

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on November 11, 2008, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

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

Absent:

Mark Maxwell
Mark J. Vleck
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Christopher Forsyth, Assistant City Attorney
Zak Branigan, Carlisle/Wortman Associates
Bradley Raine, Student Representative
Kathy Czarnecki, Recording Secretary

Chair Schultz announced the petitioner for Agenda items #7 and #8 requested to postpone both items to the next regularly scheduled meeting. Chair Schultz pointed out that five (5) affirmative votes would be required for any approval or recommendation to City Council.

Resolution # PC-2008-11-127

Moved by: Sanzica
Seconded by: Hutson

RESOLVED, To remove Agenda items #7 and #8.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED

Chair Schultz said residents would receive notification by mail when the items are scheduled on a future agenda.

2. APPROVAL OF AGENDA

Resolution # PC-2008-11-128

Moved by: Tagle
Seconded by: Strat

RESOLVED, To approve the Agenda as revised.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED

3. MINUTES – October 28, 2008 Special/Study Meeting

Mr. Forsyth indicated he was not in attendance and asked that the minutes reflect that Lori Grigg Bluhm was present.

Resolution # PC-2008-11-129

Moved by: Tagle
Seconded by: Hutson

RESOLVED, To approve the minutes of the October 28, 2008 Special/Study Meeting as amended.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

REZONING REQUESTS

5. PUBLIC HEARING – REZONING APPLICATION (Z 732) – Proposed Office Building, South side of Wattles Road, East of Rochester Road (1100 and 1120 Wattles Road), Section 23, From R-1C (One Family Residential) to O-1 (Low Rise Office) District

Mr. Miller presented a summary of the Planning Department report on the proposed rezoning request. He addressed the newly adopted Master Plan as relates to neighborhood nodes, and briefly explained the charge of the Planning Commission in its interpretation of the neighborhood node in relation to the proposed rezoning request. Mr. Miller apologized that the sketches of a potential office development, provided by the applicant, were not included in the meeting packet, but indicated they were distributed to members prior to the beginning of tonight's meeting.

It is the recommendation of City Management that if the Planning Commission determines that the subject parcel lies within the neighborhood node, the applicant consider submitting a conditional rezoning application that could potentially serve as an appropriate transition between residential and non-residential uses.

Mr. Forsyth emphasized the sketch of the potential office development would not play a part in deliberation of the rezoning request.

The petitioner, Salvatore DiMercurio of Brentwood Land Development, 48705 Hayes Road, Shelby Township, was present. Stefano Mularoni was also present. Mr. DiMercurio briefly addressed the proposed site, of which a conceptual drawing was displayed. He indicated his willingness to commit to a conditional rezoning.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

A brief discussion followed relating to the interpretation of the neighborhood node, the proximity of the proposed rezoning to residential, and the application process for conditional rezoning.

Mr. Miller suggested postponement of the traditional rezoning request if it is the intent of the Planning Commission to offer the petitioner the opportunity to go forward with a conditional rezoning application.

Resolution # PC-2008-11-130

Moved by: Strat
Seconded by: Sanzica

RESOLVED, To postpone the rezoning request to deal with a conditional rezoning.

Discussion on the motion on the floor.

Chair Schultz addressed concerns with a conditional rezoning.

Vote on the motion on the floor.

Yes: Sanzica, Strat, Tagle
No: Hutson, Schultz, Ullmann
Absent: Maxwell, Vleck, Wright

MOTION FAILED

Resolution # PC-2008-11-131

Moved by: Hutson
Seconded by: Ullmann

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1C to O-1 rezoning request, located on the south side of Wattles, east of

Rochester Road, within Section 23, being approximately 2.39 acres in size, be denied, for the following reason:

1. The request is incompatible with existing zoning and in conflict with the Master Plan's conceptual idea of an economic node at this location.

Yes: Hutson, Schultz Ullmann
No: Sanzica, Strat, Tagle
Absent: Maxwell, Vleck, Wright

MOTION FAILED

Mr. Forsyth clarified that a recommendation to deny the proposed rezoning request would go forward to City Council.

6. PUBLIC HEARING – REZONING APPLICATION (Z 733) – Proposed Maple Business Center, North side of Maple Road, East of Castleton (2795 E. Maple Road), Section 25, From R-1E (One Family Residential) to B-1 (Local Business) District

Mr. Miller presented a summary of the Planning Department report on the proposed rezoning request. He addressed the newly adopted Master Plan as relates to neighborhood nodes and the proposed rezoning. It is the recommendation of City Management to deny the rezoning request for reasons as specified in the Planning Department report. Mr. Miller said City Management would support a conditional rezoning application if the applicant were to acquire the parcel to the west and combine it with the subject parcel.

