

# PLANNING COMMISSION MEETING AGENDA SPECIAL/STUDY MEETING

500 W. Big Beaver  
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Michael W. Hutson, Chair, and Mark Maxwell, Vice Chair  
Donald Edmunds, Philip Sanzica, Robert Schultz, Thomas Strat  
John J. Tagle, Lon M. Ullmann and Mark J. Vleck

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**April 27, 2010**

**7:30 P.M.**

**Council Board Room**

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1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – April 13, 2010 and April 20, 2010
4. PUBLIC COMMENTS – For Items Not on the Agenda
5. BOARD OF ZONING APPEALS (BZA) REPORT
6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT
7. PLANNING AND ZONING REPORT

### PRELIMINARY SITE PLAN REVIEW

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 959) – Proposed Ocean Prime Restaurant Patio Improvements, South side of Big Beaver, West of Coolidge (2915 Coolidge), Section 30, Currently Zoned O.S.C (Office-Service-Commercial)

### OTHER BUSINESS

9. ROCHESTER ROAD ACCESS MANAGEMENT – Presentation by SEMCOG Representative
10. COMPREHENSIVE ZONING ORDINANCE REWRITE (ZOTA 236) – Discussion with Representatives from Carlisle/Wortman Associates, Inc.
11. FINAL REPORT OF HISTORIC DISTRICT STUDY COMMITTEE – De-listing 4800 Beach Road
12. PUBLIC COMMENTS – Items on Current Agenda
13. PLANNING COMMISSION COMMENTS

ADJOURN

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Hutson at 7:30 p.m. on April 13, 2010, in the Council Chamber of 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:

R. Brent Savidant, Acting Planning Director  
Christopher Forsyth, Assistant City Attorney  
Zachary Branigan, Carlisle/Wortman Associates, Inc.  
Barbara A. Pallotta, Acting Recording Secretary  
Adrienne Milnar, Student Representative

2. APPROVAL OF AGENDA

**Resolution # PC-2010-04-020**

Moved by: Schultz  
Seconded by: Maxwell

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

Yes: All present (8)  
Absent: Vleck

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2010-04-021**

Moved by: Edmunds  
Seconded by: Schultz

**RESOLVED**, To approve the minutes of the March 23, 2010 Special/Study meeting as prepared.

Yes: All present (8)  
Absent: Vleck

**MOTION CARRIED**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

**SPECIAL USE REQUESTS**

Chair Hutson briefly outlined the role of the Planning Commission as it pertains to the Special Use process. He explained that after tonight's action by the Planning Commission, the applicant will first appear before the Board of Zoning Appeals and depending upon the outcome, the applicant will then return before the Planning Commission.

Chair Hutson noted that tonight's Public Comment will be limited to three minutes and he respectfully requested that speakers not repeat comments.

5. PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 378) – Proposed Local Area Church, Southeast corner of Adams and Bolingbrooke (3586 Adams), Section 19, Currently Zoned R-1B (One Family Residential)

Zachary Branigan of Carlisle/Wortman Associates, Inc. provided a comprehensive overview of the Special Use Review for SU 378 dated April 9, 2010 included in the agenda packet. Mr. Branigan reported there are specific deficiencies of the project pertaining to: setbacks; site access and circulation; and landscaping. It is Mr. Branigan's recommendation that the Planning Commission take no action at this time and that the applicant apply for the necessary variances with the Board of Zoning Appeals.

R. Brent Savidant, Acting Planning Director noted that all correspondence received from the public has been forwarded to the Planning Commissioners.

Mr. Edmunds asked whether the applicant will appear before the Board of Zoning Appeals at their next meeting.

Mr. Savidant responded that the applicant has not yet submitted their application.

Mr. Tagle raised a question in regard to the load space requirements.

Mr. Branigan responded that the load space is based upon the square frontage of the building.

Mr. Strat asked whether the public will be notified as to when the applicant will appear before the Board of Zoning Appeals.

Mr. Savidant responded that the public is notified in the same manner as public hearings held before the Planning Commission.

Steve Carnwath stated he serves as a trustee and as an elder for the Detroit Meeting Rooms community. He has reviewed all of the correspondence received from the public and he is pleased about the amount of public interest. He continued by stating that Mr. Branigan has already addressed the two biggest questions about who they are and what is the impact of their organization. Mr. Carnwath reported that their organization also has locations in Berkley, Royal Oak and Clawson. He added that the Royal Oak location is the central meeting room and is the largest of their facilities. Mr. Carnwath indicated that the purpose of the Troy location is to bring together families that have migrated to Troy. Further, it is their intention to maintain and beautify the site.

Mr. Maxwell asked if the maximum capacity has been determined.

Mr. Carnwath responded that six families, less than thirty people will utilize the facility.

Mr. Maxwell understands that many churches experience a growth phase and asked the applicant to project their maximum capacity for this facility.

Mr. Carnwath responded that if they outgrow this facility, then they will look for another one. He explained that typically they have small gatherings and that large gatherings do not lend themselves to their type of worship.

Mr. Ullmann asked how many members would attend their worship services immediately upon opening.

Mr. Carnwath responded twenty-seven.

Mr. Ullmann is concerned that they are already at their maximum capacity.

Mr. Carnwath explained that their organization already has a larger site with a capacity of one-thousand. He further explained that the Troy facility is strictly for their communion services and their conversation meetings are held in the larger location. In addition, Mr. Carnwath stated that if there should be further migration to Troy, then they would look for another facility to accommodate those additional members.

Mr. Edmunds asked who would be responsible for policing the capacity requirements.

Mr. Carnwath believes that the fire department establishes those restrictions, but noted their fixed seating does not lend itself to a larger capacity.

Mr. Edmunds recalled that the applicant previously indicated they could accommodate seventy.

Mr. Carnwath responded that the plan originally included a capacity of seventy because at that point they considered adding a parking lot.

Mr. Strat is concerned with the structure and suggested that the applicant confirm capacity restrictions with the Fire Marshall and the Building Department.

Mr. Carnwath responded that he would defer to the engineer who designed the floor plan, but he is fairly confident that they meet the requirements.

Mr. Branigan interjected that ordinance issues are enforced by Code Enforcement.

Chair Hutson asked whether the applicant's organization is recognized as a 501.3(c) non-profit corporation.

Mr. Carnwath confirmed that the organization is recognized as a 501.3(c) non-profit corporation.

Mr. Savidant interjected that fire and building codes are considered during the final site plan approval process.

Mr. Tagle asked if the applicant has explored other locations or leasing options.

Mr. Carnwath responded that their organization does not lease nor do they lease their facilities to others for private social activities.

Mr. Tagle asked if their organization has a by-law that precludes leasing as an option.

Mr. Carnwath believes there could be a by-law.

Mr. Tagle has concerns in regard to capacity because it leaves a lot of the responsibility with the applicant.

Mr. Carnwath replied that their endeavor is to be a good neighbor.

Mr. Tagle stated it would be helpful if the applicant could provide examples of their other facilities.

Mr. Carnwath believes they have already presented that to the Planning Commission.

Mr. Savidant interjected that this issue has been discussed in general terms during a study session, but not provided as part of the preliminary site plan procedure.

Mr. Schultz is concerned about a single family home serving as a meeting hall. He would like to observe their other locations to determine if this proposed plan would fit into a single residential community. Mr. Schultz does not have an issue with a

church in residential zoning, but he does have issues with a single family home serving as a church in a residential neighborhood.

Mr. Carnwath assured the Planning Commission that he will supply the addresses for their other locations.

Chair Hutson opened the Public Hearing and the following public comment was received from:

- Elizabeth Yee**  
Harlan School Crossing  
Guard

Opposed, concerns about safety and use of the school parking lot.
- Dennis McCardle**

Opposed, concerns about a church in residential zoning and home values in surrounding area.
- Susan Montgomery**

Opposed, lives adjacent to location; believes churches should be situated on large lots.
- Tom Cook**

Opposed, concerns with traffic, the proximity to Harlan School’s entrance, maintenance of property and children’s safety.
- Gary Jensen**

Opposed, concerns about the safety of his two children who attend Harlan Elementary School.
- Neil Strefling**

Supports, lives adjacent to the location and is the most impacted neighbor; believes applicant has improved the site and as a result the value of his property has increased
- John Herrick**

Opposed, concerns with traffic.
- Larry Ianni**

Opposed, agrees with earlier comments; concerned about economic impact in regard to tax exemption the church will receive; believes there should be an additional exit in the meeting room.
- Margaret Confer**

Opposed, concerns with traffic.
- Steve King**  
Harlan School  
Representative

Supports, conditioned upon evening meetings only and no overflow parking permitted in the school’s parking lot.
- Tom Monroe**

Opposed, concerns with pedestrian safety due to increased traffic conditions in the evening and on the weekend.
- Bill Grier**

Opposed, concerns with traffic and pedestrian safety issues occurring when evening events are held at the school because there are no sidewalks in the adjacent subdivision.
- Sandi Marshall**

Opposed, concerns with increased traffic and increased noise.
- Cathy Kershenbaum**

Opposed, concerns with increased traffic conditions when evening events are held at the school; circulated a petition and has 100 signatures of residents opposing the special use request.  
(Petition presented to Mr. Savidant)
- Dawn Jensen**

Opposed; concerned with increased and conflicting

**Jim Sheridan**

traffic, bad intersection; egress of the circular drive and potential of overflow parking on the street.

Supports; City is still collecting tax dollars; believes there is still time to correct deficiencies.

**Kyle Beardmore**

**Member of Detroit  
Meeting Rooms**

Supports; clarified that church members police the parking and capacity; noted there will be no signage identifying the church.

Having received no further public comment, Chair Hutson closed the Public Hearing.

Chair Hutson stated that the Planning Commission shall take no action on this item at this time because the Board of Zoning Appeals must first consider the applicant's variance requests. He explained that any Planning Commission action will depend upon the outcome of the action taken by the BZA.

6. PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 376) – Proposed Taco Bell, East side of Rochester between Torpey and Harris (3268) Rochester, Section 23, Currently Zoned B-2 (Community Business) District

Zachary Branigan of Carlisle/Wortman Associates, Inc. provided a comprehensive overview of the *Special Use Review* for SU 376 dated April 8, 2010 included in the agenda packet. He noted that this proposal consists of an existing Taco Bell on Rochester Road and the site was formerly a different fast food establishment prior to becoming a Taco Bell. Although there are several site plan issues related to the application, Mr. Branigan explained the real reason the applicant is before the Planning Commission is that they are making minor site improvements related to the current road improvements taking place on Rochester Road. However, during the process of due diligence, Mr. Branigan reported it was determined that no special land use permit ever existed for the site even though one is required for a drive-thru restaurant facility in the B-2 District. He explained basically this is going through the motions of them applying for the special land use permit to allow an existing site that has been illegally existing as a non-conformity up until this time.

John Wollberg, Taco Bell representative stated that Mr. Branigan explained the project very well in his overview.

Mr. Savidant interjected that this site never received special use approval for the drive-thru and had it received special use approval in the past, the proposed changes would have most likely been approved administratively. He continued by stating that he initially was uncomfortable with the relocation of the dumpster because of the potential for increased noise that could impact the surrounding neighbors. However, Mr. Savidant noted that the neighbors were notified and the Planning Department has not received any communications from them.

Chair Hutson opened the Public Hearing for public comment. Having received no comment from the public, Chair Hutson closed the Public Hearing.

Mr. Schultz asked if anyone recalls when the original site plan was approved.

Mr. Savidant believes it was approximately twenty years ago.

Mr. Schultz cannot believe a certificate of occupancy was issued by the City for a plan that required special use approval.

Mr. Savidant suggested at the time the original restaurant was approved, that the requirement for the special use permit was a part of the initial site plan approval.

Mr. Branigan added that he understands that the site was something else before it was a Taco Bell. He continued by stating that the Taco Bell may have been there for almost twenty years but it was something else even before that. His point is that the drive-thru was approved a very, very long time ago.

**Resolution # PC-2010-04-022**

Moved by: Schultz  
Seconded by: Edmunds

**RESOLVED**, That Special Use Approval and Preliminary Site Plan Approval for the Taco Bell restaurant, located on the east side of Rochester between Torpey and Harris (3268 Rochester), Section 23, within the B-2 zoning district, be granted, subject to the following conditions:

1. The applicant shall provide three (3) additional greenbelt trees along Rochester Road, as required.
2. The applicant shall provide a revised site plan addressing the informational items noted in the report prepared by Carlisle/Wortman Associates, Inc., dated April 8, 2010.

Yes: All present (8)  
Absent: Vleck

**MOTION CARRIED**

7. **PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 377)** – Proposed Service Station/Convenience Store, Southeast Corner of Rochester and Wattles (3990 Rochester), Section 23, Currently Zoned H-S (Highway Service) District

Zachary Branigan of Carlisle/Wortman Associates, Inc. provided a comprehensive overview of the *Special Use Review* for SU 377 dated March 5, 2010 and revised on April 6, 2010 included in the agenda packet. He noted he has spoken with applicant on several occasions, including last month. He continued that there were a series of items discussed with the applicant as a result of staff's review that

needed to be addressed. He noted that the revised site plan addresses a majority of those items.

On behalf of the applicant, Tom August, Attorney, stated they appeared before the Planning Commission on March 9<sup>th</sup> and since that date, they have submitted all materials that had been omitted and they have addressed all of the issues raised by staff and the Planning Commission. Mr. August added that Leo Gonzalez, Project Manager, and Sam Beydoun, Principal Owner, of the property are also present.

Mr. August stated the applicant is seeking an approval pursuant to MCL [213.54] such that the property is treated as though it were grandfathered in. He continued by stating they are also seeking recognition that the owners have the rights and benefits as if it were completely conforming with the zoning ordinance. Furthermore, Mr. August requested that any planning requirement, should the building be modified in the future be it set-back, size or otherwise, be such that the expansion is permitted under the city's zoning ordinance with nonconformity and that it is not further expanded. He continued by stating that the approval shall travel with the land and is transferable in perpetuity including alternate uses allowed by the zonings. He noted this would include rebuilding or construction of a new building, and would apply to future uses with respect to a nonconformity created by the public taking. Mr. August stated they are before the Planning Commission as a result of the taking of Rochester Road and Wattles Road.

Chair Hutson interjected by suggesting that the applicant take that request before the Board of Zoning Appeals or through a consent judgment.

Chair Hutson opened the Public Hearing for public comment. Having received no comment from the public, Chair Hutson closed the Public Hearing.

Mr. Schultz noted that all the landscaping is located on the north and south sides of the building with a three-foot screen wall. Mr. Schultz asked whether it is within the purview of the Planning Commission to eliminate the screen wall between the east property line and the sidewalk that comes off of Wattles Road so that the landscaping is shown.

Mr. Branigan stated the wall is there to replace areas where they are required to have a greenbelt. He explained that basically in lieu of the greenbelt, they can have a wall. He continued by stating that it does not offer any specifics about the length of the wall other than its height. Mr. Branigan believes that if the wall were removed altogether that it would still meet the spirit of intent, which is to provide a greenbelt there. He added that they would still have the wall near the parking.

Chair Hutson believes that they can only shrink it so much to be within the spirit, but if it goes too far they have abrogated the rules. He believes it would depend upon where they would want to do that.

Mr. Tagle asked whether this area or a part of this area fulfill the requirement of a greenbelt if the wall were removed.

Mr. Branigan believes it probably would fill the requirement of a greenbelt. However, he added that he would have to first determine what the plant species are. In addition, he believes that it is about thirty feet, so they would need to add one tree to meet the greenbelt requirement. He noted that the area clearly has sufficient depth to meet the requirement. He added that if it is thirty feet or less and if they had one tree, that would qualify as a street tree and they would be fine.

Mr. Schultz noticed that the diagonal wall along the northwest boundary does not seem to terminate at the same distance from the driveway as all the other walls. He thinks it would look better if it went around the angle and terminated the same distance from inside the curb as all the other walls on the property.

Mr. Branigan believes what they have there would meet the minimum requirements.

Mr. Savidant agreed and added although that section of the wall is proposed, it is not required. He guesses the question to the Planning Commission is whether they feel it is appropriate to keep the wall there because it will maintain the continuity for the frontage of the property.

Mr. Strat stated that these walls remind him of some of the walls they currently have where half of them are down and have different colors of brick. He does not know if there is a better solution, but believes they should look at that.

Mr. Schultz recalled there was a question raised at the last meeting about the material that the building was going to be built out of and he believes the answer was that it would be built with two different colors of brick. He asked the applicant if this structure is the same structure that is currently being built at Ten Mile Road and Orchard Lake.

On behalf of the applicant, Leo Gonzalez responded that the building is the same.

Mr. Schultz asked if the building is going to be built with block instead of brick.

Mr. Gonzalez replied that the building will be constructed with split face cement block with a color and a texture to it.

Mr. Edmunds understands that the knee wall would be constructed with the same split face material as the building.

