

The Regular Meeting of the Troy City Planning Commission was called to order by Vice Chairman Storrs at 7:30 p.m. on June 10, 2003, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain
Dennis A. Kramer
Robert Schultz
Walter Storrs
Thomas Strat
Mark J. Vleck
David T. Waller

Absent:

Lawrence Littman
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Resolution

Moved by Schultz

Seconded by Waller

RESOLVED, that Messrs. Littman and Wright be excused from attendance at this meeting.

Yeas

All present (7)

Absent

Littman
Wright

MOTION CARRIED

2. PUBLIC COMMENTS

There was no one present who wished to speak.

TABLED ITEMS

3. PUBLIC HEARING – STREET VACATION REQUEST (SV-180) – East ½ of Alger Street, between Lots 463 and 464 of John R Gardens Subdivision, South of Birchwood, West of John R, Section 26 – M-1

Mr. Miller presented a summary of the Planning Department report for the proposed street vacation request that was previously tabled and noted there are no changes to the specific conditions related to the matter. Mr. Miller reported that it is the recommendation of the Planning Department to deny the request as submitted. The request, if approved, would result in a 25-foot wide substandard right-of-way that would not be accepted for maintenance as a street within the City and would effectively land lock the two parcels fronting on Chopin Street, making it impossible to sell or redevelop the lots in the future.

Ms. Lancaster provided definitions of quit claim deed and warranty deed to the Commission.

The petitioner, Dennis Coleman, was not present.

Resolution

Moved by Waller

Seconded by Schultz

RESOLVED, that the Planning Commission hereby recommends that the street vacation request, as submitted, for the east ½ of the Alger Street right-of-way, located within the John R Gardens Subdivision, abutting lots 463 and 464, being approximately 120 feet in length and 25 feet in width, in Section 26, be tabled for thirty (30) days to the July 8, 2003 Regular meeting to allow the petitioner to be present.

Yeas

Chamberlain
Schultz
Vleck
Waller

Nays

Kramer
Storrs
Strat

Absent

Littman
Wright

MOTION CARRIED

Messrs. Kramer, Storrs and Strat concurred that a decision could have been based on the existing information.

4. PUBLIC HEARING – PROPOSED PLANNED UNIT DEVELOPMENT (PUD-3) – Proposed Sterling Corporate Center, North side of Big Beaver, West of I-75, Section 21 – O-S-C

Mr. Miller announced that the petitioner did not provide sufficient time for the Planning Department or Planning Consultant to review the updated preliminary plans for the proposed Sterling Corporate Center PUD. Mr. Miller reported that it is the recommendation of the Planning Department to table the item for thirty (30) days.

Mr. Chuck DiMaggio of Burton Katzman, 30100 Telegraph Road, Suite 366, Bingham Farms, was present. Mr. DiMaggio agreed with the Planning Department's recommendation to table the item.

Vice Chairman Storrs opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

Resolution

Moved by Chamberlain

Seconded by Kramer

RESOLVED, that the Preliminary Plan for a Planned Unit Development (PUD 3), pursuant to Section 35.60.01, as requested by Burton Katzman, for the Sterling Corporate Center Planned Unit Development, located on the north side of Big Beaver Road and west of I75, located in section 21, within the O-S-C Mid or High Rise Office zoning district, being 5.91 acres in size, is hereby tabled for thirty (30) days to the July 8, 2003 Regular Meeting, to allow the Planning Department, City Planning Commission, Planning Consultant and petitioner to review, negotiate and develop a Planned Unit Development application which is complete and which will meet the Eligibility Criteria of the City of Troy Zoning Ordinance.

Yeas

All present (7)

Absent

Littman
Wright

MOTION CARRIED

5. SITE PLAN REVIEW – Proposed Hidden Creek Site Condominium, 15 units proposed, East side of Ellenboro, South side of Vanderpool, Section 22 – R-1E

Mr. Miller presented a summary of the Planning Department report for the proposed Hidden Creek Site Condominium. Mr. Miller reported the petitioner has submitted a letter to the Commission that addresses concerns discussed at the May 13, 2003 Regular meeting. He further reported the City has no outstanding violations related to the proposed development, and it is the recommendation of the Planning Department to approve the Preliminary Site Condominium as submitted.

