

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on July 22, 2008 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson  
 Mark Maxwell  
 Philip Sanzica  
 Robert M. Schultz  
 Thomas Strat  
 John J. Tagle  
 Lon M. Ullmann  
 Mark J. Vleck

Absent:

Wayne Wright

Also Present:

R. Brent Savidant, Principal Planner  
 Christopher Forsyth, Assistant City Attorney  
 Kathy Czarnecki, Recording Secretary

**Resolution # PC-2008-07-090**

Moved by: Sanzica  
 Seconded by: Strat

**RESOLVED**, That Member Wright is excused from attendance at this meeting for personal reasons.

Yes: All present (8)  
 Absent: Wright

**MOTION CARRIED**

2. APPROVAL OF AGENDA

**Resolution # PC-2008-07-091**

Moved by: Vleck  
 Seconded by: Maxwell

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

Yes: All present (8)  
 Absent: Wright

**MOTION CARRIED**

### 3. MINUTES

#### **Resolution # PC-2008-07-092**

Moved by: Tagle  
Seconded by: Hutson

**RESOLVED**, To approve the minutes of the July 8, 2008 Regular meeting as presented.

Yes: Hutson, Maxwell, Sanzica, Schultz, Tagle, Ullmann, Vleck  
Abstain: Strat  
Absent: Wright

#### **MOTION CARRIED**

### 4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

### 5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Strat reported on action taken at the June 17, 2008 Board of Zoning Appeals relating to tonight's agenda item #8, Preliminary Site Plan Approval for the proposed parking lot expansion at 1800 W. Big Beaver (SP 345-B). The BZA granted a setback variance with the conditions to provide a screen wall and additional landscaping.

### 6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant said a report on the June 18, 2008 DDA meeting was given previously.

Mr. Savidant reminded members that a joint meeting of the DDA and Planning Commission is scheduled tomorrow, July 22, at 7:30 a.m. By a show of hands, a quorum of Planning Commission members is expected to attend.

### 7. PLANNING AND ZONING REPORT

Mr. Savidant reported on the following:

- Mobile Windshield Repair.
- Draft 2008 Master Plan Distribution.
- P.U.D. #6, Oasis at Centennial Park.

The statuses of several Planned Unit Development projects were discussed.

There was a short discussion on the conditions placed on preliminary site plan approval for Grace Christian Learning Center Addition, located on the north side of Big Beaver Road and east side of John R.

Chair Schultz announced that Oakland County received its copy of the City's Draft 2008 Master Plan on July 14.

### **POSTPONED ITEM**

8. **PRELIMINARY SITE PLAN REVIEW (SP 345-B)** – Proposed Parking Lot Expansion, Existing Office Building, Northeast Corner of Big Beaver and McClure, (1800 W. Big Beaver), Section 20, Zoned O-1 (Low Rise Office) and P-1 (Vehicular Parking) Districts

Mr. Savidant presented a review of the proposed preliminary site plan. He reported the petitioner received a setback variance from the Board of Zoning Appeals that would allow parking closer to McClure. Mr. Savidant addressed the calculations used to determine the parking requirement. The total number of required spaces based on the calculated usable floor area is 103 spaces. The applicant proposes a total of 98 spaces and requests a reduction of five spaces. Mr. Savidant said the petitioner provided a statement of explanation relating to the parking calculations and parking requirement, as well as letters from three tenants addressing their parking demands. Mr. Savidant addressed the parking variance granted by City Council in 2004. The Building Department determined that the variance is expired because of a change in site conditions. Mr. Savidant said the petitioner has provided correspondence from the property owner on McClure, just north of the subject property, confirming that he and the petitioner are negotiating the potential sale of the eastern portion of his lot that would be used for additional parking.

Mr. Savidant reported it is the recommendation of City Management to approve the site plan as submitted with two conditions: (1) The applicant shall come back to the Planning Commission for preliminary site plan approval when a new tenant proposes to occupy the building and potentially increase parking demand; and (2) If it is determined that there is a shortage of parking spaces on the property, the applicant shall alleviate the problem in an appropriate manner.

Mr. Hutson asked if there is any use more intensive in this zoning district than medical.

Mr. Savidant replied that medical is the most intensive use.

David Hunter of Professional Engineering Associates (PEA), 24300 Rochester Court, Troy, was present to represent the petitioner. Mr. Hunter had floor plans and additional email correspondence relating to a shared parking agreement available for members to review. He indicated that the petitioner is diligently working toward acquiring additional space for parking.

Mr. Vleck apologized that the petitioner had to return to tonight's meeting for consideration of the item, and thanked him for the additional information. The item was postponed so that the Planning Commission could make a fair, informed decision. He said he is satisfied with the site plan as presented this evening.

Chair Schultz opened the floor for public comment.

Dr. Daniel Schnaar of Child Health Associates, 36700 Woodward Avenue, Bloomfield Hills, was present. Dr. Schnaar addressed traffic flow as relates to patient care. He said they are anxious to bring their business to Troy.

Chair Schultz closed the floor for public comment.

Mr. Hutson said he is satisfied with the proposed parking spaces as presented this evening. He addressed condition #2 of the proposed Resolution as relates to the potential of a second medical use tenant in the building. Mr. Hutson encouraged the petitioner to continue his discussions on the acquisition of property for future parking.

Mr. Vleck said the proposed Resolution as written is straightforward and covers any future changes in the tenant mix in the building.