Mr. Gonzalez would like to go on record by stating that yes, it will.

Mr. Branigan interjected that there is a detail of the wall on the site plan that shows an update of the same material. He added that both the old and new plans specify twelve inch split face sand rock beige and twelve inch split face merlot on the material elevations on the site plan sheet.

Chair Hutson asked whether Mr. Schultz would like to include his proposal regarding the brick wall in the resolution.

There was a general consensus of Planning Commission members present to include the recommendations made regarding the screen wall along the Wattles Road frontage from the east property line to the sidewalk running in off Wattles Road and the screen wall on the northwest corner of the property that is on a diagonal in the resolution.

**Resolution # PC-2010-04-023**

Moved by: Schultz  
Seconded by: Ullmann

**RESOLVED**, The Planning Commission hereby approves a reduction in the number of required parking spaces for the proposed service station/convenience store to 13 when a total of 15 spaces are required on the site based on the off-street parking space requirements for these uses, as per Article XL. This 2-space reduction is justified through the characteristics of the proposed uses, as outlined in the justification of the parking reduction, and therefore meets the standards of Article 40.20.12.

**THEREFORE BE IT RESOLVED**, That Special Use Approval and Preliminary Site Plan Approval for the proposed service station/convenience store, located on the southeast corner of Rochester and Wattles, Section 23, within the H-S zoning district, be granted, subject to the following conditions:

1. The applicant shall provide an eight (8) foot wide sidewalk along Wattles Road.
2. The screenwall along the Wattles Road frontage from the east property line to the sidewalk running in off Wattles Road shall be eliminated.
3. The screenwall on the northwest corner of the property that is on a diagonal shall terminate at the same distance from the back of the curb as all other screenwalls.

Yes: All present (8)  
Absent: Vleck

**MOTION CARRIED**

8. **PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 375)** – Proposed Pro Car Wash East, East side of Rochester, South of Wattles, Section 23, Currently Zoned H-S (Highway Service) District

Zachary Branigan of Carlisle/Wortman Associates, Inc. provided a comprehensive overview of the *Special Use Review* for SU 375 dated March 17, 2010 and revised on April 7, 2010 included in the agenda packet. Mr. Branigan reported that this applicant either has to receive a variance from the Board of Zoning Appeals or revise their site plan to meet the landscaping requirement.

As a customer, Mr. Edmunds frequently uses the existing cross access for convenience and access to Rochester Road at the light.

Mr. Branigan stated although they do promote cross access, there are clearly striped perpendicular parking spaces there. He continued by stating that a customer is able to use it as a cross access only when there are no cars parked there. Mr. Branigan explained in order to designate that as cross access, they would have to provide an amendment and make sure that if those parking spaces are taken away, they are not causing nonconformity. He added that the applicant has been made aware that they need to address the cross access issue. At the time Mr. Branigan spoke with the applicant, he was made aware that the applicant may have a verbal agreement with the property owner to the north.

In response to the cross access situation, Robert Waldron, owner of Pro Car Wash East, advised that he has had a verbal agreement with the property owner to the north for forty-one years. He added that the owner is willing to provide him with anything he needs that would verify that the parking stripes were placed in error.

Mr. Schultz reiterated that at some point, the City will have to verify with the northern neighbor that the stripes have been eliminated and they are not a part of their site approval.

Mr. Waldron stated that the northern property owner is more than willing to sign a cross access agreement.

Chair Hutson asked if a license agreement would be more appropriate than a cross access agreement.

Mr. Branigan replied that Christopher Forsyth, Assistant City Attorney, would have to weigh in on that question but he does know that there has to be some sort of legal mechanism to guarantee that there is cross access before the site plan can move forward.

Mr. Forsyth stated the City does ask that a legal document be prepared in regard to the cross access and be submitted to the City Attorney's office for review.

Mr. Savidant added that it is fairly common to receive some pushback from property owners who do not want to encumber their property. He assured everyone that there are hundreds of reciprocal cross access agreements throughout the City.

Mr. Schultz requested that the applicant install closures to the dumpster doors that will keep the doors closed.

Mr. Waldron assured Mr. Schultz that he would correct that.

Chair Hutson opened the Public Hearing for public comment. Having received no comment from the public, Chair Hutson closed the Public Hearing.

Mr. Branigan asked whether it is the applicant's intent to appear before the Board of Zoning Appeals to seek a variance from the 10% landscaping requirement.

Mr. Waldron responded that it is his intent to appear before the Board of Zoning Appeals.

Because the applicant plans to appear before the Board of Zoning Appeals and tonight's meeting meets the statutory requirements, Mr. Branigan stated it is unnecessary for the Planning Commission to take action at this time.

### **OTHER BUSINESS**

#### 9. **PUBLIC COMMENTS** – Items on Current Agenda

Steve Carnwath of Detroit Meeting Rooms provided Mr. Savidant with an address listing of their other locations.

#### 10. **PLANNING COMMISSION COMMENTS**

Mr. Strat asked whether all of the planning consultant assignments related to the zoning ordinance and amendments would be completed by June 1<sup>st</sup>.

Mr. Branigan stated his schedule does not indicate that the zoning ordinance would be completed by June 1<sup>st</sup>. However, he reported that a meeting is scheduled next week in regard to the Form Based Code District project and that the next step is to draft some of the districts. He explained they are specifically meeting with a subcontractor from Kansas City who is an architect and urban planner with whom they have worked with before. Mr. Branigan assured the Planning Commissioners that they are progressing and a draft should be ready soon.

Mr. Savidant added that the Planning Commissioners will be contacted by e-mail in regard to the exact schedule as soon as possible.

Mr. Strat asked when the Planning Commissioners can expect to receive a checklist from staff in regard to what is to be submitted to the Planning Commission for preliminary site plan approval. Mr. Strat added that the applicant should also submit samples of the materials that are being used in addition to also providing color samples.

Mr. Savidant understands that what Mr. Strat is requesting is an actual checklist to use as a tool when reviewing a site plan and that he will e-mail that to the Planning Commissioners tomorrow.

Mr. Branigan suggested that they provide the Planning Commissioners with what is currently in the ordinance and the proposed language so they can revise the checklist as needed.

Mr. Tagle asked whether it is possible to create standards for items such as screen walls along property lines. As an example, Mr. Tagle stated that DPW has standards for work in the right-of-way.

Mr. Savidant replied that there is not a lot of flexibility in the current ordinance for the applicant or the Planning Commission. He continued by stating that it needs to be recognized that there is a problem with these walls. Mr. Savidant needs to check with the Law Department regarding ordinances on the book regarding the enforcement of the continual maintenance of the walls.

Mr. Tagle explained is talking more about design standards similar to sidewalks or curb cuts.

Mr. Savidant responded that Mr. Tagle's suggestion is an approach they can take in regard to addressing the issues with walls and he will make a note of that.

Mr. Schultz is hoping there will be language providing authority in the new ordinance to enforce site plans, including landscaping. He explained many applicants let the trees die and currently there is no mechanism to have the landscaping replaced.

Mr. Savidant is of the opinion that a site plan is a contract and that landscaping provisions can be enforced. Mr. Savidant added that they can address that issue in the revisions being made to the zoning ordinance.

For the record, Mr. Savidant indicated that Student Representative Adrienne Milnar was present this evening and was sitting in the back of the room.

The Regular Meeting of the Planning Commission adjourned at 10:07 p.m.

Respectfully submitted,

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Michael W. Hutson, Chair

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Barbara A. Pallotta, Acting Recording Secretary

The Special Meeting of the Troy City Planning Commission was called to order by Chair Hutson at 4:00 p.m. on April 20, 2010 in the City van.

ROLL CALL

Present:

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

Absent:

Philip Sanzica  
Mark J. Vleck

Also Present:

R. Brent Savidant, Acting Planning Director  
Mark F. Miller, Assistant City Manager/Economic Development Services  
Zachary Branigan, Carlisle/Wortman Associates, Inc.  
Kevin Klinkenberg, 180 Degrees Design & Architecture

Those in attendance drove the pre-defined route throughout the City of Troy and discussed zoning-related issues. Several stops were made along the way to provide attendees an opportunity to get out of the van and study sites more closely.

The van arrived back at Troy City Hall at 5:47 p.m., at which time Chair Hutson adjourned the meeting.

Respectfully submitted,

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Michael W. Hutson, Chair

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R. Brent Savidant, Recording Secretary

DATE: April 21, 2010

TO: Planning Commission

FROM: R. Brent Savidant, Acting Planning Director

SUBJECT: PRELIMINARY SITE PLAN REVIEW (File Number SP 959) – Proposed Ocean Prime Restaurant Patio Improvements, South side of Big Beaver, West of Coolidge (2915 Coolidge), Section 30, Currently Zoned O.S.C (Office-Service-Commercial)

The applicant, Cameron Mitchell Restaurants, submitted the above referenced Preliminary Site Plan Approval application. On April 21, 2009, the applicant received a variance from the Board of Zoning Appeals (BZA) for relief of the front yard setback requirement, permitting an 11-foot setback for the covered patio area when 30 feet is required. Draft BZA minutes are attached for your consideration.

The attached report prepared by Carlisle/Wortman Associates, Inc. summarizes the project.

Please be prepared to discuss the application at the April 27, 2010 Planning Commission Special/Study meeting.

Attachments:

1. Maps
2. Report prepared by CWA
3. BZA Minutes from April 21, 2009 (excerpt)
4. Letter prepared by Larry M. Nemer, March 2, 2010
5. Professional Engineering Associates, Inc. (PEA) Technical Memorandum, dated March 3, 2010

cc: Applicant  
File/ SP 959

PRELIMINARY SITE PLAN REVIEW (File Number SP 959) – Proposed Ocean Prime Restaurant Patio Improvements, South side of Big Beaver, West of Coolidge (2915 Coolidge), Section 30, Currently Zoned O.S.C (Office-Service-Commercial)

**Proposed Resolution # PC-2010-04-**

Moved by:  
Seconded by:

**WHEREAS**, The Planning Commission hereby approves a reduction in the number of required parking spaces for the proposed Ocean Prime Restaurant Patio Improvements and other uses located on the parent parcel, to 2,819 when a total of 3,248 spaces are required on the site based on the off-street parking space requirements for all combined uses on the parent property, as per Article XL. This 429-space reduction is justified through shared parking, as outlined in the parking study prepared by PEA, and therefore meets the standards of Article 40.20.12.

**THEREFORE BE IT RESOLVED**, That Preliminary Site Plan Approval, pursuant to Section 03.40.03 of the Zoning Ordinance, as requested for the proposed Ocean Prime Restaurant Patio Improvements, located on the South side of Big Beaver, West of Coolidge, in Section 30, within the O-S-C zoning district, be (granted, subject to the following conditions):

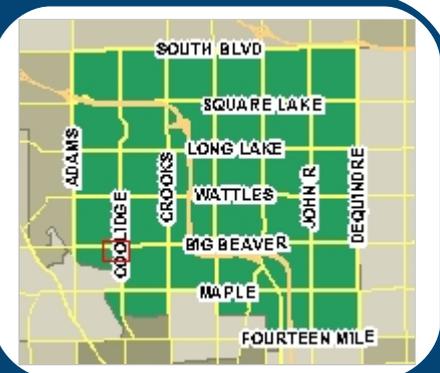
\_\_\_\_\_ ) or  
(denied, for the following reasons: \_\_\_\_\_) or  
(postponed, for the following reasons: \_\_\_\_\_)

Yes:  
No:  
Absent:

**MOTION CARRIED / DENIED**

# 2915 Coolidge Highway

City of Troy Planning Department



### Legend

-  I-75
-  Road Centerline
-  Major Road
-  Industrial Road
-  Local Road
-  Hydrography Poly
-  Hydrography Arc
-  Parcels
- Aerial Photos - 2008**
-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3

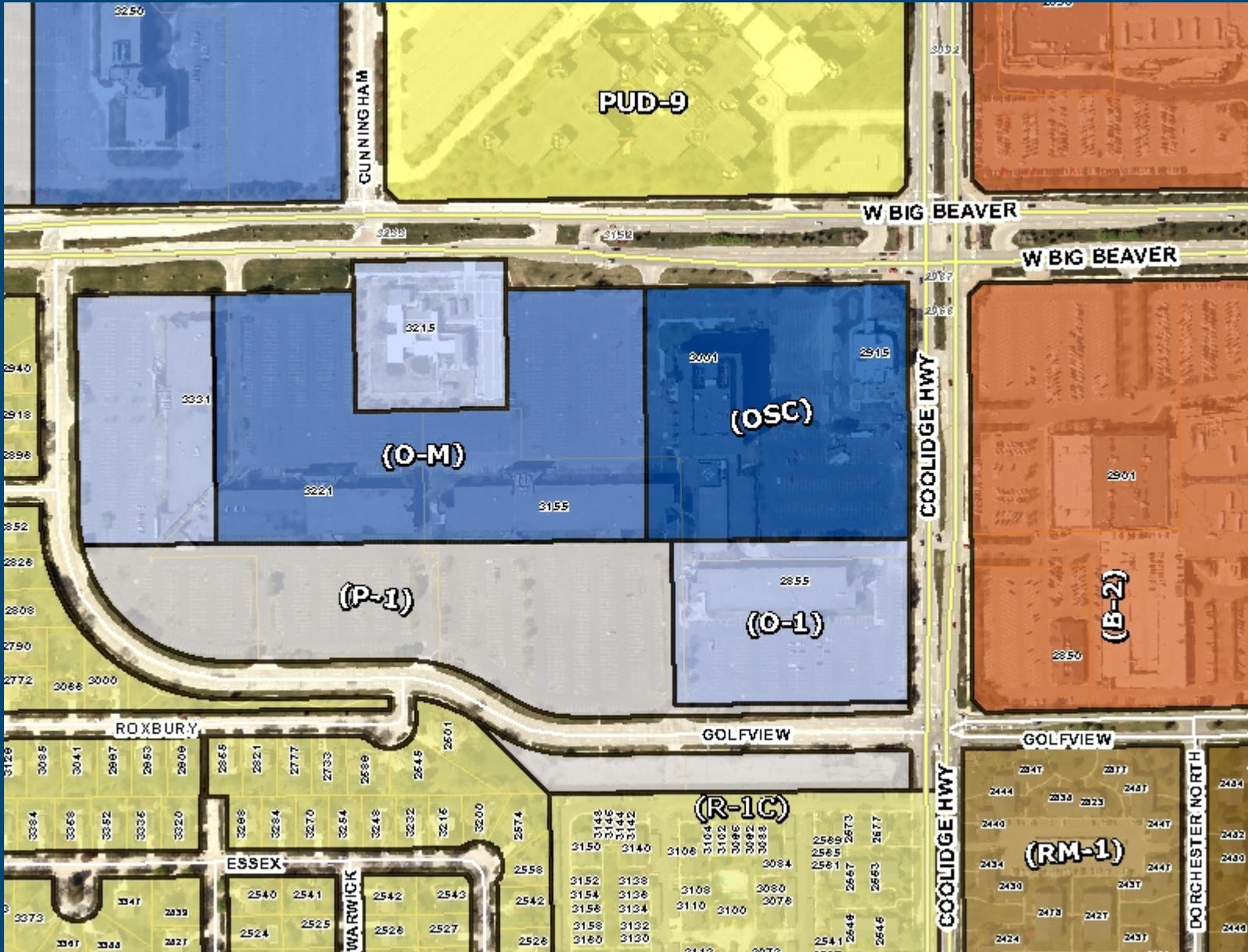
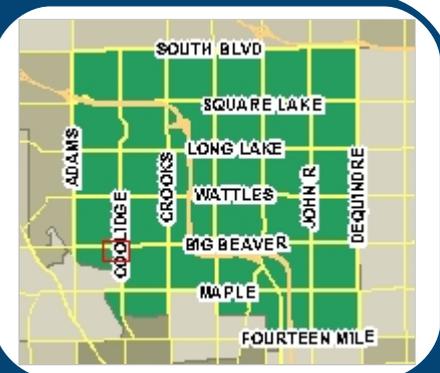
688                      0                      344                      688Feet

Scale 1: 4,125



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 4/21/2010



### Legend

- I-75
- Road Centerline
  - Major Road
  - Industrial Road
  - Local Road
- Zoning**
  - (PUD) Planned Unit Development
  - (B-1) Local Business District
  - (B-2) Community Business District
  - (B-3) General Business District
  - (R-C) Research Center District
  - (C-F) Community Facilities District
  - (C-J) Consent Judgment
  - (E-P) Environmental Protection District
  - (R-EC) Residential Elder Care
  - (P-1) Vehicular Parking District
  - (H-S) Highway Service District
  - (M-1) Light Industrial District
  - (O-1) Office Building District
  - (O-M) Office Mid-Rise District
  - (OSC) Office Service Commercial District
  - (CR-1) One Family Residential Cluster District
  - (R-1A) One Family Residential District
  - (R-1B) One Family Residential District
  - (R-1C) One Family Residential District
  - (R-1D) One Family Residential District
  - (R-1E) One Family Residential District
  - (R-1T) One Family Attached Residential Distr
  - (R-2) Two Family Residential District
  - (R-M) Multiple Family Residential Medium De
  - (RM-1) Multiple Family Residential District Lc
  - (RM-2) Multiple Family Residential District (M
  - (RM-3) Multiple Family Residential District (Hi
- Hydrography Poly
- Hydrography Arc
- Parcels

Aerial Photos - 2008

- Red: Band\_1
- Green: Band 2

Printed: 4/21/2010



Scale 1: 4,125



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



**CARLISLE/WORTMAN ASSOCIATES, INC.**  
*Community Planners /Landscape Architects*

605 S. Main, Suite 1  
Ann Arbor, MI 48104  
734-662-2200  
fax 734-662-1935

6401 Citation Drive, Suite E  
Clarkston, MI 48346  
248-625-8480  
fax 248-625-8455

Date: April 20, 2010

## **Preliminary Site Plan Review For City of Troy, Michigan**

**Applicant:** Cameron Mitchell Restaurants, Inc.

**Project Name:** Ocean Prime Covered Seating Expansion

**Plan Date:** June 6, 2009

**Location:** 2915 Coolidge

**Zoning:** O-S-C, Office Service Commercial

**Action Requested:** Preliminary Site Plan Approval

**Required Information:** Deficiencies noted

### **PROJECT AND SITE DESCRIPTION**

We are in receipt of a preliminary site plan submittal for the expansion of an existing outdoor café for Ocean Prime Restaurant. The expanded area would be covered by a new fixed canopy, which would also cover the existing outdoor seating area.

