Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on June 11, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:
Donald Edmunds
Edward Kempen
Tom Krent (exited at 8:00 p.m.)
Philip Sanzica
Gordon Schepke
Robert Schultz
Thomas Strat
John J. Tagle

Absent:
Michael W. Hutson

Also Present:
R. Brent Savidant, Planning Director
Lori Grigg Bluhm, City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Ryan Dinius, Carlisle/Wortman Associates, Inc.
Frank Boudon, Student Representative
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2013-06-043
Moved by: Schultz
Seconded by: Strat

RESOLVED, To approve the Agenda as prepared.

Yes: All present (8)
Absent: Hutson

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-06-044
Moved by: Edmunds
Seconded by: Krent

RESOLVED, To approve the minutes of the May 28, 2013 Special/Study meeting as published.

Yes: All present (8)
Absent: Hutson

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

POSTPONED ITEMS

5. 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 reviewed revisions to the site plan and specifically addressed the Code Enforcement report and proposed screening. Mr. Carlisle finds the proposed screening to be sufficient. He noted that because it is a Special Use application, the Board may require additional screening if it determines there is an additional need to protect public health, safety and welfare. Mr. Carlisle recommended that the Board grant approval of the Special Use and Preliminary Site Plan application with a condition that the east elevation door(s) remain closed except for access.

Robert Stefani, representative of the applicant, and the applicant, Mark Hewines, were present. Mr. Stefani stated the applicant has made a great effort to bring the site into compliance. He confirmed that the back lot would be paved within 21-30 days.

Mr. Savidant confirmed he forwarded to the Board the email message sent by Mr. Stefani regarding the lot paving.

Chair Tagle opened the floor for public comment.

Marvin Reinhardt, 1281 Dorre, Troy, addressed concerns with noise, traffic and air quality.

Mike Damman of A. J. Damman Company, 1180 E. Big Beaver, Troy, agreed there have been improvements to the site. He asked if approval could be subject to the completion of the asphalt and repair of the fence.

Chair Tagle closed the floor for public comment.

Mr. Savidant said there is no need to condition approval on the asphalt paving because it is noted on the site plan and compliance to the site plan is required prior to the issuance of any permits.

Members Schultz and Edmunds indicated their preference to require a masonry wall on a portion of the south wall.

Resolution # PC-2013-06-045
Moved by: Krent
Seconded by: Strat

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Midwest Industrial Metals Inc., 2222 Stephenson Highway, Section 26, currently Zoned IB (Integrated Industrial and Business) District, be granted, subject to the following conditions:

1. East elevation doors to remain closed except for access purposes.

Yes: Kempen, Krent, Sanzica, Schepke, Strat, Tagle
No: Edwards, Schultz
Absent: Hutson

MOTION CARRIED

6. SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 404) – Proposed United Ventures II LLC, West of John R, North of Maple (1861 Birchwood), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the revised plans and reported the City's Traffic Consultant continues to find the site to be compromised in terms of circulation and maneuverability of trucks, and cited no specific number of vehicles or parking spaces that would be acceptable. Based on those findings and that of the City's Traffic Engineer, Mr. Carlisle recommended that the Board postpone the application to provide the applicant time to resubmit a site plan and other associated plans which reduce the proposed number of vehicles to be stored on site.

Further, Mr. Carlisle brought attention to the notation on the site plan of a portable toilet located in the northeast corner of the parcel. He indicated the applicant is open to the Board's recommendation if a portable toilet would be required on site.

There was discussion on:
- Potential future users.
- Reduction of parking spaces.
- Monitoring site for site plan compliance and code violations.
- Purview of Planning Commission to require a portable toilet.

The petitioner, John Wernis, and project engineer, Nathan Robinson of Horizon Engineering, were present. The gentlemen addressed the ratio of employee parking to work vehicles, shuttle transportation of employees to the site, staggering crew work times and maneuverability plans.

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-2013-06-046
Moved by: Edmunds
Seconded by: Strat

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed United Ventures II LLC, West of John R, North of Maple (1861 Birchwood), Section 26, currently Zoned IB (Integrated Industrial and Business) District, be granted, subject to the following conditions:

1. A maximum of eight (8) work vehicles (truck/trailer combination) and a minimum of sixteen (16) parking spaces.
2. Provide a portable toilet as noted on the site plan, and service and maintenance of same.

Yes: All present (8)
Absent: Hutson

MOTION CARRIED

7. SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 407) – Proposed 1-800 Mini Storage, East side of Rochester, South of Wattles (3846 Rochester), Section 23, Currently Zoned GB (General Business) District

Mr. Carlisle gave a report on the revised site plan. He specifically addressed the proposed landscaping and angle and massing studies provided by the applicant. Mr. Carlisle said the applicant addressed concerns with respect to the impact on single family residential and the compatibility on Rochester Road. He said the site plan meets all the requirements of the Zoning Ordinance. Mr. Carlisle recommended that the Board grant approval of the Preliminary Site Plan and Special Use application.

[Tom Krent exited meeting at 8:00 p.m.]

The petitioner, Ed Hersch, and project architect, Joe Guido, were present.

Chair Tagle opened the floor for public comment.

The following persons spoke in opposition of the application.

