

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:05 p.m. on March 12, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Edward Kempen
Philip Sanzica
Gordon Schepke
Robert Schultz
John J. Tagle

Absent:

Michael W. Hutson
Tom Krent
Thomas Strat

Also Present:

R. Brent Savidant, Planning Director
Susan Lancaster, Assistant City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Eric Huang, Student Representative
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2013-03-014

Moved by: Schultz
Seconded by: Edmunds

RESOLVED, To move forward Agenda item #7 to Agenda item #4.a., to accommodate those present for the public hearing.

Yes: All present (6)
Absent: Hutson, Krent, Strat

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-03-015

Moved by: Edmunds
Seconded by: Kempen

RESOLVED, To approve the minutes of the February 12, 2013 Regular meeting as published.

Yes: All present (6)
Absent: Hutson, Krent, Strat

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

Marvin Reinhardt of 1281 Dorre, Troy, addressed the City Manager’s stance, “What type of City do we want to live in?”

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

4. a. PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 401) – Proposed Midwest Industrial Metals Inc., 2222 Stephenson Highway, Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle said the applicant is before the Board tonight for a Special Use Approval to operate an indoor materials recovery facility within an existing industrial building. He noted the applicant recently became aware of the City’s requirement to obtain a Special Use Approval to operate such a facility in the light industrial district. Mr. Carlisle reviewed the site plan application and recommended approval conditioned on the applicant (1) to confirm there would be no outdoor storage or bins located in the rear of the site and (2) to work with City staff and resubmit screening details along the northern and southern property lines to meet Zoning Ordinance requirements prior to Final Site Plan approval.

Robert Stefani, Esq., was present to represent the petitioner. Mr. Stefani stated that since learning a Special Use Approval was required for outdoor storage, the facility has been in compliance now for several months. He said all work has been moved indoors, there is no dumping or sorting of material on site, and there is no storage outside. He indicated two dumpsters have been placed on site for general trash. Mr. Stefani circulated photographs of the site to show recent improvements and maintenance of the property. He said the photographs were taken today, March 12. Mr. Stefani said it appears the existing fence to the north sits directly on the property line and ownership at this time is undetermined. He assured the Board they would work with City staff to address the required opaque screening going forward with Final Site Plan approval. Mr. Stefani said the facility’s business hours are 8 am to 5 pm.

The petitioner, Mark Hewines, said overhead doors are closed during business hours, but at times an overhead door might be open for ventilation purposes during summer months. Mr. Hewines said it is possible for an entire vehicle (truck) to fit into the building for unloading.

PUBLIC HEARING OPENED

James Hammond of 1224 Sylvia, Troy, addressed the noise decibel level and facility upkeep.

Peggy Hammond of 1224 Sylvia, Troy, addressed the loud noise level.

Ola Roberts of 2127 Shelley, Troy, said she received an eye injury from flying debris and that Midwest Metals is not respectful of the residential surrounding.

Mike Damman of A. J. Damman Company, property owner of 1200 Piedmont, circulated photographs of the subject site, stating the photographs were taken today, March 12. He claims the fence along the applicant's northern property line is owned by A. J. Damman Company. Mr. Damman disputed claims by the applicant that the facility's work has moved indoors, that there is no outdoor storage, and that a truck can fit within the building for unloading. He said the only solution to screening is to provide a poured concrete 9 foot wall on grade to match the existing wall.

Lynn Irwin of 2200 Stephenson Highway, Troy, business owner in the area, said the applicant is not a friendly, workable neighbor. She addressed truck traffic in the shared alley and along Stephenson Highway. Ms. Irwin claims the mess and debris on site is not cleaned up by the applicant, and the overhead doors are always open and noisy.

Marvin Reinhardt of 1281 Dorre, Troy, said the applicant did not keep their grass mowed last summer, and he got several flat tires from the fine grain left on the ground. He also addressed the City cutbacks in code enforcement.

PUBLIC HEARING CLOSED

Mr. Carlisle addressed the treatment of screening required by the Zoning Ordinance. He said the Planning Department takes all applications by face value and holds the applicant responsible for what is stated and proposed in the application. He indicated some of the comments expressed at tonight's public hearing appear to be code enforcement issues.

Mr. Stefani addressed the following:

- Noise level; currently no outstanding code violations; other light industrial facilities in the area.
- Claims applicant owns two-thirds of 'shared' alley.
- Agrees to work with City on appropriate screening treatment.
- All unloading/sorting done at Pontiac facility.
- Facility works with non-ferrous metal only; no chipping machinery on site.
- Plans to asphalt gravel road with appropriate aggregate base.

There was discussion on contradictory photographs and comments relating to maintenance of property and fence ownership.

Ms. Lancaster shared information displayed on Equalizer with respect to code enforcement site inspections and reports. She briefly reviewed the history of the pending court case.