Location of Subject Property:

The property is located on the west side of Coolidge, on the southwest corner of the intersection of Coolidge and Big Beaver.

Size of Subject Property:

The lease parcel is 28,694 square feet (the site is part of a larger site for an existing office building complex).

Proposed Uses of Subject Parcel:

The applicant proposes to use the area for additional outdoor seating.

Current Use of Subject Property:

The subject property is currently a restaurant with outdoor seating.

Current Zoning:

The property is currently zoned O-S-C, Office Service Commercial District.

Zoning Classification of Adjacent Parcels and Current Land Use:

North: Planned Unit Development District; vacant office complex

East: B-2, Community Business District (across Coolidge); Somerset Collection

South: O-1, Office Building District and P-1, Vehicular Parking District; office

West: O-1, Office Building District; office

**BUILDING LOCATION AND SITE ARRANGEMENT**

The existing restaurant is situated in a leased out lot area of an existing office complex. It has frontage on both Coolidge and Big Beaver Road. The site shares parking with the adjacent office complex and can be accessed from both frontages. The existing outdoor café area is on the northeast corner of the building and will extend south, along the building's east façade.

**Items to be Addressed:** *None*

**AREA, WIDTH, HEIGHT, SETBACKS**

This project was granted a variance on April 21, 2009 to allow a covered expansion of the existing patio and outdoor dining area to have a setback of 11 feet from the Coolidge right-of-way when a 30-foot setback is required. This variance permits this application to move forward, even though covered patios are conventionally not allowed within the front yard setback. No other setbacks for this property are affected by the proposed expansion, and all dimensional requirements have been met.

**Items to be Addressed:** *None.*

**PARKING**

In 1997 the Troy City Council establishing a requirement of 3,000 on-site parking spaces for the existing office complex. When Ocean Prime was developed, it created a need for an additional 228 spaces, for a total of 3,228 required spaces. To permit the restaurant to be developed, the Planning Commission granted a 357 space modification, to set the parking requirement at 2,871 spaces for the offices and restaurant together. Today, there are 2,819 parking spaces on site, which means the site is deficient 52 spaces from the minimum required number. It is our understanding that the 52 spaces were lost during a more recent re-stripping of the parking spaces surrounding the office complex.

Today, the applicant has requested to expand the patio area by approximately to allow for 27 additional seats. The seating would require an additional 16 parking spaces. When considered with the existing 52 space deficiency, there would be 68 spaces less that are required with the new outdoor café.

Applying shared parking methodology, the applicant's traffic engineer has produced a parking study illustrating that there are sufficient spaces on the site, even with the proposed expansion. Given the peak demand times for the office and restaurant uses, which do not coincide, there can be an estimated 2.5 percent reduction in parking demand. The required number of spaces, therefore, would be 2,807 spaces, or 12 fewer than the existing supply (2,819 spaces).

While required parking is increased by this project, the overall site intensity is only marginally impacted, and when shared parking methodology is applied, there is a surplus, even with the additional restaurant seats. Therefore, the applicant is requesting a parking modification from the Planning Commission. The Planning Commission is authorized to modify parking requirements by Section 40.20.12. It states:

*The City recognizes that, due to the specific requirements of any given development, inflexible application of the parking standards may result in development with parking in excess of what is needed. The result may lead to excessive paving and stormwater runoff and reduction of area which would be left as open space. Accordingly, the Planning Commission may, in the reasonable exercise of discretion, permit deviations and allow less parking upon a finding that such deviations are likely to provide a sufficient number of parking spaces to accommodate the specific characteristics of the use in question. Such finding shall take into consideration the following standards and shall be based upon specific facts and information provided by the applicant, and such other information the Planning Commission shall determine relevant:*

- A. *Nature of use. The nature of the particular use or combination of uses (as the case may be), relying upon accepted planning principles with regard to the anticipation of parking demand.*
- B. *Allocation of square footage. The allocation of square footage to and among uses, including the anticipation of long-term parking (e.g. grocery or movie theater uses), short term parking (e.g. dry cleaners), and/or the absence of parking for some portion of the use (e.g. drive-through use).*
- C. *Impact.*
  1. *The reasonably anticipated circumstance in the event there is excess parking demand where the number of parking spaces available and/or the likelihood that parking would occur on major thoroughfares or within residential neighborhoods.*
  2. *The need for and benefit of additional open space or landscaped areas on the area, which would not be feasible if the full number of required spaces*

*were improved in the face of an apparent lack of need for all such spaces, taking into consideration accepted planning principles.*

- D. *Other specific reasons which are identified in the official minutes of the Planning Commission. The Planning Commission may attach conditions to the approval of a deviation from off-street parking requirements that bind such approval to the specific use in question.*

The applicant has provided an analysis with regard to his request for a parking modification. The City's traffic engineer has reviewed and concurred with those findings. We support the applicant's request for a 68-space reduction in the overall parking requirement for the combined office park and restaurant site.

*Items to be Addressed: None.*

## **LANDSCAPING**

The applicant has provided a landscape plan illustrating what elements will be impacted by the project. A row of green mountain boxwoods along the current patio boundary will be removed for the new expansion. The boxwoods will be replaced by additional 36-inch Hick's Yews, which are currently planted along the outdoor dining boundary. No required landscaping will be impacted by the project and the four large existing trees near the patio will be preserved.

*Items to be Addressed: None.*

## **RECOMMENDATIONS**

This project enhances an existing successful business in the City. The applicant was granted a dimensional variance in 2009 to permit the front yard encroachment, and has applied for site plan approval within a year of the variance being granted. The site is adequately served by parking when the shared parking methodology is applied. Therefore, we recommend the Planning Commission approve the preliminary site plan, and the required parking modification, as designed.



**CARLISLE/WORTMAN ASSOCIATES, INC.**  
**Zachary G. Branigan, LEED AP, AICP**  
**Associate**

**ITEM #6 – con't.**

Mr. Lambert stated that he feels the petitioner meets the criteria listed in the application, especially B and C.

Motion by Clark

Supported by Courtney

MOVED, to grant Mazin & Sennica Nafsu, 3769 Meadowbrook, approval under Section 43.74.00 to park a commercial vehicle outside on residential property for a period of two (2) years.

- Vehicle is to be parked at the rear of the driveway.
- Petitioner has met B and C of the criteria for approval.
- Vehicle will not have an adverse effect to surrounding property.

Yeas: All – 7

MOTION TO GRANT APPROVAL FOR TWO (2) YEARS CARRIED

**ITEM #7 – VARIANCE REQUESTED. CAMERON MITCHELL RESTAURANTS, 2915 COOLIDGE**, for relief of the Ordinance to construct a covered outdoor seating area with an 11' front setback where Section 30.20.03 requires a 30' front yard setback.

Mr. Stimac explained that the petitioner is requesting relief of the ordinance to expand the outdoor seating area and install a new roof over the existing and new seating area at the existing Ocean Prime Restaurant. This property is located in the O-S-C (Office-Service-Commercial) Zoning District. Section 30.20.03 requires a 30' minimum front yard setback for buildings in the O-S-C Zoning District. The proposed new roof covering over the patio results in a front setback of 11' from the property line along Coolidge.

Mr. Kovacs asked if in the event the variance was granted, a stipulation could be made that would not permit this addition to be permanently enclosed.

Mr. Stimac stated that if it was the Board's preference that this was to remain a covered outdoor dining room area, a stipulation stating that should be made.

Mr. Bartnik asked if a temporary type of sheeting could be added to the sides of this outdoor seating area.

Mr. Stimac said that it depend on the decision of the Board, a stipulation could be made that this would remain a covered and unenclosed area.

Mark Knauer, President of Knauer Incorporated, was present and stated that Ocean Prime has been in this location for two years and the restaurant has improved this

**ITEM #7 – con't.**

corner of what was a parking lot. Originally they had planned to put the restaurant at the back of the lot and have parking surrounding it. The Planning Commission felt that this area would be enhanced by having the restaurant at the corner. Unfortunately due to the Michigan weather it is sometimes difficult to predict whether or not people can be seated outside. They have tried using umbrellas, and also make use of heaters, but people sitting outside are often uncomfortable.

Mr. Courtney asked how much seating was provided inside the restaurant.

Mr. Knauer said there were about 280 seats. Mr. Knauer also stated that they do not plan on adding any type of foundation or enclosing this area. Absent a variance, literal enforcement of the Ordinance would be unnecessarily burdensome.

Mr. Lambert stated that with Michigan weather he can certainly understand the need to cover this area.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file.

Mr. Kovacs stated that he does not want to see this space enclosed as part of the restaurant and would like strict language that would not allow for a foundation to be built.

Motion by Bartnik

Supported by Courtney

MOVED, to grant Cameron Mitchell Restaurants, 2915 Coolidge, relief of the Ordinance to construct a covered outdoor seating area with an 11' front setback where Section 30.20.03 requires a 30' front yard setback.

- This covered outdoor seating area will not be enclosed as a permanent seating area.
- Absent a variance the welfare of the guests would be adversely affected.
- Variance will not have an adverse effect to surrounding property.
- Variance is not contrary to public interest.

Yeas: All – 7

MOTION TO GRANT VARIANCE CARRIED



March 2, 2010

Mr. R. Brent Savidant  
Planning Director  
City of Troy  
500 W. Big Beaver Rd.  
Troy MI 48084

**RE: Parking Requirements for Ocean Prime Restaurant  
Planning File No. SU 351  
Parcel No. 88-20-30-226-010  
3001 West Big Beaver Road, Troy, Michigan**

Dear Mr. Savidant:

Reference is made to the following:

1. Cameron Mitchell Restaurants, LLC desires to apply for Preliminary Site Plan Approval to expand the patio area of the Ocean Prime restaurant at 2915 Coolidge Highway, Troy, Michigan 48084. The expanded patio area will add **27** additional seats requiring an additional **16** parking spaces.
2. On June 26, 2007, the Planning Commission, by Resolution # PC-2007-06-111, approved the reduction of the total number of parking spaces on the Troy Place site to **2,871** (see attached letter). This number was arrived at based upon the Parking Data shown on the Site Plan dated June 21, 2007 (the "Site Plan") which stated that there would be **2,871** parking spaces on the Troy Place site after the construction of the Ocean Prime restaurant.
3. Whereas, the Parking Data set forth on the Site Plan was correct as to (i) the number of parking spaces in the parking area surrounding the restaurant site, (ii) the number of parking spaces to be lost due to the construction of the restaurant, and (iii) the number of additional spaces required to accommodate the restaurant use, the Parking Data was incorrect as to the number of parking spaces existing on the total site prior to the construction of the restaurant.

**Nemer Property Group, Inc.**

26877 Northwestern Highway, Suite 101  
PO Box 70, Southfield, Michigan 48037-0070  
(248) 352-2080 Fax: (248) 352-8760

Mr. R. Brent Savidant  
Planning Director  
City of Troy  
March 2, 2010

Page Two

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4. The Troy Place site (approximately 37 acres) currently contains a total of **2,819** parking spaces which is **52** spaces less than the **2,871** spaces required by the Planning Commission's approval in 2007. This shortfall was created when the entire parking area was restriped a few years ago in order to increase the width of all spaces to 9.5' wide instead of 9.0' wide and to increase the number of handicap spaces. The need to restripe the spaces and the anticipated loss of parking which would result from such restriping was noted in the Site Plan Review performed by the Planning Commission at their meeting on December 9, 2003 relating to the proposed construction of a Fleming's restaurant (see attached letter).

We hereby request that the City of Troy Planning Commission approve a reduction in the parking required for the Troy Place site of **68 spaces** (which is the sum of (i) 52 to reflect existing conditions, plus (ii) 16 to accommodate the additional 27 seats in the restaurant) so that the total number of parking spaces required on the Troy Place site is **2,819**. In support of this request, we are submitting a Shared Parking Analysis prepared by Professional Engineering Associates, Inc. dated March 2, 2010.

Please feel free to call if you have any questions.

Sincerely,

**TROY PLACE I ASSOCIATES**



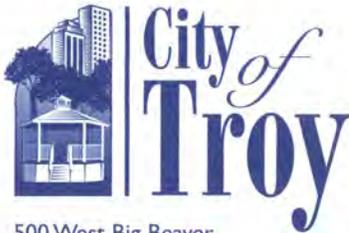
Larry M. Nemer

ATTACHMENTS:

1. Parking Table
2. Special Use and Preliminary Site Plan Approval dated June 29, 2007
3. Site Plan Review dated December 22, 2003

ATTACHMENT 1

<b>TROY PLACE PARKING DATA</b>	
TOTAL NUMBER OF SPACES REQUIRED FOR EXISTING 5 OFFICE BUILDINGS AND 1 RESTAURANT BUILDING PER SPECIAL USE APPROVAL AND PRELIMINARY SITE PLAN APPROVAL ON JUNE 26, 2007:	<b>2,871</b>
ADDITIONAL PARKING REQUIRED FOR 27 ADDITIONAL RESTAURANT SEATS ON PATIO:	<b>16</b>
TOTAL PARKING REQUIRED ON SITE AFTER ADDING 27 SEATS:	<b>2,887</b>
TOTAL NUMBER OF EXISTING PARKING SPACES ON 03-01-10:	<b>2,819</b>
TOTAL NUMBER OF REQUIRED SPACES NOT PROVIDED:	<b>68</b>



[ATTACHMENT 2](#)

June 29, 2007

500 West Big Beaver  
Troy, Michigan 48084  
Fax: (248) 524-0851  
[www.ci.troy.mi.us](http://www.ci.troy.mi.us)

Area code (248)

Assessing  
524-3311

Bldg. Inspections  
524-3344

Bldg. Maintenance  
524-3368

City Clerk  
524-3316

City Manager  
524-3330

Community Affairs  
524-1147

Engineering  
524-3383

Finance  
524-3411

Fire-Administration  
524-3419

Human Resources  
524-3339

Information Services  
619-7279

Law  
524-3320

Library  
524-3545

Parks & Recreation  
524-3484

Planning  
524-3364

Police-Administration  
524-3443

Public Works  
524-3370

Purchasing  
524-3338

Real Estate & Development  
524-3498

Treasurer  
524-3334

General Information  
524-3300

Mr. Larry Nemer  
Troy Place I Associates  
26877 Northwestern Hwy  
Suite 101  
Southfield, MI 48033

**Subject: SPECIAL USE AND PRELIMINARY SITE PLAN APPROVAL (SU 351) - Mitchell's Ocean Club Restaurant, Southwest corner of Big Beaver and Coolidge, Section 30, Zoned O-S-C (Office-Service-Commercial) District**

Dear Mr. Nemer:

At their Special/Study Meeting of June 26, 2007, the Planning Commission acted upon Special Use Request (SU 351) for Mitchell's Ocean Club Restaurant located on the southwest corner of Big Beaver and Coolidge, Section 30, Zoned O-S-C (Office-Service-Commercial) district, in the following manner:

**Resolution # PC-2007-06-111**

Moved by: Wright  
Seconded by: Littman

**RESOLVED**, That the Planning Commission hereby approves a reduction in the total number of required parking spaces to 2,871 when a total of 3,228 spaces are required on the site based on the off-street parking space requirements for offices and restaurants, as per Article XL. This 357 space reduction meets the standards of Article 40.20.12 given the parking demands of the restaurant and office complex.

