



**PLANNING COMMISSION
MEETING AGENDA
REGULAR MEETING**

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
www.troymi.gov
planning@troymi.gov

Donald Edmunds, Chair, Philip Sanzica, Vice Chair
Ollie Apahidean, Karen Crusse, Carlton M. Faison, Michael W. Hutson
Tom Krent, Padma Kuppa and John J. Tagle

November 10, 2015

7:00 P.M.

Council Board Room

1. ROLL CALL
2. APPROVAL OF AGENDA
3. MINUTES – October 27, 2015
4. PUBLIC COMMENT – For Items Not on the Agenda

PRELIMINARY SITE PLAN REVIEW

5. PRELIMINARY SITE PLAN REVIEW (File Number SP 1011) – Proposed SRB Medical Dental Building, East side of Crooks, South of Wattles (3960 Crooks), Section 21, Currently Zoned NN “I” (Neighborhood Node “I”) District

OTHER BUSINESS

6. PROPOSED ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 248) – Woodland Protection
7. PUBLIC COMMENT – Items on Current Agenda
8. PLANNING COMMISSION COMMENT

ADJOURN

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on October 27, 2015 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean
Karen Crusse
Donald Edmunds
Carlton M. Faison
Michael W. Hutson
Tom Krent
Padma Kuppa
John J. Tagle

Absent:

Philip Sanzica

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2015-10-064

Moved by: Apahidean

Seconded by: Faison

RESOLVED, To approve the Agenda as prepared.

Yes: All present (8)

Absent: Sanzica

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2015-10-065

Moved by: Crusse

Seconded by: Tagle

RESOLVED, To approve the minutes of the October 13, 2015 Regular meeting as submitted.

Yes: All present (8)

Absent: Sanzica

MOTION CARRIED

4. PUBLIC COMMENT – Items not on the Agenda

See public comment after Agenda item 7.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

The October 20, 2015 Zoning Board of Appeals draft minutes will be emailed to the Planning Commission.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant gave a report on the October 21, 2015 Downtown Development Authority meeting.

7. PLANNING AND ZONING REPORT

Mr. Savidant reported the following:

- City Council granted the Street Vacation request to vacate the alley between Vermont and Birchwood (File Number SV 190).
- Planning Department received two Preliminary Site Plan applications; both for proposed hotel developments.

4. PUBLIC COMMENT – Items not on the Agenda

John Sharp, 3362 Muerknoll, President of Wilshire-Muer Homeowners Association, addressed a Preliminary Site Plan application for a proposed hotel development on Wilshire. He stated a development agreement was drawn up and recorded between the homeowner associations of Wilshire Estates and Washington Square Estates and the former Magna Headquarters on Wilshire, as relates to the use of the office property abutting the residential properties. Mr. Sharp said the agreement runs with the property and remains in effect for another ten years. Mr. Sharp also addressed the Big Beaver zoning district.

PRELIMINARY SITE PLAN REVIEW

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 1010) – Proposed SRB Medical Dental Building, East side of Crooks, South of Wattles (3960 Crooks), Section 21, Currently Zoned NN “I” (Neighborhood Node “I”) District

Mr. Carlisle reported on the Preliminary Site Plan application for the SRB Medical Dental Building. He said his report reflects concerns with the stormwater detention pond. Mr. Carlisle said the applicant has since submitted a revised plan to address the concerns, as well as a color elevation and rendering, but he has not had time to review the revised plan.

David Hunter of Professional Engineering Associates and Terry Nosan of Nosan Ventures addressed the conceptual changes to the site plan and displayed a color rendering.

Discussion followed.

Resolution # PC-2015-10-066

Moved by: Krent

Seconded by: Tagle

RESOLVED, To postpone the item until such time the applicant comes back with revised plans.

Yes: All present (8)

Absent: Sanzica

MOTION CARRIED

OTHER BUSINESS

9. **MASTER PLAN UPDATE**

Mr. Carlisle outlined the integration of the 2015 update to the Master Plan.

- Demographics (Chapter 8).
- Housing Priorities (Chapter 8).
- Target Areas; Maple Road, North Troy, Rochester Road, Big Beaver Pedestrian Crossing.
- Update of miscellaneous items.

Mr. Carlisle gave a brief review of the target areas and discussed the timeline to adoption of the Master Plan.

Discussion followed.

10. **PUBLIC COMMENT** – Items on Current Agenda

John Sharp, Local Development Finance Authority (LDFA) board member, addressed the Big Beaver pedestrian crossings as relates to snow removal.

11. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 8:47 p.m.

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2015 PC Minutes\Draft\2015 10 27 Regular Meeting_Draft.doc

DATE: November 6, 2015

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PRELIMINARY SITE PLAN REVIEW (File Number SP 1011) – Proposed SRB Medical Dental Building, East side of Crooks, South of Wattles (3960 Crooks), Section 21, Currently Zoned NN “I” (Neighborhood Node “I”) District

The petitioner Nosan Ventures LLC submitted the above referenced Preliminary Site Plan application for a proposed medical/dental office building at 3960 Crooks.

The property is currently zoned NN (Neighborhood Node) Zoning District (Node “I”). The Planning Commission is responsible for granting Preliminary Site Plan approval for this item.

The Planning Commission considered this item at the October 27, 2015 meeting and postponed the item to provide the applicant with an opportunity to address some site and building issues.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the project. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and the recommendations included therein.

Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Minutes from October 27, 2015 Planning Commission meeting (draft)

G:\SITE PLANS\SP 1011 SRB Medical Dental Building Sec 21\SP-1011 PC Memo 2015 11 10.docx

PROPOSED RESOLUTION

PRELIMINARY SITE PLAN REVIEW (File Number SP 1011) – Proposed SRB Medical Dental Building, East side of Crooks, South of Wattles (3960 Crooks), Section 21, Currently Zoned NN "I" (Neighborhood Node "I") District

Resolution # PC-2015-11-

Moved by:

Seconded by:

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed SRB Medical Dental Building, located on the east side of Crooks and south of Wattles (3960 Crooks), Section 21, within the NN (Neighborhood Node "I") District, be granted, subject to the following:

1. Stub the drive-aisle to the southern property line.

_____) or

(denied, for the following reasons: _____) or

(postponed, for the following reasons: _____)

Yes:

No:

MOTION CARRIED/FAILED



Legend:

Aerial

- Red: Band_1
- Green: Band_2
- Blue: Band_3

250 0 125 250 Feet

Scale 1: 1,500



Legend:

Form Based Zoning 2

- (PUD) Planned Unit Development
- (CF) Community Facilities District
- (EP) Environmental Protection District
- (BB) Big Beaver Road
- (MR) Maple Road
- (NN) Neighborhood Nodes (A-U)
- (CB) Community Business
- (GB) General Business
- (IB) Integrated Industrial Business District
- (O) Office Building District
- (OM) Office Mixed Use
- (P) Vehicular Parking District
- (R-1A) One Family Residential District
- (R-1B) One Family Residential District
- (R-1C) One Family Residential District
- (R-1D) One Family Residential District
- (R-1E) One Family Residential District
- (RT) One Family Attached Residential District
- (MF) Multi-Family Residential
- (MHP) Manufactured Housing
- (UR) Urban Residential
- (RC) Research Center District
- (PV) Planned Vehicle Sales