Mr. Savidant noted the company has made big strides in site improvements within the last three months. He said all activity has moved inside and two dumpsters have been placed on site. Mr. Savidant said the noise level was documented well below the allowable decibels. He informed the Board a site plan is a contract, and the site plan and special use request are the items before the Board tonight for approval.

Resolution # PC-2013-03-016

Moved by: Schepke

Seconded by: Schultz

RESOLVED, To postpone the item to the May 14, 2013 Regular meeting to allow the applicant time to prepare and submit a property survey and plans for appropriate screening along the northern property line, as relates to treatment, specifications and material.

FURTHER RESOLVED, That the Code Enforcement department prepare a report as relates to compliance with Zoning Ordinance requirements; i.e., outstanding code violations, noise level, site maintenance, outdoor storage.

Yes: All present (6)

Absent: Hutson, Krent, Strat

MOTION CARRIED

POSTPONED ITEMS

- 5. SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 400) – Proposed Starbucks/Qdoba Oakland Mall Outlot, Northwest Corner of John R and 14 Mile, Section 35, Currently Zoned GB (General Business) District

Mr. Carlisle gave a report on the proposed Special Use and Preliminary Site Plan application and recommended approval conditioned on the applicant satisfying the requirements for the Final Site Plan approval as identified in his report, dated March 4, 2013.

James Butler of Professional Engineering Associates was present to represent the applicant. He stated the applicant agrees to expand the sidewalk 8 feet and to work with the Engineering Department to determine the sidewalk location.

Chair Tagle opened the floor for public comment.

There was no one present who wished to speak.

Chair Tagle closed the floor for public comment.

Mr. Schultz stated although it is not required, it would be a generous act on the part of the applicant to extend the sidewalk to the bus stop.

Resolution # PC-2013-03-017

Moved by: Schultz

Seconded by: Edmunds

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Starbucks/Qdoba Restaurant, located on the northwest corner of John R and 14 Mile, Section 35, currently zoned GB (General Business) District, be granted, subject to the following:

1. Expand 14 Mile Road sidewalk to 8-feet.
2. Work with Engineering Department to determine location of sidewalk.

Yes: All present (6)

Absent: Hutson, Krent, Strat

MOTION CARRIED

6. PRELIMINARY SITE PLAN REVIEW (File Number SP 979) – Proposed Galleria of Troy, North side of Big Beaver between Wilshire and I-75, Section 21, Currently Zoned BB (Big Beaver) District

Mr. Carlisle reviewed the site plan revisions made since its last review by Planning Commission. Mr. Carlisle supports the conceptual development and finds that the plan and development details are more consistent with the vision along Big Beaver and the requirements of the Big Beaver formed-based district. He asked the applicant to address the architectural details for both restaurants and specifically the color scheme of Carrabba's.

James Butler of Professional Engineering Associates was present to represent the applicant. He addressed the following:

- Balcony width as a result from moving building forward.
- Restaurants' façades.
- Color scheme of Carrabba's.
- Symmetry of balcony for retail building.
- Dumpster locations.
- Steel gates.
- Public art display; informal presentation to Board prior to installation.

Chair Tagle opened the floor for public comment.

There was no one present who wished to speak.

Chair Tagle closed the floor for public comment.

Resolution # PC-2013-03-018

Moved by: Schultz
 Seconded by: Schepke

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Galleria of Troy, located on the north side of Big Beaver between Wilshire and I-75, Section 21, within the BB (Big Beaver) district, be granted.

FURTHER RESOLVED, That at the discretion of the applicant, a balcony can be added to the west side of the retail building to mirror the balcony on the east side.

Yes: All present (6)
 Absent: Hutson, Krent, Strat

MOTION CARRIED

SPECIAL USE REQUESTS AND PRELIMINARY SITE PLAN REVIEWS

- 7. *(see Agenda item 4. a.)*
- 8. **PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 399)** – Proposed Detroit Meeting Room, North of Square Lake and I-75 Expressway, East of Adams, Section 6, Currently Zoned R1-A (One Family Residential) District

Mr. Carlisle gave a report on the application, noting the original application included a school which has been since removed from the site plan. He addressed landbank parking, grading to the north of the parking lot, access points, landscaping and the removal of a landscape feature and light in the Square Lake Road public right of way.

Michael Gordon of MGA Architects, Inc. was present to represent the petitioner. Mr. Gordon announced several members of the church are in attendance of tonight's meeting. Mr. Gordon said the development blends well with the neighborhood with very little impact to the surrounding area. He said the applicant intends to preserve 85% of the landscaping, and noted a tree inventory could not be conducted due to weather conditions. Mr. Gordon addressed grading to the north and meeting grading requirements prior to Final Site Plan approval. He said the applicant is agreeable to landbank parking to the north and removing the landscape feature and light pole in the Square Lake Road right of way. Mr. Gordon said an effort to be a good neighbor was extended by inviting the surrounding neighbors to an open house on March 9, to which no one showed. He indicated that the windows in the building would be glass and fully glazed, and there would be no lockable closing gate.

