Chair Tagle called the Special/Study meeting of the Troy City Planning Commission to order at 7:15 p.m. on July 23, 2013 in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:
Donald Edmunds
Edward Kempen
Tom Krent
Philip Sanzica
Robert Schultz
Thomas Strat
John J. Tagle

Absent:
Michael W. Hutson
Gordon Schepke

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

2. APPROVAL OF AGENDA

Resolution # PC-2013-07-058
Moved by: Schultz
Seconded by: Krent

RESOLVED, To approve the Agenda as prepared.

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

MOTION CARRIED

3. APPROVAL OF MINUTES

Mr. Edmunds asked that the July 9, 2013 Regular meeting minutes reflect the following revision:

> Page 4, Agenda item #7, Adria Estates Site Condominium, revise the first sentence to read: "Mr. Edmunds said he lives within close proximity of the proposed development and announced he was recusing himself from discussion and action on the item."

Resolution # PC-2013-07-059
Moved by: Edmunds
Seconded by: Strat

RESOLVED, To approve the minutes of the July 9, 2013 Regular meeting as revised.

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

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Krent reported on the July 16, 2013 Zoning Board of Appeals (ZBA) meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant reported the July 17, 2013 regularly scheduled Downtown Development Authority (DDA) meeting was postponed to July 24, 2013.

7. PLANNING AND ZONING REPORT

Mr. Savidant gave an overview of current development activity.

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

8. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 409) – Proposed Faith Lutheran Church, West side of Dequindre, North of Big Beaver (37635 Dequindre), Section 24, Currently Zoned R-1D (One Family Residential) District

Mr. Carlisle reviewed the application seeking approval to add a youth center building, indoor recreation building and sports fields. He addressed the proposed screening to mitigate the potential impact on adjacent residential. Mr. Carlisle said a late submittal of a tree inventory lists only types of existing trees; not size or quality. He said the history of previous proposals by the church reveals concerns from adjacent neighbors for the loss of wooded areas within and to the periphery of the site. Mr. Carlisle said consideration should be given whether the preservation of the tree “collar” around the perimeter, or the installation of a wall and new trees, would better mitigate potential impact on adjacent neighbors.

Mr. Carlisle asked the applicant to address the issues cited in his report dated July 11, 2013 prior to the Planning Commission granting Preliminary Site Plan and Special Use approval.

Mr. Savidant said the department received four written correspondences in general opposition of the proposed application. He noted also that the petitioner submitted correspondence relating to the species of trees on site.

There was brief discussion on:

- Environmental protection of area.
- Wall and landscape screening as relates to Zoning Ordinance requirements.

The petitioner, Joseph Casiglia, and Nathan Robinson, the project engineer, were present.

Mr. Casiglia said they propose to continue the existing style of boundary for continuity around the entire perimeter of the property. Mr. Casiglia said there are a number of residential fences along the northern border but not one continuous fence. He said the physical wall would provide protection for the users of the sports fields and adjacent residents.

PUBLIC HEARING OPENED

Richard Beltz, 2422 Kingsbury, present to represent son David Beltz of 3373 Auburn and Mike Bobay of 3370 Auburn. He expressed concerns with the proposed masonry wall being so close to the side yard configurations of the homes on Auburn. Mr. Beltz circulated photographs and an alternative plan for the placement of the wall and landscaped screening.

Kevin Geyer, 2816 Majestic Court, voiced opposition to the masonry wall; he wants to preserve the existing trees and vegetation.

Carol Kiger, 37761 Dequindre, said the site plan does not show the wall and landscaping extending to her property, and asked if it should be. She addressed concerns with noise.

Charles Snell, 2987 Winter, asked the Board to grant approval of the plan as submitted this evening. Mr. Snell said he wanted trees preserved and a landscape buffer for the subdivision that went in behind his property, but the parcel was clear cut for construction.

Mike Bobay, 3370 Auburn, said the wall would have an adverse impact on his property value and recommended an alternate plan as suggested by Mr. Beltz.

Christina Beltz, 3373 Auburn, said she would like the trees to remain because they help buffer sound from various church activities.

PUBLIC HEARING CLOSED

Mr. Carlisle confirmed the petitioner is required to provide and the site plan must reflect the extension of the screening treatment to Dequindre. Mr. Carlisle addressed the differences of screening requirements for a site condominium development and a special use request.

Mr. Robinson said the intent is to clear cut the property and place a masonry wall on the church side of the property line. He addressed the existing tree types with respect to screening and stormwater management. He also addressed the church's desire for the wall as relates to safety and liability, particularly after the hours the sports fields would be used. Mr. Robinson said sports equipment would be mobile and stored in the recreation building when not in use. He said there would be no bleachers.

There was discussion on:

- Type of screening treatment; wall, landscape, combination of both.
- Effectiveness of wall, landscaping as sound barrier.
- Location, placement of wall; i.e., offset from property line; color of wall.
- Maintenance of area around wall if offset from property line.
- Protection of existing trees during construction.
- Aesthetics of area.

Chair Tagle advised the petitioner that a minimum of five affirmative votes are required for approval and with the absence of two Board members, a postponement could be requested until a full board is present.