Aerial

- Red: Band_1
- Green: Band_2
- Blue: Band_3

333 0 167 333Feet

Scale 1: 2,000

Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

Date: October 20, 2015
November 3, 2015

Preliminary Site Plan Review For City of Troy, Michigan

Applicant:	Terry Nosan, Nosan Ventures
Project Name:	SRB Medical/Dental Building
Plan Date:	November 3, 2015
Location:	3960 Crooks Road: East side of Crooks Road, south of Wattles
Zoning:	NN, Neighborhood Node Form Based District
Action Requested:	Preliminary Site Plan Approval

PROJECT AND SITE DESCRIPTION

The applicant is requesting preliminary site plan approval for an office development on the east side of Crooks Road, south of Wattles Road. The 1.1 acre site is currently improved with a single-family home. The applicant is proposing a 9,600 sq. ft. medical and dental office. There will be one point of access to the site off Crooks Rd., and a second point of access from shared access with the adjacent 7-Eleven to the north.

The property is zoned Neighborhood Node, form-base district. The building placement complies with neighborhood node building placement requirements. The proposed office use is permitted by-right within the District and requires Site Plan approval from the Planning Commission.

Location of Subject Property:

East side of Crooks Rd. south of Waddles Rd.

Proposed Use of Subject Parcel:

Medical and Dental Office

Current Use of Subject Property:

Single-family residential

Current Zoning:

The property is currently zoned Neighborhood Node Form-base District

Figure 1. – Subject Site Location

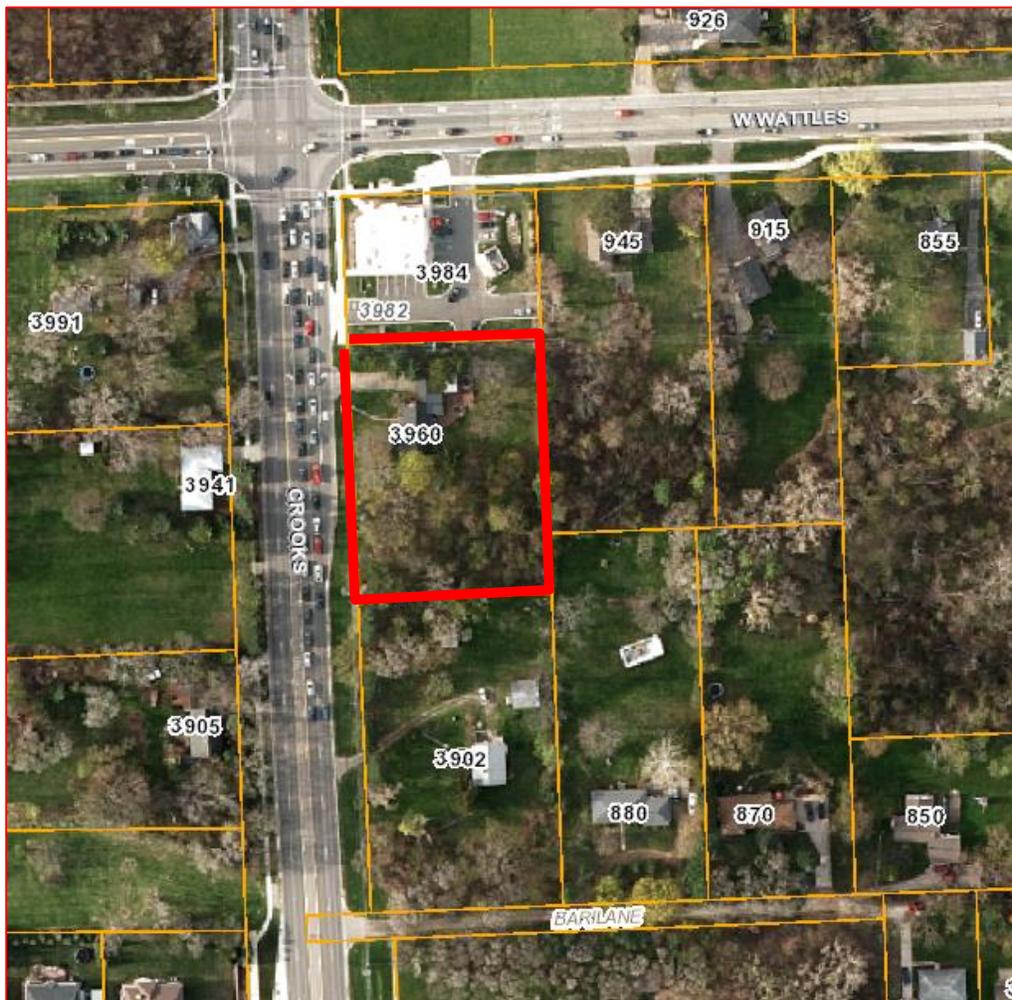


Table 1. – Adjacent Zoning and Land Use

Direction	Zoning	Use
North	NN, Neighborhood Node	7-Eleven
South	NN, Neighborhood Node	Single-family Residential
East	NN, Neighborhood Node	Single-family Residential
West	NN, Neighborhood Node	Single-family Residential

PREVIOUS PLANNING COMMISSION REVIEW

The Planning Commission last reviewed this project at the October 27, 2015 meeting. Please see our October 20, 2015 memo for a detailed site plan review. At the October 27, 2015 meeting, the Planning Commission continued the matter so the applicant could address comments noted in the site plan review report. Listed below are the identified comments and the applicant's subsequent response:

- 1. The applicant shall utilize stormwater best management to eliminate the need for the traditional detention pond; or at a minimum to reduce the size of the detention pond to eliminate the need for the fence and be able to reconfigure to allow for cross-access.***

The applicant has revised the site stormwater management by removing the large detention pond and replacing with two bioswales. These bioswales utilize stormwater management best practices. Eliminating the large detention pond eliminates need for a chain link fence and permits for future cross-access to the property to the south.

- 2. Resubmit the site plan with dimensional figures provided and topographic and utility lines removed.***

The applicant has resubmitted the site plan with all required dimensional figures provided and utility lines removed.

- 3. Provide cross-access easements to the north and south properties.***

The applicant is physically providing cross-access with the property to the north, and providing a cross-access stub to the south. The applicant should pull the stub all the way to the southern property line.

- 4. Extend the 8-foot sidewalk along Crooks Road along the entire length of the site.***

The applicant has extended the 8-foot sidewalk along the entire length of the Crooks Road.

5. Widen the concrete approach to Crooks Road to 30-feet in width and have a 30 feet radii.

The applicant has widened the approach as required.

