

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on April 8, 2008, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
Mark Maxwell
Robert Schultz
Thomas Strat
John J. Tagle
Kathleen Troshynski
Mark J. Vleck
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Christopher Forsyth, Assistant City Attorney
Ron Figlan, Staff Planner
Kathy Czarnecki, Recording Secretary

Chair Schultz announced that five (5) affirmative votes are required for approval and recommending actions.

2. APPROVAL OF AGENDA

Mr. Strat recommended reversing Agenda items 5 and 6.

Resolution # PC-2008-04-046

Moved by: Strat
Seconded by: Vleck

RESOLVED, To approve the Agenda as revised.

Yes: All present (8)

MOTION CARRIED

3. MINUTES

Resolution # PC-2008-04-047

Moved by: Wright
Seconded by: Maxwell

RESOLVED, To approve the minutes of the April 1, 2008 Special/Study meeting as printed.

Yes: All present (8)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SITE PLAN REVIEW

6. SITE PLAN REVIEW (SP 555-C) – Proposed Parking Lot Expansion, Existing Industrial Building, North of Maple Road, Northwest Corner of Stutz and Maxwell, Section 29, Zoned M-1 (Light Industrial) District

Mr. Miller presented a summary of the Planning Department report on the proposed parking lot expansion. It is the recommendation of City Management to approve the site plan with the condition that the applicant constructs a 6-foot high obscuring wall between the subject property and the abutting RM-1 property, or receives a waiver from the Zoning Ordinance requirement from the Board of Zoning Appeals.

Chair Schultz asked if the berm would remain.

The petitioner, Paul Oleszkowicz of 1845 Maxwell, Troy, was present. Mr. Oleszkowicz addressed the grade and minor reconfiguration of the berm.

There was a brief discussion on the obscuring wall in terms of matching the existing screen wall materials.

Chair Schultz asked if there were plans to repair the parking lots surrounding the building.

Mr. Oleszkowicz briefly reviewed the three phases of parking lot repairs.

Mr. Tagle asked if the Fire Department had any comments in its departmental review of the proposed site plan.

Mr. Figlan replied that the Fire Department indicated no objections to the plan.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

Chair Schultz closed the floor for public comment.

Resolution # PC-2008-04-048

Moved by: Troshynski

Seconded by: Strat

RESOLVED, That the proposed Parking Lot Expansion for the Existing Industrial Building, located north of Maple Road, on the northwest corner of Stutz and Maxwell, Section 29, approximately 8.572 acres, within the M-1 zoning district, be granted, subject to the following condition:

1. That the applicant constructs a 6-foot high obscuring wall between the subject property and the abutting RM-1 property, as per Section 39.10.01, or receives a waiver from the requirement from the Board of Zoning Appeals.

Yes: All present (8)

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

5. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-B) – Article 04.20.00 and Article 40.66.00, Commercial Vehicle Definitions and Outdoor Parking of Commercial Vehicles in Residential Districts**

Mr. Miller provided a summary of the proposed zoning ordinance text amendment relating to outdoor parking of commercial and recreational vehicles in residential districts. Mr. Miller reviewed the proposed changes, section by section. He summarized the approval process of a zoning ordinance text amendment. Mr. Miller announced the Planning Department received numerous comments and emails on the proposed amendment, of which copies were provided to the members prior to the beginning of tonight's meeting.

Mr. Forsyth gave a brief explanation of a use variance. Mr. Forsyth stated that should the text amendment be adopted as proposed, there would no longer be an appeal process through the City and the Circuit Court would be the avenue by which an appeal could be heard.

PUBLIC HEARING OPENED

The following Troy residents were present and spoke in opposition of the proposed zoning ordinance text amendment.

William Fearon, 434 E. Lovell
Karen Jarema, 5690 Livernois
Danny Jones, 1407 Wacon Drive
Ted Halsey, 663 Vanderpool
Dan Daniel, 6638 Livernois
Charles Lobbestael, 427 Paragon
Rick Biggers, 406 E. Square Lake
Ivan Johnson, 6100 Windrush
Dan Simionescu, 691 Ottawa
Julius Lowry, 3431 Talbot
Gary Winters, 451 Carter

Michael Fischer, 914 Hannah
Robert Fairful, 6927 Norton
Ronald Boitkus, 120 W. Wattles
Kirk Linton, 5580 Folkstone
Steve Moilanen, 328 Vanderpool
Richard Peters, (address not listed)
Bradley Samojedny, 139 Webb
Anthony Naiman, 6938 Fieldstone
Lee Nardi, 97 E. Wattles
Louis Hatzis, 647 Ottawa
Joe Charron, 716 Ottawa

PUBLIC HEARING CLOSED

Mr. Hutson addressed the amount of time and discussion that members have given to the matter. Mr. Hutson suggested to address recreational vehicles and commercial vehicles separately and to study the matter further and take under consideration public storage, large acreage lots, construction of accessory buildings, parking regulations within residential districts, 48-hour parking limit and trailers.

Mr. Vleck said his position is to regulate the parking of commercial and recreational vehicles within the side yard setback. He feels there is no difference between a recreational vehicle and a commercial vehicle. Mr. Vleck encouraged residents to continue their involvement and participation in the matter.

Mr. Strat said he could not vote on the proposed text amendment as presented this evening. He addressed the original complaint that precipitated a change in the Zoning Ordinance. Mr. Strat agreed that the matter should be studied further to consider lot sizes, screening and an appeal alternative.

Mr. Tagle said he is not comfortable going forward with the proposed text as written and would personally like to see the item go back to a study session.

Chair Schultz gave a brief history of the appeal process through the City. He addressed comments heard at tonight's meeting from residents in opposition of the proposed text amendment, as well as comments shared by residents in support of placing stricter parking regulations on commercial and recreational vehicles. Chair Schultz stated the Zoning Ordinance prohibits businesses in residential neighborhoods.

Mr. Maxwell feels commercial vehicles and recreational vehicles do not relate in purpose and function. Mr. Maxwell addressed the waiver process through which the Board of Zoning Appeals (BZA) could grant temporary parking of a commercial or recreational vehicle. He asked residents not to ignore the reasons and facts behind why things are done. He said there are circumstances where commercial vehicles in residential districts are not a good thing and circumstances where they will not cause any harm. Mr. Maxwell said it is important to work on a balanced, comprehensive plan that addresses the needs of all citizens and circumstances.

Resolution # PC-2008-04-049

Moved by: Vleck
Seconded by: Strat

RESOLVED, To postpone ZOTA 215-B to a future Special/Study meeting.

Yes: All present (8)

MOTION CARRIED

OTHER BUSINESS

7. **PUBLIC COMMENTS** – Items on Current Agenda

Bradley Samojedny of 139 Webb, Troy, addressed the official publication of notices. He asked if public notices could be published in a media that is delivered to residents, such as the *Troy Times*, noting that the *Troy-Somerset Gazette* is only available at certain stores.

Chair Schultz advised Mr. Samojedny to address the matter with the City Clerk's office.

8. **PLANNING COMMISSION COMMENTS**

Mr. Vleck addressed automated email alerts for "hot" agenda items.

Mr. Strat said the residents' comments this evening meant a lot.

Chair Schultz announced City Council appointed two new members to the Planning Commission and that tonight would be the last meeting for Ms. Troshynski. He thanked Ms. Troshynski for her dedicated participation.

Chair Schultz further announced the death of Sam Frankel.

The Regular Meeting of the Planning Commission adjourned at 9:07 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2008 PC Minutes\Draft\04-08-08 Regular Meeting_Draft.doc