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

Arthur Kalajian, petitioner and project architect, 1871 Austin Drive, Troy, was present. Visual boards of the potential development were displayed.

Terrey Barash, property owner, 2795 E. Maple Road, Troy, was present. Mr. Barash expressed his desire to expand his valet parking business and make site improvements.

Mr. Kalajian addressed the potential development as relates to the transition to residential, proposed site improvements and the property across the street. He indicated the adjacent property owner is not interested in selling his property.

Brother of Terrey Barash [did not sign in] addressed the conditions of the site and encouraged going forward with the site improvements.

PUBLIC HEARING OPENED

Robert Henkle of 1642 Castleton, Troy, was present. He spoke in opposition of the proposed rezoning request.

Randolph Grieser of 2775 E. Maple, Troy, was present. He spoke in opposition of the proposed rezoning request as submitted.

PUBLIC HEARING CLOSED

There was a brief discussion in which several members expressed opposition to the proposed rezoning because of its proximity to residential.

Resolution # PC-2008-11-132

Moved by: Hutson
Seconded by: Ullmann

RESOLVED, That the Planning Commission hereby recommends to the City Council that the R-1E to B-1 rezoning request, located on the north side of Maple Road, east of Castleton, within Section 25, being approximately 0.84 acres in size, be denied, for the following reasons:

1. The rezoning is incompatible with single family uses and zoning districts to the north.
2. Developing this parcel in a way that is consistent with the standards of Neighborhood Node B in the City of Troy Master Plan would be difficult due to its small size and narrow width.
3. Rezoning this small, narrow parcel promotes poor access management.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED**SITE CONDOMINIUM SITE PLAN**

9. SITE CONDOMINIUM SITE PLAN REVIEW – Adams Road Site Condominium (Renewal), 5 units/lots proposed, East side of Adams, South of South Blvd., Section 6, Zoned R-1A (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report on the proposed site condominium development, and reported it is the recommendation of City Management to approve the site condominium application as submitted.

There was a brief discussion as relates to revisions to the site plan, wetland delineations and MDEQ (Michigan Department of Environmental Quality) approval.

The petitioner, David Donnellon of Choice Group, 755 W. Big Beaver Road, Troy, was present. Mr. Donnellon addressed the proposed storm water management.

Chair Schultz opened the floor for public comment.

John Quasarano of 2862 Lake Charnwood, Troy, was present. He requested to view the site plan, of which a complete set was provided to him.

Chair Schultz closed the floor for public comment.

Resolution # PC-2008-11-133

Moved by: Sanzica
Seconded by: Strat

RESOLVED, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.70.00 One-Family Cluster Option), as requested for Adams Road Site Condominium, including 5 units, located on the east side of Adams, south of South Boulevard, Section 6, within the R-1A zoning district, be granted.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED

SITE PLAN REVIEW

10. **SITE PLAN REVIEW (SP 883-C)** – Proposed Addition and Parking Lot Expansion and Consent Judgment Amendment, Heartland Health Care Skilled Nursing Facility (925 South Blvd.), South side of South Blvd., East of Livernois, Section 3, Zoned R-1B (One Family Residential) and O-1 (Low Rise Office) Districts (controlled by Consent Judgment)

Mr. Savidant presented a summary of the Planning Department report on the proposed site plan, and reported it is the recommendation of City Management to approve the site plan as submitted. Mr. Savidant addressed the placement of speed humps along the south parking thoroughfare lanes of the Heartland Health property as a deterrent to cut-through traffic.

Peter DeLoof, attorney, 301 N. Main Street, Ann Arbor, was present to represent the petitioner. Also present were Brion Harrigan of HCR ManorCare and George Ostrowski of Nowak & Fraus. A colored rendering was displayed. Mr. DeLoof addressed conversations with the neighboring property owners and homeowners association. He indicated groundbreaking is projected for early spring.

Chair Schultz opened the floor for public comment.

Jill Duggan of 4702 Rivers Edge, Troy, was present. Ms. Duggan spoke unfavorably of the existing parking situation.

David Merrill of 6908 Livernois, Troy, was present. Mr. Merrill expressed his concern with cut-through traffic, and spoke favorably of the petitioner working with this concern.

Chair Schultz closed the floor for public comment.

Resolution # PC-2008-11-134

Moved by: Tagle
Seconded by: Strat

RESOLVED, That the Planning Commission recommends to City Council that Preliminary Site Plan Approval, pursuant to a proposed Amendment to Consent Judgment, for a revised site plan, located at the southeast corner of South Boulevard and Livernois Road, being 5.48 acres in size, within Section 3, within the R-1B and O-1 zoning districts, be approved.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED

SITE PLAN RENEWAL

11. **SITE PLAN RENEWAL (SP 944)** – Existing Office/Research Building, Proposed Parking Lot Expansion, East side of Stephenson Hwy (466 Stephenson Hwy), North of Fourteen Mile Road, Section 35 – R-C (Research Center) and O-M (Office Mid-Rise) Districts

Mr. Savidant presented a summary of the Planning Department report on the proposed site plan renewal, and reported it is the recommendation of City Management to approve the site plan as submitted.

