The Regular Meeting of the Troy City Planning Commission was called to order by Chair Hutson at 7:30 p.m. on March 8, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:
Donald Edmunds
Michael W. Hutson
Philip Sanzica
Robert Schultz
Thomas Strat
John J. Tagle
Lon M. Ullmann
Mark J. Vleck (arrived 7:35 p.m.)

Absent:
Mark Maxwell

Also Present:
R. Brent Savidant, Acting Planning Director
Allan Motzny, Assistant City Attorney
Mark F. Miller, Acting Assistant City Manager/Economic Development Services
Richard K. Carlisle, Carlisle/Wortman Associates, Inc.
Zachary Branigan, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2011-03-010
Moved by: Schultz
Seconded by: Edmunds

RESOLVED, To approve the Agenda as prepared.

Yes: Edmunds, Hutson, Sanzica, Schultz, Strat, Tagle, Ullmann
Absent: Maxwell, Vleck (arrived 7:35 p.m.)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2011-03-011
Moved by: Sanzica
Seconded by: Strat

RESOLVED, To approve the minutes of the February 8, 2011 Regular meeting as prepared.

Yes: Edmunds, Hutson, Sanzica, Schultz, Strat, Tagle, Ullmann
Absent: Maxwell, Vleck (arrived 7:35 p.m.)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

PRELIMINARY SITE PLAN REVIEW

5. PRELIMINARY SITE PLAN REVIEW (File Number SP 965) – Proposed Alpha Dental Center, 405 E. Maple Road, Northeast Corner of Maple and Kirkton, Section 27, Currently Zoned O-1 (Office Building) District

Mr. Branigan gave a brief review of the application. He addressed the surrounding zoning, parking, site access and landscaping. Mr. Branigan also addressed three variances sought by the applicant and granted by the Board of Zoning Appeals. Mr. Branigan said the proposed project fully complies with all applicable requirements of the Zoning Ordinance and recommended approval of the Preliminary Site Plan.

[Mr. Vleck arrived at 7:35 p.m.]

Arthur Kalajian, project architect, of 1871 Austin Drive, Troy, was present. Mr. Kalajian stated a revised site plan and photometric plan were submitted to the Planning Department. He displayed a colored rendering of the proposed development. Mr. Kalajian addressed revisions to the site plan as a compromise to accommodate requests from the neighbor to the north. He indicated everything practical was done to accommodate the neighbor. Mr. Kalajian believes the development would be an asset to the City and requested a favorable decision by the Board.

There was a brief conversation on the photometric plan with respect to minor light spillage to the east. Mr. Kalajian assured the members that appropriate modifications would be made. Mr. Branigan noted a photometric plan is not required at preliminary review.

Mr. Savidant confirmed the Planning Department received appropriately sealed site plans with the initial submission.

Messrs. Savidant and Branigan confirmed the Preliminary Site Plan application meets all Zoning Ordinance requirements.

Chair Hutson opened the floor for public comment.

Richard Taubman of 32255 Northwestern Highway, Farmington Hills, was present on behalf of Dr. Robert Sklar, the neighbor to the north at 415 E. Maple. Mr. Taubman announced an appeal to the variances granted by the Board of Zoning Appeals was filed with the Oakland County Circuit Court. He asked Board members to consider a postponement of the matter until a decision by the Circuit Court, or to consider approval contingent upon the Court decision.

Chair Hutson stated the City has not been notified to date of any Court injunction of the matter. He said the Planning Commission has an obligation to proceed with the matter and is prepared to approve the Preliminary Site Plan application as submitted.

Mr. Taubman further asked the Planning Commission's consideration of the potential for overflow parking to his client's parking lot. He said the site plan might technically meet all code requirements, but the potential for overflow parking is imminent based on the number of examining rooms proposed.

Chair Hutson replied the Board would take that into consideration.

Mr. Motzny said there is no reason for the Planning Commission not to proceed and take action on the matter. He clarified a postponement could be considered only if the request to postpone was from the applicant.

Chair Hutson closed the floor for public comment.

Resolution # PC-2011-03-012
Moved by: Sanzica
Seconded by: Strat

RESOLVED, That Preliminary Site Plan Approval, pursuant to Section 03.40.03 of the Zoning Ordinance, as requested for the proposed Alpha Dental Center, located on the Northeast corner of Maple and Kirkton (405 E. Maple), in Section 27, within the O-1 zoning district, be granted.