**BE IT FURTHER RESOLVED**, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 26.30.05 of the Zoning Ordinance, as requested for the proposed Ocean Club Restaurant, located on the southwest corner of Big Beaver and Coolidge, in Section 30, within the O-S-C zoning district, is hereby granted.

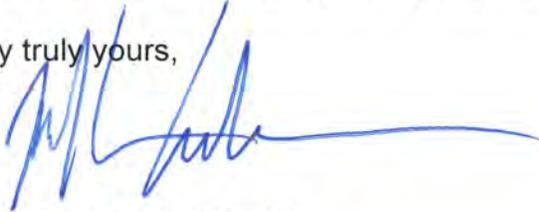
Yes: All present (7)  
No: None  
Absent: Strat, Vleck

**MOTION CARRIED**

The Preliminary Approval may continue to be valid after this date if the applicant can show reasonable progress toward completion of the Final Site Plan Approval checklist.

The enclosed checklist indicates the items that shall be provided or actions that shall be taken to receive Final Site Plan Approval. Additional items may be added to this list in the course of Building and Engineering Plan Review. Please feel free to contact the undersigned if you should have any further questions or comments regarding this matter.

Very truly yours,



Mark F. Miller AICP/PCP  
Planning Director

Enclosure

cc: Building Department  
Engineering Department  
Fire Department  
File / SU 351  
File / Correspondence



[ATTACHMENT 3](#)

December 22, 2003

500 West Big Beaver  
Troy, Michigan 48084  
Fax: (248) 524-0851  
[www.ci.troy.mi.us](http://www.ci.troy.mi.us)

Mr. Larry Nemer  
Manager  
Troy Place I Associates  
26877 Northwestern Highway, Suite 101  
Southfield, MI 48034

Area code (248)

Assessing  
524-3311

Bldg. Inspections  
524-3344

Bldg. Operations  
524-3368

City Clerk  
524-3316

City Manager  
524-3330

Community Affairs  
524-1147

Engineering  
524-3383

Finance  
524-3411

Fire-Administration  
524-3419

Human Resources  
524-3339

Information Technology  
619-7279

Law  
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Parks & Recreation  
524-3484

Planning  
524-3364

Police-Administration  
524-3443

Public Works  
524-3370

Purchasing  
524-3338

Real Estate & Development  
524-3498

Treasurer  
524-3334

General Information  
524-3300

**Subject: SITE PLAN REVIEW (SP 218-B) - Proposed Fleming's Steakhouse & Wine Bar, South Side of Big Beaver, West of Coolidge (3001 W. Big Beaver), Section 30 - O-S-C**

At their Regular Meeting of December 9, 2003, the Planning Commission acted upon your request for Site Plan Review of the proposed Fleming's Steakhouse & Wine Bar, located on the south side of Big Beaver Road, west of Coolidge (3001 W. Big Beaver), Section 30, O-S-C, in the following manner:

**Resolution # PC-2003-12-065**

Moved by: Storrs  
Seconded by: Strat

**RESOLVED**, that pursuant to Section 26.25.01, the site plan provides a logical extension of the floor plan of the principal structure, and utilizes exterior materials similar to or harmonious with the principal structure;

**BE IT FURTHER RESOLVED**, that Preliminary Site Plan Approval, as requested for Fleming's Steakhouse & Wine Bar, located on the south side of Big Beaver and west of Coolidge, located in section 30, within the O-S-C zoning district, is hereby granted, subject to the following conditions:

1. The applicant shall seek and receive a variance from the City Council for the number of parking spaces that the applicant may be deficient after re-striping the development parking lot to 9.5-foot parking spaces, or come back to the Planning Commission for consideration of shared parking.
2. The City of Troy is responsible for the replacement of the trees along Big Beaver Road that were removed during the road-widening project.

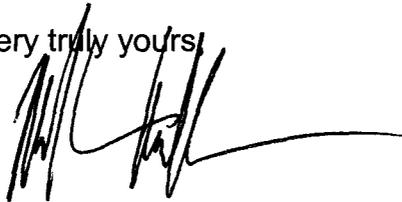
Yes: All present (8)  
No: None  
Absent: Chamberlain

**MOTION CARRIED**

This Preliminary Approval is valid for a period of one (1) year from date of Preliminary Approval. The approval may be considered if the applicant can show reasonable progress toward completion of the Final Site Plan Approval checklist.

The existing checklist indicating those items that must be provided or actions that must be taken for Final Site Approval prior to receiving any occupancy or building permits will be used. Additional items may be added to this list in the course of Building and Engineering Plan Review. Please feel free to contact the undersigned should you have any further questions or comments regarding this matter.

Very truly yours,



Mark F. Miller AICP/PCP  
Planning Director

Enclosure

cc: Mark Stimac, Director of Building and Zoning  
Steve Vandette, City Engineer  
Dave Roberts, Assistant Fire Chief  
File / SP 218-B  
File / Correspondence

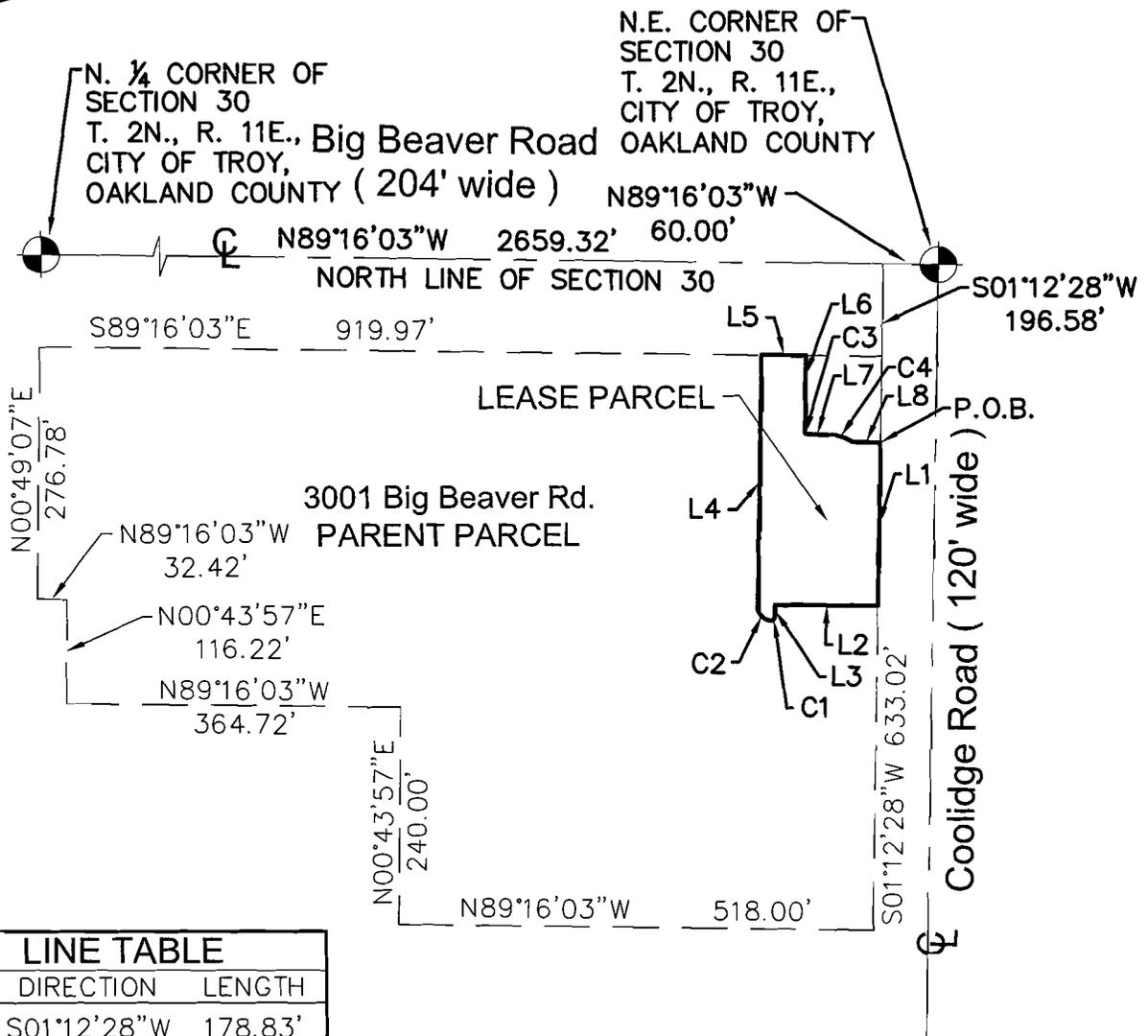
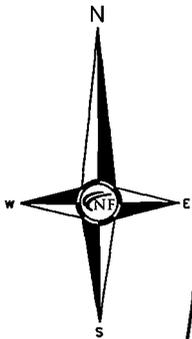
LAND CONTAINING 3001 WEST BIG BEAVER RD.

PART OF THE NORTHEAST 1/4 OF SECTION 30, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS:  
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 16 MINUTES 03 SECONDS WEST, 60.00 FEET ALONG THE NORTH LINE OF SECTION 30; THENCE SOUTH 01 DEGREE 12 MINUTES 28 SECONDS WEST, 102.00 FEET ALONG THE WEST LINE OF COOLIDGE ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF COOLIDGE ROAD, SOUTH 01 DEGREE 12 MINUTES 28 SECONDS WEST, 633.02 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 03 SECONDS WEST, 518.00 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 57 SECONDS EAST, 240.00 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 03 SECONDS WEST, 364.72 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 57 SECONDS EAST, 116.22 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 03 SECONDS WEST, 32.42 FEET; THENCE NORTH 00 DEGREES 49 MINUTES 07 SECONDS EAST, 275.78 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 03 SECONDS EAST, 919.97 FEET TO THE POINT OF BEGINNING.

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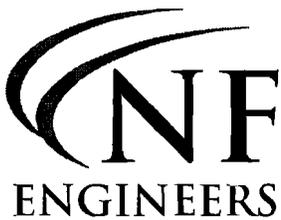
# Lease Parcel

PART OF THE N.E. ¼ OF  
SECTION 30, T. 2N., R. 11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S01°12'28"W	178.83'
L2	N89°27'20"W	112.28'
L3	S00°02'36"W	12.90'
L4	N01°12'28"E	276.67'
L5	S89°16'03"E	48.37'
L6	S01°12'28"W	84.37'
L7	S88°47'29"E	23.22'
L8	S88°46'11"E	30.57'

CURVE TABLE					
ARC	DELTA	RADIUS	LENGTH	CHD.BRG.	CHORD
C1	96°20'15"	5.00'	8.41'	S48°12'44"W	7.45'
C2	84°49'39"	15.00'	22.21'	N41°12'20"W	20.23'
C3	88°27'53"	2.00'	3.09'	S44°33'32"E	2.79'
C4	31°22'52"	51.75'	28.34'	S73°06'03"E	27.99'



**NOWAK & FRAUS ENGINEERS**  
1310 N. STEPHENSON HWY.  
ROYAL OAK, MI 48067-1508  
TEL. (248) 399-0886  
FAX. (248) 399-0805

SCALE      DATE      DRAWN      JOB NO.      SHEET  
1" = 200'      5-15-09      DKM/MRC      D145-01      1 of 2

## Lease Parcel

PART OF THE N.E.  $\frac{1}{4}$  OF  
SECTION 30, T. 2N., R. 11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

### LEGAL DESCRIPTION - PARENT PARCEL

PART OF THE NORTHEAST QUARTER OF SECTION 30, T.2N., R. 11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE N.89°16'03"W., 60.00 FEET ALONG THE NORTH LINE OF SECTION 30; THENCE S.01°12'28"W., 102.00 FEET ALONG THE WEST LINE OF COOLIDGE ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF COOLIDGE ROAD (120' WIDE) S.01°12'28"W., 633.02 FEET; THENCE N.89°16'03"W., 518.00 FEET; THENCE N.00°43'57"E., 240.00 FEET; THENCE N.89°16'03"W., 364.72 FEET; THENCE N.00°43'57"E., 116.22 FEET; THENCE N.89°16'03"W., 32.42 FEET; THENCE N.00°49'07"E., 276.78 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BIG BEAVER ROAD (204' WIDE); THENCE S.89°16'03"E., 919.97 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE OF BIG BEAVER ROAD TO THE POINT OF BEGINNING.

CONTAINING 481,806 SQUARE FEET OR 11.06 ACRES.

### LEGAL DESCRIPTION- LEASE PARCEL

PART OF THE NORTHEAST QUARTER OF SECTION 30, T. 2N., R. 11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE N.89°16'03"W., 60.00 FEET ALONG THE NORTH LINE OF SECTION 30; THENCE S.01°12'28"W., 196.58 FEET ALONG THE WEST LINE OF COOLIDGE ROAD (120' WIDE) TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF SAID COOLIDGE ROAD S.01°12'28"W., 178.83 FEET; THENCE N.89°27'20"W., 112.28 FEET; THENCE S.00°02'36"W., 12.90 FEET; THENCE 8.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS=5.00 FEET, DELTA=96°20'15", CHORD BEARS S.48°12'44"W., 7.45 FEET); THENCE 22.21 FEET ALONG A COMPOUND CURVE TO THE RIGHT (RADIUS=15.00 FEET, DELTA=84°49'39", CHORD BEARS N.41°12'20"W., 20.23 FEET); THENCE N.01°12'28"E., 276.67 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BIG BEAVER ROAD (204' WIDE); THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF BIG BEAVER ROAD S.89°16'03"E., 48.37 FEET; THENCE S.01°12'28"W., 84.37 FEET; THENCE 3.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS=2.00 FEET, DELTA=88°27'53", CHORD BEARS S.44°33'32"E., 2.79 FEET); THENCE S.88°47'29"E., 23.22 FEET; THENCE 28.34 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS=51.75 FEET, DELTA=31°22'52", CHORD BEARS S.73°06'03"E., 27.99 FEET); THENCE S.88°46'11"E., 30.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 28,694 SQUARE FEET OR 0.65 ACRES.



NOWAK & FRAUS ENGINEERS  
1310 N. STEPHENSON HWY.  
ROYAL OAK, MI 48067-1508  
TEL. (248) 399-0886  
FAX. (248) 399-0805

SCALE	DATE	DRAWN	JOB NO.	SHEET
None	5-15-09	DKM/MRC	D145-01	2 of 2



**PROFESSIONAL ENGINEERING ASSOCIATES, INC.**

*CIVIL ENGINEERS / LAND SURVEYORS / LANDSCAPE ARCHITECTS*

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*Vice President*

## TECHNICAL MEMORANDUM

VIA EMAIL

**To:** Mr. Don Waller  
Cameron Mitchell Restaurants

**From:** Michael J. Labadie, PE  
Timothy J. Likens

**Date:** March 3, 2010

**Subject:** Ocean Prime Restaurant & Troy Place Office Complex  
City of Troy, Michigan  
Shared Parking Analysis  
PEA #2010-038.00T

### Introduction

This memorandum presents the results of a shared parking analysis for the Ocean Prime Restaurant and Troy Place Office Complex in the City of Troy, Michigan. The restaurant and complex are located in the southwest quadrant of the intersection of West Big Beaver Road and Coolidge Highway in the City of Troy, Michigan. The restaurant currently has 380 seats within the 8,715 square foot (SF) building and the outdoor patio area. The office complex has a gross floor area of 868,834 SF, including a 3,650 SF medical office, a 5,590 SF bank, and 3,757 SF of retail space.

In 1997 the Troy City Council approved a 248 space parking variance for the office complex, therefore establishing a requirement of 3,000 on-site parking spaces. Based on Ordinance requirements, the existing restaurant requires 228 spaces, for a total of 3,228 parking spaces required for the site. In 2007, the City Planning Commission granted a 357 space reduction in the parking requirement for the development of the existing restaurant. Currently, there are 2,819 parking spaces on-site, or 52 spaces less than the approved on-site parking requirement. This is due to a subsequent re-striping of the parking spaces surrounding the office complex.

The applicant is seeking to expand the outdoor patio seating area by approximately 350 SF and provide 27 additional patio seats. Based on City Ordinance requirements, the proposed seating increase would require an additional 16 parking spaces, for a total of 2,887 spaces. As compared to the existing parking supply, this requirement would require the approval of a 68 space reduction in the current parking requirement for the site. The parking requirements described above for the site are summarized in Table 1.

