The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on April 14, 2009, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

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

Absent:
Philip Sanzica

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

2. APPROVAL OF AGENDA

Resolution # PC-2009-04-032
Moved by: Maxwell
Seconded by: Tagle

RESOLVED, To approve the Agenda as submitted.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

3. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

PUBLIC HEARINGS

4. PUBLIC HEARING – SPECIAL USE REQUEST (SU 367) – Outdoor Storage of Vehicles (2927 Elliott), North and South sides of Elliott, West side of Dequindre, Section 36, Zoned M-1

Mr. Savidant reported the Planning Department received a request from the petitioner to postpone the matter and reschedule the Public Hearing. The petitioner was not able to provide a complete set of site plans by the Agenda deadline.

Resolution # PC-2009-04-033
Moved by: Hutson
Seconded by: Strat

RESOLVED, To postpone the matter until the appropriate documentation is submitted to us.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

5. PUBLIC HEARING – REZONING APPLICATION (Z 736) – Proposed Learning Center, Harlan Shopping Plaza, North side of Wattles, West of John R (1883-1939 E. Wattles), Section 14, From B-1 (Local Business) to B-2 (Community Business) or B-3 (General Business) District

Mr. Savidant presented a summary of the Planning Department report on the proposed rezoning application. Mr. Savidant announced the Planning Department received a letter of opposition, of which a copy was distributed to members prior to the beginning of tonight's meeting. Mr. Savidant addressed the petitioner's written request to rezone the subject parcel to only the B-3 zoning district.

Mr. Savidant reported the proposed B-3 district is consistent with the intent of the Master Plan and compatible with abutting zoning districts and uses. It is the recommendation of City Management to approve the rezoning request to the B-3 zoning district.

Mr. Miller addressed the rezoning application with respect to the petitioner's original request to B-2 or B-3 and the relation of B-3 zoning to the Master Plan.

The petitioner, Lydia Hong of 16050 Fairfax, Southfield, was present.

Dan DeYonker, Associate Broker of ReMax First, was present also to represent the petitioner. Mr. DeYonker addressed the petitioner's request to rezone to only the B-3 zoning district with respect to the current economy and the setback requirements of the B-2 district.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Mr. Hutson spoke favorably of the rezoning request to B-3.

Resolution # PC-2009-04-034
Moved by: Vleck
Seconded by: Tagle

WHEREAS, That the Planning Commission hereby recommends to the City Council that the B-1 to B-3 rezoning request, located on the north side of Wattles, west of John R, within Section 14, being approximately 1.29 acres in size, be granted.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

SPECIAL USE REQUEST

6. SPECIAL USE REQUEST (SU 364) – Pet Suite Retreat, Commercial Kennel, East side of Bellingham, North of Brinston (2300 Bellingham), Section 26, M-1 (Light Industrial) District

Mr. Savidant reviewed the Special Use application. The application was considered at two previous Planning Commission meetings, and was postponed at the February 24, 2009 Special/Study meeting to allow the petitioner time to develop a plan that would address fencing and drainage issues. Mr. Savidant reported on the revisions made to the site plan with respect to stormwater and waste management and fencing.

It is the recommendation of City Management to approve the Special Use and Preliminary Site Plan with two conditions relating to waste management, as specified in the Planning Department report.

Mr. Miller indicated the Planning Department omitted to include in their recommendation and proposed Resolution a condition relating to the parking deviation.

There was discussion on:
- Noise factor to adjacent residential and land uses.
- Zoning Ordinance requirement to maintain minimum 300-foot distance from commercial kennel to residential.
- Zoning Ordinance requirements in M-1 district relating to walls.
- Capacity of dogs at peak time.

The petitioner, Dino Giulietti of Ron Jona & Associates, 29000 Inkster Road, Southfield, was present.

Karen Knopper of 26245 Michigan Avenue, Inkster, was present. Ms. Knopper, owner and operator of Pet Suite Retreat in Inkster, addressed in detail the following items:

- Noise factor and noise considerations.
- Number of dogs at peak times (approximately 85-100).
- Number of dogs on regular business days (approximately 40).
- Daily and evening routine of dogs.
- Liquid waste management.
- Interior building design/layout as relates to doors and windows.

Discussion continued on the following:

- Impose condition that all openings and interior doors remain closed during evening hours.
- Fencing (stockade, chain link, material).
- Canopy or roof system to cover Liquid Waste Containment Area (material and administrative approval).
- Reuse of existing facility in light industrial district.
- Increase in the ball size of proposed trees.
- Final Site Plan approval process by City departments.
- Code enforcement violation if Liquid Waste Containment Area is not used.
- Review by Oakland County Water Quality Management.
- Stormwater standards.

Mr. Ullmann voiced concerns on the proposed liquid waste management plan.

Mr. Maxwell voiced concerns with the noise factor in relation to residential and adjacent land uses.