Mr. Casiglia said he would like to proceed.

After a brief discussion, it was the consensus of the Board to postpone the item so the petitioner could come back with a revised site plan to address the items as discussed. They specifically asked the petitioner to provide additional landscaping for screening, provide a sample (cut sheet) of the masonry wall, submit a full tree survey and revise the site plan to show the full length of the masonry wall to the Dequindre.

Resolution # PC-2013-07-060

Moved by: Schultz
Seconded by: Krent

RESOLVED, To postpone the item to the September 24, 2013 Special/Study meeting.

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

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

9. PUBLIC HEARING - ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 245) – Sober Living Facilities

Mr. Savidant gave an account of the proposed Zoning Ordinance Text Amendment. At the recommendation of the City Attorney, Mr. Savidant suggested to replace the word "constitute" with "encompass" in the definition section. Section 2.02 DEFINITIONS to read: This definition does not *encompass* halfway houses for those released from prison or a homeless situation.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Mr. Schultz stated he cannot support a recommendation to City Council to amend the City's Zoning Ordinance to accommodate a classification of care facility which is not recognized, regulated nor licensed by the State of Michigan.

Resolution # PC-2013-07-061
Moved by: Kempen
Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles 2, 4, 6, and 13 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous provisions related to sober living facilities, be amended as printed on the proposed Zoning Ordinance Text Amendment *with the revision that the word "constitute" in the final sentence of Section 2.02 DEFINITIONS be replaced with the word "encompass".*

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

MOTION CARRIED

Chair Tagle called for a break at 8:28 p.m. The meeting reconvened at 8:35 p.m.

CONDITIONAL REZONING REQUEST

10. PUBLIC HEARING – CONDITIONAL REZONING APPLICATION (File Number CR 009) – Proposed Troy Marriott Hotels, West side of Stephenson Highway, North of 14 Mile (333 Stephenson Highway), Section 35, From O (Office) District to OM (Office Mixed Use) District

Mr. Carlisle reviewed the proposed conditional rezoning application as relates to the conditions offered by the applicant and the conceptual site plan submittal. Mr. Carlisle stated that should the conditional rezoning be granted by City Council, the applicant is required to apply for Preliminary Site Plan and Special Use approval. Mr. Carlisle said the proposed conditional rezoning supports the Master Plan and surrounding areas, provided impacts upon adjacent properties are mitigated.

Andy Wakeland of Giffels Webster and Jeffrey Ryntz of Victor Saroki and Associates were present to represent the petitioner. Akram Namou of A&M Hospitality was also present.

Mr. Wakeland addressed their efforts to mitigate the potential impact to adjacent residential as relates to the proposed setbacks and screening. Mr. Wakeland provided a sight line profile from the proposed four-story hotel to adjacent residential.

Mr. Ryntz addressed the proposed building design and newer Fairfield Inn elevation. Mr. Ryntz also addressed the percentage of hotel windows facing adjacent residential, discussion with Marriott regarding frosted windows, the uses by right for the parcel as currently zoned, the transient and long term occupancy of each hotel, and the non-viability of the hotels if developed as three-story buildings.

Mr. Namou addressed the upscale design improvements and lighting standards of Marriott Hotels. He said the two hotels will complement each other.

PUBLIC HEARING OPENED

The following residents spoke in opposition addressing concerns with privacy, nuisance, screening, lighting, property values, current hotel occupancy rates and existing vacant buildings.

- Nick Penchof, 302 Redwood.
- James Stone, 314 Redwood.
- Sally Wilsher, 350 Redwood, circulated pictures of light exposure in home from existing hotel.
- Cindy Wilsher, 369 E Maple.
- Kay Vavruska, 278 Redwood.

- Mike Davey, 325 Redwood.
- Mary Jane Austin, 242 Redwood, circulated pictures of existing fencing with vegetative growth.

PUBLIC HEARING CLOSED

Mr. Namou said the proposed location is approved by Marriott and briefly addressed the criteria used in site selection. Mr. Namou said an open meeting was held in good faith for residents within a 300 foot radius to address concerns and answer questions. He said one resident attended. Mr. Namou said they want to be good neighbors and work with the neighbors to mitigate concerns going forward.

There was discussion on the process of a conditional rezoning application.

The Board asked if the petitioner would provide additional screening details, precise setbacks, sight-line information and consideration to various building configurations to mitigate the concerns expressed by adjacent residential.

The City Attorney suggested that should a recommendation to approve the application go forward to City Council, the Resolution should stipulate that approval is subject to 1) Site Plan and Special Use approval; 2) subject to the Development Agreement; and 3) list conditions voluntarily offered by the application.

The petitioner asked to postpone the item to the August 27, 2013 Special/Study meeting, at which time additional detail and information would be provided per discussion tonight.

OTHER BUSINESS

11. PUBLIC COMMENT – Items on Current Agenda

James Stone, 314 Redwood, addressed building vacancies and vacant parcels.

12. PLANNING COMMISSION COMMENT

There were general Planning Commission comments.

The Special/Study meeting of the Planning Commission adjourned at 9:53 p.m.

Respectfully submitted,

John J. Tagle, Chair

Kathy L. Czarnecki, Recording Secretary

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