

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on November 11, 2003, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

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

Absent:

Gary Chamberlain  
Wayne Wright

Also Present:

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

**Resolution # PC-2003-11-048**

Moved by: Schultz  
Seconded by: Waller

**RESOLVED**, That Messrs. Chamberlain and Wright be excused from attendance at this meeting.

Yes: All present (7)  
No: None  
Absent: Chamberlain, Wright

**MOTION CARRIED**

2. PUBLIC COMMENTS

Mr. Storrs erred in not correcting the October 14, 2003 Regular Meeting minutes that were approved at the last meeting and requested that his statement with reference to the PUD process under the *Good of the Order* be expounded and entered into the minutes. Mr. Storrs believes the lengthy PUD negotiation process as it exists today serves as an invitation for a developer (or someone else) to come in with a minimum concept or submittal and through all of the negotiations, just keep giving a little bit and a little bit and a little bit until the proposal is approved. Because that process appears to work, all the repetitive negotiations could provide an opportunity for corruption.

Chairman Littman announced that Item 5, Public Hearing for the Rezoning Request (Z-692) for a proposed retail development, south side of Maple, east side of Axtell, has been withdrawn by the petitioner.

### **SITE CONDOMINIUM SITE PLAN**

3. **SITE PLAN REVIEW** – Proposed Wattles Ridge Site Condominium, 14 units proposed, South of Wattles, East of Rochester Road, Section 23 – R-1C

Mr. Savidant presented a summary of the Planning Department report for the proposed site condominium development. He reported that ownership of one of the parcels is involved in an on-going lawsuit and noted that it has no relevancy to the site plan submittal. The Planning Department prefers the layout with 14 units, as opposed to the alternate layout with 13 units that was submitted at the request of the Planning Department.

Mr. Savidant reported that it is the recommendation of the Planning Department to approve the Preliminary Site Condominium as submitted with the condition that a 20-foot wide public access way is dedicated to the City of Troy, including a 12-foot wide paved public access drive, from Wattles Road to the detention pond.

Connections to Wattles Road, the detention basin and access to the detention basin, and future development of the frontage parcels were discussed.

The petitioner, John DeBruyne of SDA Architects, Inc., 2201 Twelve Mile Road, Warren, was present.

Sam Mercurio, developer, of 5540 Brookside, Washington Township, and Tom Rice, broker with TDR Associates, 28291 Martindale, New Hudson, were also present.

Chairman Littman asked if the developer has control of the frontage parcels on Wattles Road and if / how he has control of the area that is going to be the easement for the retention pond.

Mr. Rice stated they have control of the frontage parcels, but noted that some of the parcels remain under an option agreement and closing on those parcels would be scheduled some time next year.

Mr. Mercurio said there are no definite development plans for that portion of the property at this time, noting it may remain as is or possibly residential homes may be built on the property. He confirmed that the property is usable as it is currently zoned.

Chairman Littman opened the floor for public comment.

Robert Smith, 1340 Burns Drive, was present. Mr. Smith's home is adjacent to the east end of the proposed development. Mr. Smith said he was informed by the DNR that the wooded area is a wetlands and no digging or filling of that wetlands is allowed. He said the developer has destroyed the wetlands and the habitat for the red wing blackbirds, muskrats and other indigenous animals. Mr. Smith stated that maple trees, 3 to 4 inch in diameter, have also been destroyed. Mr. Smith feels the proposed development will create additional traffic and increase the difficulty that now exists for vehicular traffic to exit onto Wattles Road. Mr. Smith hopes the proposed condominiums will be well constructed and complement the subdivision environment.

Mr. Miller confirmed that the City's Environmentalist Specialist reviewed the proposed development and determined that the wetlands are unregulated.

Chairman Littman encouraged Mr. Smith to contact the DNR again for clarification on the wetlands.

Mr. Waller encouraged Mr. Smith to keep written records of all communication with respect to the proposed project.