John Reid of Detroit Meeting Rooms was present. He said congregational members in the Troy area are looking forward to being good citizens and a community support to the City.

PUBLIC HEARING OPENED

Marvin Reinhardt of 1281 Dorre spoke on the consideration of residential tax base with proposed developments.

Mike Hattingh of 1343 Burns Drive said the proposed development provides a good location for the surrounding congregational members with easy access to the expressway. He alluded to the site as a challenge to develop as residential.

PUBLIC HEARING CLOSED

Mr. Edmunds agreed the site would be challenging for residential development and noted the site has been undeveloped for years.

Resolution # PC-2013-03-019

Moved by: Kempen

Seconded by: Sanzica

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Detroit Meeting Room, north of Square Lake and I-75 Expressway, east of Adams, Section 6, currently Zoned R1-A (One Family Residential) District, be granted, subject to the following:

1. Indicate grading limit north of parking lot.
2. Adjust parking lot dimensions.
3. Consider landbank parking as suggested by petitioner.
4. Install bicycle parking.
5. Clarify the eight (8) trees within and along the exterior of parking lot.
6. Remove the landscape feature from the Square Lake right-of-way.
7. Relocate the light that is in the Square Lake public right-of-way.
8. Provide the proposed days and hours of operation of the facility.

Yes: All present (6)

Absent: Hutson, Krent, Strat

MOTION CARRIED

9. **PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 402)** – Proposed Gypsum Supply Company, East side of John R, North of Fourteen Mile Road (651 Robbins), Section 36, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the application and reported the Planning Department is recently in receipt of an amended site plan to address the outstanding items as listed in his report, dated February 24, 2013. Mr. Carlisle recommended approval of the Site Plan and Special Use approval provided the Board is satisfied with the parking deficiency.

Nathan Robinson of Horizon Engineering was present to represent the applicant. He stated a recalculation of parking spaces finds the application meets the requirements of the Zoning Ordinance. Mr. Robinson said the applicant is leasing and was not aware that a Special Use approval was required for outdoor storage.

The applicant, Ben Rouster of Gypsum Supply, said they have been at this location since July 2012. Mr. Rouster said storage is at ground level and is not visible above the wall.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-03-020

Moved by: Sanzica

Seconded by: Schultz

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Gypsum Supply Company, east side of John R, north of Fourteen Mile Road (651 Robbins), Section 36, currently Zoned IB (Integrated Industrial and Business) District, be granted, subject to the following:

1. Provide additional information related to the types of materials to be stored outdoors.
2. Provide Fire Department with Knox Box on gate.
3. Indicate on the site plan a general storage layout plan.
4. Provide number of employees on largest shift to provide accurate required parking calculation.
5. Add additional parking on site, reconfigure outdoor storage location to provide adequate parking, or request a deviation from parking standards.

Yes: All present (6)

Absent: Hutson, Krent, Strat

MOTION CARRIED

Mr. Savidant noted that technically the Resolution is fine, but advised the Board that the revised site plan submitted addresses all outstanding items and the applicant has met all Zoning Ordinance requirements. He confirmed that all storage is to be in the fenced area on the north side of the property.

ZONING ORDINANCE TEXT AMENDMENT

10. **ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 245) – Sober Living Facilities**

Mr. Carlisle addressed the only revision made to the proposed language since last reviewed by the Board. The language now clarifies that a sober living facility is for adult patients only, 18 years or older.

Mr. Savidant said based on the dialogue from the Board’s last meeting and their general acceptance of the proposed language, a Public Hearing has been scheduled on May 26, 2013. Mr. Savidant further noted the term “sober living facility” would be used going forward.

David Lord, representing a potential sober living facility in Troy, said the terminology “Sober Living Facility” is standard in the industry.

Mr. Carlisle outlined the procedure going forward with the proposed Zoning Ordinance Text Amendment.

Resolution # PC-2013-03-021

Moved by: Schultz

Seconded by: Edmunds

RESOLVED, To instruct the Planning Director to schedule a Public Hearing for this item at the earliest possible date.

Yes: All present (6)

Absent: Hutson, Krent, Strat

MOTION CARRIED

OTHER BUSINESS

11. **PUBLIC COMMENTS** – For Items on Current Agenda

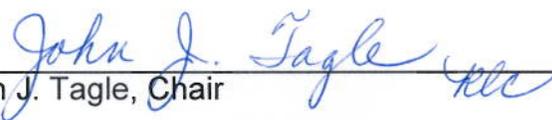
There was no one present who wished to speak.

12. PLANNING COMMISSION COMMENTS

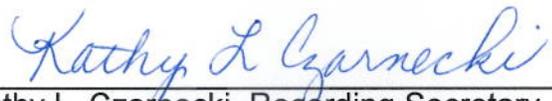
There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 9:32 p.m.

Respectfully submitted,



John J. Tagle, Chair



Kathy L. Czarnecki, Recording Secretary

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