The petitioner, Gary Abitheira of 178 Larchwood, Troy, was present.

Vice Chairman Storrs opened the floor for public comment.

Virginia Masson of 636 Vanderpool, Troy, was present. Ms. Masson stated she backs up to the lot that would be "land locked" and noted she denied access to the developer

to traverse her property in order to maintain his property. She said that property will remain in its current condition unless an engineered bridge is built. Ms. Masson said the County Drain Commissioner informed her that the developer has not requested the required permits to clean up the lot. Ms. Masson expressed her concerns with flooding. She requested that the item be tabled for another thirty (30) days so the petitioner has an opportunity to address and discuss resident concerns, which she thought was the purpose of tabling the item at the May meeting.

Mr. Miller clarified the purpose of tabling the item at the May meeting was to provide the petitioner an opportunity to address resident concerns, and noted the petitioner's letter to the Commission addresses those concerns discussed at the May meeting. Mr. Miller explained the process of preliminary site plan approval. He stated that preliminary site plan approval does not authorize any work, but authorizes the engineering preparation of that work which comes back before the City Council for review and final plat approval.

Mr. Vleck reminded the audience that in order for the petitioner to apply for any permits required by the County, the petitioner must first have preliminary site plan approval from the City.

A brief discussion followed with respect to the odd layout of the lots, lot widths and setbacks, maintenance of lots and construction of a bridge and/or culvert to gain access to lot #4.

Mr. Abitheira stated that he owns the property on both sides of the ditch, and has obtained a letter from the neighbor to enter the neighbor's property for the purpose of maintaining lot #4. Mr. Abitheira said that he has spoken with the residents who live on Vanderpool, on the west side of the bridge. One resident with whom he spoke voiced concerns with the narrow streets.

A brief discussion was held with respect to the 100-foot easement that comes onto Ellenboro.

Vice Chairman Storrs encouraged the residents to contact the Engineering Department with engineering questions relating to the proposed development, and further to address any concerns they may have with the City Council.

Mr. Miller clarified there are no detailed engineering plans prepared nor are they required at this point, but the Engineering Department would answer questions to the best of their knowledge.

The floor was closed.

Resolution

Moved by Vleck

Seconded by Chamberlain

RESOLVED, that the Planning Commission hereby recommends to the City Council that the Preliminary Plan as submitted under Section 10.00.00 of the Zoning Ordinance (One Family Residential Districts) and Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium, known as Hidden Creek Site Condominium, 15 units proposed, located on the east side of Ellenboro and the south side of Vanderpool, Section 22, within the R-1E zoning district, be approved.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED**SITE CONDOMINIUM SITE PLAN**

6. **SITE PLAN REVIEW** – Proposed Cedar Pines Estates Site Condominium, 17 units proposed, South of South Blvd., East side of Crooks, Section 4 – R-1B

Mr. Miller presented a summary of the Planning Department report for the proposed Cedar Pines Estates Site Condominium. Mr. Miller reported that it is the recommendation of the Planning Department to approve the Preliminary Site condominium application as submitted, and noted that the Planning Department and petitioner prefer the layout on the submitted site plan.

Vice Chairman Storrs questioned the future development of the parcel to the south of the proposed Benjamin Road and the detention basin from Crooks Road to the proposed Merrick Road.

Mr. Miller concurred that this parcel may be difficult to develop in the future.

The petitioners, Christopher Pratt and Donald Pratt of Wake-Pratt Construction, 1080 N. Opdyke, Auburn Hills, were present. Mr. Christopher Pratt presented a history of the acquisition of the properties for the proposed development.

Vice Chairman Storrs opened the floor for public comment.