- William Jenuwine, 1274 Tennyson, Troy (circulated photograph representative of 5-story building height in relation to single family home)
- John Robertson, 3705 Hawthorne, Troy (questioned distribution of public comment at Public Hearing and minutes of Public Hearing meeting)
- Kimberly Flaig, 1219 Judy, Troy (circulated photographs of existing buildings on Rochester, proposed building height in relation to height of existing flag pole)
- Mark Dziadosz, 3819 Hawthorne, Troy
- Mark Jones, 3771 Hawthorne, Troy
- David Gottschack, 1205 Judy Drive, Troy
- Dave Hummi, 3803 Hawthorne, Troy
- Bill Touissen, 1289 Judy, Troy
- Janice Hummi, 3803 Hawthorne, Troy
- Susan DiMare-Smith, 1340 Burns, Troy
- Krishna Chellemella, 3787 Hawthorne, Troy
- Joni DiMare, 1205 Judy, Troy
- Susan Brown, 1261 Judy, Troy

Concerns expressed related to:

- Height of building as relates to residential surroundings
- Effect on property values
- Outdoor storage
- Shadowing effect
- Traffic
- Landscaping/screening
- Public notification of Zoning Ordinance to allow 5-story buildings
- Lighting
- Existing vacant buildings; potential for vacant building in future
- Setting a precedent for 5-story buildings
- Site Plan approval and Code Enforcement
- Parking on site

Mr. Carlisle stated that outdoor storage is not a part of this application in front of the Board this evening and would require a separate Special Use approval. He said with the exception of twelve exterior storage units, all storage units are accessed internally, minimizing the impact of traffic and parking on site.

Mr. Savidant assured all public comment is provided to Board members and he would specifically address receipt and distribution of any public comment upon request. Mr. Savidant announced that additional signatures to the petition in opposition that was submitted at the May 14, 2013 Public Hearing were presented to the Board this evening prior to the beginning of the meeting.

Mr. Carlisle confirmed the photometric plan meets all requirements of the Zoning Ordinance and the plan was display for public view during the meeting.

Mr. Savidant addressed the procedures for Site Plan approval and code enforcement.

Ms. Bluhm clarified that City administration is responsible for code enforcement and the Planning Commission and the City Council are separate from City administration.

Chair Tagle closed the floor for public comment.

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Chair Tagle requested a recess at 8:54 p.m. The meeting reconvened at 9:00 p.m.

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Chair Tagle and other Board members expressed empathy toward the concerns expressed by the residents this evening and at the Public Hearing on May 14. It was declared that the application meets all requirements of the Zoning Ordinance and the City would be subject to litigation should the application be denied.

The residents were informed that many hours by the Planning Commission, City Council, administration, consultants, developers and residents were put into the writing of the Master Plan and Zoning Ordinance, and appropriate legal notification was given to the public on the adoption of both documents.

Member Schultz asked if the Board could require the applicant to step down the height of the building as a condition to site plan approval.

Ms. Bluhm replied the Board would have to find a special consideration to apply that condition to its approval.

When asked by the Board, the applicant replied it would not be economically feasible to lower the height of the building from the proposed five stories.

Resolution # PC-2013-06-047
Moved by: Schultz
Seconded by: Strat

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed 1-800 Mini Storage, East side of Rochester, South of Wattles (3846 Rochester), Section 23, Currently Zoned GB (General Business) District, be granted.

Yes: All present (7)
Absent: Hutson, Krent

MOTION CARRIED

8. SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 406) – Proposed McDonald's Restaurant, West side of Dequindre, South of Big Beaver (36895 Dequindre), Section 25, Currently Zoned NN "B" (Neighborhood Node "B")

Mr. Carlisle gave a report on the revised site plan. He said the applicant has addressed all concerns expressed by the Board, and it is his recommendation to grant Preliminary Site Plan approval and Special Use approval with the condition to resubmit a photometric plan that is in compliance with the Zoning Ordinance.

The petitioner and project architect, Frank Martin, was present. Mr. Martin said he would provide a photometric plan that complies with the Zoning Ordinance.

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-2013-06-048
Moved by: Edmunds
Seconded by: Schultz

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed McDonald's Restaurant improvements, West side of Dequindre, South of Big Beaver (36895 Dequindre), Section 25, Currently Zoned NN "B" (Neighborhood Node "B"), be granted, subject to the following condition:

1. Resubmit a photometric plan which complies with Article 13 of the Ordinance.

Yes: All present (7)
Absent: Hutson, Krent

MOTION CARRIED

SPECIAL USE AND REQUEST AND PRELIMINARY SITE PLAN REVIEW

9. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 408) – Proposed Modern Kitchen/Bath-Tabak Stone, West side of John R, South of Big Beaver (2701-2703 John R), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle introduced Ryan Dinius, planning intern for Carlisle/Wortman and Associates. Mr. Carlisle reviewed the reported prepared by Mr. Dinius, specifically noting that an 8-foot high concrete wall is proposed when the requirement is 6 feet. He asked the applicant to address this. Mr. Carlisle recommended that the Board grant approval of the Special Use and Preliminary Site Plan with a condition that the applicant submit a lighting photometric and fixtures plan at Final Site Plan approval.

Jim Butler of Professional Engineering Associates was present to represent the petitioner. He asked consideration to install a 6-foot concrete wall, noting that the applicant is amenable to either height.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-06-049
Moved by: Schultz
Seconded by: Edmunds

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Modern Kitchen/Bath-Tabak Stone outdoor storage, West side of John R, South of Big Beaver (2701-2703 John R), Section 26, currently Zoned IB (Integrated Industrial and Business) District, be granted, subject to the following conditions:
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1. Submit lighting photometric and fixtures plan at Final Site Plan approval.
2. Install a six (6') foot concrete wall.

Yes: All present (7)
Absent: Hutson, Krent

MOTION CARRIED

OTHER BUSINESS

10. PUBLIC COMMENTS – For Items on Current Agenda

There was no one present who wished to speak.

11. 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, /klc

John J. Tagle, Chair

Kathy L Czarnecki

Kathy L. Czarnecki, Recording Secretary

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