6. Provide the required bicycle parking.

The applicant has provided bicycle parking along Crooks Road.

7. Break up thirteen (13) spaces along the southern parking lot and the seventeen (17) spaces along the eastern parking lot with a landscape peninsula.

The applicant has broken up the southernmost parking area with cross-access and broken up the seventeen (17) spaces along the eastern parking lot with a landscape peninsula.

8. Consider more creative planting/hardscape between the building and Crooks Road.

The applicant has employed a more creative planting design between the building and Crooks Road. In this area, the applicant is utilizing a mix of shrubs, and perennials.

9. Provide details of parking lot wall screening.

The applicant has provided a detail of the parking lot screen wall. The screen wall is brick with a pre-cast concrete cap. The brick will match the pattern of the building.

10. Provide trash enclosure locations on site plan and trash enclosure details.

The applicant is not proposing any outdoor trash enclosure. In the future should the applicant install an outdoor trash area, such area shall be screened in accordance with ordinance requirements.

11. Confirm that building light fixture is a full cut-off fixture or a fully shielded fixture.

The applicant notes that all building fixtures are fully shielded.

12. Provide 3D model or colored rendering for resubmittal.

The applicant has provided a colored rendering. The applicant did not incorporate some of the architectural suggestions, such as sunshades, as requested by the Planning Commission. Planning Commission should consider elevations.

SUMMARY

We recommend preliminary site plan approval provided that the applicant stub the drive-aisle to the southern property line.



CARLISLE/WORTMAN ASSOC., INC.

Benjamin R. Carlisle, LEED AP, AICP

PRELIMINARY SITE PLAN REVIEW

8. **PRELIMINARY SITE PLAN REVIEW (File Number SP 1010)** – Proposed SRB Medical Dental Building, East side of Crooks, South of Wattles (3960 Crooks), Section 21, Currently Zoned NN “I” (Neighborhood Node “I”) District

Mr. Carlisle reported on the Preliminary Site Plan application for the SRB Medical Dental Building. He said his report reflects concerns with the stormwater detention pond. Mr. Carlisle said the applicant has since submitted a revised plan to address the concerns, as well as a color elevation and rendering, but he has not had time to review the revised plan.

David Hunter of Professional Engineering Associates and Terry Nosan of Nosan Ventures addressed the conceptual changes to the site plan and displayed a color rendering.

Discussion followed.

Resolution # PC-2015-10-066

Moved by: Krent

Seconded by: Tagle

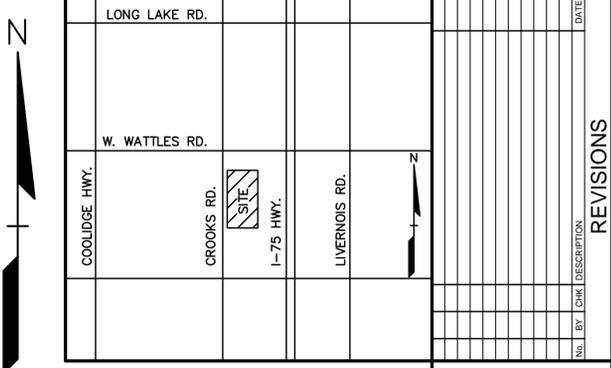
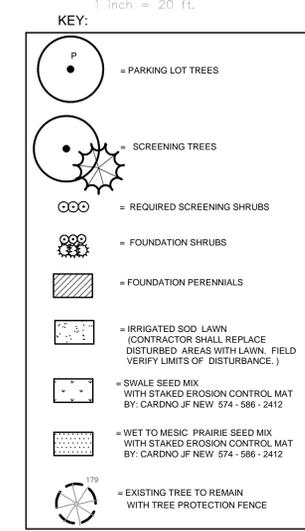
RESOLVED, To postpone the item until such time the applicant comes back with revised plans.

Yes: All present (8)

Absent: Sanzica

MOTION CARRIED

TREE PLANT LIST:					100% NATIVE
QUANTITY	KEY SYMB	COMMON NAME	SCIENTIFIC NAME	SIZE	SPEC COMMENT
5	BN10	River Birch	<i>Betula nigra</i>	8-10' Ht.	B&B Native
2	QB2.5	Swamp White Oak	<i>Quercus bicolor</i>	2.5" Cal.	B&B Native
1	QR2.5	Red Oak	<i>Quercus rubra</i>	2.5" Cal.	B&B Native
3	TA2.5	Redmond Linden	<i>Tilia americana 'Redmond'</i>	2.5" Cal.	B&B Native
EVERGREEN TREE PLANT LIST:					77% NATIVE
10	PA8	Norway Spruce	<i>Picea abies</i>	8' Ht.	B&B
18	PG8	Black Hills Spruce	<i>Picea glauca 'Densata'</i>	8' Ht.	B&B Native
16	TC8	Canadian Hemlock	<i>Tsuga canadensis</i>	8' Ht.	B&B Native
SHRUB PLANT LIST:					
18	BG24	Green Velvet Boxwood	<i>Buxus x 'Green Velvet'</i>	24" Ht.	Cont.
12	RA24	Gro Low Sumac	<i>Rhus armoata 'Gro-Low'</i>	24" Sprd	Cont. Native
12	RK24	Pink Knockout Rose	<i>Rosa 'Pink Knock Out'</i>	24" Ht.	Cont.
17	SNF24	Neon Flash Spiraea	<i>Spiraea japonica 'Neon Flash'</i>	24" Ht.	Cont.
PERENNIAL PLANT LIST:					
36	HR	Happy Returns Daylily	<i>Hemerocallis 'Happy Returns'</i>	1 Gal.	Cont.
30	PA	Dwarf Fountain Grass	<i>Pennisetum alopecuroides 'Red Head'</i>	1 Gal.	Cont.



LANDSCAPE CALCULATIONS:
PER CITY OF TROY ZONING ORDINANCE - FORM BASE DISTRICT

5.03 C-1a. = GENERAL SITE LANDSCAPE
REQUIRED: 15% OF SITE AREA SHALL BE LANDSCAPE MATERIAL
47,157 SF * 15% = 7,074 SQ FT REQUIRED

PROVIDED: 8,881 SQ FT LANDSCAPE, AND 8,992 SF BIOSWALES

13.02 B. = PARKING LOT SCREENING BETWEEN USES:
REQUIRED: ABUTS R-1B USE SPACE TO THE EAST AND SOUTH
REQUIRES SCREEN ALT. 1 OR 2 (1 LARGE EVERGREEN TREE/10 LF)

EAST PROPERTY LINE 250 LF/10 = 25 EVERGREEN TREES REQ'D.
PROVIDED: 25 EVERGREEN TREES

SOUTH PROPERTY LINE 188.65 LF/10 = 19 EVERGREEN TREES REQ'D.
PROVIDED: 19 EVERGREEN TREES

13.02 C. PARKING LOT LANDSCAPE
REQUIRED: 13.02 C2 = 1 TREE PER 8 SPACES
44 PARKING SPACES / 8 = 6 TREES REQUIRED
LINE WITH LANDSCAPE SCREENING