Raymond McMurray of 6590 Crooks, Troy, was present. Mr. McMurray lives on the parcel that Vice Chairman Storrs questioned the viability of future development and inquired its position in terms of development.

Vice Chairman Storrs stated there could be difficulty in developing the parcel with respect to its size, but it appears that development options would be available.

Larry Bennett of 6885 Jasmine Drive, Troy, was present. Mr. Bennett expressed concern about the size of Lot #1 and requested confirmation that the lot would not be used for the construction of a clubhouse for the condominium development. Mr. Bennett also expressed concern about increased traffic and asked if the Commission would reconsider not connecting the proposed development to Crooks Road.

Mr. Miller explained that the petitioner originally planned for two units on Lot #1, which is 31,900 square feet in size. The petitioner opted to make it one big unit when it was discovered that the property was one foot short in width to create two separate units and a variance would have been required.

Edward Bricker of 826 Selby, Troy, was present. Mr. Bricker questioned the reasoning for opening up Merrick. Mr. Bricker expressed his concern of increased traffic, and noted that when northbound Crooks Road gets backed up, the subdivision is used as a shortcut.

Kit Stouffer of 6873 Jasmine, Troy, was present. Ms. Stouffer expressed concern with increased traffic and the subdivision being used as a cut-through for backed-up traffic on Crooks. She noted that the Police Department does patrol the area for traffic control now, and that the new development will add another option for increased traffic.

Vice Chairman Storrs stated the Commission is working with the police and fire departments to provide road interconnection for emergency access purposes, and further encouraged the residents to address City Council with their concerns on traffic and to request specific police enforcement for potential speeders.

The floor was closed.

Resolution

Moved by Waller

Seconded by Schultz

RESOLVED, that the Planning Commission hereby recommends to the City Council that the Preliminary Plan as submitted under Section 10.00.00 of the Zoning Ordinance (One Family Residential Districts) and Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium, known as Cedar Pines Site Condominium, 17 units proposed, located south of South Boulevard and east of Crooks, Section 4, within the R-1B zoning district, as submitted by the applicant and recommended by the Planning Department, be approved.

Yeas
Chamberlain
Kramer
Schultz
Strat
Vleck
Waller

Nays
Storrs

Absent
Littman
Wright

MOTION CARRIED

Vice Chairman Storrs voted no on the motion because he thinks Benjamin Road should not be developed at this time until there is some plan for the properties on either side that the petitioner does not own.

SITE PLANS

7. PUBLIC HEARING – SITE PLAN REVIEW (SP 894) – Proposed Office Building, Rochester Office Parc, West side of Rochester Road, South of Hannah, Section 3 – C-J

Mr. Miller presented a summary of the Planning Department report for the proposed Rochester Office Parc. Mr. Miller reported that it is the recommendation of the Planning Department to approve the site plan as submitted with conditions as follows: (1) the entry drive on Rochester Road is eliminated; and (2) a 5-foot wide sidewalk connection to each office building from the 8-foot wide sidewalk on Rochester Road is provided.

Mr. Kramer questioned if the landscaping requirements are met because it appears there is minimal landscaping provided along the Rochester Road frontage.

Mr. Miller confirmed the landscaping requirements have been met, and noted the proposed development has three frontages of green space that are permitted to be utilized for the landscaping computations.

Mr. Vleck asked if any consideration was given to the effect of eliminating the curb cut and access on existing residential streets and providing the curb cut on Rochester Road.

Mr. Miller said consideration was given to that concept and agreed that there are negative aspects of providing traffic on the residential roads. Mr. Miller said the determination was that providing another curb cut on Rochester Road is more a negative aspect than providing additional traffic on Hannah and DeEtta, and further noted the Traffic Engineer is in concurrence with the determination.