Kimberly Flaig of 1219 Judy Drive, Troy, was present. Ms. Flaig's home is behind the wetlands area. She voiced her concern that future development of the remaining parcels could result in a strip shopping mall. Ms. Flaig indicated that City staff has more than once informed her that the only development that could go in this area is single family homes or a church. She said she wants the residential environment to remain. Ms. Flaig voiced her concern with potential flooding as a result of the development. Ms. Flaig stated she may pursue adverse possession as a device to slow or halt the development, and noted she has maintained a portion of the land behind her home since the subdivision was built more than 15 years ago. Ms. Flaig insisted that the value of the proposed condominiums be greater than the current value of the subdivision homes, referencing a price range of \$400,000. She cited that if the condominium development is constructed similar to the recent condominiums that are behind Blockbuster next to Tom's Landscaping, she and the neighbors would file a petition in opposition. Ms. Flaig said that the proposed development would increase traffic congestion and jeopardize the safety of school children. Ms. Flaig voiced a concern that the condominiums would not sell quickly because of the market's current glut.

Chairman Littman explained that the charge of the Planning Commission is to review and determine if the site plan conforms to the laws, rules and regulations of the City. He informed Ms. Flaig that adverse possession would be handled through the court system.

The floor was closed.

Mr. Miller clarified that the proposed development is within the R-1C zoning district, which is the same zoning district of the neighboring subdivision. He informed concerned residents in the audience that a site condominium development must

adhere to the same requirements of a single family residential subdivision, but noted a site condominium development is merely an alternative method of platting a residential subdivision. Mr. Miller stated the City is required by law to permit the development of site condominiums, and further explained the ownership differences between subdivisions and condominiums for which the City cannot discriminate.

Ms. Lancaster, confirming Mr. Miller's statements, encouraged the residents to review the informative *Comparison between Site Condos and Plats* prepared by the Planning Department. She stated there are homeowner associations for condominiums, as well as residential subdivisions. Ms. Lancaster explained that the charge of the Planning Commission is to make a recommendation to City Council as to whether or not the site plan meets the requirements of the City ordinance. She stated that City Council has final approval of the site plan and has no control over taxes. Ms. Lancaster said the Planning Commission cannot give consideration to the value of a house, and has no authority over the pricing of the homes. Ms. Lancaster said the Planning Commission is very aware of adverse possession, but clarified that the Commission cannot delay the process of a particular site plan that meets City requirements based upon a threat of adverse possession. Ms. Lancaster confirmed the City has no ordinance with respect to wetlands and, therefore, has no authority on non-regulated wetlands.

Chairman Littman informed the audience that further questions or concerns could be discussed with the City Attorney's Office, City Council or the Planning Department.

Mr. Kramer said it would be in the best interest of the City and the Planning Commission to look at a proposal that gives consideration to the whole area, particularly, since the petitioner has indicated that the area is under his control.

Mr. Vleck voiced opposition, citing that the proposal in front of the Commission appears to meet all ordinance requirements and suggested the Commission move forward with the proposal.

**Resolution # PC-2003-11-049**

Moved by: Kramer

Seconded by: Storrs

**RESOLVED**, That the Preliminary Site Plan as requested for Wattles Ridge Site Condominium be tabled for further discussion at the December 2, 2003 Special/Study Meeting for consideration of a proposal from the developer for the entire R-1C property.

Yes: Kramer, Littman, Storrs

No: Schultz, Strat, Vleck, Waller

Absent: Chamberlain, Wright

**MOTION DENIED**

A brief discussion followed.

Chairman Littman stated the Planning Commission is to look and understand what is going on with future development, and the only way one can provide for the orderly development of an area is to know what is going on in the future.

**Resolution # PC-2003-11-050**

Moved by: Vleck

Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan, as requested for Wattles Ridge Site Condominium, including 14 units, located south of Wattles Road and east of Rochester Road, Section 23, within the R-1C zoning district be granted, subject to the following conditions:

1. Dedication of a 20-foot wide public access way to the City of Troy as part of the retention area, including a 12-foot wide paved public access drive.

Yes: Kramer, Schultz, Strat, Vleck, Waller

No: Littman, Storrs

Absent: Chamberlain, Wright

**MOTION CARRIED**

Mr. Storrs is not in favor of the proposal because he believes the development should have a connection to Wattles Road, and he would like to see something concrete from the developer as to how he can utilize the R1-C zoning in future development. Mr. Storrs also encouraged the residents to address City Council with their concerns on potential water issues as a result of the proposed development.

