

Chair Faison called the Regular meeting of the Troy City Planning Commission to order at 7:01 p.m. on October 8, 2019 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean  
 Karen Crusse  
 Carlton M. Faison  
 Barbara Fowler  
 Michael W. Hutson  
 Tom Krent  
 David Lambert  
 Sadek Rahman  
 John J. Tagle

Also Present:

R. Brent Savidant, Community Development Director  
 Ben Carlisle, Carlisle Wortman Associates  
 Julie Quinlan Dufrane, Assistant City Attorney  
 Jackie Ferencz, Planning Department Administrative Assistant  
 Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

**Resolution # PC-2019-10-067**

Moved by: Hutson  
 Support by: Tagle

**RESOLVED**, To approve the Agenda as prepared.

Yes: All present (9)

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2019-10-068**

Moved by: Fowler  
 Support by: Rahman

**RESOLVED**, To approve the minutes of the September 24, 2019 Regular meeting as submitted.

Yes: All present (9)

**MOTION CARRIED**

4. PUBLIC COMMENT – Items not on the Agenda

Danuta Sitarczyk, 895 Sylvanwood, asked for assistance with getting a tennis court back at Smith Middle School.

**REZONING REQUESTS**

5. PUBLIC HEARING – SYLVANWOOD COURT RT DEVELOPMENT REZONING REQUEST (Z JPLN2019-0015) – Proposed Sylvanwood Court RT Development Rezoning, Northwest Corner of Rochester and Sylvanwood (88-20-10-426-029, 88-20-10-426-030, 88-20-10-426-031), Section 10, From R-1C (One Family Residential) Zoning District to RT (One Family Attached Residential) Zoning District

Mr. Savidant presented a background and history of a previous Conditional Rezoning request for the subject property. He explained the request before the Board this evening is a straight rezoning request with no conditions attached to it. Mr. Savidant reviewed the City's Land Use Policies along Rochester Road dating back to 1999 and stated the City's Land Use Policies for the last 20 years have called for medium density residential along Rochester Road and north of Wattles.

Mr. Carlisle reviewed the rezoning request application and compared what could be developed by-right with R-1C zoning versus what could be developed with the proposed RT zoning. He addressed the traffic review and findings of the City Traffic Consultant (OHM) and the Rezoning Standards for consideration by the Planning Commission. Mr. Carlisle recommended that the Planning Commission recommend to City Council to grant the rezoning request.

Erion Nikolla said the rezoning request is to develop multiple family residential at this site which is consistent with the Master Plan. Mr. Nikolla said the proposed development would be very similar to the conceptual plan submitted in the application.

There was discussion on:

- Master Plan classification along Rochester Road.
- Correlation between previously denied Conditional Rezoning request and traditional Rezoning Request before the Board this evening.
- Proposed development as relates to adjacent single family residential and City right-of-way.
- Conceptual plan; non-binding.
- Density and building height permitted in RT zoning district.

**PUBLIC HEARING OPENED**

The following people spoke in opposition expressing concerns with traffic, traffic study results, compatibility with existing neighborhood, property values, density, snow removal, safety of children and pedestrians, access off Sylvanwood and parking.

- Don Tarr, 937 Sylvanwood
- Daniel Levitt, 871 Sylvanwood
- Richard Lisowski, 5697 Wright
- Marcia Bossenberger, 369 Ottawa
- April Orselli, 894 Sylvanwood
- Tara Hulett, 948 Sylvanwood
- Allison Peck, 863 Sylvanwood
- Christine Simancik, 5464 Whitehaven
- Matthew Mikiczenko, 625 Sylvanwood
- David Orselli, 894 Sylvanwood
- Danuta Sitarczyk, 895 Sylvanwood
- Nathaniel Wilkowski, 1396 Byron Lane
- Jeanne Mikiczenko, 625 Sylvanwood
- Chris Sarsfield, 773 Sylvanwood
- Pierre Harik, 692 Sylvanwood
- Dorothy Clendening, 5371 Rochester
- Mike Donahue, 962 Sylvanwood
- Robert Flora, 607 Sylvanwood
- Surab Shrestha, 674 Sylvanwood

#### PUBLIC HEARING CLOSED

Discussion continued:

- Role of Planning Commission; recommending body, legal constraints.
- Rezoning request as relates to Master Plan and Rezoning Standards.
- City Traffic Consultant findings; trip generations.
- Access; off Sylvanwood or Rochester.
- Right-of-way acquisition; site plan requirement to meet ultimate right-of-way.
- Existing traffic and safety concerns; speeding, cut-through, no sidewalks.