The petitioner, Franco Mancini of Rochester Parc LLC, 47858 Van Dyke, Shelby Township, was present. Mr. Mancini stated that he is a practicing architect and his

partner is a registered architect. Mr. Mancini said different options were considered with the intent to eliminate traffic from the potential office/medical use patrons, particularly to the residential side streets. He said that consideration would be given to the elimination of one or two of the entrances off the side streets, if the Commission so wished. Mr. Mancini said their firm's largest concern is from a leasing point, and noted that using Rochester Road as a main access would eliminate the majority of exit and entry points. Mr. Mancini stated that he has no problem with providing the required 5-foot wide sidewalk connection, and noted he would prefer to create a pedestrian loop by connecting the sidewalks.

Mr. Strat asked the petitioner if consideration was given to reversing the parking area so that the majority of the parking would be in the front of the development.

Mr. Mancini responded that a large Detroit Edison easement is prohibiting parking options.

A brief discussion followed with respect to moving the access points closer to Rochester Road as an attempt to ease traffic congestion and stacking.

Mr. Waller noted that the plan shows no deceleration lanes. Mr. Miller stated he would check the Traffic Engineer's report.

PUBLIC HEARING OPENED

Eileen Carty of 990 DeEtta, Troy, was present. Ms. Carty voiced objections to the increased traffic and headlights shining into her dining area. Ms. Carty said she has lived on DeEtta for approximately 7 years and chose that location because it was a dead end street with less traffic. She asked that screening be provided for vehicular headlights.

Tom Downie of 951 DeEtta, Troy, was present. Mr. Downie questioned the impact of the proposed development on the existing drainage ditch. He expressed his concerns with increased traffic and noise, and asked if the height of the screen wall could be higher and that a soundproof wall be provided.

Scott Stoglin of 805 DeEtta, Troy, was present. Mr. Stoglin stated his concerns are similar to Mr. Downie's. He is also concerned about the entry/exit drive proposed on DeEtta, especially because it would be near a school bus stop.

Dennis Stockdale of 964 DeEtta, Troy, was present. Mr. Stockdale stated that the existing drain is not adequate during heavy rains and is concerned with standing water after the proposed development is constructed. He said he does not like the thought of being stuck on his street waiting for 117 cars to enter/exit the proposed development.

A short discussion was held with respect to the existing drainage, its location and directional flow of water.

James Collins of 985 DeEtta, Troy, was present. Mr. Collins voiced concerns with respect to drainage problems and increased traffic, especially near a school bus top.

James Warner of (Lot 55) Hannah, Troy, was present. Mr. Warner stated his concerns relate to the potential drainage problem and the increased traffic. He said there are small children playing in the streets because there are no sidewalks. He further voiced concerns with the proposed 6' wall and lights from the development.

Marge Amici of 947 Hannah, Troy, was present. Ms. Amici said she lives behind the proposed development and she will be looking directly at the parking lot. Ms. Amici said that currently, on a daily average, there are 10 to 15 vehicles turning around in her driveway as a result of wrong turns. She is certain that the count will increase with the proposed development. Ms. Amici asked that the entry/exit driveways be placed closer to Rochester Road.

PUBLIC HEARING CLOSED

Nathan Robinson, project engineer from Apex Engineering Group Inc., 47745 Van Dyke, Shelby Township, was present. Mr. Robinson gave a brief presentation with respect to the existing drainage and its relationship to the proposed development. Mr. Robinson said the existing drain would not be blocked by the proposed development. Mr. Robinson further confirmed that any office lighting would be shielded from abutting residential.

Mr. Chamberlain suggested that the item be tabled to further investigate (1) the elevation with respect to the drainage matter, (2) the height of the screen wall with respect to lighting and trash receptacles, and (3) the placement of the entry/exit driveways with respect to traffic concerns and stacking.

Mr. Strat questioned the rationale of constructing two office buildings and suggested alternative parking concepts and entry/exit driveway locations.

Mr. Mancini responded that two buildings are more pleasing than one large-scaled development, and noted the concept has worked out very well in other locations. Mr. Mancini noted that items such as drainage and office lighting are engineering issues, and further noted that there are existing problems at this site that have not been created by the proposed development, and cited traffic and drainage.