Chairman Littman said his reason for voting no has already been stated. He noted the concerns of the residents are on record, and it is hoped that the Commission has provided them with some direction. Chairman Littman announced that the proposal would go before City Council for their review and approval in approximately one month.

**REZONING REQUESTS**

4. PUBLIC HEARING - PROPOSED REZONING (Z-597 D) – Proposed Retail Development, South side of Long Lake, West of Rochester Road, Section 15 – R-1T to B-2

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning request for retail development. Mr. Savidant reported that it is the recommendation of the Planning Department to deny the rezoning request because it is inconsistent with the Future Land Use Plan and is incompatible with adjacent land uses and zoning districts. Mr. Savidant noted that the Planning

Department has received numerous phone calls and inquiries regarding the rezoning application and is in receipt of a number of e-mail messages and letters voicing opposition to the rezoning request.

Mr. Waller asked if the Planning Department received any additional information relating to the problematic nature of the property for residential purposes.

Mr. Savidant responded in the negative.

Jill Bankey, Attorney, was present to represent the petitioner. Ms. Bankey introduced Robert Roth of Long Lake Development Partners, LLC, and Ralph Nunez of Design Team Limited. She presented a brief background and history of the property.

Ralph Nunez of Design Team Limited, 17255 W. Ten Mile Road, Southfield, gave a synopsis of his professional background. Mr. Nunez gave a very thorough and impressive presentation on the proposed development; i.e., dynamics and planning aspects of the proposed development, current uses, transition to residential, traffic study, traffic access points, master land use plan, stormwater on site, and improvements to existing characteristics of the site.

Mr. Miller noted to the petitioner that the City has updated the Master Land Use Plan and zoning map. Mr. Nunez noted the changes as stated by Mr. Miller.

Mr. Storrs indicated to the petitioner that he was personally aware of residents coming forward and requesting additional condominiums in Troy so that empty nesters could remain in Troy close to family and not have to be burdened with external maintenance. He then asked the petitioner what rationale he had that said the area needed additional B-2 zoning.

The petitioner did not have a response.

Mr. Kramer commended the presentation of Mr. Nunez. He asked the petitioner to address justification for additional B-2 zoning in the City, the feasibility and/or unfeasibility of residential development on the property, and the specifics in the transitional zoning. Mr. Kramer also asked if consideration was given to the adjacent parcel as part of the proposed rezoning.

Mr. Nunez responded there was discussion with the owner of the adjacent parcel to the southwest with respect to attached residential zoning. He stated that the petitioner does not have control of the residential property to the north. Mr. Nunez stated that the petitioner is considering a big box retail development should the proposed rezoning be approved.

Mr. Strat also commended the presentation of Mr. Nunez and requested a copy of the soils report with reference to the former property owner's proposed residential development.

Copies of the soils report were circulated to the Commission.

Mr. Nunez said it is his belief that the soils report was a tool utilized by the former property owner to withdraw from the purchase agreement.

Mr. Miller reported that Mr. Roth met with the Real Estate and Development Director to discuss development plans, and noted that a Planned Unit Development option was discussed. Mr. Miller said there could be potential for a Brownfield redevelopment project at this location, but at this time it is not known if it would be advantageous.

#### PUBLIC HEARING OPENED

Linda Thielfeldt of 646 Long Lake Road, Troy, was present. She noted that the petitioner did not address the zoning to the north and the single family residential to the west, currently under construction by Harrington Development Company. Ms. Thielfeldt stated that the soils contamination matter discussed tonight is not as big of an issue as it may appear. Ms. Thielfeldt said that the Master Plan Land Use, as well as the neighborhood surroundings, does not support the proposed rezoning. She noted that three retail developments within the area are currently experiencing vacancies, and questioned the need for further commercial vacancies and potential blight from a big box retailer. Ms. Thielfeldt voiced concerns with increased traffic and congestion, increased noise and light pollution, potential flooding and the home values of the affected residents. She shared the Governor's Cool Cities program promoting the initiative to make cities more attractive. Ms. Thielfeldt referenced a problematic site in Birmingham (south of 15 mile, east of Eton) that, through creative planning and zoning, was developed as a residential and business development in a village type of setting. Ms. Thielfeldt asked the Commission's recommendation to City Council for the proposed rezoning be one of denial now and in the future.