PROVIDED: 6 PROPOSED TREES
REQUIRED: 30" HT. MASONRY WALL AND LANDSCAPE SCREENING

13.02 D2. = GREENBELT
REQUIRED: 1 TREE / 30 LF OF FRONTAGE TO PUBLIC RD.
CROOKS ROAD = 250 LF FRONTAGE / 30 = 8 TREES
PROVIDED: 0 PROPOSED TREES DUE TO UTILITY EASEMENT

BUFFER AT BIOSWALES:
REQUIRED: LANDSCAPE WITH NATURAL PLANTINGS
PROVIDED: NATURAL PLANTINGS AND SPECIALITY SWALE SEED MIX



CAUTION!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE EITHER EXPRESSED OR IMPLIED AS TO THE CONTRACTOR'S RESPONSIBILITY FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

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CONSTRUCTION CONTRACTOR AGREES THAT IN CONFORMANCE WITH GENERAL LANDSCAPE CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR SHALL BE RESPONSIBLE FOR JOB SITE AND COMPLETE RESPONSIBILITY FOR JOB SITE AND PROPERTY DAMAGE THAT MAY OCCUR DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY THAT ARE INVOLVED IN THE PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONSTRUCTION ORDINANCES AND SHALL BE RESPONSIBLE FOR OBTAINING AND HOLDING DESIGN PROFESSIONAL LIABILITY INSURANCE FROM ANY AND ALL LIABILITY REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

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Troy, MI 48063-1872
T: 248-688-9090
F: 248-688-1044
www.peainc.com

SRB HOLDINGS, LLC
3060 NORTHWESTERN HWY., SUITE 400
FARMINGTON HILLS, MI 48334

PRELIMINARY LANDSCAPE PLAN
3960 CROOKS ROAD
PART OF THE NORTHWEST 1/4 OF SECTION 21, T. 2N., R. 11E.,
CITY OF TROY, COUNTY OF OAKLAND STATE OF MICHIGAN

