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The Regular Meeting of the Troy City Planning Commission was called to order by Chairman James Reece at 7:30 P.M. on Tuesday November 10, 1992 in the Troy City Hall.

1. ROLL CALL

Present:	Reece	Melaragni	Absent: Wright
	Kramer	Starr	
	Lepp	Chamberlain	
	Storrs	Ethier (7:35 p.m.)	

Moved by Storrs

Supported by Melaragni

RESOLVED, that Planning Commissioner Wright be excused as he is out of the State.

Yeas: All Present (7)

Absent: Wright, Ethier

MOTION CARRIED

2. MINUTES - Special/Study Meeting of November 3, 1992

Moved by Lepp

Supported by Storrs

RESOLVED, that the Minutes of the Special/Study Meeting of November 3, 1992 be approved as printed.

Yeas: Lepp, Melaragni, Storrs
Starr, Reece, Kramer

Abstain: Chamberlain
Absent: Wright, Ethier

MOTION CARRIED

3. PUBLIC COMMENTS

TABLED ITEMS

4. SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Church Expansion -South Side of Long Lake, East of Livernois - Section 15

Mr. Keisling explained that action was initially tabled on this matter, following a Public Hearing at the August 11 Regular Meeting, in order to provide an opportunity for the petitioners and the adjacent residents to meet and resolve their concerns. Action was then tabled once again, following discussion at the September 8 Regular Meeting, in order to provide further opportunity for the petitioner and the adjacent residents to meet, and to allow time for the petitioners to revise the site plan to properly provide for the floodway area within the site. At the October 13, 1992 meeting action was tabled once again, in order to provide an opportunity to have more than five Planning Commission members present. The proposal is for a two-element building expansion, and related parking area expansion for the Troy Christian Chapel, on the south side of Long Lake Road east of Livernois (west of Belzair Drive). A portion of the parking area expansion involves the 1.24 acre parcel lying immediately to the west of the current 4 acre church site. This site expansion requires Special Use Approval, in addition to Site Plan Approval for the proposed building and parking area expansion.

Mr. Keisling noted the communications from the Troy Christian Chapel, indicating that meetings had been held between their representatives and homeowners representatives. The letter of October 13 from Mr. and Mrs. Martin summarizes their understanding of the matters agreed to by the church representatives. As a result of the meetings with the homeowners' representatives, and in an effort to respond to the homeowners' concerns,

as well as those expressed by the Planning Commission, a revised site plan was submitted in preparation for the October 13 meeting, and is now presented for Commission consideration and action. As indicated in the petitioners' letter, the seating plan for the proposed expanded sanctuary has now been revised to indicate a capacity of 368, thus reducing the required parking from 192 to 171. The proposed new westerly parking area has been reduced in size, to provide additional buffer area between the parking area and the west and south property lines. Although the required screenwall is indicated on the site plan, the petitioners propose to request a modification of the screening requirement along the west side of that parking area, and along the westerly portion of the south side of the parking area, in order to place opaque fencing in those areas at a location immediately adjacent to the parking spaces themselves, thus defining larger landscaped areas abutting the lots to the west and south. The expanded parking area to the east of the church has been moved west, further away from the Houghten Drain and out of the Floodway area. Contact by one of the adjacent residents with the Oakland County Drain Commissioners office has confirmed the requirement that the Drain Office will review the plans for any parking area construction in the area of the Houghten Drain easement. Soil erosion control requirements will also be imposed, as in the case of all construction of this type. Review of this plan indicates that all applicable Ordinance requirements are complied with, and that Special Use Approval and related Site Plan Approval would be in order.

Mr. Keisling noted that at the October 13 Regular Meeting, the Commission was advised that the Restriction Agreement covering the Re-plat of Belzair Subdivision (including Lot 5, the site of the proposed new westerly parking area), includes an excerpt which provides that "No lots shall be used except for residential purposes." The City's actions pursuant to the Zoning Ordinance are not limited by such restrictions.

Mr. Ethier arrived.

Pastor Dan Lewis of the Troy Christian Chapel was present on behalf of the church. He noted the letters or communications which had been received from the homeowners abutting the proposed new parking area, and stated that the church was in agreement with the provisions contained in these letters.

Kevin Gerald of 185 Wilton stated that he was appearing on behalf of the homeowners, as Mr. Weiss, the association president, was out of town. He stated that their concern was not the church, but rather the parking lot and the negative impact which it would have on adjacent property values. He confirmed that they did have a series of meetings with church representatives, and that the letters should not be misconstrued to be endorsements. They were in fact motivated to negotiate with the church representatives by fear, and interest in minimizing their losses.