Resolution

Moved by Chamberlain

Seconded by Waller

RESOLVED, that Preliminary Site Plan Approval, pursuant to a consent judgment, for a proposed office development, located on the west side of Rochester Road, south of Hannah within section 3, within the R-C zoning districts, is hereby tabled

for thirty (30) days to the July 8, 2003 Regular meeting for the purpose of further investigation.

BE IT FURTHER RESOLVED, that this item be placed on the June 24, 2003 Special/Study meeting agenda for discussion and review of proposed solutions provided by City staff and the petitioner with respect to: rear parking lot lighting; wall height; water drainage; grades outside of the property; grades within the property; acceleration and deceleration lanes; and street driveways versus a driveway on Rochester Road and/or a combination thereof.

BE IT FURTHER RESOLVED, that the information provided by City staff and/or the petitioner with respect to all of the above issues be provided in writing.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED

Mr. Vleck commented that it is relatively clear the proposed site plan contains engineering items that are relevant to the Planning Commission decision, citing the location of the proposed wall in relation to the drainage issue.

8. PUBLIC HEARING – SITE PLAN REVIEW (SP 891) – Proposed Bank and Office Building, TCF Bank, South side of Big Beaver, East of John R, Section 25 – C-J

Mr. Savidant presented a summary of the Planning Department report for the proposed TCF Bank and Office Building. Mr. Savidant reported that it is the recommendation of the Planning Department to amend the Consent Judgment to accommodate the proposed development, and further to approve the site plan as submitted subject to the provision of cross access documentation with Republic Bank to the west, and a sidewalk connection to Big Beaver Road immediately north of the atrium.

A brief discussion followed with respect to the cross access to the west and east, the proposed two sidewalks, and the existing 8' sidewalk along Big Beaver.

Mr. Savidant stated that cross access to the east was discussed and it was determined not to be a necessity at the current time, nor is it a condition of the Consent Judgment. Mr. Savidant confirmed that the condition of the existing 8' sidewalk along Big Beaver would be an Engineering enforcement matter. He noted that the Planning Commission could stipulate these specific items as conditions to the site plan approval, in addition to the inclusion of the two sidewalks as proposed on the plan, if they so choose.

Michael Rein of Bowers & Rein Associates, 2400 S. Huron Parkway, Ann Arbor, architect for the proposed site plan, was present to represent the petitioner. Mr. Rein summarized briefly the original Consent Judgment. He circulated a rendering of the site and gave a brief description.

Discussion followed with respect to the L-shaped portion of the site plan that is proposed for parking with cross access and its relationship with the Consent Judgment. It was determined that it may benefit the petitioner to include this portion of the property in the Consent Judgment.

Ms. Lancaster suggested that the matter most likely could be handled administratively, and if necessary, a revision to the Planning Commission's recommendation to City Council could be provided by staff at the appropriate time.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution

Moved by Waller

Seconded by Vleck

RESOLVED, that Preliminary Site Plan Approval, pursuant to an existing and proposed consent judgment, for a proposed office building and bank, located on the south side of Big Beaver Road, east of John R Road within section 25, within the R-C zoning districts, is hereby recommended for approval to City Council for reconsideration of the consent judgment, subject to the following conditions:

1. The additional land currently zoned B-3 located to the west of the western boundary of the Consent Judgment property and shown on the site plan, be included in the amended Consent Judgment.
2. The existing 8' sidewalk along Big Beaver remains usable and in existence at the end of all construction.
3. The two sidewalks as proposed on the site plan from the property out to the 8' sidewalk be constructed.
4. The cross access agreement to the west be provided but not opened and negotiations commence with the property owner located to the southeast to open the cross access connection to this property.
5. The original site plan for 2170 Big Beaver be included in the site plan.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED

Vice Chairman Storrs requested a recess at 9:54 p.m.

The meeting reconvened at 9:59 p.m.

