

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on May 6, 2003, in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present

Gary Chamberlain
Lawrence Littman
Robert Schultz
Mark J. Vleck
David T. Waller

Absent

Dennis A. Kramer
Cindy Pennington
Walter Storrs
Wayne Wright

Also Present

Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

Resolution

Moved by Chamberlain

Seconded by Schultz

RESOLVED, that Mr. Kramer, Ms. Pennington, Mr. Storrs and Mr. Wright be excused from attendance at this meeting.

Yeas

All present (5)

Absent

Kramer
Pennington
Storrs
Wright

MOTION CARRIED

2. MINUTES

April 8, 2003

Resolution

Moved by Vleck

Seconded by Schultz

RESOLVED to approve the April 8, 2003, Planning Commission Regular Meeting minutes as published.

Yeas
Littman
Schultz
Vleck
Waller

Abstain
Chamberlain

Absent
Kramer
Pennington
Storrs
Wright

MOTION CARRIED

April 22, 2003

Mr. Chamberlain requested that his comments under the Good of the Order on page 13 be revised to state: "Mr. Chamberlain suggested that the cellular tower used by the Police and Fire Departments for emergency communications is a good prototype with respect to size and height for providing emergency communications throughout the City, and noted that with the changing times, there are other means for effective communications."

Resolution

Moved by Chamberlain

Seconded by Vleck

RESOLVED to approve the April 22, 2003, Planning Commission Special/Study Meeting minutes as corrected.

Yeas
All present (5)

Absent
Kramer
Pennington
Storrs
Wright

MOTION CARRIED

3. PUBLIC COMMENT

There was no one present who wished to speak.

4. PLANNING AND ZONING REPORT

Mr. Savidant reported the following items:

- A lawsuit has been filed by Jimmy Isso, the petitioner for a rezoning request for a proposed gas station on the northwest corner of Wattles and Dequindre that was denied by City Council.

- Oakland Mall is requesting another parking variance for an additional 88 parking spaces to accommodate a 4,000 square foot Krispy Crème Donut store; the item is tentatively scheduled for the June 2, 2003 City Council meeting.
- Pine Creek Ridge Site Condominiums and Maplewood Site Condominiums were approved by City Council at their April 28, 2003 meeting.
- City Council is holding a Study Session on Tuesday, May 13, 2003 to discuss financing options for the Civic Center.
- Participation in the Automation Alley SmartZone and the Local Development Finance Authority were approved by City Council at their May 5, 2003 meeting.

Chairman Littman announced the Planning Commission's work program is an agenda item for review and approval by City Council at their May 12, 2003 meeting.

5. SUB-COMMITTEE REPORTS

Amateur Radio Antenna – No report.

Gateway

Mr. Savidant reported that the Gateway Committee met with a representative of Professional Engineer Associates (PEA) with respect to gateway treatment for the proposed Sterling Corporate Center PUD. The PEA representative will provide examples of proposed gateway signage in the near future. Mr. Savidant also circulated pictures of gateway signs in Denver, Colorado and Kalamazoo, Michigan.

Special Use – No report.

6. PROPOSED PLANNED UNIT DEVELOPMENT (PUD-2) – Proposed Rochester Commons P.U.D., North side of Big Beaver, East of Rochester Road, Section 23 – R-1E

Mr. Savidant reported that Mr. Jackson of 3035 Daley brought to the Planning Department's attention that the City proposes to widen westbound Big Beaver, south of the proposed development. The Engineering Department has confirmed that the road widening is projected for the year 2005. As a result, the landscape berm originally designed by the petitioner had to be modified to accommodate the road widening. Mr. Savidant reported that the petitioner has provided to the Commission a revised landscape plan and a user-friendlier grading plan.

The petitioner, Nick Donofrio of Tadian Development, 2038 Big Beaver, Troy, was present. Mr. Donofrio displayed “before and after” landscape renderings, and noted that the proposed widening greatly impacts the landscaping and resulted in a less elaborate landscape plan. Mr. Donofrio also detailed the final grading plan.

Mr. Chamberlain remarked that it is unfair to both the Planning Commission and the petitioner to receive findings such as this at the 11th hour.

Mr. Donofrio circulated various building materials and noted that additional materials would be available for examination at the May 13, 2003 Public Hearing. Mr. Donofrio confirmed that a report relating to homeowner comments would also be available at the May 13, 2003 Public Hearing.

7. ORDINANCE REVISION DISCUSSION – Height Limits for Amateur Radio Antennas (ZOTA #180)

The Planning Commission viewed the *Amateur Radio Today* video narrated by Walter Cronkite.

8. AMERICAN PLANNING ASSOCIATION – National Conference Report

Mr. Waller and Mr. Savidant reported favorably on their attendance at the American Planning Association National Conference held in Denver, Colorado.