Sahar Fakhouri was present on behalf of the builder who owns the property adjacent to the west of the proposed rezoning. Ms. Fakhouri voiced strong opposition to the proposed rezoning for multiple reasons; one of much importance being that the property recently acquired from Choice Development was acquired with the understanding that it is adjacent to a residential development. Ms. Fakhouri said the rezoning would be a major detriment to their development and a major economic loss to the company. Ms. Fakhouri reported that results of soils boring tests conducted for their development were negative. She further expressed a major concern with lights. Ms. Fakhouri noted that they tried twice, to no avail, to make contact with the owner of the adjacent property.

Mr. Kramer questioned the setbacks for the property to the east.

Mr. Miller responded that it is approximately 100 feet from the residents because there is a single loaded road on the west side.

Michael Chaffee of 5064 Shrewsbury, Troy, was present. Mr. Chaffee said that living next door to a B-2 zoning district is not a buffer, but an area from which one wants to be buffered. Mr. Chaffee believes that residential development could be achieved at the subject site.

### PUBLIC HEARING CLOSED

Mr. Strat commented that after briefly looking at the soils test, it appears that approximately 6 feet of topsoil has been placed above the existing grade.

Mr. Vleck said he would be more in favor of a Planned Unit Development project on this site, and noted his concerns with the transitional buffer zones.

### **Resolution # PC-2003-11-051**

Moved by: Vleck

Seconded by: Strat

**RESOLVED**, that the Planning Commission hereby recommends denial to the City Council for the rezoning request from the R-1T to B-2 (Z-597) for the property located on the south side of Long Lake Road and west of Rochester Road within Section 15, being 14.5 acres in size, for the following reasons:

1. The rezoning request is inconsistent with the Future Land Use Plan, which classifies the property as Medium Density Residential.
2. The existing R-1T One Family Attached zoning district serves as a transition zone between the existing B-2 Community Business zoning district and the existing CR-1 One Family Cluster and R-1C One Family Residential zoning districts located to the north and west of the subject property. Further, the elimination of the R-1T transition would negatively impact the adjacent residential neighborhoods. The rezoning application is therefore incompatible with adjacent land uses and zoning districts.
3. The petitioner could explore other multiple uses or buffer zone options.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Vleck

No: Waller

Absent: Chamberlain, Wright

### **MOTION CARRIED**

Mr. Waller said he agrees that the subject property could be used for other potential aspects. He noted the Commission was deficient of any testimony for the subject site to be developed as a PUD or other multiple zoning uses, and that the plan before the Commission tonight could be a reasonable use for the site.



Chairman Littman requested a recess at 9:34 p.m.

The meeting reconvened at 9:41 p.m.

5. PUBLIC HEARING - PROPOSED REZONING (Z-692) – Proposed Retail Development, South side of Maple, East side of Axtell, Section 32 – M-1 to B-3

Item withdrawn by the petitioner.

6. PUBLIC HEARING – PROPOSED REZONING (Z-518 B) – Kresge Foundation Headquarters Proposed Office Building, South side of Big Beaver, West of Coolidge, Section 30 – R-1C to O-1

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning request. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the rezoning request.

The petitioner, Ronald Gagnon of 25233 Appleton Drive, Farmington Hills, was present. Mr. Gagnon, Project Manager for the Kresge Foundation, gave a brief explanation for the rezoning request and noted it is proposed for 100% office use.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

**Resolution # PC-2003-11-052**

Moved by: Waller

Seconded by: Schultz

**RESOLVED**, that the Planning Commission hereby recommends to the City Council that the R-1C to O-1 (Z-518 B) rezoning request located on the south side of Big Beaver and west of Coolidge, within Section 30, being 0.79 acres in size, be granted.

Yes: All present (7)

No: None

Absent: Chamberlain, Wright

**MOTION CARRIED**

## **SPECIAL USE REQUEST**

7. **PUBLIC HEARING – SPECIAL USE REQUEST (SU-321)** – Proposed Auto Repair Facility (within existing industrial building), East of Livernois, South of Park (1025 Troy Court), Section 34 – M-1

Mr. Savidant presented a summary of the Planning Department report for the proposed special use request. Mr. Savidant noted that the site plan incorrectly shows 5 parking spaces to be 18 feet in length when the standard parking space dimension is 19 feet long by 9.5 feet wide. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the request and site plan as submitted with the conditions that the off-street parking spaces are designated at a minimum of 19 feet long by 9.5 feet wide, with a 24-foot wide maneuvering lane, and a minimum of three trees are planted within the 10-foot wide greenbelt area on Troy Court.