9. SITE PLAN REVIEW (SU 110) – Proposed Parking Lot Expansion, Bharatiya Temple, South side of South Blvd., East side of Adams, Section 6 – R-1A

Mr. Savidant presented a summary of the Planning Department report for the proposed parking lot expansion at Bharatiya Temple. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

Mr. Savidant confirmed that the 5' sidewalk connection to South Boulevard is required by ordinance, and noted the petitioner could request a waiver from the Traffic Committee for the additional proposed sidewalk to the north.

Rama Rao Cherukuri of 5448 Crispinway, West Bloomfield, was present to represent the petitioner. Mr. Cherukuri stated that putting in sidewalks at this time would be a hardship to the Temple. Mr. Cherukuri noted there are several internal sidewalks across the wetlands.

Mr. Waller applauded the petitioner for creating more parking.

Discussion followed with respect to waiving both the proposed external and interior sidewalks.

Ms. Lancaster stated the petitioner could request sidewalk waivers from the Zoning Board of Appeals for the internal sidewalks and from the Traffic Committee for the external sidewalks.

Mr. Chamberlain said he would like to see all the proposed sidewalks remain on the site plan.

Mr. Kramer reminded the Commission that the City adopted a pedestrian plan to include 8' sidewalks along major roads including Adams about a year and a half ago,

and noted it would be against that action to not include sidewalks on this site as part of the overall pedestrian plan.

Resolution

Moved by Kramer

Seconded by Chamberlain

RESOLVED, that the Preliminary Site Plan for the proposed parking lot expansion, located on the south side of South Boulevard and the east side of Adams, Section 6, within the R-1A zoning district is hereby granted, subject to the following condition:

1. That the sidewalks as discussed by the Planning Department and Planning Commission along the driveway and the parking lot and the sidewalk as required by ordinance along Adams Road be shown on the site plan and, as a recommendation of this body, be implemented.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED

10. SITE PLAN REVIEW (SP 785) – Proposed Industrial Building Addition, Summit Electric, East side of Acacia, North of Wheaton, Section 27 – M-1

Mr. Savidant presented a summary of the Planning Department report for the proposed industrial building addition. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

The petitioner, Jim Lykins of 2544 Acacia, Troy, was present.

Resolution

Moved by Chamberlain

Seconded by Schultz

RESOLVED, that the Preliminary Site Plan for the proposed industrial building expansion, located on the east side of Acacia, north of Wheaton, Section 27, within the M-1 zoning district is hereby granted.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED

11. SITE PLAN REVIEW (SP 729) – Proposed Industrial Building Addition, Tire Wholesalers, North side of Fourteen Mile Road, West of Dequindre (1783 E. 14 Mile), Section 36 – M-1

Mr. Savidant presented a summary of the Planning Department report for the proposed industrial building addition. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted with the conditions of the continuation of the sidewalk across the entry drive on the north side of 14 Mile Road and the elimination of outdoor storage in the northeast corner of the site.

The petitioner, Tom Kemp, 256 Thalia, Madison Heights, was present. Mr. Kemp said he concurs with the conditions stipulated by the Planning Department.

Ross Kogol, owner of Tire Wholesalers, 1783 E. Fourteen Mile Road, Troy, was present and addressed the illegal and unauthorized storage of items. Mr. Kogol said the property has been cleaned within the last week but noted old equipment and items are being stored outdoors because there is no other space to place the disposed material.

Mr. Miller informed the petitioner that if it is his desire to permanently store disposed material outside, a special approval for outdoor storage can be requested from the Planning Commission.

Resolution

Moved by Vleck

Seconded by Waller

RESOLVED, that the Preliminary Site Plan for the proposed industrial building addition, located on the north side of Fourteen Mile and west of Dequindre, Section 36, within the M-1 zoning district is hereby granted, subject to the following conditions:

1. Continue the sidewalk across the entry drive on the north side of 14 Mile Road.
2. Eliminate outdoor storage in the northeast corner of the site.

Mr. Chamberlain requested that the motion be revised to read the elimination of outdoor storage without any reference to its location.

