

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Hutson at 7:30 p.m. on November 9, 2010, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Robert Schultz
John J. Tagle
Lon M. Ullmann
Mark J. Vleck

Absent:

Mark Maxwell
Philip Sanzica
Thomas Strat

Also Present:

R. Brent Savidant, Acting Planning Director
Allan Motzny, Assistant City Attorney
Zachary Branigan, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2010-11-073

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, To approve the Agenda as prepared.

Yes: All present (6)
Absent: Maxwell, Sanzica, Strat

MOTION CARRIED

3. APPROVAL OF MINUTES

There was no action taken on the October 26, 2010 Special/Study meeting minutes. Mr. Ullmann would like to include some discussion comments, of which he will forward in writing to the Planning Department.

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SPECIAL USE REQUEST

5. **PUBLIC HEARING – SPECIAL USE APPROVAL AND PRELIMINARY SITE PLAN REVIEW (File Number SU 384)** – Proposed LA Fitness, 1501 Maple Lane, South of Maple and West of Coolidge, Section 31, Currently Zoned M-1 (Light Industrial) District

Mr. Branigan presented a summary of the proposed Special Use and Preliminary Site Plan application for LA Fitness. He specifically addressed parking. Two traffic studies that were prepared, one by the petitioner's traffic consultant and the other by the City's traffic consultant, identified there is sufficient parking on site to accommodate the proposed use. Mr. Branigan expressed support for the proposed parking deviation.

Mr. Branigan addressed the site access and circulation. He indicated the petitioner would be required to obtain a cross access easement to the proposed connection to Doyle Drive. Mr. Branigan addressed a conflict between the two traffic studies with respect to whether a taper right turn lane should be required.

Mr. Branigan expressed support of the proposal as submitted. He recommended the Planning Commission grant the required parking modification, preliminary site plan and special use application with two conditions; one, the applicant provide documentation of a cross access easement to Doyle Drive prior to Final Site Plan approval; and two, resolve traffic analysis concerns in a manner acceptable to the City Engineer.

There was a short discussion on the potential of the warehouse becoming a part of the health club in the future and the effect it would have on parking. It was determined that such a significant change in the Special Use approval would require the applicant to come back before the Planning Commission.

Victor Saroki of Victor Saroki and Associates, 430 N. Old Woodward, Birmingham, was present to represent the petitioner. Mr. Saroki addressed the proposed building footprint, site circulation, landscaping and parking.

Also present were Linden Nelson, property owner, and James Butler and Michael Labadie of Professional Engineering Associates.

Mr. Schultz asked if the proposed tree islands would be irrigated.

Mr. Butler replied in the affirmative.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution # PC-2010-11-074**

Moved by: Schultz

Seconded by: Tagle

RESOLVED, The Planning Commission hereby approves a reduction in the number of required parking spaces for the proposed LA Fitness and warehouse space to 419 when a total of 970 spaces are required on the site based on off-street parking space requirements, as per Article XL. This 551-space reduction is justified through a comparison of parking spaces provided for similar uses in the area, as outlined in the Parking Analysis prepared by PEA and a report prepared by OHM.

BE IT FURTHER RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the LA Fitness indoor commercial recreation facility, located on the south side of Maple and west of Coolidge (1501 Maple Lane), Section 31, within the M-1 zoning district, be granted, subject to the following:

1. Provide documentation of cross access easement to Doyle Drive prior to Final Site Plan Approval.
2. Resolve traffic analysis concerns in a manner that is acceptable to the City of Troy Engineer.

Yes: All present (6)

Absent: Maxwell, Sanzica, Strat

MOTION CARRIED

Mr. Saroki said they would like the primary entry off of Maple should they not be able to obtain a cross access easement to Doyle Drive.

Mr. Motzny said it depends on the difficulty the petitioner might have obtaining a cross access easement whether the matter can be handled administratively, or if the petitioner would be required to come back before this Board. He said it would be best to determine if and what the problem is, and then schedule a meeting to address the issue.

Mr. Nelson stated he would like to strike the condition requiring a cross access easement from the Site Plan approval. He said it is his first choice, as well as the tenant's, to obtain a cross access easement. Mr. Nelson expressed concern with losing LA Fitness as a tenant should they not be able to obtain the cross access easement to Doyle Drive.

Chair Hutson acknowledged the uniqueness of the situation relating to the ownership of Doyle Drive. He assured Mr. Nelson that the City would do everything it can to facilitate going forward with the proposal.