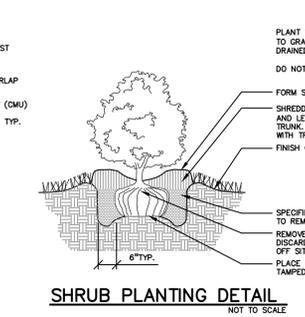
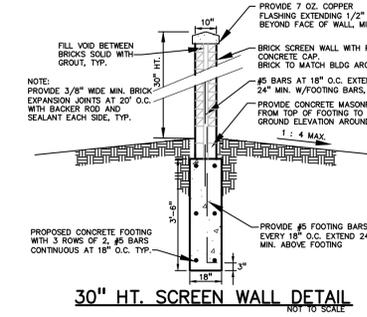
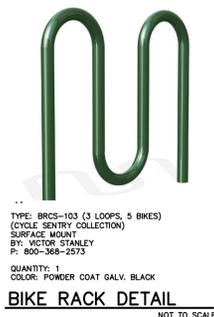
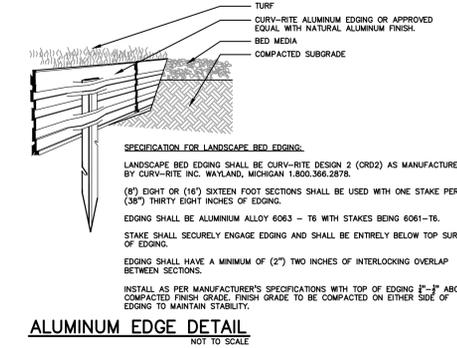
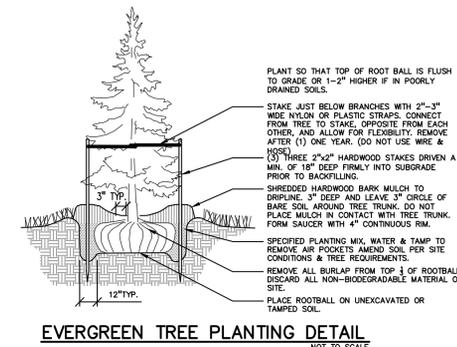
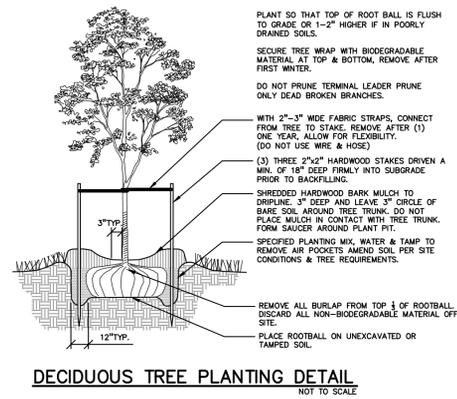
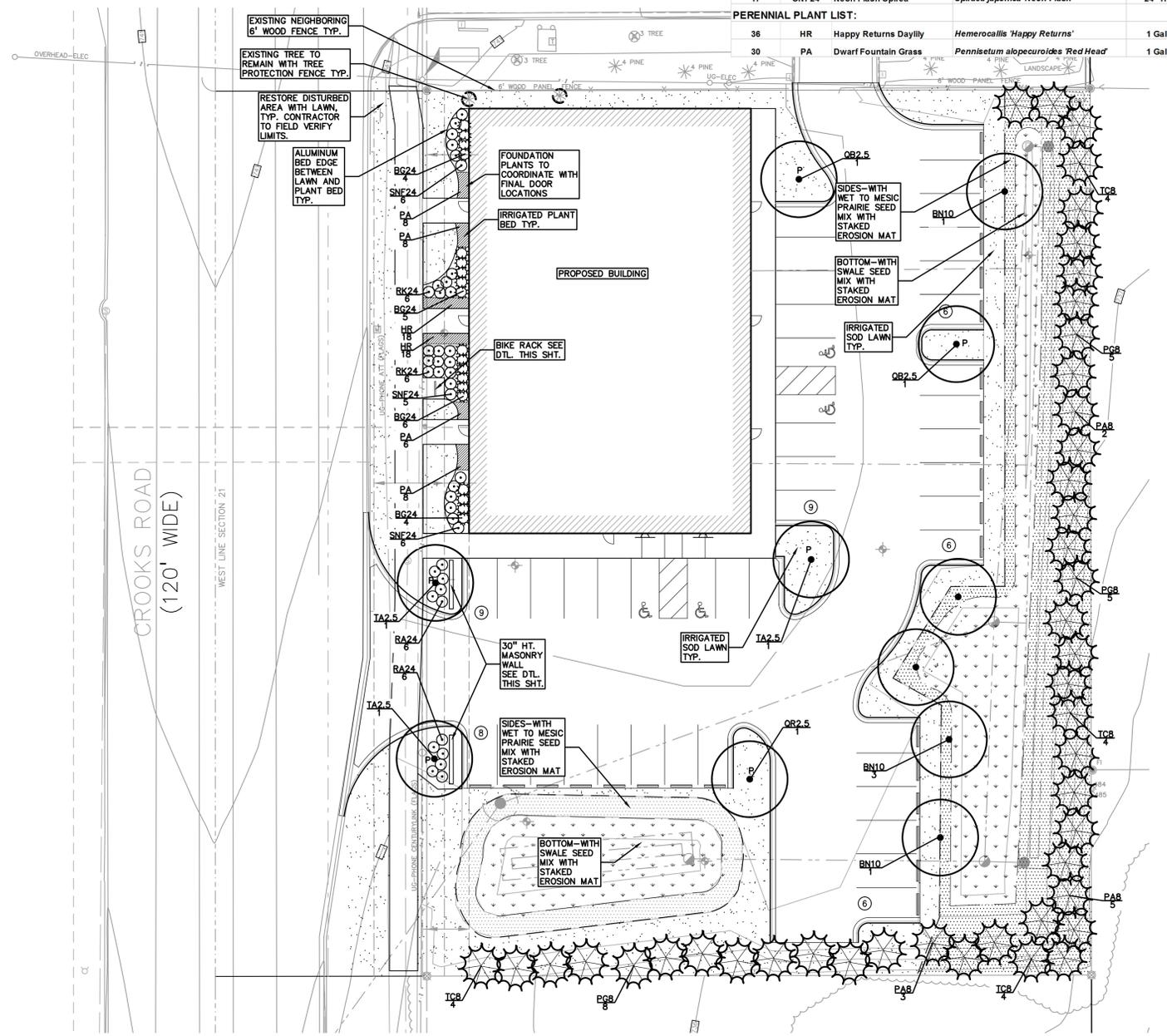
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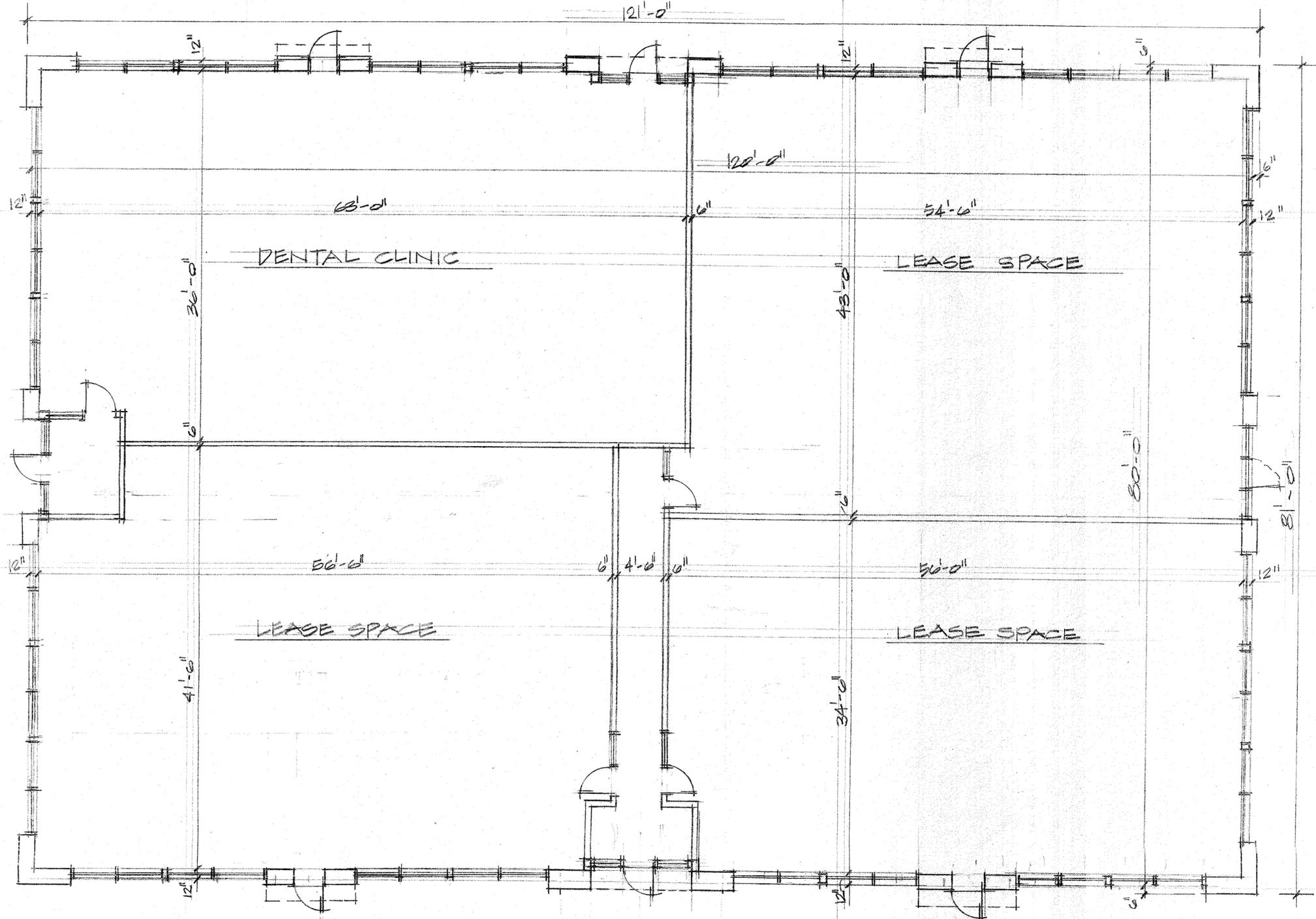
ORIGINAL ISSUE DATE:
NOVEMBER 3, 2015

PEA JOB NO. 2015-168

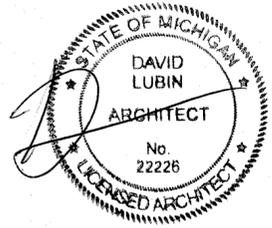
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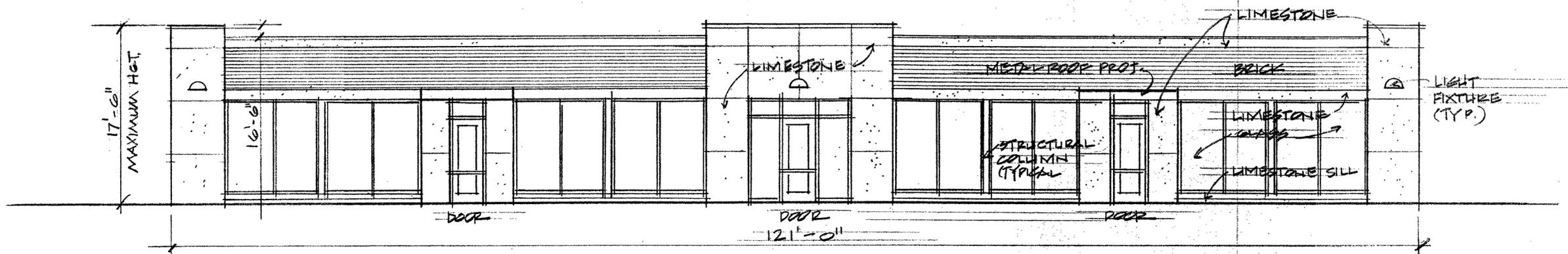
DRAWING NUMBER:
L-1





FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 North →



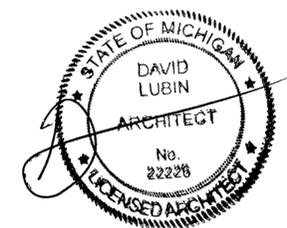


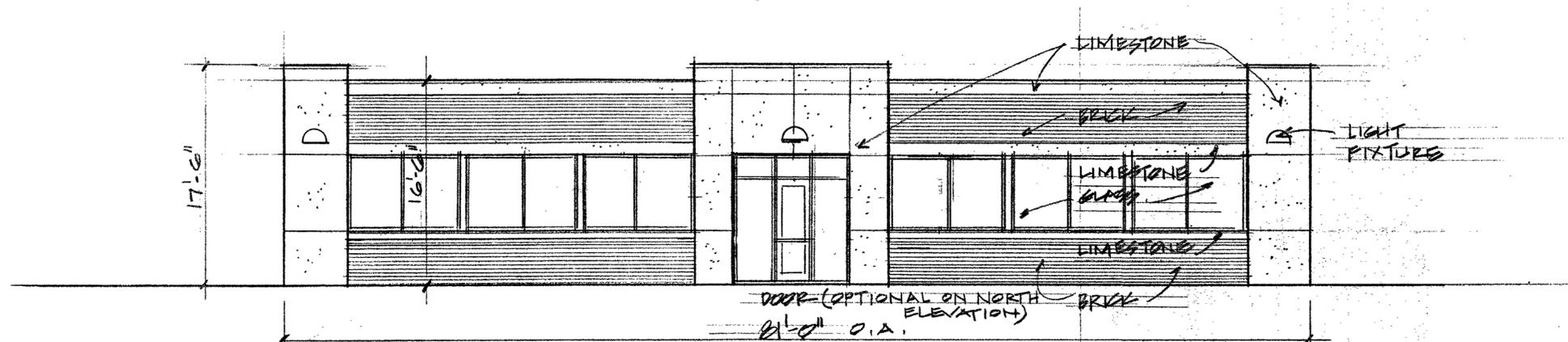
WEST ELEVATION

SCALE: 1/8" = 1'-0"

TRANSPARENCY REQUIREMENT

BUILDING FACADE AREA = 2024[#]
 50% = 1012[#] REQUIRED
 TRANSPARENCY ALTERNATIVE 1012[#] x 80% = 810[#]
 TRANSPARENCY PROVIDED = 836[#]





NORTH & SOUTH ELEVATIONS

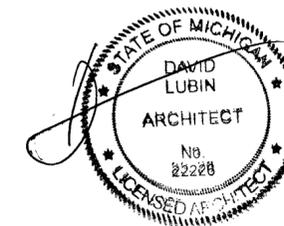
SCALE 1/8" = 1'-0"

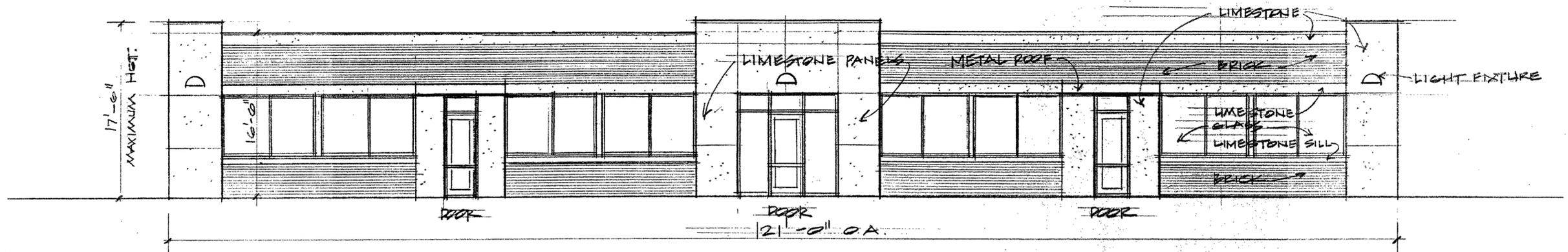
TRANSPARENCY REQ.

BUILDING FACADE AREA = 1341[#]

30% = 402[#] REQUIRED

TRANSPARENCY PROVIDED = 414[#]



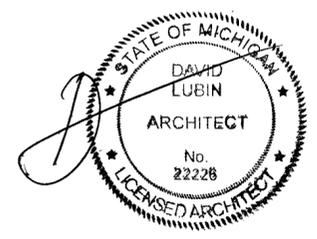


EAST ELEVATION

SCALE 1/8" = 1'-0"

TRANSPARENCY REQUIREMENT

BUILDING FACADE AREA = 2024[#]
 30% = 607[#] REQUIRED
 TRANSPARENCY PROVIDED = 614[#]



DATE: November 6, 2015

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PROPOSED ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 248) – Woodland Protection

On April 28, 2015 the Planning Commission discussed woodland protection as a first step in developing Zoning Ordinance provisions. On May 26, 2015 the Planning Commission discussed a general outline of woodland protection provisions. A draft Zoning Ordinance text amendment was presented to the Planning Commission on July 28, 2015. The Planning Department forwarded the document to the City Attorney for review. The City Attorney reviewed the document and suggested some minor revisions which were incorporated into the attached draft.

If the Planning Commission is satisfied with the draft a public hearing can be scheduled.

There are a number of ordinances and standards that regulate trees in Troy. The attached table summarizes these documents, and the modifications that need to be made to each to make them consistent. The proposed revisions will be presented to Planning Commission for review at a future meeting. It is intended that all of the revisions be adopted by City Council concurrently.

Please be ready to discuss the attached draft at the November 10, 2015 Planning Commission Regular meeting.