Rob Krochmal, 7115 Orchard Lake Road, West Bloomfield, was present to represent the petitioner.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

Chair Schultz closed the floor for public comment.

Resolution # PC-2008-11-135

Moved by: Sanzica
 Seconded by: Tagle

RESOLVED, That the proposed Parking Lot Expansion at 466 Stephenson Highway, located on the east side of Stephenson Highway, north of 14 Mile Road, located in Section 35, on approximately 3.38 acres in area, within the R-C and O-M zoning districts, be granted.

Yes: All present (6)
 Absent: Maxwell, Vleck, Wright

MOTION CARRIED**PLANNED UNIT DEVELOPMENT**

12. **PLANNED UNIT DEVELOPMENT (PUD 10)** – Proposed Big Beaver and Kilmer Planned Unit Development, Northeast Corner of Big Beaver and Kilmer, Section 22, Currently Zoned O-1 (Low Rise Office) and R-1E (One Family Residential) Districts

Zak Branigan of Carlisle Wortman Associates reported on the recent revisions of the proposed PUD development. It is their recommendation that the Planning Commission recommends to the City Council that the proposed PUD Concept Development Plan be approved, conditioned on the applicant agreeing to include provisions in the development agreement to prohibit public traffic to the flex spaces within the residential units and the optional spaces attached to units 11 and 12, a limitation on deliveries, or other measures meant to preempt potential parking and circulation concerns.

The petitioner, Ryan Marsh of Landus Development, 32121 Woodward Avenue, Royal Oak, was present. Mr. Marsh addressed the neighborhood support, executed lease and viability of the project. He asked the Commission's support and recommendation of the proposed Concept Development Plan.

There was brief discussion relating to deceleration lane, traffic management, storm water management and landscaping.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

Chair Schultz closed the floor for public comment.

Resolution # PC-2008-11-136

Moved by: Tagle
 Seconded by: Strat

WHEREAS, The Planning Commission reviewed a Concept Development Plan for a Planned Unit Development, pursuant to Article 35.50.01, as requested by Landus Development for the BBK Mixed-Use Development Planned Unit Development (PUD 10), located on the northeast corner of Big Beaver and Kilmer, located in Section 22, within the O-1 and R-1E zoning districts, being approximately 2.546 acres in size; and

WHEREAS, The City's Planning Consultant Richard Carlisle of Carlisle/Wortman Associates, Inc. prepared a memorandum dated November 6, 2008 that recommends Concept Development Plan approval of BBK Mixed-Use Development Planned Unit Development; and

WHEREAS, The proposed PUD meets the Standards for Approval set forth in Article 35.30.00; and

BE IT FINALLY RESOLVED, That the Planning Commission recommends to City Council that Concept Development Plan Approval for BBK Mixed-Use Development Planned Unit Development be granted.

Yes: All present (6)
 Absent: Maxwell, Vleck, Wright

MOTION CARRIED**OTHER ITEMS**13. **APPROVAL OF 2009 PLANNING COMMISSION MEETING SCHEDULE**

Mr. Miller briefly presented the proposed 2009 Planning Commission meeting schedule.

A brief discussion followed.

Resolution # PC-2008-11-137

Moved by: Strat
 Seconded by: Tagle

RESOLVED, That the Troy City Planning Commission hereby establishes the following schedule for their meetings during the calendar year 2009:

1. Regular Meetings will be held on the second Tuesday of each month, with the exception of September 8th.

2. Special/Study Meetings will be held on the first and fourth Tuesday of each month, as necessary, with the exception of May 5th, May 26th, July 7th, November 3rd, November 24th and December 22nd.
3. If additional Special/Study Meetings become necessary, alternate Special/Study Meeting dates may be set at the discretion of the Commission.

Yes: All present (6)
Absent: Maxwell, Vleck, Wright

MOTION CARRIED

14. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

15. PLANNING COMMISSION COMMENTS

Items briefly discussed were:

- Master Plan neighborhood nodes.
- Conditional rezonings.
- Development design guidelines.
- Zoning Ordinance restructure.
- Joint meetings with City of Birmingham.
- Planning articles of interest.

The Regular Meeting of the Planning Commission adjourned at 9:54 p.m.

Respectfully submitted,



Robert M. Schultz, Chair



Kathy L. Czarnecki, Recording Secretary