006; Future meetings to include stakeholders and experts.
- Maple Road Corridor Study Update.
- Troy Futures Update.

Members who attended the Big Beaver Corridor Vision Fair shared positive comments.

Chair Strat requested a recess at 8:40 p.m.

The meeting reconvened at 8:48 p.m.

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8. PLANNING COMMISSION GOALS AND OBJECTIVES

Mr. Miller identified projects that the City Council directed the Planning Commission to act upon, as well as other projects currently under study. He noted that Mr. Littman forwarded a suggestion to implement sub-committees for planning projects. Mr. Miller referenced the City's strategic planning process and the 2004 Planning Commission work program. Mr. Miller reported that City Management advised him to budget funds for the Master Plan/Comprehensive Plan update.

Chair Strat presented a list of goals and objectives he prepared and solicited additional comments and suggestions from members. The following is a comprehensive list of goals, objectives and tasks to be reviewed in depth and prioritized at a future meeting.

- Revise Bylaws.
- Procedures.
- Establish degree of respect among all parties and governmental agencies; i.e., management, mayor, city council, boards.
- Distribute goals and objectives to all parties and governmental agencies.
- Update Master Plan/Comprehensive Plan.
- Restructure the Zoning Ordinance.
- Establish Planning Design Standards.
- Promote ingenuity.
- Promote private government development.
- Maintain project log; track and chart activity and status of projects.
- Redirect approval process of Vehicular Appeals from City Council to BZA.
- Gain knowledge of, and advocate to City Management and City Council, conditional rezoning and new commercial improvement districts.
- Raise standards in developments.
- Promote / encourage green development.
- Promote form based coding.
- Review special use considerations.
- Implement sub-committees.
- Determine appropriate parking requirements for facilities such as Troy Gymnastics.
- Streamline PUD approval process; i.e., conceptual approval by Planning Commission and City Council.
- Implement requirements for shared access between commercial properties.
- Require connectivity of developments.

[Mr. Waller exited at 9:25 p.m. Mr. Waller thanked everyone for their support, thoughts and prayers.]

Other discussion and comments:

- Site plan approval process and BZA variances; which comes first?
- Mr. Khan received conditional rezoning approval in Sterling Heights.
- Mr. Miller addressed PUD approval process in terms of document preparation.
- Mr. Miller recommended that the Master Plan be updated before rewriting the Zoning Ordinance. Mr. Vleck suggested time be allocated to individual goals and objectives at each study meeting.

ZONING ORDINANCE TEXT AMENDMENT

9. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-A) – Article 04.20.00 and Articles 40.55.00-40-59.00, pertaining to Accessory Buildings Definitions and Provisions

Mr. Miller reviewed the status of ZOTA 215-A and the recommendation that was forwarded by the Planning Commission to the City Council. He explained that a Public Hearing must be conducted at the Planning Commission level should the members choose to send the same recommendation to City Council.

After discussion, the majority of members agreed that the same recommendation should be forwarded to the City Council.

The Planning Department was directed to schedule a Public Hearing on February 14, 2006 and to add the item to the February 7, 2006 Special/Study meeting agenda for review and discussion.

10. PUBLIC COMMENTS (Items on the Agenda

Tom Krent of 3184 Alpine, Troy, was present. Mr. Krent addressed accessory buildings (ZOTA 215-A). He agreed with the majority of members that the original recommendation forwarded to the City Council was an excellent one and encouraged the members to forward the same recommendation to City Council. Mr. Krent emphasized that aesthetics could be very critical in amending the ordinance and distributed a short list of aesthetics currently defined in the City's ordinance.

Chris Komasara of 5287 Windmill, Troy, was present. Mr. Komasara addressed accessory buildings (ZOTA 215-A). He said it appears that the lot sizes of newer developments would not accommodate monster garages. Mr. Komasara said aesthetics of the house and accessory structure should match. He said the original recommendation of the Planning Commission is a good one and should be sent back to the City Council.

GOOD OF THE ORDER

Mr. Schultz welcomed Ms. Kerwin. Mr. Schultz thanked Mr. Chamberlain for his decades of service to the Commission. He said Mr. Chamberlain's enormous source of dedication and knowledge would be missed.

Mr. Khan welcomed Ms. Kerwin and said he would miss Mr. Chamberlain also.

Mr. Littman welcomed Ms. Kerwin again. Mr. Littman asked if a retirement gathering is being planned for Mr. Chamberlain.

Mr. Schultz replied that a retirement gathering is in the planning stages.

Mr. Savidant said the Planning Department is in receipt of a rezoning request for property abutting and owned by Walsh College that is slated for the February 14th Regular Meeting agenda. He said the proposed addition is inclusive of a lecture facility and library. Mr. Savidant said it is the intention of the college to meet Bronze LEED certification. Mr. Savidant attended a charrette at the college to discuss the proposed addition, and he thinks the members will be excited about the proposal.

Mr. Miller encouraged the members, as well as residents, to submit comments and input on the Troy Futures, Big Beaver Corridor Study and Maple Road Corridor Study.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:04 p.m.

Respectfully submitted,

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Thomas Strat, Chair

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Kathy L. Czarnecki, Recording Secretary

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