Chair Schultz suggested to incorporate the words "for the current building tenant mix" in the Resolution.

Mr. Strat indicated his support of the site plan. He said parking requirements and related concerns as discussed in this site plan application should be addressed when the Zoning Ordinance is updated.

Chair Schultz agreed.

**Resolution # PC-2008-07-093**

Moved by: Vleck

Seconded by: Maxwell

**WHEREAS**, The Planning Commission hereby approves a reduction in the total number of required parking spaces for the office building to 98, when a total of 103 spaces are required for the current proposed building tenant mix on the site based on the off-street parking space requirements for general office and medical office uses, as per Article XL. This 5-space reduction meets the standards of Article 40.20.12.

**THEREFORE BE IT RESOLVED**, That Preliminary Site Plan Approval, as requested for the proposed parking lot expansion, located on the northeast corner of Big Beaver and McClure, in Section 20, within the O-1 zoning district, is hereby granted, subject to the following conditions:

1. The applicant shall come back to the Planning Commission for preliminary site plan approval when a new tenant is proposed to occupy the building and potentially increase parking demand.
2. If it is determined that there is a shortage of parking spaces on the property, the applicant shall alleviate the problem in an appropriate manner.

Yes: All present (8)  
Absent: Wright

### **MOTION CARRIED**

Chair Schultz briefly explained the Commission's charge to insure appropriate parking needs for the safety and welfare of those entering and exiting a building.

### **STUDY ITEM**

9. 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. Savidant briefly reviewed the report relating to the definition of commercial vehicles, and asked members for a consensus of a specific definition, or a direction to that respect.

Mr. Strat asked if the Planning Department or administration had a recommendation on the definition of commercial vehicles.

Mr. Savidant reviewed the charge by City Council to the Planning Commission as relates to the proposed zoning ordinance text amendment.

Mr. Vleck shared his findings from discussions he had with residents in his neighborhood. His stance on a definition of commercial vehicles is to have three classes of vehicles, as follows:

- Vehicles 10,000 pounds or less – No regulations.
- Vehicles between 10,000 pounds and 24,999 pounds that do not require a commercial driver's license but require a chauffeur's driver's license – Regulated vehicles must be stored indoors or screened from neighbors.
- Commercial vehicles (i.e., semi trucks, garbage trucks) that require a commercial driver's license – Regulated vehicles must be stored off-site and are not permissible in residential neighborhoods.

A brief discussion followed.

Consensus was reached (by a straw vote) to go forward with the definition as written in the Planning Department memorandum to the Planning Commission, dated July 16, 2008, and reads as follows:

COMMERCIAL VEHICLE:

- (1) Any vehicle defined herein as a commercial trailer, cube truck, cut-away truck, dump truck, flatbed truck, panel truck, semi-tractor, stake truck, step van, or wrecker, or any vehicle requiring a Michigan Commercial Driver License to operate;  
  
or,
- (2) Any vehicle which meets at least two (2) of the following thresholds:
  - A. The vehicle has a Gross Vehicle Weight Rating (GVWR) of ten thousand (10,000) pounds or more.
  - B. The vehicle has an overall height of seven (7) feet or more, measured from grade.
  - C. The vehicle has an overall length of twenty (20) feet or more, measured from bumper to bumper.
  - D. The vehicle displays or is required by law to display a company name, company logo, company telephone number or company website.
  - E. The vehicle has outside brackets or holders for ladders, tools, pipes, racks or other equipment used for commercial purposes.

Chair Schultz suggested that (2)(D) be expanded to include vehicles registered with the Department of Transportation (DOT).

Mr. Ullmann noted that a pickup truck might be required to register with the DOT.

Mr. Hutson suggested that an identifying factor of a commercial vehicle might be one that has commercial plates.

OTHER ITEMS

10. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

11. PLANNING COMMISSION COMMENT

Mr. Forsythe announced that the City Attorney is preparing reference booklets for all Boards, Commissions and Committees. He asked members if there are specific reference materials they would like to see in the booklets.

The following suggestions were given:

- Code Chapters; i.e., Chapter 80.
- Parliamentary procedure.
- Common Roberts Rules of Order.
- Role in approval process of developments that are not in the best interest of the City but meet all Zoning Ordinance requirements.
- Ex parte communications.
- Excellent resource – Zucker Report.

Chair Schultz encouraged members to give more thought to the reference material and come back with suggestions at the next meeting.

Items briefly discussed by members:

- Zucker Report.
- Relationship between the BZA and Planning Commission.
- Sign ordinance under the Planning Department charge.
- Zoning Ordinance overhaul.

Mr. Vleck addressed the following:

- AT&T illuminated sign at Caswell Town Center PUD. He was directed to ask the complainant to contact Paul Evans of the Building Department.
- Newspaper article on the Draft 2008 Master Plan in relation to White Chapel Cemetery. He said the article offended him.

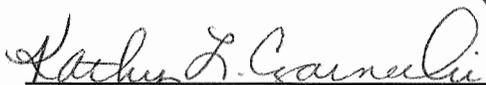
Chair Schultz agreed with Mr. Vleck's comments on the newspaper article. He said the article was extremely slanted and a misrepresentation on behalf of the newspaper.

## ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 8:45 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Robert M. Schultz, Chair

  
\_\_\_\_\_  
Kathy L. Czarnecki, Recording Secretary