The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:30 p.m. on August 2, 2005 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:
Gary Chamberlain
Fazal Khan
Lawrence Littman
Robert Schultz
Thomas Strat
Mark J. Vleck (arrived 7:38 p.m.)
David T. Waller

Absent:
Lynn Drake-Batts
Wayne Wright

Also Present:
Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Christopher Kulesza, Student Representative
Kathy L. Czarnecki, Recording Secretary

Resolution # PC-2005-08-126
Moved by: Littman
Seconded by: Khan

RESOLVED, That Members Drake-Batts and Wright are excused from attendance at this meeting for personal reasons.

Yes: Chamberlain, Khan, Littman, Schultz, Strat, Waller
No: None
Absent: Drake-Batts, Vleck (arrived 7:38 p.m.), Wright

MOTION CARRIED

2. PUBLIC COMMENTS

There was no one present who wished to speak.

3. BOARD OF ZONING APPEALS (BZA) REPORT

There was no report available.

4. PLANNING AND DEVELOPMENT REPORT

Mr. Miller reported on Council actions taken at its August 1, 2005 Regular Meeting.

- *Rezoning Application (Z 703)* – 600 Stephenson Highway, east side of Stephenson Highway, north of 14 Mile Road, Section 35, from R-C to O-1 – ***Approved***.

- *Rezoning Application (Z 704)* – Proposed Dunkin Donuts, south side of Vanderpool, west of Rochester Road and east of Ellenboro, Section 22, from R-1E to B-2 – ***Denied***.

- *Rezoning Application (Z 180-B)* – Proposed Binson's Home Health Care Center, northwest corner of Rochester and Marengo, Section 3, from R-1B to B-1 – ***Postponed to March 7, 2006 Regular Meeting*** (Planning Commission and City Management to look into an amendment to the Future Land Use Plan).

[Mr. Vleck arrived 7:38 p.m.]

There was a brief discussion on the authoritative body to make amendments to the Future Land Use Plan.

5. PRESENTATION BY U.S. GREEN BUILDING COUNCIL, DETROIT REGIONAL CHAPTER, ADVOCACY COMMITTEE

Paul H. Goldsmith of Harley Ellis and Detroit Regional Chapter of U.S. Green Building Council (USGBC) presented the final session on green building entitled "Bringing It All Together".

A question and answer session followed.

The members thanked Mr. Goldsmith for his excellent presentation.

Chair Strat requested a recess at 8:50 p.m.

The meeting reconvened at 8:55 p.m.

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6. CONDITIONAL REZONING

Mr. Miller reported that conditional rezoning was recently legalized with an amendment to the City and Village Zoning Act. He briefly reviewed the model zoning ordinances prepared by McKenna Associates and the Michigan Township Association and the draft zoning ordinance language proposed by the City of Rochester Hills. Mr. Miller pointed out five provisions that the Planning Department recommends be inclusive of any zoning ordinance amendment proposed by the City of Troy.

Mr. Motzny said initially the City Attorney recommended that the City of Troy not consider any requests for conditional rezoning, and noted amendments to the legislation might be necessary. Mr. Motzny said he is not aware of any city that has incorporated the new legislation into their ordinance.

Brief comments were solicited from around the table.

Mr. Khan is experiencing firsthand a conditional rezoning for one of his firm's proposed development projects. He said he would keep the members informed of the outcome, and suggested that it might be necessary for the City to address its fee structure with respect to requests for conditional rezonings.

7. HB 4398 – ZONING ENABLING ACT

Mr. Miller reviewed the intent of House Bill 4398. Discussion followed on:

- Sec. 506 (1) (b) – The percentage of land area to remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.

- Sec. 206 (4) – The requirement to permit conditionally group day care homes in residential districts.

8. PUBLIC COMMENTS

Chris Komasera of 5287 Windmill, Troy, was present. Mr. Komasera commented favorably on the USGBC green build presentation and said green building is the right direction to go.

GOOD OF THE ORDER

Mr. Littman shared a website for aerial mapping -- www.virtualearth.msn.com.

Mr. Miller addressed the following items:

- Planning Department activity/application submissions with respect to economic turnaround.
- Potential lawsuits on proposed rezoning requests.
  (1) Binder request, west side of Rochester Road, south of Trinway, from R-1C to R-1T.
  (2) Binson's Home Health Care, northwest corner of Rochester and Marengo, from R-1B to B-1.

Chair Strat addressed the following:

- Revision to the Future Land Use Plan with respect to the Binson's Home Health Care proposed rezoning.
- Procedure for review and overall revisions to the Future Land Use Plan.
- K-Mart Headquarters Building.
- Big Beaver Road Corridor Study.
- ZOTA 215 Accessory Structures.
- PUD #4 – The Monarch.

It was agreed to discuss revisions to the Future Land Use Plan with respect to both the Binson's proposed rezoning and overall revisions at future study sessions, allowing approximately 45 minutes for discussion at each session.

Mr. Miller said he would provide background information and maps to assist discussion on the Future Land Use Plan.

Mr. Miller reported that Madison Marquette has an option to purchase the K-Mart Headquarters Building. After meeting with Madison Marquette, it appears the development direction is commercial/retail. Mr. Miller noted that the Future Land Use Plan does not designate retail for the area.

Mr. Miller provided a brief review of the Big Beaver Road Corridor Study and its correlation with the Futuring and Strategic Planning process.

Mr. Miller reported he is not aware that ZOTA 215 is coming back to the Planning Commission for further review.

Mr. Miller said he is not aware that City Council would like to revise PUD 4. Mr. Miller indicated he would provide better representation on behalf of the Planning Commission's review process in City Council report presentations.

Mr. Miller said as soon as the Planning Department is in receipt of the application documents for the proposed PUD #5, Casswell Town Center Community (east side of Rochester Road, south of South Boulevard, Section 2), he would forward copies to the members for their review.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:12 p.m.

Respectfully submitted,

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Thomas Strat, Chair

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Kathy L. Czarnecki, Recording Secretary

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