Attachments:

1. Table: Documents Regulating Trees/Landscaping In Troy
2. Draft Zoning Ordinance Text Amendment (File Number ZOTA 248)

G:\ZOTAs\ZOTA 248 Woodland Protection\PC Memo 11 10 2015.doc

**DOCUMENTS REGULATING
TREES/LANDSCAPING IN TROY**

DOCUMENT	WHAT IT REGULATES	PROPOSED REVISIONS	PC ACTION REQUIRED
Chapter 39 Zoning Ordinance Article 13, Section 13.02	Regulates landscaping including location, species and size.	Add Woodland Protection provisions.	Hold public hearing. Make recommendation to City Council.
Chapter 39 Zoning Ordinance Article 8, Section 8.05.A	Requires submittal of Tree Inventory as part of Preliminary Site Plan Approval.	Eliminate reference to Landscape Design and Tree Preservation Standards.	Hold public hearing. Make recommendation to City Council.
Chapter 41 Subdivision Control Ordinance	Regulates review and approval of subdivisions in Troy.	Eliminate reference to Landscape Design and Tree Preservation Standards.	No formal action required.
Landscape Design and Tree Preservation Standards	Includes requirements for tree preservation plans and waivers, landscape and review fees and plant requirements.	Rescind. These standards are outdated and unnecessary since landscape standards are included in Article 13 of Zoning Ordinance.	No formal action required.
Chapter 28 Tree Regulations	Regulates planting of trees on City property including in rights-of-ways and in public parks.	Rescind existing language. Adopt comprehensively rewritten Chapter 28.	No formal action required.

CITY OF TROY

AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows:

Revise Section 8.05.A to read as follows:

9. A tree inventory preservation plan in accordance with Article 13 the City of Troy Landscape Design and Tree Preservation Standards shall be attached to all applications for Site Plan Approval. This requirement may be waived by the Zoning Administrator, in those instances where the Topographic Survey and/or other written information provided by the applicant demonstrate that the nature of the site is such that a tree inventory Tree Preservation Plan would not be applicable, or would serve no practical purpose.
10. A landscape plan prepared in conformance with Article 13 the City of Troy's Landscape Design and Tree Preservation Standards.

Add Section 13.07 to read as follows:

Section 13.07: Woodland Protection:

- A. Purpose and Intent. It is the intent of these regulations to help prevent unregulated and, in many cases, unnecessary removal of trees and related natural resources. The protection of trees, woodlands and woodland resources will promote the preservation of important physical, aesthetic, recreational and economic assets for both present and future generations. Specifically, it is found that:
 1. Trees and woodlands provide for public welfare and safety through the reduction of erosion, siltation, and flooding;
 2. Trees and woodlands help protect water quality by protecting groundwater recharge areas, reducing risk of groundwater contamination and maintaining base flows in streams and rivers, thus reducing the risk of

- degrading vegetation, wildlife, wetlands and surface water systems throughout the city;
3. Trees and woodlands increase the economic value of land for most uses;
 4. Tree and woodland growth protects public health through the absorption of air pollutants and contamination and reduces carbon dioxide content of the ambient air; and
 5. Tree and woodland growth serves as an essential component of the general welfare of the City by maintaining natural beauty, recreation, and natural heritage.

The purpose of this section is as follows:

1. To encourage the preservation of trees and related natural resources of the woodland ecosystem on undeveloped and underdeveloped land and in connection with the development of land;
2. To provide for the protection, preservation, proper maintenance and use of trees and woodlands in order to minimize damage from erosion and siltation, loss of wildlife and vegetation, and/or from the destruction of the natural habitat;
3. To protect trees and woodlands (including woodland resources) for their economic support of local property values when allowed to remain uncleared and/or unharvested in whole or in significant part, and for their natural beauty, character, and ecological or historical significance; and
4. To provide for the paramount public concern for these natural resources in the interest of the health, safety and general welfare of the residents of the City, consistent with Article II, Section 201 of the Michigan Zoning Enabling Act of 2006, and in keeping with Article IV, Section 52 of the Michigan Constitution of 1963 and the intent of the Michigan Natural Resources and Environmental Protection Act, PA 451 of 1994.

B. Applicability:

1. The provisions of tree protection shall apply prospectively to all parcels in the City where site plan review is required as set forth in Section 8.02, and any Subdivision as set forth in Chapter 41 of the City Code.
2. If it is determined that based on associated historical aerial photographs or other evidence, an owner or developer of property required to comply with this section has removed or cleared protected trees within five (5) years of the time of site plan or subdivision approval, the Planning Commission may require the property owner or developer to install additional landscaping as required by the site plan or subdivision approval and to offset the impact of the new development upon adjacent properties.

C. Protected Trees as Defined:

1. Landmark Tree: A woody plant, in a healthy, live condition (has a health and condition standard factor of over 50% based on standards established by the International Society of Arboriculture). The following species that meet the minimum size (DBH) requirement are considered landmark trees.

Common Name	Botanical Name	Size (inches)
Basswood	<i>Tilia</i>	18"
Beech, American	<i>Fagus grandifolia</i>	18"
Black Cherry	<i>Prunus serotina</i>	18"
Black Walnut	<i>Juglans nigra</i>	18"
Buckeye, Ohio	<i>Aesculus glabra</i>	18"
Douglas Fir	<i>Pseudotsuga menziesii</i>	18"
Fir	<i>Abies</i>	18"
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>	18"
London Planetree/American Sycamore	<i>Platanus</i>	18"
Pine (All species)	<i>Pinus</i>	18"
Spruce	<i>Picea</i>	18"
Tulip Poplar	<i>Liriodendron tulipifera</i>	18"
Hickory	<i>Carya</i>	16"
Honey Locust	<i>Gleditsia tricanthos</i>	16"
Maple (Red)	<i>Acer rubrum</i>	16"
Maple (Sugar)	<i>Acer saccharum</i>	16"
Oak (All species)	<i>Quercus</i>	16"
Arborvitae	<i>Thuja</i>	12"

Bald Cypress	<i>Taxodium distichum</i>	12"
Birch	<i>Betula</i>	12"
Black Tupelo	<i>Nyssa sylvatica</i>	12"
Cherry, Flowering	<i>Prunus spp.</i>	12"
Crabapple/Hawthorne	<i>Malus/crataegus</i>	12"
Dawn Redwood	<i>Metasequoia glyptostroiboides</i>	12"
Ginkgo	<i>Ginkgo</i>	12"
Hackberry	<i>Celtis occidentalis</i>	12"
Hawthorn	<i>Crataegus</i>	12"
Hemlock	<i>Tsuga</i>	12"
Larch/Tamarack	<i>Larix</i>	12"
Magnolia	<i>Magnolia</i>	12"
Pear	<i>Pyrus spp.</i>	12"
Persimmon	<i>Diospyros virginiana</i>	12"
Sassafras	<i>Sassafras albidum</i>	12"
Sweetgum	<i>Liquidamber styraciflua</i>	12"
Yellow Wood	<i>Cladrastis lutea</i>	12"
Blue-Beech/Hornbeam	<i>Carpinus caroliniana</i>	8"
Butternut	<i>Juglans cinera</i>	8"
Cedar of Lebanon	<i>Cedrus spp.</i>	8"
Chestnut	<i>Castanea</i>	8"
Dogwood, Flowering	<i>Cornus florida</i>	8"
Hop-Hornbeam/Ironwood	<i>Ostrya virginiana</i>	8"

Maple, Mountain/Striped	<i>Acer spicatum/pensylvanicum</i>	8"
Paw Paw	<i>Asimina triloba</i>	8"
Redbud	<i>Cercis canadensis</i>	8"
Serviceberry	<i>Amelanchier</i>	8"
Any healthy tree with a DBH 24" or greater, (except invasive species), or a healthy tree of the species described above with the minimum DBH listed.		