Nick Buccini of 4821 Belzair stated that he had been at the meeting when the original church development was proposed, and that the building as constructed was different than that represented at the time. Expansion of the church was not proposed at that time. He was primarily concerned about the negative impacts of drainage from the proposed parking areas.

Mr. Reece stated that the provision of proper drainage would be assured through Engineering review, and that the general direction was that new construction would not negatively impact the drainage on adjacent properties. He further confirmed that the Planning Commission could not base their actions on, or enforce, deed restrictions. Mr. Kramer confirmed that the berms and parking area setbacks indicated on the plan would correspond to those indicated in the letters from adjacent property owners. In response to Mr. Lepp's concern regarding drainage, Mr. Keisling indicated that the Commission is not responsible for approving the drainage plan, and that such would be handled by the Engineering Department. Mr. Letzmann noted that the agreements with adjacent property owners could not supersede Ordinance requirements.

Moved by Ethier

Supported by Melaragni

RESOLVED, that Special Use Approval, as requested for the expansion of the site of the Troy Christian Chapel to include a parcel having 200 feet of frontage on the south side of Long Lake Road east of Livernois, is hereby granted, in accordance with Section 10.30.04 of the Zoning Ordinance, subject to the incorporation of the provisions contained in the letters from the owners of abutting Lots 4, 6, and 7 as agreed to by the petitioners (regarding parking area screening, lighting, etc.) to the extent that such provisions do not conflict with Zoning Ordinance requirements.

Yeas: All Present (8)

Absent: Wright

MOTION CARRIED

Moved by Ethier

Supported by Melaragni

RESOLVED, that Preliminary Site Plan Approval, as requested for the expansion of the building and parking facilities serving the Troy Christian Chapel, on the south side of Long Lake Road east of Livernois, is hereby granted, subject to the incorporation of the provisions contained in the letters from the owners of abutting Lots 4, 6, and 7 as agreed to by the petitioners (regarding parking area screening, lighting, etc.) to the extent that such provisions do not conflict with Zoning Ordinance requirements.

Yeas: All Present (8)

Absent: Wright

MOTION CARRIED

5. SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Church - South Side of Maple, East of John R - Section 36

Mr. Keisling explained that action was tabled on this matter, following a Public Hearing at the October 13 Regular Meeting, in order to provide an opportunity for the petitioners and the adjacent residents to meet and resolve their concerns. This tabling action also provided an opportunity for more Commission members to be present, and for review of the Ordinance language related to the establishment of churches and the application of that language to the subject proposal. This request is for Special Use Approval and related Site Plan Approval, for the construction of a church complex on an R-1E zoned assembly of properties having 400 feet of frontage on the south side of Maple Road east of John R. The subject property extends 633 feet south from Maple Road, and thus has a net area of 5.8 acres. The total south and east boundaries of the site abut the Fairgrove Subdivision, while the west boundary abuts property controlled by a Consent Judgment involving the partially-developed office site extending west to John R and south approximately one quarter mile from Maple Road. Through amendments to the Consent Judgment, the northerly major portion of the abutting parcel can be used for parking purposes, while the southerly portion is still restricted to low-density residential use. The latter restriction was intended to provide for a residential street link between the Fairgrove Subdivision and the property now under consideration. If this proposal is approved, the subject residentially-restricted area could then potentially be used for the construction of a cul-de-sac ending for Revere Drive. On an overall basis, the proposed church site would serve as a reasonable transition between the committed office development area and the residential area to the east.

Mr. Keisling noted that although such is not reflected on the site plan now available for review, it was his understanding that the overall building size has been reduced approximately 3,000 square feet. 1,050 square feet of this reduction was within the fellowship hall area, resulting in a capacity of 380 people. The sanctuary and chapel seating capacity continues at 546. In response to concerns expressed by adjacent residents, and after reviewing the details of the building plan and the setback requirements, while also clarifying the storm water detention requirements, the petitioners have now presented a revised site plan. This plan includes 4'6" to 5'

landscaped berms along the total south boundary, and along that major portion of the east boundary which abuts proposed parking area. In order to accommodate this berm, while still providing conforming parking, the building was moved 15 feet closer to Maple Road. The petitioners have applied for a DNR permit in relation to the proposed alteration of the 100 year floodplain encompassing a major portion of this site.