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• Municipal Engineering • Traffic Engineering • Asset Management • Sustainable Design • Geotechnical Engineering • Site Development • Wetland Services •

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## Analysis

The purpose of this parking study is to determine if the existing on-site parking spaces are adequate to accommodate the parking demands for the existing land uses and the proposed patio expansion. For this purpose, parking requirements based on rates published by the Institute of Transportation Engineers (ITE) and the Urban Land Institute (ULI) were calculated and compared to the existing requirements the City has approved for on-site parking. Additionally, the methodology related to the sharing of parking spaces was applied based on ULI's publication *Shared Parking, 2<sup>nd</sup> Edition*. According to the ULI, shared parking is the use of a single parking space to serve two or more individual land uses without conflict or encroachment. The ability to share parking spaces is the result of two conditions:

1. Variations in the accumulation of vehicles by hour, by day, or by season at the individual land uses, and
2. Relationships among the land uses that result in visiting multiple land uses on the same auto trip.

The ULI seasonal, daily and hourly parking demand variation patterns were applied to the approved City requirements, ITE, and ULI parking space calculations.

Based on the City parking requirements for the existing office complex and restaurant, 2,871 parking spaces should be provided. With the proposed restaurant patio expansion, 16 additional spaces would be required, for a total of 2,887 parking spaces. Considering the sharing of parking spaces, this requirement is reduced by 2.5% to 2,807 total spaces. Therefore, there is an existing surplus of 12 parking spaces as compared to the approved parking requirements with the application of shared parking methodology.

Based on parking rates published by ITE for the existing office complex and restaurant (with proposed patio expansion), 2,645 parking spaces should be provided. Considering the sharing of parking spaces, this requirement is reduced by 2.6% to 2,577 total spaces, or a surplus supply of 242 parking spaces. Based on parking rates published by ULI for the existing office complex and restaurant (with proposed patio expansion), 2,615 parking spaces should be provided. Considering the sharing of parking spaces, this requirement is reduced by 2.1% to 2,560 total spaces, or a surplus supply of 259 parking spaces. The shared parking calculations are summarized in Table 2, and the calculation details are provided in Tables 3, 4, and 5.

## Conclusions

Based on the analysis and results of this study, the existing 2,819 parking spaces would adequately accommodate the existing land uses and the proposed restaurant patio expansion. Therefore, PEA recommends that the City of Troy grant the requested parking variance of 68 spaces. Based on the application of shared parking methodology, the existing parking supply would exceed the City requirements by **12 parking spaces**, with the proposed restaurant improvement. Furthermore, based on ITE and ULI parking data and shared parking methodology, a **surplus of 242 to 259 parking spaces** would be provided.

Any questions related to this study should be addressed to Professional Engineering Associates, Inc.



**Table 1  
Summary of On-Site Parking Requirements**

	Development Phase			
	1	2	3	4
	Troy Place Office Complex	Ocean Prime Restaurant	Troy Place Restriping	Proposed Ocean Prime Patio Addition
<b>Size of Land Use</b>	868,834 SF	8,715 SF 380 seats	all spaces 9.5 feet wide	350 additional SF of Outdoor Patio 27 additional patio seats
<b>Number of Spaces Required per Ordinance</b>	3,248 spaces	1 space per 2 seats <i>plus</i> 1 space per 10 seats 228 spaces		1 space per 2 seats <i>plus</i> 1 space per 10 seats 16 spaces
<b>Total Spaces Required for Site per City</b>	3,248 spaces	3,228 spaces		2,887 spaces
<b>Variance or Reduction in Site Parking Requirement</b>	248 spaces Variance City Council, 1997	357 spaces Reduction in Requirement Planning Commission, 2007		68 spaces Currently Proposed Reduction in Requirement
<b>Resulting Site Parking Requirement</b>	3,000 spaces	2,871 spaces	2,871 spaces	2,819 spaces
<b>On-Site Parking Supply</b>	3,000 spaces	2,871 spaces	2,819 spaces	2,819 spaces
<b>Site Parking Surplus or Deficiency per City</b>	0 spaces	0 spaces	(52) spaces	0 spaces <i>With Approval of 68 Space Reduction in Parking Requirement</i>



**Table 2**  
**Summary of Shared Parking Analysis**

	On-Site Parking Supply	Required with Approved Variances and Reductions	Required per ITE Rates <sup>1</sup>	Required per ULI Rates
<b>Number of Spaces required without Application of Shared Parking</b>	2,819	2,887	2,645	2,615
<b>Number of Spaces WITH application of Shared Parking</b>	2,819	2,807 (2.5% Shared Parking Reduction)	2,577 (2.6% Shared Parking Reduction)	2,560 (2.1% Shared Parking Reduction)
<b>Parking Surplus Supply vs. Requirement with Shared Parking</b>		12	242	259

Notes: 1. Based on information published by ULI and ITE, parking occupancy can be considered at capacity when demand reaches 90% of the available number of spaces. Therefore, calculated number of parking spaces equals ITE demand plus 10% adjustment for "effective supply".

**Table 3**  
**Project: Ocean Prime Troy**  
**Description: Per City Requirements and Shared Parking**

**SHARED PARKING DEMAND SUMMARY**

**PEAK MONTH: DECEMBER -- PEAK PERIOD: 2 PM, WEEKDAY**

Land Use	Project Data Quantity      Unit		Weekday		
			Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand
			2 PM	December	
Community Shopping Center (<400 ksf) Employee	3,757	sf GLA	1.00 1.00	1.00 1.00	15 4
Fine/Casual Dining Restaurant Employee	407	seats	0.65 0.90	1.00 1.00	135 33
Office >500 ksf Employee	855,837	sf GFA	1.00 1.00	1.00 1.00	205 2,723
Medical/Dental Office Employee	3,650	sf GFA	1.00 1.00	1.00 1.00	21 10
Bank (Branch) with Drive-In Employee	5,590	sf GFA	0.70 1.00	1.00 1.00	11 7
			Customer Employee Reserved Total		387 2777 0 3164

Without Shared Parking      3244  
Shared Parking Reduction      2.5%

Approved Reduction in Parking Requirement for Ocean Prime      357  
Resulting City Parking Requirement with Shared Parking      2807

**Table 4**  
**Project: Ocean Prime Troy**  
**Description: ITE Rates with Shared Parking**

**SHARED PARKING DEMAND SUMMARY**

**PEAK MONTH: DECEMBER -- PEAK PERIOD: 2 PM, WEEKDAY**

Land Use	Project Data Quantity      Unit		Weekday		
			Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand
			2 PM	December	
Community Shopping Center (<400 ksf) Employee	3,757	sf GLA	1.00 1.00	1.00 1.00	12 3
Fine/Casual Dining Restaurant Employee	407	seats	0.65 0.90	1.00 1.00	112 28
Office >500 ksf Employee	855,837	sf GFA	1.00 1.00	1.00 1.00	168 2,225
Medical/Dental Office Employee	3,650	sf GFA	1.00 1.00	1.00 1.00	9 4
Bank (Branch) with Drive-In Employee	5,590	sf GFA	0.70 1.00	1.00 1.00	9 7
			Customer Employee Reserved Total		310 2267 0 2577

Without Shared Parking      2645  
Shared Parking Reduction      2.6%

**Table 5**

**Project: Troy Place Office Complex**

**Description: Restaurant Seating Increase of 27 Seats and 350 SF of Outdoor Patio Area**

**ULI Rates with Shared Parking**

**SHARED PARKING DEMAND SUMMARY**

**PEAK MONTH: DECEMBER -- PEAK PERIOD: 2 PM, WEEKDAY**

Land Use	Project Data Quantity      Unit		Weekday	Weekend	Weekday		Estimated Parking Demand	
			Base Rate	Base Rate	Peak Hr Adj	Peak Mo Adj		
					2 PM	December		
Community Shopping Center (<400 ksf) Employee	3,757	sf GLA	2.90 0.70	3.20 0.80	1.00 1.00	1.00 1.00	11 3	
Fine/Casual Dining Restaurant Employee	9,065	sf GLA w/ added patio	15.25 2.75	17.00 3.00	0.65 0.90	1.00 1.00	90 23	
Office >500 ksf Employee	855,837	sf GFA	0.20 2.60	0.02 0.26	1.00 1.00	1.00 1.00	171 2,225	
Medical/Dental Office Employee	3,650	sf GFA	3.00 1.50	3.00 1.50	1.00 1.00	1.00 1.00	11 5	
Bank (Branch) with Drive-In Employee	5,590	sf GFA	3.00 1.60	3.00 1.60	0.70 1.00	1.00 1.00	12 9	
							Customer	295
							Employee	2265
							Reserved	0
							Total	2560

Spaces Required by ULI rates without Shared Parking      2615

Shared Parking Reduction      2.1%

MARK ISSUED	DATE	DESCRIPTION
	06/23/09	ISSUED FOR PLANNING COMMISSION REVIEW
	03/20/09	BID ADDENDUM
	03/04/09	ISSUED FOR BID
	02/19/09	ISSUED FOR PERMIT
	02/12/09	ISSUED FOR LANDLORD REVIEW
	02/05/09	ISSUED FOR MEP AND STRUCTURAL COORDINATION
	01/12/09	ISSUED FOR CLIENT REVIEW

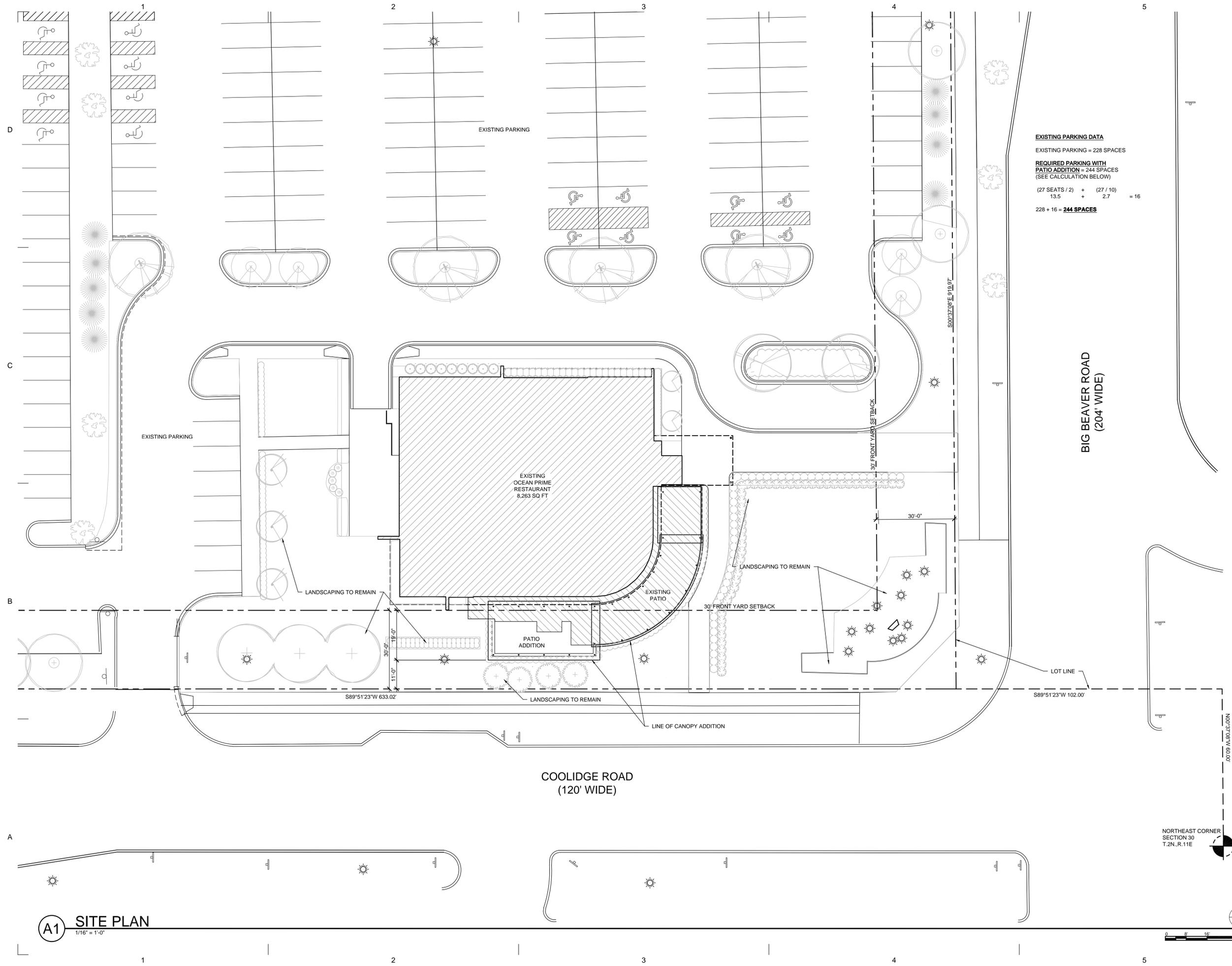
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OUTDOOR PATIO AND CANOPY  
ADDITION TO  
**OCEAN PRIME**  
S.W. CORNER OF BIG BEAVER AND COOLIDGE RD  
TROY, MI 48084

PROJECT NO: 2779  
CAD DWG FILE: S2779-OP-TROY PATIO&CANTOPERMIT SETA-01 SITE PLANNING  
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SHEET TITLE  
**SITE PLAN**

# A-101



**EXISTING PARKING DATA**  
EXISTING PARKING = 228 SPACES  
**REQUIRED PARKING WITH PATIO ADDITION = 244 SPACES**  
(SEE CALCULATION BELOW)  
 $(27 \text{ SEATS} / 2) + (27 / 10) = 13.5 + 2.7 = 16$   
**228 + 16 = 244 SPACES**

NORTHEAST CORNER  
SECTION 30  
T.2N., R.11E

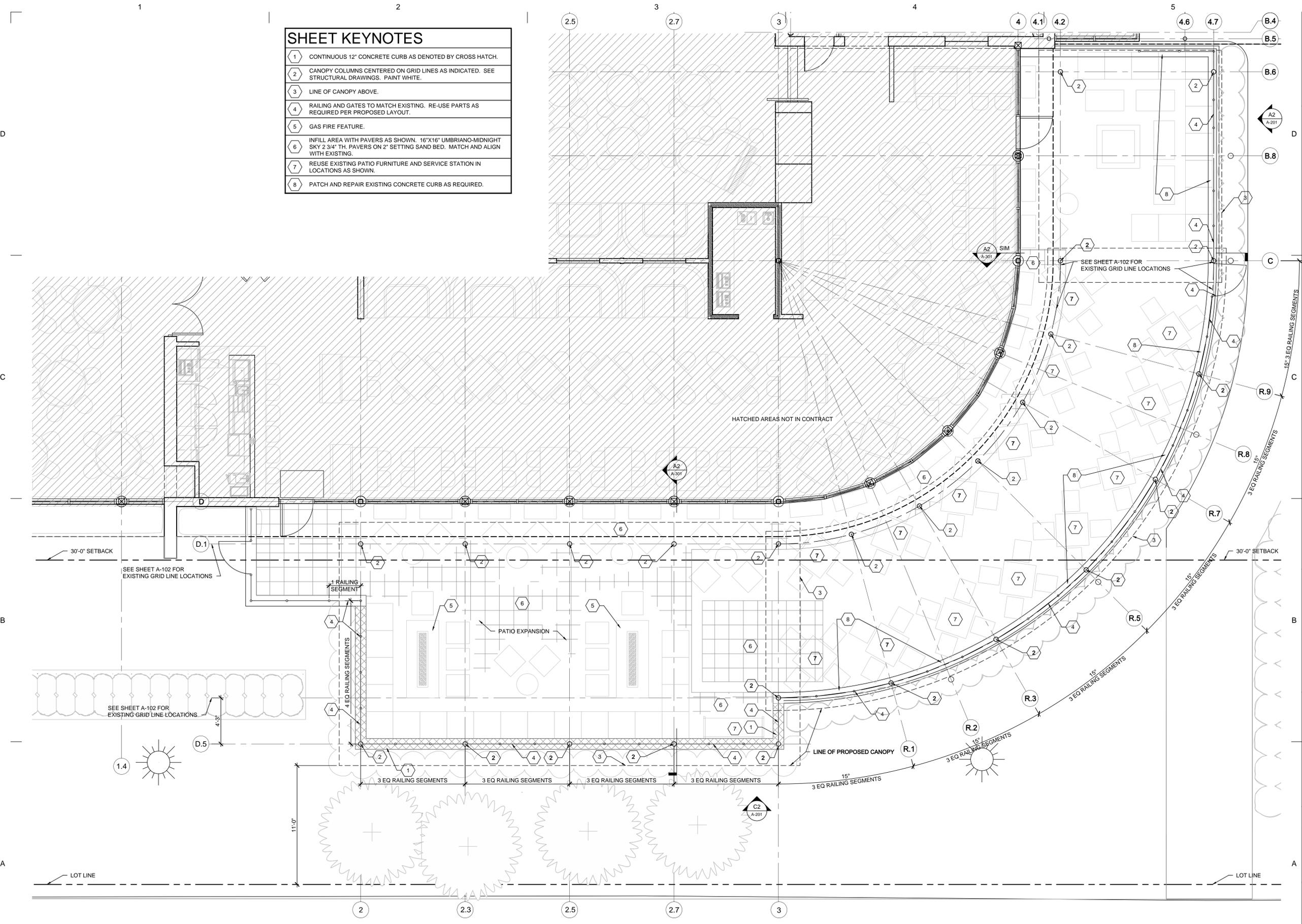


**A1 SITE PLAN**  
1/16" = 1'-0"

S:\2779-OP-TROY PATIO&CANTOPERMIT SETA-01 SITE PLANNING - DWG\BLOT\PCD\KNAUER AEC STANDARD\STD 1-07-10\02262009.13.dwg

SHEET KEYNOTES	
1	CONTINUOUS 12" CONCRETE CURB AS DENOTED BY CROSS HATCH.
2	CANOPY COLUMNS CENTERED ON GRID LINES AS INDICATED. SEE STRUCTURAL DRAWINGS. PAINT WHITE.
3	LINE OF CANOPY ABOVE.
4	RAILING AND GATES TO MATCH EXISTING. RE-USE PARTS AS REQUIRED PER PROPOSED LAYOUT.
5	GAS FIRE FEATURE.
6	INFILL AREA WITH PAVERS AS SHOWN. 16"X16" UMBRIANO-MIDNIGHT SKY 2 3/4" TH. PAVERS ON 2" SETTING SAND BED. MATCH AND ALIGN WITH EXISTING.
7	REUSE EXISTING PATIO FURNITURE AND SERVICE STATION IN LOCATIONS AS SHOWN.
8	PATCH AND REPAIR EXISTING CONCRETE CURB AS REQUIRED.