The requirement of an ingress/egress easement prior to final site plan approval was discussed. Further reference was made with respect to communication received from adjacent businesses regarding traffic traversing through their parking lots to access the 1025 Troy Court property.

The petitioner, John Hupman of 1825 Latimer Drive, Troy, was present. Mr. Hupman said his business has been located two doors down from the subject site for 14 years, and he has received no complaints from adjacent businesses. Mr. Hupman assured the Commission that there would be no traffic backup from customers, whose vehicles would be promptly moved into the back or inside of the building. Mr. Hupman noted the width of the entrance driveway accommodates three vehicles, and most likely 12 vehicles for the entire driveway.

### **PUBLIC HEARING OPENED**

No one was present to speak.

### **PUBLIC HEARING CLOSED**

### **Resolution # PC-2003-11-053**

Moved by: Kramer  
Seconded by: Waller

**RESOLVED**, that Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 28.30.07 of the Zoning Ordinance, as requested for the Master Auto Service, located on the east of Livernois, south of Park, located on Troy Court, Section 34, within the M-1 zoning district, is hereby granted, subject to the following conditions:

1. All off-street parking spaces shall be a minimum of 19 feet long by 9.5 feet wide, within a 24-foot wide maneuvering lane.

- 2. There shall be a minimum of three trees planted within the 10-foot wide greenbelt area on Troy Court.

Yes: All present (7)  
 No: None  
 Absent: Chamberlain, Wright

**MOTION CARRIED**

**SITE PLANS**

- 8. SITE PLAN REVIEW (SP 271 A) – 5500 New King Medical Bldg., Proposed Parking Lot Expansion, Northeast corner of New King and Corporate Drive, Section 8 – O-M

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

Brad Brickel of Nowak & Fraus, 1310 N. Stephenson Highway, Troy, was present to represent the petitioner. Mr. Brickel confirmed that the petitioner gave consideration to land banking some of the parking spaces at this site but prefers not to take that option. Mr. Brickel also confirmed the location of the dumpster enclosure on the site plan.

Chairman Littman opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

**Resolution # PC-2003-11-054**

Moved by: Waller  
 Seconded by: Vleck

**RESOLVED**, that Preliminary Site Plan Approval, as requested for 5500 New King Medical Building, parking lot expansion, located on the northeast corner of New King and Corporate Drive, located in section 8, within the O-M zoning district, is hereby granted.

Yes: All present (7)  
 No: None  
 Absent: Chamberlain, Wright

**MOTION CARRIED**

9. SITE PLAN RENEWAL (SP 902) – Proposed Industrial Building Addition, North of Maple, East side of Thunderbird (1960 Thunderbird), Section 28 – M-1

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

The petitioner, John Danckaert of Jickling Lyman Powell Associates, 2900 W. Maple Road, Troy, was present.

**Resolution # PC-2003-11-055**

Moved by: Storrs

Seconded by: Strat

**RESOLVED**, that Preliminary Site Plan Approval, as requested for an addition, located north of Maple and on the east side of Thunderbird (1960 Thunderbird), located in section 28, within the M-1 zoning district, is hereby granted.

Yes: All present (7)

No: None

Absent: Chamberlain, Wright

**MOTION CARRIED**

10. SITE PLAN REVIEW (SP 216 B) – Proposed Maggiano’s Little Italy Restaurant, South side of Big Beaver, East of Butterfield, Section 29 – O-S-C

Mr. Savidant presented a summary of the Planning Department report for the proposed Maggiano’s Little Italy Restaurant. Mr. Savidant noted that the Planning Commission must determine if the standards as stipulated within Section 26.25.01 for restaurants located within the O-S-C zoning district are met. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted with the condition as follows.