Mr. Waller said he does not agree because the City has been inconsistent and enforcement of the City ordinance has not being equally applied throughout the City. Mr. Waller said the petitioner has an option to apply for a special use approval for outdoor storage.

Moved by Chamberlain

Seconded by Schultz

RESOLVED, that the motion on the floor be amended to read: "Eliminate outdoor storage."

Vote on the motion to amend the motion on the floor.

Yeas

Chamberlain

Schultz

Storrs

Nays

Kramer

Strat

Vleck

Waller

Absent

Littman

Wright

MOTION FAILED

Vote on the motion on the floor.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED

SPECIAL USE REQUEST

12. PUBLIC HEARING – SPECIAL USE REQUEST (SU in SP 571-B) – Proposed Expansion of Planned Auto Center and Automobile Sales & Service, Suburban Collection Automotive Sales and Service, South side of Mapelawn, West of Crooks (1755-1759 Mapelawn), Section 29 – M-1

Mr. Savidant presented a summary of the Planning Department report for the proposed Suburban Collection Automotive Sales and Service expansion. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

Vice Chairman Storrs referenced a letter received by the Planning Department dated June 5 from nine (9) businesses and workers in the vicinity of the proposed development that addresses their opposition to the special use request and cited City ordinance requires auto dealerships in the M-1 district must be on contiguous parcels.

Mr. Savidant stated that the property to the west is an automobile dealership and the proposal meets the contiguous parcel requirement.

The petitioner, Stanley Tkacz of Studio Design, 1529 S. Wayne Road, Westland, was present. Mr. Tkacz presented drawings of the exterior building and noted there

would be no physical changes structurally to the building other than cosmetic. He stated the intent is to have four facilities in the building; two of which are an exclusive marketing product that would be the initial onset of the program.

A brief discussion followed with respect to the loading and unloading of vehicles on Mapelawn.

Mr. Tkacz stated that the site is ample in size, area and space to have all loading and unloading of vehicles on site, and confirmed there would be no transit trucks parking on Mapelawn.

Mr. Kramer suggested that this stipulation be included in the motion.

Mr. Waller suggested that the property driveway be checked to insure that car haulers can make the radius turn into the parking lot; and further that when the Mapelawn Road expansion takes place, the middle lane (left turn lane) be wide enough to allow a car hauler the necessary space to safely load and/or unload vehicles.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution

Moved by Chamberlain

Seconded by Vleck

RESOLVED, that Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 28.30.04, 05 and 07 of the Zoning Ordinance, as requested for the Proposed Expansion of Planned Auto Center and Automobile Sales and Service, located on the south side of Mapelawn Road, west of Crooks and north of Maple Road, located in section 29, within the M-1 zoning district, is hereby granted.

Moved by Kramer

RESOLVED, that the motion be modified to include a statement that prohibits off site loading and unloading of vehicles on Mapelawn until such time as Mapelawn is widened or can accommodate such action.

MOTION FAILED for a lack of a second.

Vote on the motion on the floor.Yeas

Chamberlain
Schultz
Strat
Vleck
Waller

Nays

Kramer
Storrs

Absent

Littman
Wright

MOTION CARRIED

Mr. Kramer voted no because he thinks loading and unloading of vehicles in front of this site creates an unsafe condition for the City of Troy.

Mr. Storrs voted no because he thinks the facility should be prepared to do business on their site.

ZONING ORDINANCE TEXT AMENDMENTS

13. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA-201) – Article 28.20.13 or 28.30.00 Arts and Dance Schools in Light Industrial Zoning Districts

Mr. Savidant reported that the Commission is in receipt of a letter from the petitioner's attorney requesting adjournment of the scheduled public hearing to allow time for the Commission, Planning Department and City staff to prepare appropriate ordinance language.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution**

Moved by Chamberlain

Seconded by Schultz

RESOLVED, that the Zoning Ordinance Text Amendment ZOTA-201 requested by The Link School for the Arts, is hereby tabled for four (4) months to the October 14, 2003 Regular Meeting, to allow sufficient study and possible ordinance language change in the M-1 district.