**KNAUER**  
 Knauer Incorporated  
 720 Waukegan Road, Suite 200  
 Deerfield, IL 60015  
 (847) 948.9500  
 (847) 948.9599 fax  
 www.knauerinc.com



MARK	DATE	DESCRIPTION
06/23/09		ISSUED FOR PLANNING COMMISSION REVIEW
03/20/09		BID ADDENDUM
03/04/09		ISSUED FOR BID
02/19/09		ISSUED FOR PERMIT
02/12/09		ISSUED FOR LANDLORD REVIEW
02/05/09		ISSUED FOR MEP AND STRUCTURAL COORDINATION
01/12/09		ISSUED FOR CLIENT REVIEW

OUTDOOR PATIO AND CANOPY  
 ADDITION TO  
**OCEAN PRIME**  
 S.W. CORNER OF BIG BEAVER AND COOLIDGE RD  
 TROY, MI 48064

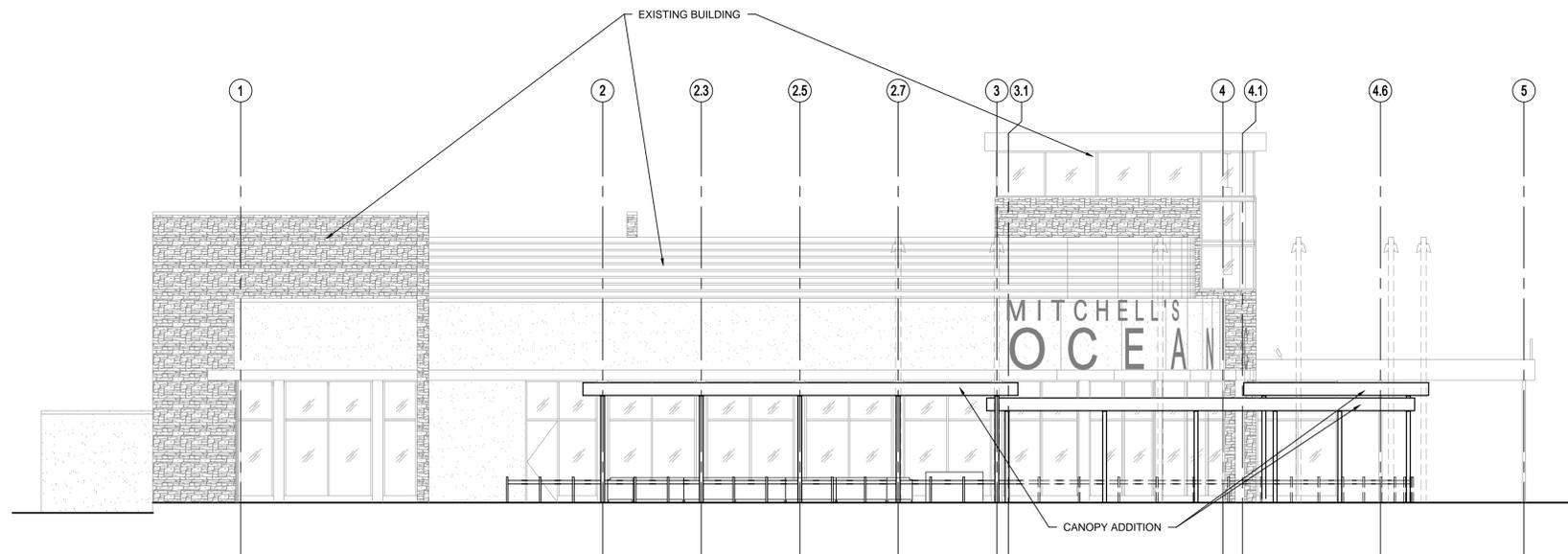
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SHEET TITLE  
**FLOOR PLAN**

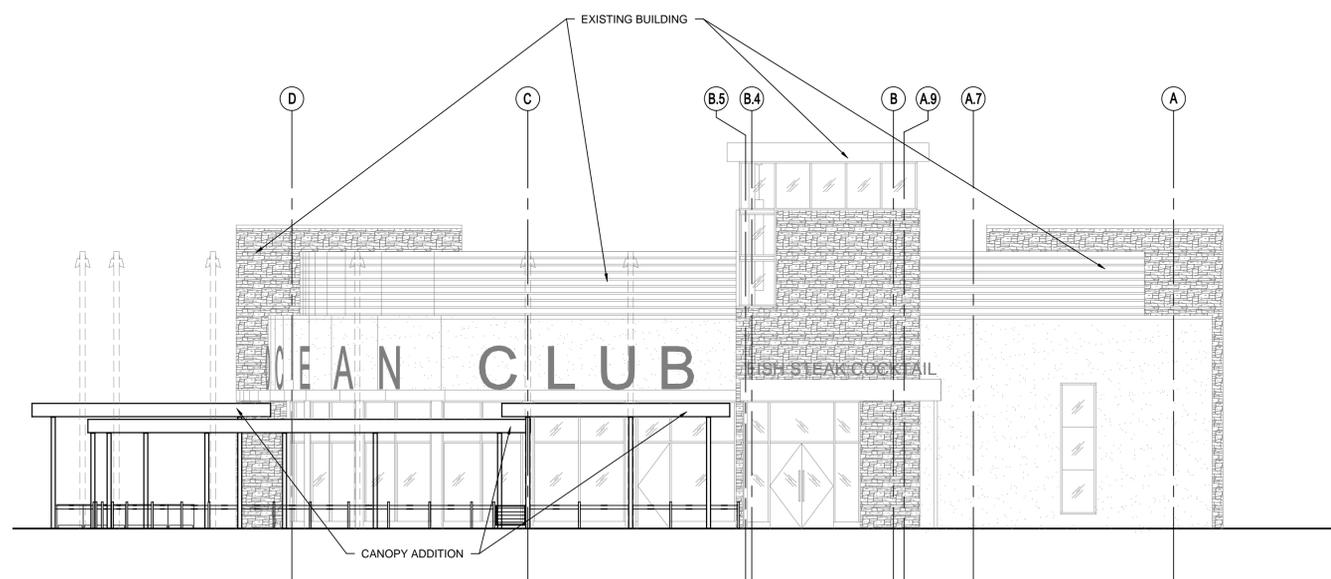
**A1 FLOOR PLAN**  
 1/4" = 1'-0"

**A-103**

S:\2779-OP-TROY PATIO/SHED/PERMIT SET-A-103 FLOOR PLANING - DWG\FLOOR PLANING - KNAUER AEC STANDARD.DWG 10'-0" x 1'-0" 07/22/2009 13:47:17



**C2** EAST ELEVATION  
1/8" = 1'-0"



**A2** NORTH ELEVATION  
1/8" = 1'-0"



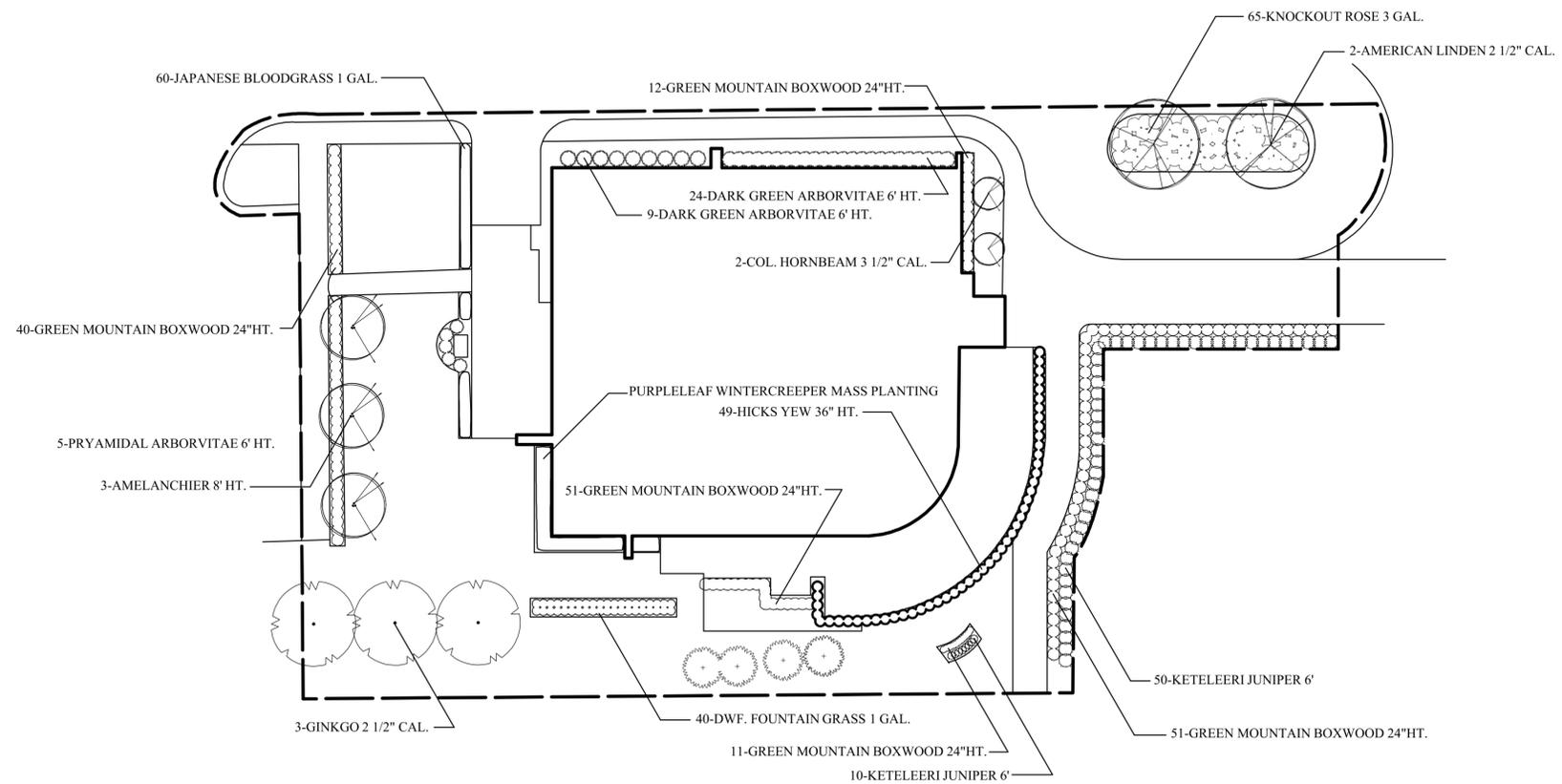
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	02/05/08	ISSUED FOR MEP AND STRUCTURAL COORDINATION
	02/12/08	ISSUED FOR LANDLORD REVIEW
	02/19/08	ISSUED FOR PERMIT
	03/04/08	ISSUED FOR BID
	03/20/08	BID ADDENDUM
	06/23/08	ISSUED FOR PLANNING COMMISSION REVIEW

OUTDOOR PATIO AND CANOPY  
ADDITION TO  
**OCEAN PRIME**  
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TROY, MI 48084

PROJECT NO: 2779  
CAD DWG FILE: S2779-OP-TROY PATIO&HEATPERMIT SETA201 EXTERIOR ELEVATIONS.DWG  
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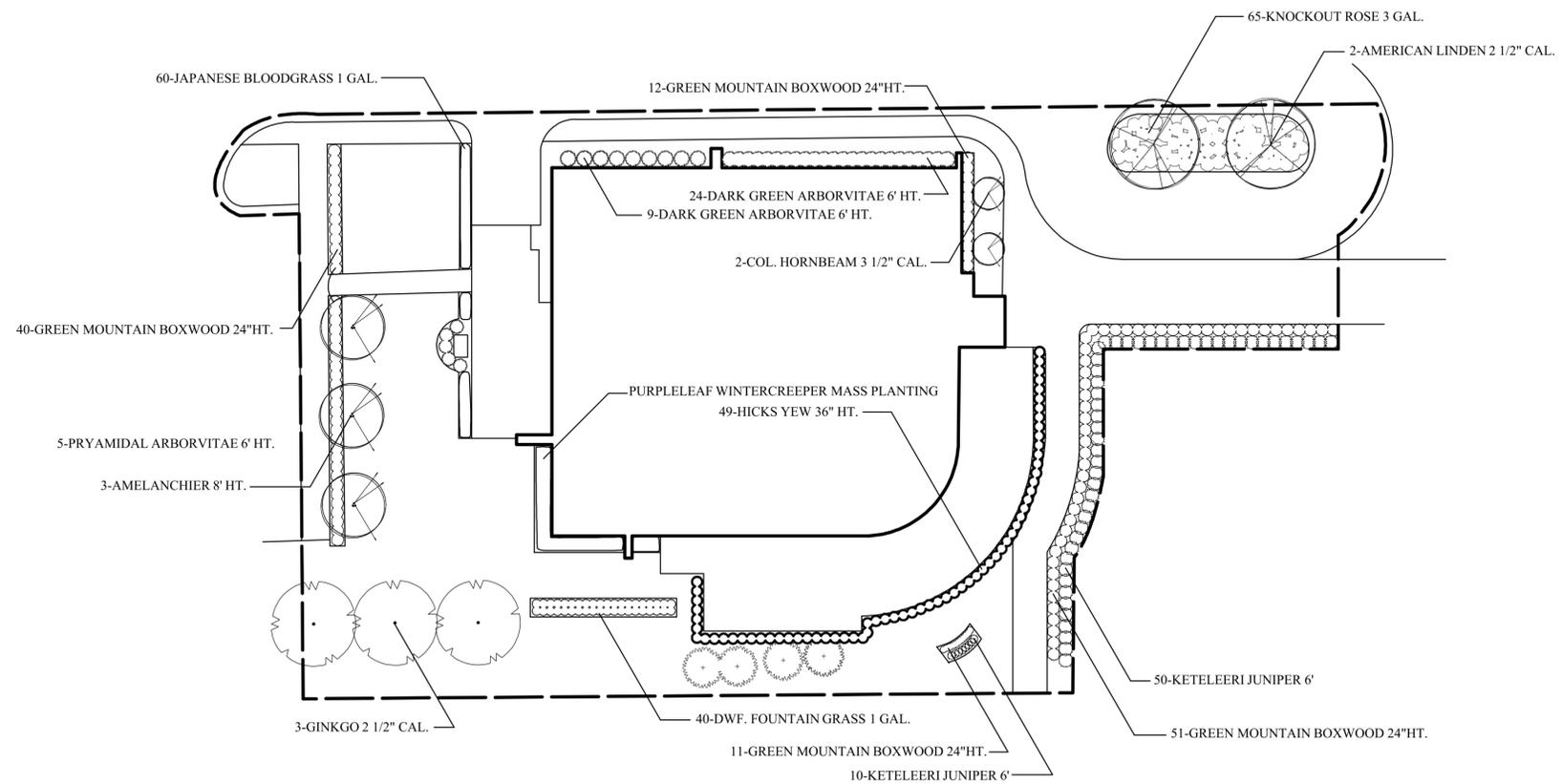
SHEET TITLE  
**EXTERIOR ELEVATIONS**

**A-201**



**OCEAN PRIME RESTAURANT - ASBUILT**

SCALE 1" = 20' - 0"



**OCEAN PRIME RESTAURANT - PROPOSED**

SCALE 1" = 20' - 0"

Date: April 22, 2010  
To: Planning Commission  
From: R. Brent Savidant, Acting Planning Director  
Subject: ROCHESTER ROAD ACCESS MANAGEMENT – Presentation by SEMCOG representative

The Southeast Michigan Council of Governments (SEMCOG) hired LSL Planning to develop the Rochester Road Access Management Plan. The intent of the project is to develop an access management plan for the Rochester Road corridor in the cities of Royal Oak, Clawson, Troy, Rochester Hills and Rochester, Michigan. The plan will provide strategies for managing access along the corridor. SEMCOG will fund the project and retain the successful consultant. The City of Troy will bear no cost for participating in the project. The project is expected to commence in the spring or summer of 2010 and be completed by fall 2010 or winter 2011. Community expectations include the following:

1. Adopt a resolution authorizing the Mayor to sign the Memorandum of Understanding, which will come back to City Council for consideration in the future.
2. Actively participate in Steering Committee meetings.
3. Make appropriate amendments to the Master Plan and Zoning Ordinance based on the Rochester Road Access Management Plan.
4. Coordinate implementation.