1. To ensure that the restaurant addition provides a “logical extension of the floor plan of the principal structures, and shall utilize exterior materials similar to or harmonious with such principal structures” (as per Section 26.25.01), the materials used on the restaurant exterior shall be matched with the existing office building as follows:
  - A. The brick of Maggiano’s shall match as closely as possible with the existing office building.
  - B. The EIFS (Exterior Insulated Finish System) of Maggiano’s shall match the EIFS of the existing office building.
  - C. The window and door trim of Maggiano’s shall match the color of the existing office building window and door trim.

- D. The glass of Maggiano's shall match the glass of the existing office building.
- E. The color of the existing office vestibule shall be changed to match the EIFS of Maggiano's.

A lengthy discussion followed with respect to the determination of "harmonious" or "matching" materials for the proposed development and the attached office building. Sample materials were circulated.

The owner, Sam Finsilver of 34975 W. 12 Mile Road, Farmington Hills, was present. Mr. Finsilver said the original intent of Maggiano's was to use its standard brick so there would be a contrast between the two bricks because an exact match is impractical. He indicated that he would prefer to follow Maggiano's concepts.

Jim Powell of GHA Architects, 14110 Dallas Parkway, Dallas, Texas, was present to represent the petitioner. He suggested a mock-up of the brick be provided for consideration prior to construction.

Chairman Littman asked the owner to replace the current sign in front of the vacated restaurant building. Mr. Finsilver agreed.

Mr. Powell confirmed that 1,100 linear feet of sidewalk is proposed on Todd and Butterfield and is noted on the site plan. Mr. Powell also stated that Maggiano's exterior doors and window trims are wood.

Mr. Waller applauded the petitioner's act to contribute to the City's plan of walkability throughout the City.

**Resolution (Modified – see PC-2003-11-056)**

Moved by: Strat  
Seconded by: Vleck

**RESOLVED**, that Preliminary Site Plan Approval, as requested for Maggiano's Little Italy Restaurant, located on the south side of Big Beaver and east of Butterfield, located in section 29, within the O-S-C zoning district;

**BE IT FURTHER RESOLVED**, To insure that the restaurant portion of the structure and the floor plan of the principal structure shall utilize exterior materials similar to and harmonious with the principal structure per Section 26.25.01, materials used in the restaurant exterior shall be matched with the existing office building, as follows:

1. The petitioner shall provide at least three test panels of at least 100 brick that will be actually located on the site in such a manner that it can be relocated in the shadow or in the direct sunlight and shall be reviewed and approved by the Planning Department.
2. The EIFS (Exterior Insulated Finish System) of Maggiano's shall match the EIFS (Exterior Insulated Finish System) of the other existing office building.

3. The windows and door trims of Maggiano's shall match the color of the existing office building windows and door trims.
4. The glass of Maggiano's shall match the glass of the existing office building.
5. The color of the existing office vestibule shall be changed to match the EIFS (Exterior Insulated Finish System) of Maggiano's.

Mr. Vleck requested that references in the motion stating "shall match" be revised to state "shall be harmonious".

Mr. Strat voiced no objections to this change.

There was further discussion on the brick and mortar colors.

Mr. Schultz questioned the motion's intent to match the windows and door trims to the existing office building windows and door trims. He noted that historically Maggiano's has naturally finished wood window frames and doors and questioned if the motion would preclude Maggiano's from using naturally finished wood on the building.

Discussion followed.

Mr. Miller recommended that a new motion be proposed. He stated that the Planning Commission's premise of the original motion was to have the two buildings match. It appears that the Commission's intent is to allow Maggiano's to build with its standard wood and brick.

Mr. Strat modified the motion on the floor as follows:

**Resolution # PC-2003-11-056**

Moved by: Strat  
Seconded by: Vleck

**RESOLVED**, that Preliminary Site Plan Approval, as requested for Maggiano's Little Italy Restaurant, located on the south side of Big Beaver and east of Butterfield, located in section 29, within the O-S-C zoning district;

**BE IT FURTHER RESOLVED**, To insure that the restaurant portion of the structure and the floor plan of the principal structure shall utilize exterior materials similar to and harmonious with the principal structure per Section 26.25.01, materials used in the restaurant exterior shall be matched with the existing office building, as follows:

1. The petitioner shall provide at least three samples of brick of 100 brick laid up in mortar so that the Planning Department can and will give final approval; brick color and brick samples to be selected by the architect of record on the project.