2. Woodlands: Trees in a Woodland, which is defined as one-quarter (1/4) acre or more of contiguously wooded land where the largest trees measure at least six (6) inches in diameter at breast height (DBH). The acreage is to be measured from the dripline to dripline of trees on the perimeter. Contiguous shall be defined as the majority of the one-quarter (1/4) acre being under the vegetation dripline.

D. Tree Inventory. A Tree Inventory is required as a component of the preliminary site plan submission as set forth in Section 8, and any Subdivision as set forth Chapter 41 of the City Code.

1. Tree Inventory shall contain the following:
 - a. Location of all trees over six (6) inches in DBH.
 - b. Common and botanical names of all identified trees, their size in inches at their DBH, and a description of each tree's health.
 - c. Indication of all trees to be removed.
 - d. Indication of all trees to be preserved.
2. A Tree Inventory must be prepared by either a certified forester or Registered Landscape Architect.

E. Tree Replacement:

1. When as part of a site plan or subdivision approval the Troy Planning Commission authorizes the removal of Landmark Trees and trees within a Woodland, the removal shall be mitigated as follows:
 - a. Woodland Trees six (6) inches or larger DBH shall be mitigated by installation of replacement trees equal to a minimum of fifty percent (50%) of the original DBH removed.
 - b. Landmark Trees (including those located within Woodlands to be removed) shall be mitigated by installation of replacement trees equal to a minimum of one hundred percent (100%) of the original DBH of the tree(s) removed.
 - c. Replacement trees shall be non-sterile varieties of species native to southeast Michigan, and not prohibited by Chapter 28 of the City of

Troy ordinance. The minimum size of a deciduous replacement tree shall be two and one-half (2.5) inch caliper. The minimum size of a coniferous replacement tree shall be six (6) feet in height. Deciduous replacement of one-half (.5) caliper inch is equal to one foot in height for coniferous replacement.

2. A Tree Replacement Plan must be prepared by either a certified forester or Registered Landscape Architect. The property owner shall have the proposed Tree Replacement Plan approved by the Planning Commission.
3. These tree replacement requirements are separate from and in addition to the landscape requirements set forth in Article 13.02

F. Tree Replacement Alternatives:

1. Any identified Woodland and Landmark Tree that is retained onsite as part of the development may count towards two (2) times the inch for inch replacement requirement.
2. When reviewing site plans, the Planning Commission prioritizes Landmark and Woodland Tree protection and mitigation in order as follows:
 - a. Protecting and preserving existing onsite Landmark and Woodland Trees.
 - b. Providing all required mitigation on the site of development.
 - c. Paying into a tree fund, only if protecting and preserving on site, or mitigation on site has been explored by applicant and due to unique circumstance as outlined in section 3 below is not possible.
3. The Planning Commission may allow for tree replacement off-site at the request of the applicant when site factors including the size of the parcel (no available area for planting), tree condition or development requirements may make conformity to this section difficult or undesirable. If the Planning Commission permits the applicant to plant off-site the applicant shall be required to pay the equivalent fee of the cost of the tree replacement, including the cost of installation to the City Tree Fund. The City Tree Fund shall be used to plant trees on public property.

G. Exemptions from Replacement:

1. The following shall be exempt from the requirements of these Tree Replacement as set forth in Section 13.07.F:
 - a. Parcels of land that are not subject to site plan review.
 - b. Tree trimming and removal necessary to the operation of essential service facilities of a municipal or other governmental department or agency or public utility franchised to operate in the City.
 - c. Tree clearing within an existing public road right-of-way or an existing private road easement.
 - d. The removal of any tree which is demonstrated by the property owner to the Zoning Administrator or designee's satisfaction to have a health and

- condition standard factor of less than 50 percent based upon the standards established by the International Society of Arboriculture.
- e. Trees that are considered invasive by the International Society of Arboriculture
 - f. Removal of trees that have become a potential danger to human life or property.
- H. Tree Protection. Protected trees, shall be preserved to the greatest extent practicable through the use of site development techniques including but not limited to the following:
1. In general, Landmark Trees should not be removed for development. Site design should consider any Landmark Tree on a site as an important design element.
 2. Locate development in areas of the site that are already disturbed or cleared of trees and woody vegetation.
 3. Minimize clearing and grading of the site by working with the site's existing topography. Grading, roads, walkways, utility lines, and all other aspects of soil disturbance shall be minimized to the extent possible considering standards of sound design and public safety. Clearing for buildings should be limited to the smallest area needed for safe and effective building work.
 4. Use retaining walls and other techniques to minimize grade changes near trees.
 5. Maintain trees along the perimeter of sites to provide buffer.
 6. Maintain grades and moisture conditions within the Critical Root Zone (CRZ) of trees. Many of the native hardwood trees: oaks, hickories, maples and beeches, for example, and most old trees do not adapt to environmental changes brought about by construction. Grading changes should not occur within the CRZ of a tree. In addition, grading on a site should neither increase or decrease moisture conditions within a tree's CRZ. The area of concern around an important tree may be significantly larger than the CRZ. The drip line of the tree shall be used for comparison, and if larger than the CRZ, the dripline should be used to determine how best to protect an important tree.
 7. Locate utility lines away from trees to be retained. If this is not possible, install utility lines through bored tunnels instead of trenches.
 8. Conduct any necessary excavation around trees by hand.
 9. Applicant must provide a Tree Protection Plan that is compliant with requirements as set forth Chapter 28, Tree Regulations.
 10. Upon reasonable notice to the property owner and/or Applicant, the City shall have the right to periodically inspect the site during site plan review, land clearing, and/or construction to ensure compliance.

- I. Tree Removal as a Result of Construction Activity:
 - 1. Any protected tree identified for preservation on an approved site plan that has died within three years (3) of the start of construction shall be replaced under the appropriate Landmark Tree and Woodland replacement requirement.

- J. Site Plan Approval and Enforcement:
 - 1. Tree protection and mitigation as approved by the Planning Commission is a condition of Site Plan approval and enforced as such.

- K. Appeals and Variances. All appeals or requests for variances from the provisions of this section shall be made to the City of Troy Zoning Board of Appeals in accordance with Article 15 of the City of Troy Zoning Ordinance.

- L. Violations and Penalties. Violations of the provisions of this section are violations of the City of Troy Zoning Ordinance and subject to Article 3 of the City of Troy Zoning Ordinance.

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This amendment to the Zoning Ordinance shall take effect ten (10) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2015.

Dane Slater, Mayor

Aileen Dickson, City Clerk

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