Other communities invited to participate include the cities of Rochester, Rochester Hills, Clawson and Royal Oak.

A representative from SEMCOG will attend the April 27, 2010 Special/Study meeting to discuss this project.

Attachments:

1. PowerPoint presentation provided by SEMCOG.

G:\Rochester Road Access Management\PC Memo 04 27 2010.docx

# Rochester Road Access Management Plan

# What is SEMCOG?

SEMCOG, the Southeast Michigan Council of Governments, is a membership organization of 162 local governments in the seven-county southeast Michigan region.

SEMCOG supports local government planning on regional issues in the areas of transportation, community & economic development, the environment, and education.

- Data and technical resources
- Direct assistance to members

# Purpose of Access Management

- ❑ Reduce crashes
- ❑ Improve traffic flow
- ❑ Improve business vitality
- ❑ Preserve road investment
- ❑ Enhance walkability, bikeability, and transit access
- ❑ Improve aesthetics
- ❑ Aid stormwater management

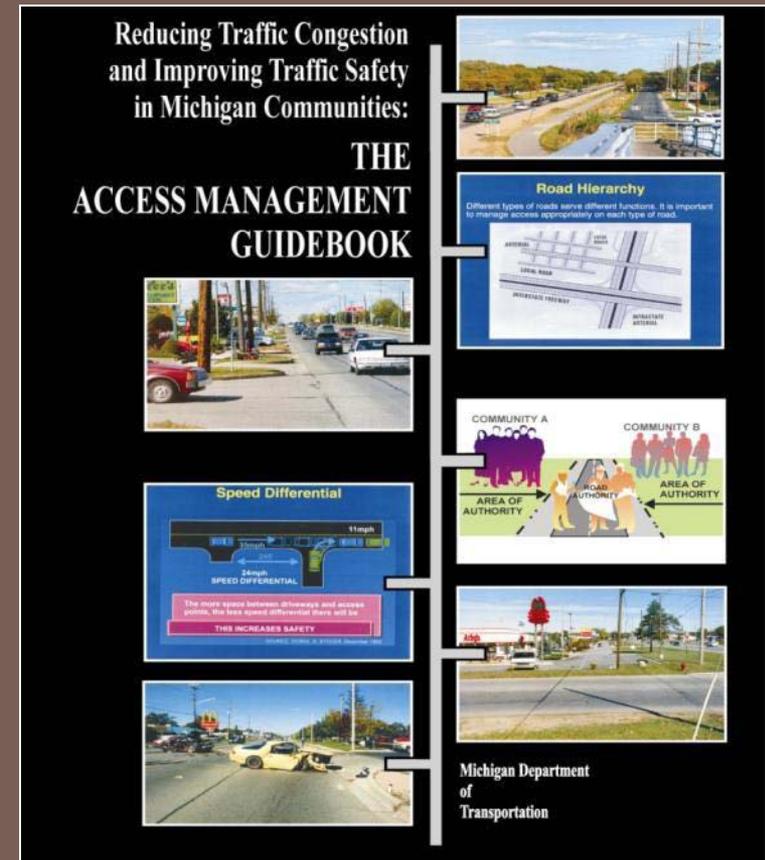


# Why Rochester Road?

- Density and growth
- Traffic volumes/congestion
- Traffic crashes
- You asked

# The MDOT Access Management Guidebook

- ❑ MDOT Access Management Task Force
- ❑ Based on numerous studies in other states
- ❑ National research and publications
- ❑ Experience of many Michigan communities
- ❑ Numerous MDOT Access Management Plans completed in partnership with communities



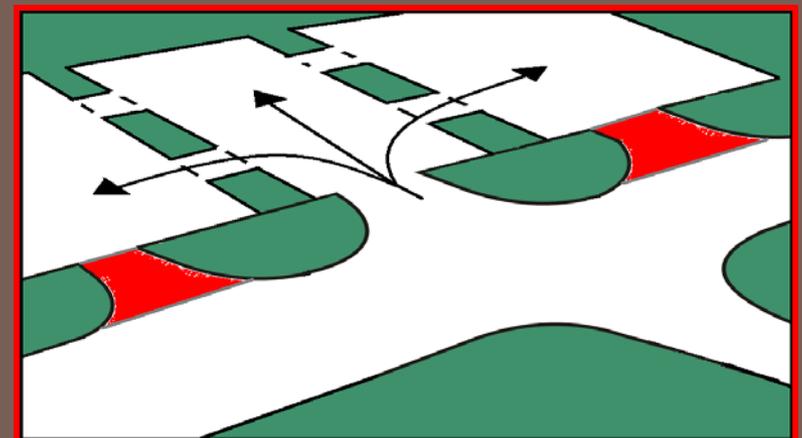
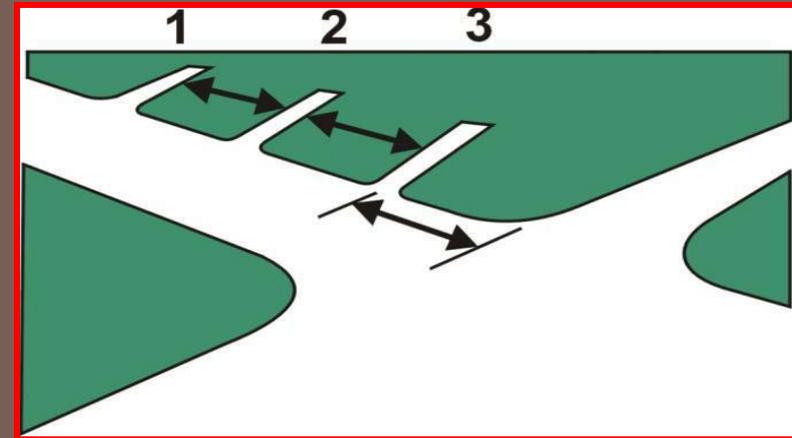
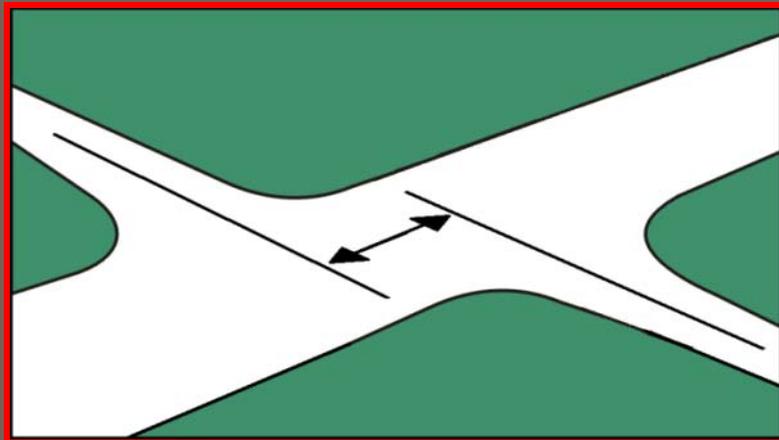
# Outcomes

- Access Management Plan
  - Incorporated into City's Master Plan
  - Supports zoning regulations
  - General guidelines with parcel-specific recommendations
- Zoning Ordinance
  - Consistent standards
  - Flexibility allowed by community when appropriate



# Access Standards

- Spacing
- Offsets
- Shared access



# Types of Access Recommendations

- Close/consolidate driveways
- Connect parking areas
- Redesign driveways/parking areas
- Front or rear service drives/connections
- Intersection improvements
- Integrate with walking/biking & transit
- Consider low-impact development techniques

## DEVELOPING RECOMMENDATIONS:

### What Do We Look For?

- Driveways near signalized intersections
- Poorly spaced or offset driveways
- Driveways nearest to cross-streets
- Access points near high crash segments



# When are the Plan Recommendations Applied?

- Changes in property status: as businesses redevelop or expand
- Local initiatives: partnerships with DDA, Corridor Improvement Authority, grants
- Road construction projects: coordinated between road agencies and property owners



# SEMCOG Role/Community Expectations

- SEMCOG role
  - Fund project; retain consultant
  - Provide project oversight
- Community expectations
  - Sign MOU
  - Actively participate on Steering Committee
  - Adopt master plan and zoning ordinance
  - Coordinate implementation

# Timeline

Summer  
2010

**Kick Off & Existing  
Conditions**

- Data Collection
- Corridor Tour
- Basic Findings
- Crash & Intersection Analysis

Fall  
2010

**Public Workshop**

Winter  
2010

**Plan Development**

- Plan Text
- Parcel-Specific Maps
- Model Zoning Regulations

Spring  
2011

**Local Adoption**

- Master Plan Amendment
- Zoning Ordinance Overlay

Date: April 22, 2010  
To: Planning Commission  
From: R. Brent Savidant, Acting Planning Director  
Subject: COMPREHENSIVE ZONING ORDINANCE REWRITE (ZOTA 236) –  
Discussion with Representatives from Carlisle/Wortman Associates, Inc.

Representatives of Carlisle/Wortman Associates, Inc. (CWA) will attend the April 27, 2010 Special/Study meeting to discuss the following information related to the Comprehensive Zoning Ordinance rewrite:

1. Maple Road District
2. Big Beaver District
3. Neighborhood Nodes

Please be prepared to discuss these items at the April 27, 2010 Special/Study meeting.

cc: Richard Carlisle, Carlisle/Wortman Associates, Inc.

G:\ZOTAs\ZOTA 236 Zoning Ordinance Rewrite\PC Memo 04 27 2010.docx

Date: April 21, 2010  
To: Planning Commission  
From: R. Brent Savidant, Acting Planning Director  
Subject: FINAL REPORT TO DE-LIST 4800 BEACH ROAD (88-20-18-203-011)

The owner of 4800 Beach Road requested to delist the historic district designation of their property. The Historic District Study Committee prepared the attached Final Report for 4800 Beach Road, as required by Section 14 A of Chapter 13 Historic Preservation. The Committee recommends that the property be de-listed. The report is attached for Planning Commission review.

The Planning Commission reviewed the Preliminary Report at the December 1, 2009 Special/Study meeting but took no action on the item. The Planning Commission is asked to recommend approval of the Final Report to City Council. A proposed resolution is attached.

Attachment:

1. Proposed Resolution to City Council
2. Map
3. Memo and Final Report, submitted by the Historic District Study Committee

G:\Historic Preservation\4800 Beach Road\Final Report 4800 Beach Road memo.doc

FINAL REPORT OF HISTORIC DISTRICT STUDY COMMITTEE - De-Listing 4800  
Beach Road

**Proposed Resolution # PC-2010-**

Moved by:

Seconded by:

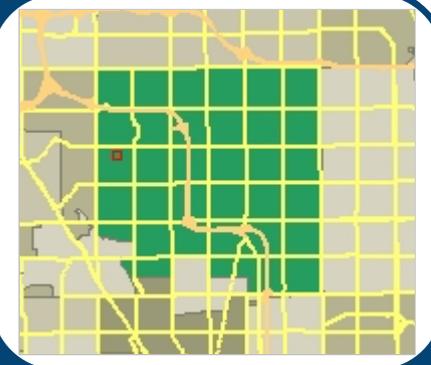
**RESOLVED**, That the Planning Commission accepts the Final Report of the Historic District Study Committee and supports the de-listing of 4800 Beach Road, as recommended in the Final Report of the Historic District Study Committee.

Yes:

No:

Absent:

**MOTION CARRIED / DENIED**



### Legend

-  I-75
- Road Centerline**
  -  Major Road
  -  Industrial Road
  -  Local Road
-  Hydrography Poly
-  Hydrography Arc
-  Parcels
- Aerial Photos - 2008**
  -  Red:Band\_1
  -  Green:Band\_2
  -  Blue:Band\_3

221 0 110 221 Feet

Scale 1: 1,326



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 11/23/2009

To: Planning Commission

From: Historic District Study Committee, City of Troy

Re: Final Report to De-List 4800 Beach Road (88-20-18-203-011)

Date: April 15, 2010

Attached for your action, please find a final report to delist the local historic district designated 4800 Beach Road in Troy Michigan. This lot and single-family residence comprises a single historic district that is not adjacent to any other designated resources. ***You are asked to this final report and make your recommendation to City Council. Please forward draft minutes that include your resolution to Loraine Campbell. They will be included in the memo to City Council for their action.***

The Study Committee appointed by the City Council of the City of Troy completed the report following the guidelines stipulated in Chapter 13 of the local ordinance and the Public Act 169.

Resolution:

The Planning Commission supports the recommendations in the final report of the Historic District Study Committee to eliminate the locally designated historic resource at 4800 Beach Road, (88-20-18-203-011).

The Historic District Study Committee was established April 2004 pursuant to the Sec. 14.A of Chapter 13 of the City Code as amended February 16, 2004. A request to remove the historic designation of the house at 4800 Beach Road was received from the present owner, Glen Michaels in December 2008.

The following is the report by the Historic District Study Committee and their recommendation to de-list the historic district at 4800 Beach Road.

*Composition of Committee:*

Charlene Harris-Freeman	Historic Homeowner
Bob Miller	Historic Homeowner
Leslie Witt	Troy Resident

*Description of Resource:*

4800 Beach Road  
 Referred to as the Beach-Davis House

*Legal Description of 5875 Livernois*

(Tax ID no: 88-20-18-203-011) T2N, R11E, SEC 18 PART OF NW 1/4 OF NE 1/4 BEG AT PT DIST S 02-48-55 E 945.50 FT & N 89-05-05 E 43 FT FROM N 1/4 COR, TH N 89-05-05 E 152.73 FT, TH ALG CURVE CONCAVE SLY, RAD 250 FT, CHORD BEARS S 85-09-38 E 50.14 FT, DIST OF 50.22 FT, TH S 79-24-20 E 13.04 FT, TH S 02-48-55 E 203.88 FT, TH S 87-11-05 W 215 FT, TH N 02-48-55 W 218.65 FT TO BEG 1.06 A 7-6-84 FR 200-007 & 011

*History of Proposed District:*

<u>Date of Transfer</u>	<u>From</u>	<u>To</u>
11 Oct 1820	U.S. Govt	Joshua DAVIS & wife Rebecca (Liber 149 p 562)
19 May 1832	Joshua DAVIS & wife Rebecca	Edward DAVIS & wife Eleanor (Liber 5-428)
21 Feb 1833	Edward DAVIS & wife Eleanor	Reuben Castle BEACH & wife Marietta (DAVIS) BEACH (Liber 7-317)
26 Feb 1869	Heirs of Reuben C. BEACH	Danford BEACH
4 Dec 1909	Heirs of Danford BEACH	Otto HEINZE
27 Jun 1911	Otto HEINZE (or heirs)	August HEINZE & wife Sarah
21 Oct 1916	August HEINZE & wife Sarah	Ralph STOEPEL
20 Apr 1917	Ralph STOEPEL	Julian H. HARRIS
24 Feb 1930	Julian H. HARRIS	The Woodbrook Co.
26 Feb 1935	The Woodbrook Co.	Winfred D. SEYBURN
18 Sep 1946	Winfred D. SEYBURN	Edith (SEYBURN) STOEPEL
24 Sep 1946	Edith (SEYBURN) STOEPEL	John SHALLCROSS & wife Eleanor
27 Apr 1950	Eleanor SHALLCROSS	Robert WARDROP & wife Ann (house & 2.466 acres); Victor Koch (80 acres less 2.466 acres with house)
07 Nov 1962	Robert WARDROP & wife Ann	Victor Koch (house & 2.466 acres)
13 Dec 1978	Estate of Victor Koch	Max & Phillip Stollman (agent for Biltmore Corp.)
13 Nov 1979	Biltmore Corporation (developer of Oak River Subdivision)	H. Glen MICHELS & Jacqueline MICHIGAN (house and limited property)

*Statement of Significance:*

Joshua DAVIS and his wife Rebecca and their children were one of the very first families to live in Troy (1 of at most 4 in 1820), but these original owners of the current 4800 Beach did not have specific historic significance to the development of Troy, other than being early settlers. They bought 80 acres in Section 18 from the U. S. government (W ½ of the NE1/4). The land and homestead passed to a son, Edward, in 1832 and no historic significance can be attached to the second Mr. Davis.