2. The EIFS (Exterior Insulated Finish System) color shall match or be harmonious with the existing office building.
3. The windows and doors shall be the standard Maggiano's wood doors and frames.
4. The glass of Maggiano's shall match or be harmonious with the existing office building.
5. The color of the existing vestibule shall match the EIFS (Exterior Insulated Finish System) of Maggiano's.

Discussion.

Mr. Storrs asked the petitioner if the motion on the floor would fulfill his needs.

The petitioner responded affirmatively.

Vote on the motion.

Yes: All present (7)  
No: None  
Absent: Chamberlain, Wright

**MOTION CARRIED**

11. SITE PLAN REVIEW (SP 903) – Proposed Maple Coolidge Office Building, South of Maple, East side of Coolidge, Section 32 – O-1

Mr. Savidant presented a summary of the Planning Department report for the proposed Maple Coolidge Office Building. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

The petitioner, Seth Penchansky of David Milling & Associates, 208 W. Liberty, Ann Arbor, was present. Mr. Penchansky explained that the proposed development is a Brownfield redevelopment site. He noted that a baseline environmental assessment was done and some cleanup has been completed. Mr. Penchansky said the development would definitely be an improvement to the City, particularly in that area. He reported that the basement would not be occupied and used only for storage by the tenants. Mr. Penchansky said the parking area under the building would meet all requirements of the Fire Department.

Chairman Littman asked if the motion could include the use of the unoccupied lower floor.

Ms. Lancaster clarified that conditions of use cannot be placed on a site plan, and that a change in use would have to come before the Commission again.

Mr. Miller noted that storage areas are excluded from the calculation of usable floor space and, thus, parking spaces. The Building Department would be responsible for the enforcement. Should the petitioner utilize the lower level space, it would be necessary to calculate the parking spaces based on the usable space.

The petitioner displayed an interim concept of the layout of the building.

**Resolution # PC-2003-11-057**

Moved by: Schultz

Seconded by: Waller

**RESOLVED**, that Preliminary Site Plan Approval, as requested for the Maple Coolidge Office Building, located south of Maple and on the east side of Coolidge, located in section 32, within the O-1 zoning district, is hereby granted.

Yes: Kramer, Littman, Schultz, Strat, Vleck, Waller

No: Storrs

Absent: Chamberlain, Wright

**MOTION CARRIED**

Mr. Storrs noted that the proposed underground storm water detention is the reason for his negative vote.

Mr. Penchansky thanked the Planning Commission and the Planning Department for their assistance in the site plan process.

Mr. Schultz thanked the petitioner for the sidewalk easement, and said he is looking forward to the improvement to the City.

**GOOD OF THE ORDER**

Ms. Lancaster reminded the Commission that tonight is her final meeting, as she will be assisting the Board of Zoning Appeals. Assistant City Attorney Allan Motzny will be replacing her. She gave a brief synopsis of Mr. Motzny's professional background, and noted he is an avid Michigan State fan.

Mr. Schultz thanked Ms. Lancaster for her expertise. He also noted that a good development on Big Beaver was approved tonight.

Mr. Strat said he has enjoyed knowing Ms. Lancaster for his short time term on the Commission. He noted that he would continue to work with the U.S. Green Building Council and administration in coordinating a presentation to the Planning Commission.



Chairman Littman said Ms. Lancaster was a very functional part of the Planning Commission with tremendous insight and she will be missed. He suggested that the members compile their list of topics for next year's Study Sessions. Chairman Littman asked if the City Attorney's Office has made a determination on the committee and sub-committee matter.

Ms. Lancaster reported that the City Attorney is working on the matter.

Mr. Kramer said that Ms. Lancaster's knowledge and professionalism would be missed.

Mr. Waller wished Ms. Lancaster every happiness as she continues on the road to serve the City of Troy. He asked the Commission to consider a workshop type of meeting to discuss items that are not agenda related.

Mr. Vleck said it's been a pleasure working with Ms. Lancaster.

### ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 11:20 p.m.

Respectfully submitted,

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Lawrence Littman, Chairman

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Kathy L. Czarnecki, Recording Secretary