The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on March 10, 2009, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:
Donald Edmunds
Michael W. Hutson
Mark Maxwell
Philip Sanzica
Robert Schultz
Thomas Strat
John J. Tagle
Lon M. Ullmann

Absent:
Mark J. Vleck

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

2. APPROVAL OF AGENDA

Resolution # PC-2009-03-025
Moved by: Sanzica
Seconded by: Edmunds

RESOLVED, To approve the Agenda as submitted.

Yes: All present (8)
Absent: Vleck

MOTION CARRIED

3. MINUTES

Resolution # PC-2009-03-026
Moved by: Maxwell
Seconded by: Hutson

RESOLVED, To approve the minutes of the March 3, 2009 Special/Study Meeting as submitted.

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

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

PLANNED UNIT DEVELOPMENT

5. PUBLIC HEARING – PLANNED UNIT DEVELOPMENT (PUD 10) – Proposed Big Beaver and Kilmer Planned Unit Development Preliminary Development Plan Approval, Northeast Corner of Big Beaver and Kilmer, Section 22

Mr. Savidant gave a brief introduction.

Zak Branigan of Carlisle/Wortman Associates, Inc. briefly identified some issues addressed in the report prepared by Carlisle/Wortman. He addressed an administrative error in the PUD Development Agreement relating to the gross square footage of the three retail buildings. It is the recommendation of the Planning Consultant to recommend to City Council approval of the Preliminary Development Plan, with conditions that address the identified issues.

General discussion followed on:

- On-street parking.
- PUD Development Agreement.
- Executed easement for the three (3) residential parcels to the north.

The petitioner, Ryan Marsh of Landus Development, 32121 Woodward Avenue, Royal Oak, was present. Mr. Marsh addressed the on-street parking spaces and related discussion that took place at the City Council meeting. He also addressed the cross access agreement and the easement for the three residential properties to the north for landscaping and maintenance purposes. Mr. Marsh said they have met with all the neighbors, inclusive of the three residential properties to the north.

David Hunter, Project Landscape/Civil Engineer, Professional Engineering Associates (PEA), 2430 Rochester Road, Troy, addressed rain gardens and sprinkling.

Andrew Donaher, Project Architect, Niagara Murano LLC, 470 N. Old Woodward, Birmingham, addressed roof gardens.

PUBLIC HEARING OPENED

Jerome Ivan of 3101 Kilmer, Troy, was present. Mr. Ivan addressed concerns with the proposed on-street parking in relation to the turning radius for vehicles pulling from the residential driveways opposite the on-street parking.

PUBLIC HEARING CLOSED

Discussion about the proposed on-street parking continued.

Mr. Forsyth called for a Point of Order and asked Mr. Ullmann to read the complete Resolution, which follows.

Resolution # PC-2009-03----
Moved by: Ullmann
Seconded by: Sanzica

WHEREAS, The Planning Commission reviewed a Preliminary Development Plan for a Planned Unit Development, pursuant to Article 35.50.02, 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, City Council granted Concept Development Plan Approval for BBK Mixed-Use Development Planned Unit Development on December 15, 2008; and

WHEREAS, The City's Planning Consultant Richard Carlisle of Carlisle/Wortman Associates, Inc. prepared a memorandum dated March 5, 2009 that recommends Preliminary Development Plan Approval of BBK Mixed-Use Development Planned Unit Development, with some conditions; and

WHEREAS, The proposed PUD meets the Standards for Approval set forth in Article 35.50.02.C; and

BE IT FINALLY RESOLVED, That the Planning Commission recommends to City Council that Preliminary Development Plan Approval for BBK Mixed-Use Development Planned Unit Development be granted, subject to the applicant completing the following prior to the application going before City Council for consideration:

1. Replace the six on-street parking spaces on Kilmer Drive.
2. Provide tree preservation information.
3. Verify landscape area calculations.
4. Submit executed easement.
5. Prepare a proposed amendment to the PUD Development Agreement correcting the error related to the description of the gross square footage of Buildings B and C.
6. Address residents' concerns about their driveways being used for turnarounds.