PRELIMINARY SITE PLAN REVIEW

6. PRELIMINARY SITE PLAN REVIEW (File Number SP 965) – Proposed Alpha Dental Center, 405 E. Maple Road, Northeast Corner of Maple and Kirkton, Section 27, Currently Zoned O-1 (Office Building) District

Mr. Branigan presented a summary of the proposed Preliminary Site Plan application for Alpha Dental Center. He addressed the variances relating to the nonconforming setbacks that the petitioner is required to obtain prior to Preliminary Site Plan approval. Mr. Branigan noted the photometric plan appears to exceed the minimum lighting limitation. He indicated the concern could be addressed prior to Final Site Plan approval, or the petitioner might address it prior to coming back before the Planning Commission.

Mr. Branigan expressed support for the proposed project. He recommended the Planning Commission take no action on the site plan this evening, to allow the applicant to pursue the required setback variances.

There was a brief discussion on the building design and parking layout with respect to the existing trees on site. Mr. Branigan said the design layout is the best possible, given the small property size. Mr. Branigan confirmed there would be no berm on the north side.

It was noted that the landscape plan appeared to have a label error on the types of trees provided.

The petitioner, Dr. Carmelia Sandulache, was present.

Chair Hutson stated the item would be scheduled on a Board of Zoning Appeals agenda.

OTHER BUSINESS

7. COMPREHENSIVE ZONING ORDINANCE RE-WRITE (ZOTA 236) – Discussion with Representatives from Carlisle/Wortman Associates, Inc. – Article 4 District Regulations

Mr. Branigan briefly followed up on a few items from last week's meeting:

- Tree Preservation / Woodlands Protection.
- Natural Features Protection Ordinance.
- Incentives (point system).

Mr. Branigan said the Planning Commission could consider addressing a Natural Features Protection Ordinance again, although he noted the task could potentially slow down the Zoning Ordinance re-write process. Mr. Branigan believes there are appropriate tools in the new Zoning Ordinance to address natural features concerns and is comfortable moving forward.

It was discussed whether a Natural Features Protection Ordinance and the Zoning Ordinance re-write could be worked on concurrently. It was determined that the creation of a 2011 to-do list would be more strategic. Items to study in the future are:

- Electronic LED lighting for signs.
- Stormwater management.
- Natural features.

Mr. Savidant noted that management determined it best not to include sign standards/regulations in the Zoning Ordinance. He said the Planning Commission would have the ability to review and determine if proposed signage at the time of Preliminary Site Plan approval meets City standards.

Mr. Branigan discussed Article 4 District Regulations and addressed the following:

- Housekeeping items.
- “Intent” sections revised and strengthened.
- Adjustments to Schedule of Regulations.
 - Height regulation increase (residential).
 - Based on marketing trends.
 - Height in relation to fire precaution/suppression.
 - Across the board for all residential districts (R1-A to R1-E).
 - Overall revisions (non-residential).
 - Use categories.
 - ‘Accessory’ use (revise term).

Mr. Branigan briefly reviewed the items for discussion at a future study meeting; i.e., definition section, specific use regulations, entertainment and service type uses, restaurants permitted in O-1 (Office Building) district by right.

Points to consider for allowing restaurants by right in the O-1 district:

- Where O-1 abuts or is adjacent to residential.
- Conformity of existing delicatessens in O-1.

8. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENTS

Mr. Edmunds shared his experience in attending a training seminar offered through Michigan Municipal League, *Tracking and Retaining Entrepreneurs*.

There was further discussion on the petitioner's presentation and aesthetics of the recently approved cellular tower located at Troy Lanes, 1950 E. Square Lake.

There was discussion on Agenda item #5 on this evening's agenda, Special Use Approval and Preliminary Site Plan for LA Fitness (File Number SU 384), relating to reconsideration of the Resolution, with respect to the petitioner's comments after Site Plan approval.

Mr. Motzny said it could have been possible for the Board to propose a Resolution indicating the condition of approval is the cross access easement with the further condition that if there is difficulty obtaining that easement, the Board could allow administrative approval to waive that requirement. Mr. Motzny believes that absent such a provision in the Resolution, the matter would have to come back to the Planning Commission to remove that requirement.

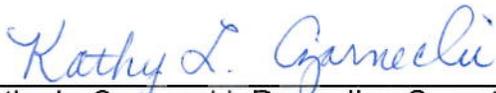
Chair Hutson acknowledged the difficulty of the situation, stated he does not want to lose LA Fitness either and would like to see the petitioner attempt to get the cross access easement. If not, then the Board would revisit the matter.

The Regular Meeting of the Planning Commission adjourned at 8:48 p.m.

Respectfully submitted,



Michael W. Hutson, Chair



Kathy L. Czarnecki, Recording Secretary