Resolution # PC-2009-04-035
Moved by: Vleck
Seconded by: Strat

RESOLVED, That the Planning Commission hereby approves the reduction of the number of required parking spaces for the proposed Pet Suite Retreat to fifteen (15) when twenty-eight (28) are required. The thirteen (13) space reduction is justified based upon the parking needs statement submitted by the applicant, and therefore meets the standards of Article 40.20.12.

THEREFORE BE IT RESOLVED, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 28.30.08 of the Zoning Ordinance, as requested for the proposed Pet Suite Retreat Commercial Kennel, located on the east side of Bellingham, north of Brinston, in Section 26, within the M-1 zoning district, be granted, subject to the following conditions:

1. The 10-foot wide Liquid Waste Containment Area shall be covered by a canopy or roof system as approved by the Planning Department so that rainwater does not fall onto the area and enter the sanitary sewer system.

2. Issues related to liquid animal waste, including soil and storm water quality and site drainage, shall be adequately addressed by the applicant prior to Final Site Plan Approval, as determined by the City Engineering Department.
3. All fencing on the exterior of the dog run areas shall be constructed of a stockade style fence that will be located on the outside of any existing fencing that is to remain.

FURTHERMORE, The following **design recommendations** are provided to City Management:

1. The City Engineering Department shall seek a review by the Oakland County Water Quality Department.

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

MOTION CARRIED

Mr. Maxwell said the application did not adequately address noise issues.

Mr. Ullmann said the application did not address his concerns. He is confident Engineering staff will address them. Mr. Ullmann would like to see water quality testing done in the vicinity. He indicated existing kennels are being tested now for water quality. He said test results could be used as a baseline in the future to determine if the Liquid Waste Containment Area works.

(Mr. Raine exited the meeting.)

SITE PLAN APPROVAL

7. PRELIMINARY SITE PLAN APPROVAL (SU 360) – Proposed Restaurant, Existing Columbia Center Office Buildings, South side of Big Beaver Road, West of Livernois (101 and 201 W. Big Beaver), Section 28, Zoned O-S-C (Office-Service-Commercial) District

Mr. Savidant presented a summary of the Planning Department report on the proposed Restaurant at the Columbia Center Office Buildings. City Management recommends approval of the Preliminary Site Plan, with conditions relating to a variance from the Board of Zoning Appeals (BZA) and improvements within the Big Beaver right-of-way, as specified in the Planning Department report.

Items briefly discussed:
- Future parking deck expansion.
- Service drives.
- Restaurant waiting area.

Modris Pudists of Yamasaki Associates, 900 Tower Drive, Troy, was present to represent the petitioner. Mr. Pudists addressed the future expansion of the parking deck.

Chair Schultz commended the petitioner on an outstanding development. Chair Schultz asked if it would be possible to add underplantings to the landscaping on the south side of the service drive to shield vehicles fronting Big Beaver Road and the service drives.

Resolution # PC-2009-04-036
Moved by: Edmunds
Seconded by: Strat

WHEREAS, The Planning Commission hereby approves a reduction in the number of required parking spaces for the proposed Columbia Center Restaurant to 2,288 when a total of 2,962 spaces are required on the site based on the off-street parking space requirements for the uses on the Columbia Center property, as per Article XL. This 674-space reduction is justified through shared parking, as outlined in the parking study prepared by Parsons, and therefore meets the standards of Article 40.20.12.

THEREFORE BE IT RESOLVED, That the proposed restaurant, located on the south side of Big Beaver, west of Livernois, Section 28, approximately 18.5 acres, within the O-S-C zoning district, be granted, subject to the following conditions:

1. The applicant shall seek and be granted a variance from the Board of Zoning Appeals for relief of the intensity control standard of 30,000 square feet of gross building area per net acre of site area (Section 26.70.00).
2. All improvements within the Big Beaver right-of-way subject to review and approval of the Road Commission for Oakland County.
3. Add underplantings at an approximate one (1) foot height below the trees that are proposed in an effort to shield the visibility of the fronts of vehicles from both Big Beaver Road and the service drives.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

OTHER BUSINESS

8. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENTS

Mr. Vleck apologized he would not be able to attend the joint meeting with the City of Birmingham this week.

Mr. Strat suggested addressing outdoor seating areas in the future.

Mr. Miller said outdoor seating areas could be addressed in the Zoning Ordinance re-write.

Mr. Maxwell suggested meeting with the Board of Appeals (BZA) in the very near future, with respect to the role and function of each body.

Mr. Miller said he would entertain a Resolution to get the matter on a future study meeting agenda.

Mr. Miller addressed the April 16th Joint Meeting with the City of Birmingham.

Chair Schultz commented on the Columbia Center addition to Big Beaver Road.

The Regular Meeting of the Planning Commission adjourned at 8:50 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2009 PC Minutes\Final\04-14-09 Regular Meeting_Final.doc