The land passed then to a Davis daughter, Marietta, and her husband (Reuben Castle BEACH) in 1833. Reuben Castle Beach, like the overwhelming majority of Troy property holders of that time, was a farmer, an important profession at the time, but not one that alone confers historic significance. Marietta's sister (Lucy DAVIS) married Reuben's brother, Michael, who came at the same time as Joshua DAVIS (1 of the 4). Reuben arrived in Troy about 1825 making him an early settler also. When Reuben C. died in 1863 the property eventually ended up belonging to a son Danford BEACH in 1869. Marietta lived on the property until she died in 1890-- having lived on the property for 62 years.

Danford Beach lived on the property until he died in 1909, unmarried. The property passed out of Beach family in 1909. More details on the DAVIS and BEACH families can be found in the Historic District application of both 4800 Beach property and the Beach Road Cemetery. There is no documentation that any of the owners or residents of 4800 Beach have particular historic significance.

The original historic district committee used an 1872 plat map as basis for the historic designation of 4800 Beach. There is no proof that the structure on the map and the house standing today are the same. Edward Davis sold the land to Beach approximately five decades before the 1872 map was made and Reuben Castle Beach died nearly ten years before 1872. Troy settlers' first homes were most often single room log cabins, which were replaced by larger log cabins, and then latter by frame houses.

Therefore, the Historic District Study Committee finds that 4800 Beach should be de-listed both because the current structure is not historically significant as originally specified and because the physical characteristics of the district have substantially changed. The Historic District Study Committee finds that much of the 80 acres of farm land originally owned by the Beach family was redeveloped in the 1980's to build the modern subdivision Oak River. While the house at 4800 Beach retains some historic elements of a colonial style dwelling, various renovations and additions over the years have produced a multiplicity of architectural styles and therefore the house is not representative of any specific style. Further, it is unclear that the original owners of the current 4800 Beach had specific historic significance to the development of Troy, other than being early settlers.

Below is a letter from the independent architect, Donna Voronovich, a professor of architecture at Lawrence Technical University. Ms. Voronovich was retained by the Historic District Study Commission and personally walked the property at 4800 Beach to assess the historic significance of the structure. This letter provides an independent, professional analysis. Also included below are pictures annotated by Mrs. Charlene Harris-Freeman, a member of Historic District Study Committee who accompanied Ms. Voronovich and kept notes.

Following these items are aerial photographs that show the development of the original 80 acres adjacent to 4800 Beach into the Oak River subdivision (beginning in 1979).

The Historic District Study Committee agrees with the findings of Ms. Donna Voronovich A.I.A.,P.L.L.C.; and, therefore, the committee recommends that 4800 Beach be de-listed as a historic district, both because the current structure is not historically significant as originally specified and because the physical characteristics of the district has substantially changed.

**DONNA VORONOVICH A.I.A., P.L.L.C.**  
Architecture and Design Consulting  
248-227-7185

February 15, 2010

City of Troy Historic Study Committee/Historic District Committee  
Troy Museum  
Wattles Road  
Troy, Michigan 48098

Re: 4800 Beach Road  
Troy, Michigan 48098

Dear Committee Members,

On behalf of the owners of the above referenced property, I was asked to render a professional opinion regarding the historical significance of the residence found there.

My qualifications to conduct such an assessment are based on my 20 years of practice as a licensed architect in the states of Michigan and New York, the degrees I hold in architecture from the University of Michigan College of Architecture and Urban Planning (B.S. Architecture and Master of Architecture), as well as my current position as an Assistant Professor of Architectural History and Theory at Lawrence Technological University College of Architecture and Design, a position I have held since 2004.

I visited the property on Thursday, February 11, 2010. Based on my visual assessment of the architecture, I generally concur with the owners' report on the structure with regard to its questionable value as an example of historic architecture.

The following qualities, elements, and characteristics of the structure contradict the "Greek Revival" Designation which currently stands:

1. There is an absence of the usual Greek Temple-front portico. Instead, the main entrance to the house is a small attached enclosed porch which was an addition to the original structure. It is located off-center on the gable-end of the "west" house, immediately adjacent to a large field-stone chimney. There are no columns on this entry element, rather just simple pilasters which are more characteristic of Colonial or Georgian architecture, but seldom used in Greek Revival. The absence of a triangular

- pediment at the entrance is also curious, as the roof is flat with only a balustrade. The lack of a formal main entrance, as well as the general ambiguity of the entry sequence is inconsistent with the Greek Revival style.
2. The exterior cladding, windows, roofing material, and foundations of the structure are not consistent, indicating several additions. Furthermore, the large connecting structure between the two primary buildings clearly was a late addition to join two earlier structures together. The joining of several buildings together compromises the architectural integrity of them individually, thereby further compromising the historical significance of the whole.
  3. The existing structure appears to have begun as an ensemble of separate buildings that have been joined together and clad with white siding to make them appear as a cohesive structure. The roof dormers are of various design and age. On the "west" house, one sees Colonial and Georgian style dormers with triangular pediments and simple pilasters. On the connecting element, there are 3 pairs of French doors and 3 rounded dormers in the roof above. This type of eclecticism is inconsistent with Greek Revival architecture.
  4. The sunroom found on the south end of the "west" house is of Federalist style, as indicated by the use of an exposed red brick foundation, painted white wood trim with pilasters at the corners, simple continuous frieze, large double-hung windows, flat roof, and balustrade along the roof edge.
  5. The Palladian window (Serliana motif) on the east house is inconsistent with Greek Revival. Furthermore, it is incorrectly used here, neither in proportion nor in alignment with the gable. Below, the two pairs of French doors are curiously located, undermining the perceived integrity of the structure relative to the large Palladian window.
  6. Along the east side of the "east" house is another sunroom. Unlike the Federalist style of the previously mentioned sunroom, this one is entirely clad in siding with a much simpler trim work and smaller windows.

In summary, I would recommend that this structure be de-designated as a significant historic example of architecture. Although it is a handsome house, the eclectic character of the architecture fails to demonstrate exemplary quality of one particular historic style. Furthermore, the fact that it is actually several structures which have been combined into one over a period of many years is problematic with regard to a historic designation.

Should you have any questions, please contact me.

Very truly yours,



Donna Voronovich, Registered Architect

248/227-7185

[dvoronovi@LTU.edu](mailto:dvoronovi@LTU.edu)

# 1st structure

could be considered  
a Greek Revival



addition  
No particular style

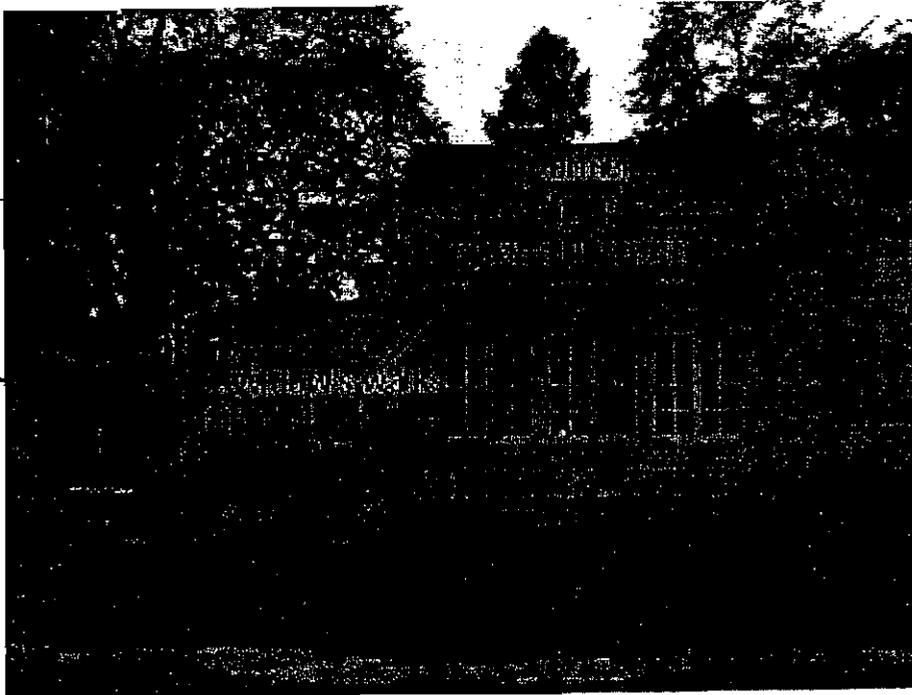
Style = Colonial

addition  
violates the symmetry  
of a Greek Revival

# 2nd structure

Georgian Style  
Dormers

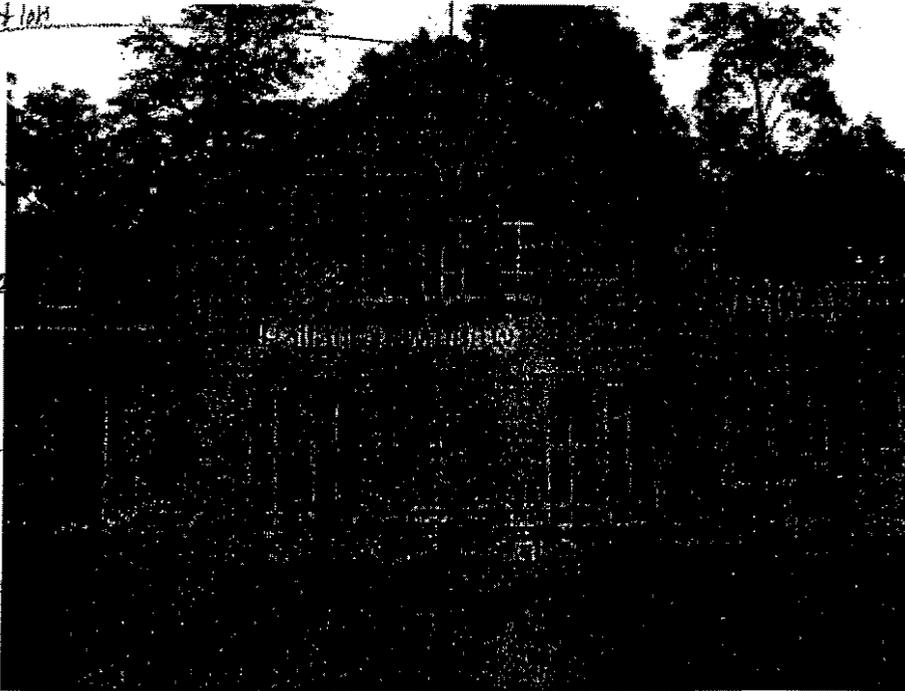
1st House  
back of this  
house - is a Federal  
Sunroom



\* Back-side of  
Second House

2ND STRUCTURE  
added on after 1920

2nd story  
on addition



Palladian

This is modern  
in its style  
Georgian architect  
is not found  
in a Greek  
Revival

bottom is  
a colonial

\* (Back side)

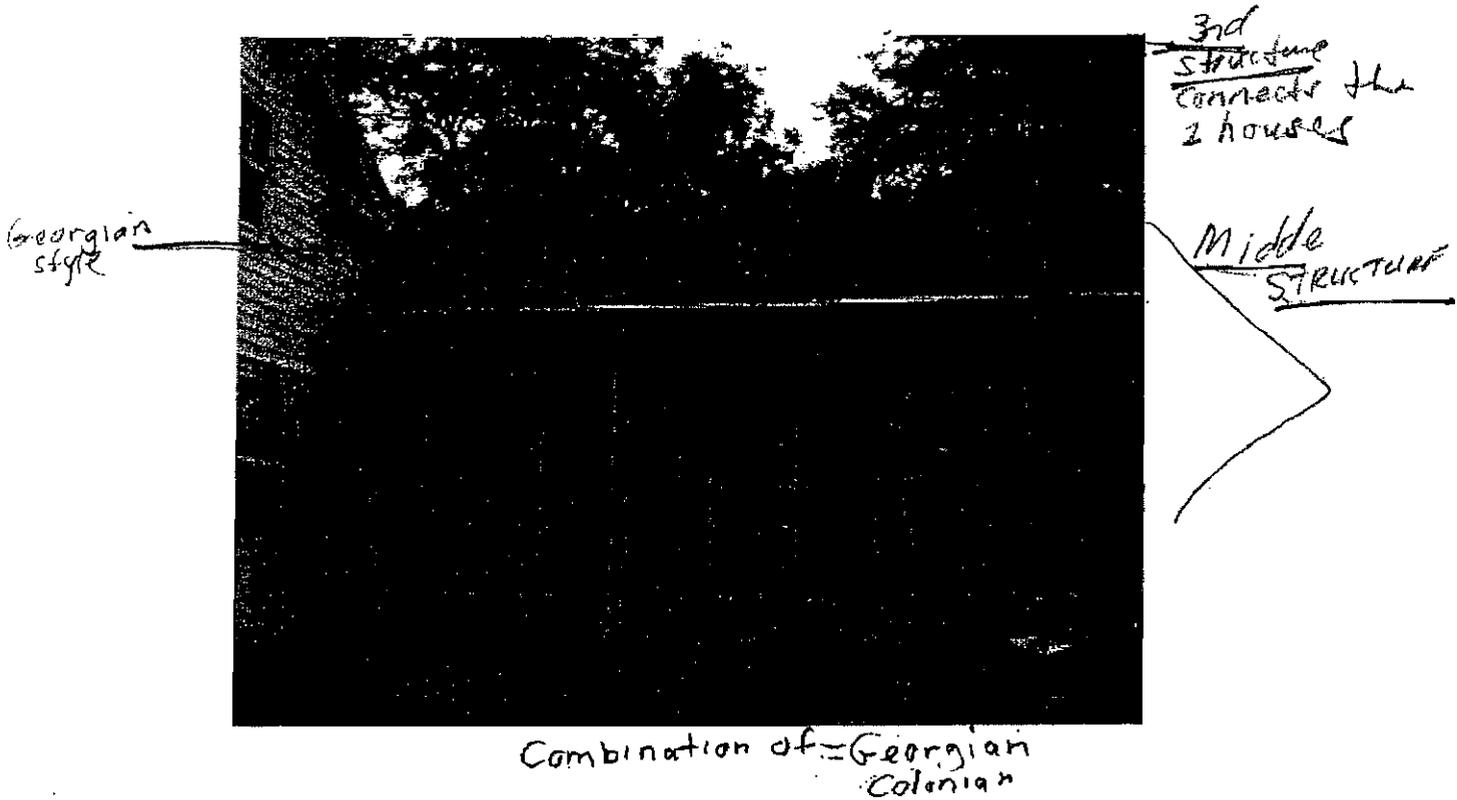
Federal  
addition

with a  
Greek Revival  
pilaster

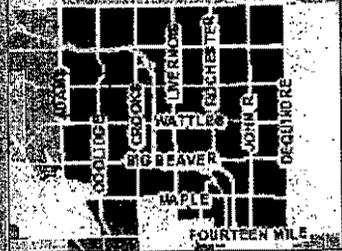
red brick  
covered  
sun room



1ST  
STRUCTURE



The Historic District Study Committee agrees with the findings of Mrs. Donna Voronovich A.I.A., P.L.L.C.; and, therefore, the committee recommends that 4800 Beach be de-listed as a historic district, both because the current structure is not ~~as~~ historically significant as originally specified and because the physical characteristics of the district has substantially changed.



**Notes**

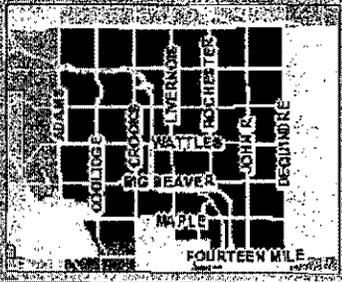
Enter Map Description 4800 Beach Road showing extensive housing areas surrounding

Created: 03/23/2010



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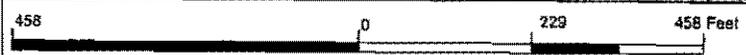




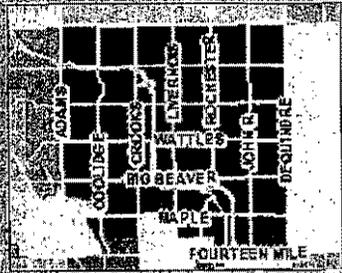
**Notes**

Enter Map Description 4800 Beach Road with perk and housing areas to the south

Created: 03/23/2010



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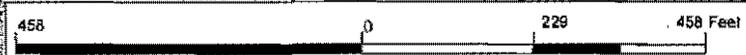


**Notes**

Enter Map Description 4800 Besch Road with park and housing areas to the west



Created: 03/23/2010



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**Notes**

Enter Map Description  
 4800 Beach Road and surrounding Oak River subdivision

Created: 03/23/2010



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