Discussion on the motion on the floor.

It was determined to revise Condition #4 to specify that the easement is for the three residential properties to the north. Both the maker and supporter of the motion were in favor of the revision.

Discussion continued on the proposed on-street parking spaces.

Members Hutson, Strat and Schultz expressed opposition to the Resolution as proposed.

(Resolution as amended on the floor.)

Resolution # PC-2009-03-027
Moved by: Ullmann
Seconded by: Sanzica

WHEREAS, The Planning Commission reviewed a Preliminary Development Plan for a Planned Unit Development, pursuant to Article 35.50.02, 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, City Council granted Concept Development Plan Approval for BBK Mixed-Use Development Planned Unit Development on December 15, 2008; and

WHEREAS, The City's Planning Consultant Richard Carlisle of Carlisle/Wortman Associates, Inc. prepared a memorandum dated March 5, 2009 that recommends Preliminary Development Plan Approval of BBK Mixed-Use Development Planned Unit Development, with some conditions; and

WHEREAS, The proposed PUD meets the Standards for Approval set forth in Article 35.50.02.C; and

BE IT FINALLY RESOLVED, That the Planning Commission recommends to City Council that Preliminary Development Plan Approval for BBK Mixed-Use Development Planned Unit Development be granted, subject to the applicant completing the following prior to the application going before City Council for consideration:

1. Replace the six on-street parking spaces on Kilmer Drive.
2. Provide tree preservation information.
3. Verify landscape area calculations.
4. Submit executed easements for the three (3) residential properties to the north.
5. Prepare a proposed amendment to the PUD Development Agreement correcting the error related to the description of the gross square footage of Buildings B and C.
6. Address residents' concerns about their driveways being used for turnarounds.

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

MOTION FAILED

There was general discussion about driveways being used as turnarounds. Mr. Branigan stated that every driveway in the City has the potential to be used for a turnaround.

Resolution # PC-2009-03-028
Moved by: Hutson
Seconded by: Strat

WHEREAS, The Planning Commission reviewed a Preliminary Development Plan for a Planned Unit Development, pursuant to Article 35.50.02, 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, City Council granted Concept Development Plan Approval for BBK Mixed-Use Development Planned Unit Development on December 15, 2008; and

WHEREAS, The City's Planning Consultant Richard Carlisle of Carlisle/Wortman Associates, Inc. prepared a memorandum dated March 5, 2009 that recommends Preliminary Development Plan Approval of BBK Mixed-Use Development Planned Unit Development, with some conditions; and

WHEREAS, The proposed PUD meets the Standards for Approval set forth in Article 35.50.02.C; and

BE IT FINALLY RESOLVED, That the Planning Commission recommends to City Council that Preliminary Development Plan Approval for BBK Mixed-Use Development Planned Unit Development be granted, subject to the applicant completing the following prior to the application going before City Council for consideration:

1. Replace the six on-street parking spaces on Kilmer Drive.
2. Provide tree preservation information.
3. Verify landscape area calculations.
4. Submit executed easement for landscaping on residential properties to the north of the project.
5. Prepare a proposed amendment to the PUD Development Agreement correcting the error related to the description of the gross square footage of Buildings B and C.

Yes: All present (8)
Absent: Vleck

MOTION CARRIED

OTHER BUSINESS

6. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

7. PLANNING COMMISSION COMMENTS

There was general discussion on:

- Meeting date for Joint Meeting of City of Troy and City of Birmingham.
- Stormwater retention presentation at a future Planning Commission meeting.
- Sample and color details for PUD applications.
- Distribution of meeting agenda packets.
- Master Plan presentation by Messrs. Savidant and Branigan at Oakland County Planners Gathering.
- Planning Department staff reduction.

The Regular Meeting of the Planning Commission adjourned at 8:38 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2009 PC Minutes\Final\03-10-09 Regular Meeting_Final.doc