Yes: All present (8)
Absent: Maxwell

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

6. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 236) – Proposed Draft Zoning Ordinance and Map Regulating the Development and Use of Land, which Ordinance, if Adopted, will Repeal and Replace the Existing Zoning Ordinance, Chapter 39 of the Code of the City of Troy

Mr. Savidant voiced his appreciation to all involved in the comprehensive rewrite of the Zoning Ordinance. He said attendance at the March 2nd Zoning Ordinance Workshop was an interesting cross section of guests whose comments and insight were welcomed.

Mr. Savidant's PowerPoint presentation highlighted the following features of the Zoning Ordinance rewrite:

- Changes to make document easier to use.
- Changes to expedite review and approval for development applications.

- Changes advanced by the Master Plan.
- Changes advanced by Planning Commission.
- Changes advanced by Staff or CWA.
- Changes required to comply with the Michigan Zoning Enabling Act and other laws.

Mr. Savidant noted that in summary, the proposed new Zoning Ordinance:
- Implements the Master Plan.
- Is easier to use.
- Protects single family residential.
- Offers a wider range of uses permitted in many districts.
- Increases potential and marketability.
- Creates three Form Based Districts.
- Initiates faster approvals for many applications.

Mr. Branigan gave a hands-on demonstration of the web-based Zoning Ordinance.

PUBLIC HEARING OPENED

Dennis Cowan of Plunkett Cooney, 38505 Woodward Avenue, Bloomfield Hills, was present as a representative for White Chapel Cemetery. He posed questions with reference to White Chapel Cemetery in relation to its zoning under the proposed Zoning Ordinance and potential future expansion in the newly proposed neighborhood node.

Mr. Carlisle indicated the proposed Zoning Ordinance provides a mechanism for interpretation of cemetery and similar uses, and stated a rezoning request would be the procedure to follow for potential expansion of the use.

Mr. Cowan asked the timetable of the approval process to adopt the Zoning Ordinance.

Chair Hutson replied the intent is to have a final draft and Public Hearing copy complete within the next two weeks, at which time a Public Hearing date would be scheduled for City Council action.

PUBLIC HEARING CLOSED

Messrs. Branigan and Savidant discussed the Zoning Ordinance “roll-out” upon its adoption by City Council. Mr. Savidant said tutorial sessions would be offered for various Boards and Committees.

There was discussion on creating a use group specifically for cemeteries and similar uses. It was determined to make no changes at this time to the draft Zoning Ordinance in this respect.

Mr. Savidant led discussion on the following:

- Modification of provisions related to solar and wind energy equipment.
  - It was determined to remove paragraph "C" Lot Coverage, under Section 12.05, Solar Structures and Easements.
- Parking of recreational vehicles in front yards.
  - There was a consensus not to revise the proposed language.
- Future zoning of a parcel north of Big Beaver, west side of John R, from MR Multi-Family Residential (proposed) to CB Community Business.
  - Property owner should apply for a rezoning request.
  - Planning Department to research correlation of R-EC zoning district to MR zoning district.
- Section 5.02.A.2 – Add "e", "An addition to or expansion of an existing building, that does not increase its non-conformity."
  - There was a consensus to add "e".
- Section 8.03.C, 9, – To eliminate the words "associated with a residential development".
  - It was a consensus to leave the wording as is: Construction of an entrance feature associated with a residential development.
- Section 8.03.C – Add "16", "Any building, structure or use permitted by right in a non Form-Based Code District that meets all requirements of the Zoning Ordinance."
  - It was determined not to add "16".
- Section 4.15.D.4 – Parking in front of buildings in IB.
  - It was determined to allow parking with a caveat (to be specified).

There was discussion on which applications would go through administrative approval or Planning Commission approval. Mr. Carlisle stated that any changes affecting the role of the Planning Commission at this juncture in the approval process of the proposed draft Zoning Ordinance would require another Public Hearing.

OTHER BUSINESS

7. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

8. PLANNING COMMISSION COMMENTS

There were favorable comments expressed on the draft Zoning Ordinance.

Messrs. Savidant and Branigan addressed the adoption process of the draft Zoning Ordinance.

Mr. Savidant gave a brief update on the Troy/Birmingham Transit Center. Mr. Motzny gave a brief status report on the related legal matter with Grand Sakwa.

The Regular Meeting of the Planning Commission adjourned at 9:57 p.m.

Respectfully submitted,

Michael W. Hutson, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2011 PC Minutes\Final\03-08-11 Regular Meeting_Final.doc