Mr. Keisling noted that, at the November 3 Study Meeting, the Commission reviewed, with he and Mr. Letzmann, the proposed site and building plans, in relation to the related Zoning Ordinance requirements, and in part in relation to the concerns expressed by adjacent residents. As a result of that discussion, it was concluded that the proposed gymnasium would have to be included as one of those "incidental use areas" for which parking must be provided, in addition to the parking required for the sanctuary and hall areas. Applying the 15 square feet per person factor to the gymnasium area (which assumes that this area could be used for seating), would bring about a total seating capacity for "incidental use areas" which would significantly exceed that of the sanctuary area, and thus violate Section 10.30.04-G-1. The petitioners were advised of this situation, and thus of the need to further modify their plan in order to meet Ordinance requirements. It was Mr. Keisling's understanding that the petitioners would propose deletion of the gymnasium area, and would submit a further revised site plan indicating this revision. On this basis, approval of the Special Use Request and related Preliminary Site Plan Approval would be in order.

In response to Mr. Lepp's question, Mr. Keisling noted that the height of the dome on the recently completed St. Nicholas Greek Orthodox Church on Wattles Road is approximately 55 to 56 feet, as compared to the 58 foot height indicated in the current proposal.

Paul Salyers of 2211 Rushmore asked that this item be tabled until a revised site plan, reflecting recent proposed building modifications, is submitted.

Dennis Gannon, attorney and member of the Saint George parish, was present on their behalf. He stated that they had met with the neighbors, and that they wanted to be good neighbors, as over 200 of their members live in the City of Troy. Meetings with Mr. Salyers and other subdivision residents have indicated basically three concerns: (1) Parking area screening and location; (2) Intensity of use of the facility, particularly in relation to the proposed hall element; (3) The proposed gymnasium. The plan modification to include the proposed berms, with the consent of the Board of Zoning Appeals, would address the parking area screening and location question. The church has stated that they would not operate their hall as a commercial "catering hall". Although there is a difference of opinion regarding the interpretation of the gymnasium use, it is the intention of the church to delete the gym from their present plan. It is their hope that if, in the future, they desire to proceed with the gymnasium, their use of the site and facilities would enable the adjacent residents to support requests for any variances necessary to enable the gymnasium construction. Mr. Gannon commented that the church has proposed a 3,000 square foot reduction in their building area, and a 3 foot reduction in the height of the proposed dome. Further, they have proposed low-level parking area lighting, and will reduce the size of the kitchen and the entrance canopy. The church already owns the property, and the proposed building is almost identical in size to their facility in Detroit. Mr. Gannon then presented a list prepared by the church, indicating the social events for which their hall was used over the past year.

In response to Mr. Chamberlain's question, Al Whiting, general contractor for the church, indicated that the present site plan does not reflect the building area reductions. He noted that these reductions would not be necessary if the gymnasium is removed from the plan. In response to Mr. Lepp's question, Father Joseph Antypas, the priest, explained that the classical sanctuary architecture would not permit the inclusion of a modern canopy. The canopy at the entrance to the hall would still enable protection from the weather for those entering the total complex. He confirmed that they were willing to delete the proposed gymnasium, thus reducing the building area by approximately 9,000 square feet or 25%. He noted that they could, in the future, attempt to add more area to their site by expanding to the west, if such would be necessary in order to accommodate the proposed gymnasium.

Mr. Salyers reviewed the meetings with church representatives. He stated that, although the plan indicates 5 foot berms, many adjacent residents would prefer 6 foot berms. He indicated that the church had stated that they would not serve alcohol in the hall, but that those using the hall could bring their own liquor in. He still felt that the plan did not meet Ordinance requirements, and that the complex was still dominated by the "incidental use areas". He felt that the children's auditorium should be included in the parking area requirement, noting that the plan which he saw at the present church location indicated this area as a "fellowship hall". Basically, the adjacent residents felt that the building is too large, and that it would interfere with our lives. Resultant suggestions were that the children's auditorium be deleted, and that the hall and classroom areas be reduced in size. It was further felt that a greenbelt should be provided in addition to the berms, and that there should be landscaping on top of the berms.

Robert Glowczewski of 1417 Leafgreen stated that his union, the CWA, and the Detroit Police Officers Association rent the hall at the present location, and that alcohol is brought in.

George Darany, chairman of the Saint George building, stated that they do rent out their present hall facility. They understand that this activity would not be permitted at the Troy location. He further explained that the kitchen was designed in response to the requirements of the women's society, with the assistance of a qualified kitchen designer.

Jeff Apczynski of 1429 Leafgreen distributed pictures which he had taken of the trash at the present church site, including liquor bottles. He also noted the newspaper announcement regarding the ground breaking ceremony, and another newspaper item indicating the size of the present church facility. He felt that the petitioners were proposing a larger hall, but not a larger church.