Mr. Lambert addressed concerns of compatibility with adjacent single family residential, as relates to Rezoning Standard No. 5.

Chair Faison addressed concerns with public health, safety and welfare of potential traffic impact resulting from access off Sylvanwood, as relates to Rezoning Standard No. 4.

#### **Resolution # PC-2019-10-069**

Moved by: Hutson

Support by: Tagle

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1C to RT rezoning request, as per Section 16.03 of the City of Troy Zoning Ordinance, located on the northwest corner of Rochester and Sylvanwood, within Section 10, being approximately 1.2 acres in size, be **GRANTED** for the following reasons:

1. The proposed rezoning is consistent with the Master Plan.
2. The proposed rezoning does not appear to cause or increase any nonconformity.
3. If rezoned the property will be capable of accommodating service and facility loads caused by use of the development.
4. The rezoning does not appear to impact public health, safety or welfare.
5. The rezoning will ensure compatibility with adjacent uses of land.

Yes: Apahidean, Crusse, Fowler, Hutson, Tagle

No: Faison, Krent, Lambert, Rahman

### **MOTION CARRIED**

Chair Faison called for a recess at 8:48 p.m. The meeting reconvened at 8:55 p.m.

6. PUBLIC HEARING – CLEARVIEW HOMES REZONING REQUEST (Z JPLN2019-0030) – Proposed Clearview Homes Rezoning, Southwest Corner of Rochester and DeEtta (88-20-03-278-027), Section 3, From R-1B (One Family Residential) Zoning District to O (Office) Zoning District

Mr. Carlisle reviewed the rezoning request application and compared what could be developed by-right with R-1B zoning versus the proposed office zoning. He addressed the Land Use Policies and findings of the Rezoning Standards. Mr. Carlisle recommended that the Planning Commission recommend to City Council to grant the rezoning request.

Mike Robbe said Clearview Homes, a single-family residential home builder, is under contract to purchase both parcels for the construction of their new headquarters. Mr. Robbe said a title research revealed no cross-access easement on the property. He indicated they had no building design at this time.

Mr. Savidant noted the conceptual sketch provided with the application confirms an office building can fit on the subject property.

### PUBLIC HEARING OPENED

- Eileen Roys, 990 DeEtta; addressed adjacent existing offices and businesses; expressed concerns with traffic impact, access off DeEtta and safety of children; prefer one-story office building.
- Scott Stoglin, 805 DeEtta; addressed concerns with safety of children at school bus stop, snow removal and trash removal; prefer one-story office building.
- Jeannie Stoglin, 805 DeEtta; addressed concerns with traffic, access off DeEtta.
- Earl Miller, Jr., 3240 Kilmer; real estate broker spoke favorably for rezoning.
- Lawrence Luca, 985 DeEtta; addressed concerns with traffic, safety of children at school bus stop, access off DeEtta; prefer one-story building.

### PUBLIC HEARING CLOSED

There was discussion on:

- Access; off DeEtta or Rochester.
- Potential for cross-access agreement.

**Resolution # PC-2019-10-070**

Moved by: Tagle

Support by: Lambert

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1B to O rezoning request, as per Section 16.03 of the City of Troy Zoning Ordinance, located on the southwest corner of Rochester and De Etta, within Section 3, being approximately 1.2 acres in size, be **GRANTED**, for the following reasons:

1. The proposed rezoning is consistent with the Master Plan.
2. The proposed rezoning does not appear to cause or increase any nonconformity.
3. If rezoned the property will be capable of accommodating service and facility loads caused by use of the development.
4. The rezoning does not appear to impact public health, safety or welfare.
5. The rezoning will ensure compatibility with adjacent uses of land.

Yes: All present (9)

**MOTION CARRIED**

**OTHER BUSINESS**

7. **PUBLIC COMMENT**

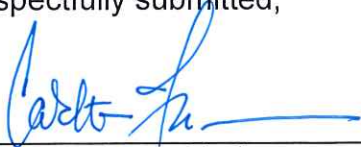
There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 9:34 p.m.

Respectfully submitted,



Carlton Faison, Chair



Kathy L. Czarnecki, Recording Secretary