9. ORDINANCE REVISION DISCUSSION – CR-1 One Family Cluster (ZOTA #200)

Mr. Savidant said the Planning Department recommends a complete overhaul of the cluster ordinance and asked for direction from the Commission.

After a short discussion, it was the consensus of the Commission to create a sub-committee comprising Mr. Chamberlain, Mr. Waller and Mr. Savidant.

As a side, Chairman Littman asked Mr. Vleck to initiate a Tree Preservation sub-committee meeting.

10. MICHIGAN PLANNING AND ZONING LAWS – Questions and Answers

Ms. Lancaster reviewed the Michigan Planning and Zoning Laws and noted that (1) the Municipal Planning, Act 285 of 1931 relates to the creation of a Planning Commission; (2) the City and Village Zoning Act, Act 207 of 1921 relates to the Planning Commission duties and responsibilities; and (3) the Land Division Act, Act 288 of 1967 relates to Planning Commission terminology.

Mr. Savidant referenced two points of interest in the legislation presented: (1) page 12 of the City Village and Zoning Act with respect to enabling legislation for the purchase of development rights (PDR) to save farm land and (2) page 6 of the Municipal Planning, Act 285 of 1931 with respect to approval of capital improvements by a Planning Commission.

A brief discussion followed.

11. BYLAWS

Ms. Lancaster reviewed the minor revisions made to the Bylaws as discussed at the April 1, 2003 Special/Study meeting.

A short discussion followed, primarily with respect to limiting the time of speakers at a public hearing. It was the consensus of the Commission to delete any references to time limits for speakers.

Mr. Waller suggested that the Bylaws be posted on the Planning Commission website, and further that the following paragraph be appropriately incorporated in the Bylaws:

“The intent of the Troy Planning Commission shall be to understand and follow and live by all the rules and powers given to it by the State of Michigan Municipal Planning Act, Public Act 285 of 1931, as amended, the Zoning Enabling Act, Public Act 207 of 1921, as amended, and the Open Meeting Act, Public Act 267 of 1976, as amended, and the City of Troy Charter and Ordinances.”

Ms. Lancaster noted additional minor revisions and will provide the revisions in final format at the June 3, 2003 Special/Study Meeting.

12. REVIEW OF MAY 13, 2003 REGULAR MEETING

Mr. Savidant reported that the Planning Department has received numerous phone calls with respect to the rezoning request (Z-689) for a proposed car wash located north of Maple, east of Livernois.

A discussion was held on the proposed Rochester Commons PUD-2 and Sterling Corporate Center PUD-3 with respect to their justifications in meeting the PUD criteria, their proposed amenities to the City and their quality of building materials.

13. PUBLIC COMMENT

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Waller referenced the Lord & Taylor article in the *Troy-Somerset Gazette* that relates to parking requirements and noted that it is the Planning Commission's responsibility to assure that the City's current parking requirements are reasonable.

Mr. Schultz noted an interesting slant on the Lord & Taylor article with respect to granting a parking variance to maintain the viability of Oakland Mall. Also, Mr. Schultz gave a report on his attendance at the Training Program for Planning Commissioners, ZBA members and other elected officials presented by the Michigan Society of Planning.

Mr. Chamberlain stated that the training classes are also offered at the annual conferences held by the Michigan Society of Planning.

Ms. Czarnecki announced that the deadline to purchase tickets for the May 20th retirement party for Tony Pallotta is May 8.

Ms. Lancaster announced that relevant homeowners are suing both the City and the developer of the Freund Site Condominium development, citing that the City is responsible for the State review of site condominiums.

Mr. Savidant requested the name of the person who assisted Mr. Vleck at the Engineering Department counter when Mr. Vleck sought information on utility companies spray painting paver bricks within the City. Mr. Savidant said that City Management would like to look into the matter.

Mr. Vleck replied that he would provide the name to the Planning Department, and noted the Engineering Department offered him no assistance in the matter.

Ms. Lancaster reported that Mr. Miller provided the Commission with background information relating to the cross access easement between the Charleston Club and Harrington Park condominium complexes. She stated it appears the Planning Commission has a defensible position based upon the agreement reached with the developer and suggested that the Commission authorize the City Attorney's office to pursue the matter. Ms. Lancaster agreed to provide the Commission with draft language to authorize the City Attorney's office to look into the matter.

Chairman Littman and Mr. Waller reported that there has been a history of car dealerships changing their site plans without seeking approval from the Planning Commission.

Mr. Savidant stated he would look into the matter.

Chairman Littman requested that Mr. Savidant prepare a draft resolution for City Council requesting that the requirement to tape Planning Commission meetings for televising be relinquished for off-site meetings.

Mr. Vleck reported that it appears an office building located on the corner of Wattles and Dequindre is in violation of site plan compliance because of its dumpster location.

Mr. Savidant stated he would look into the matter.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:45 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director

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