A brief discussion followed with respect to the length of time of tabling.

Yeas

All present (7)

Absent

Littman

Wright

MOTION CARRIED

Mr. Miller stated the petitioner's attorney wishes to work with the City on the proposed ordinance text revisions and has no problem with the length of time of tabling the matter.

14. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA-180) – Articles 40.57.06, 43.77.00 and 43.80.00 Height Limits for Amateur Radio Antennas

Mr. Savidant presented a summary of the proposed zoning ordinance text amendment.

Mr. Waller suggested that Section 43.77.00 H be amended to include that the Building Department shall create a checklist of criteria appropriate and applicable to the requirement. He also suggested the text be revised to designate that the construction documents for the antenna structure be prepared by a registered engineer or the manufacturer, and to strike the words "design professional licensed to do work in the State of Michigan".

PUBLIC HEARING OPENED

Phil Ode of 4508 Whisper Way, Troy, was present. Mr. Ode invited everyone to Field Day on June 27 and 28 at Mt. Holly. Mr. Ode acknowledged that the Commission and staff have worked diligently, earnestly and honestly on the amateur radio antenna heights matter. He believes the Commission's recommendation on the matter is in violation of the FCC Rules, PRB1 and City Council's request, and noted his disagreement with the Commission's recommendation. Mr. Ode stated it was his desire to achieve approval on a 75' antenna support structure that is predominant in the southeastern Michigan area. Mr. Ode reported that a 20-year study on antenna failure reveals the biggest reason for antenna failure is trees falling on an antenna or its support wires. He stated there are very few failures when antenna structures are properly placed according to the manufacturer's recommendation.

Murray Scott of 3831 Kings Point Drive, Troy, was present. Mr. Scott spoke with respect to required permits, fall zones and a reasonable height of an antenna structure. Mr. Scott noted that a petitioner does not have enough time to make a thorough presentation in front of the BZA.

PUBLIC HEARING CLOSED

Resolution

Moved by Kramer

Seconded by

RESOLVED, that the Planning Commission hereby recommends to the City Council that ARTICLE XL (GENERAL PROVISIONS) of the Zoning Ordinance, be amended as printed and modified this evening per the Planning Commission recommended amendment, dated 04/22/03.

Ms. Lancaster advised the text revision regarding the checklist as suggested by Mr. Waller and discussed by the Commission is not conducive to ordinance language and would be more appropriately handled administratively.

Mr. Kramer withdrew the above motion.

Resolution

Moved by Kramer

Seconded by Chamberlain

RESOLVED, that the Planning Commission hereby recommends to the City Council that ARTICLE XL (GENERAL PROVISIONS) of the Zoning Ordinance, be amended as printed per the Planning Commission recommended amendment, dated 04/22/03.

Yeas

Chamberlain
Kramer
Storrs
Strat
Waller

Nays

Schultz
Vleck

Absent

Littman
Wright

MOTION CARRIED

Mr. Schultz voted no because he thinks the Commission has not accomplished the task assigned to it by City Council and that no improvement has been made to the amateur radio enthusiasts.

Mr. Vleck voted no for the following reasons:

- Revised text makes it more difficult and is no improvement to the original ordinance.
- Amateur radio is a very important public service and the City and community should do more to support the people who provide it.
- A higher antenna is aesthetically more pleasing than a short stubby one. The items attached to the main pole or mast of an antenna will be aesthetically more pleasing if raised higher and out of sight. A 25 to 35 foot antenna puts the top mounted attachments of an antenna in direct line of sight of a second story window.

- A higher antenna is less likely to cause interference and reduces Radio Frequency (RF) exposure.
- A minimum antenna height of 40-50 feet should be considered.

Vice Chairman Storrs said that Mr. Littman will be returning to the June 24 Special/Study meeting.

ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 11:10 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director

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