In response to Mr. Chamberlain's question, Mr. Keisling indicated that a basement could be included with this complex, but that such may be very difficult because of the flood plain situation.

Kendall Scheer of 1422 Leafgreen felt that the proposed Byzantine architecture would be out of place. He also expressed concern about the effect of this development on the adjacent private airport, and the loss of sound absorption resulting from the removal of trees on the church site. He also noted the high volume of left turns on to Maple Road which would be necessary as a result of the single driveway configuration.

Larry Mulvaney of 2203 Rushmore presented pictures of the "ground breaking/ground blessing" ceremony, which occurred prior to the approval of the church. He also read a letter from his neighbor Mike Schlacter, objecting to this activity occurring in advance of City approval. Carol Mulvaney noted that the adjacent Polish Cultural Center and San Marino Club could be used for celebrations and parties. The residents in this area would prefer a church to a party center.

Mr. Reece noted that the Commission was aware that the church was holding a ceremony on the site in October, which was modified to become a "blessing of the ground".

Carol Apczynski of 1429 Leafgreen noted that the City's Airport Zoning Ordinance should also relate to the privately-owned Big Beaver Airport, in addition to the publicly-owned Oakland-Troy Airport. She was concerned that the proposed building, within 5,000 feet of the runway, would cause a safety problem. She felt that the proposed dome height would not be necessary, noting that the current church has a dome only 25 feet in height.

Mr. Keisling noted that it was his understanding that the plan was not in violation of any aeronautic requirements, but that the Michigan Aeronautics Commission would be notified of this project.

Dwaine Perry of 2187 Rushmore questioned the potential uses of this site for other than worship purposes, and the potential negative impacts of such activities on adjacent properties.

In the course of further Commission discussion, Mr. Kramer proposed that action should be tabled on this matter in order to resolve differences between the church and the neighbors, and between the site plan and the revised floor plan. Mr. Gannan noted that the church had already made considerable concessions. Mr. Ethier indicated his concern regarding the size and scope of the proposed complex, and the potential incompatibility with surrounding residential property.

Moved by Kramer

Supported by Chamberlain

RESOLVED, that action on Special Use Approval and related Preliminary Site Plan Approval, as requested for the establishment of the Saint George Orthodox Church complex on a 5.8 acre R-1E zoned parcel on the south side of Maple Road east of John R is hereby tabled until the December 8 Regular Meeting in order to provide an opportunity for the petitioners and the adjacent residents to meet and resolve their concerns, and to provide an opportunity for the petitioners to submit a revised site plan reflecting any proposed building and site modifications.

Yeas: All Present (8)

Absent: Wright

MOTION CARRIED

SITE PLANS

6. SITE PLAN REVIEW - Proposed Bank Expansion - West Side of Dequindre, North of Long Lake - Section 12

Mr. Keisling explained that a site plan has been submitted for the expansion and renovation of the Michigan National Bank facilities on their O-1 zoned site having 180 feet of frontage on the west side of Dequindre north of Long Lake Road. A two-part building expansion is proposed which will bring the building from its 1,738 square foot area to a total of 2,332 square feet. At the same time, the building exterior will be upgraded to a style similar to other recent Michigan National facilities, such as the building on the south side of Maple Road east of Livernois. The drive-up islands will remain in their present location, while the canopy will be reconstructed as a part of the building renovation. The existing Dequindre Road driveways will remain in their present location. In the course of expanding and modifying the interior paved areas, the Planning Department asked that a cross-access drive and easement be provided extending west from the north Dequindre Road driveway and then south to the medical office site to the south. The owner of that development has previously granted a cross-access easement extending from Dequindre to the westerly north-south drive on his property, which lies west of the improved portion of the Michigan National site. In response to the staff's request, he has tentatively agreed to modify his cross-access easement so that it will coincide with the proposed drive on the Michigan National site.

Mr. Keisling noted that the Michigan National property extends west 610 feet from Dequindre. The proposed building and facility expansion will involve only the east 230 feet of this parcel. Because of this situation, the petitioners have requested and received variances from the Board of Zoning Appeals in order to enable the landscape requirement to be based only upon the improved portion of their site, and to waive the screenwall requirement in the area west of the improved portion of the site on a one year renewable basis. Based on these actions, the site plan as now submitted meets all applicable Ordinance requirements and approval was recommended by the Planning Department.

David Donnellon, architect, was present on behalf of the petitioners. He stated that, due to the additional cost resulting from requirements such as the additional paving on site, and the Dequindre Road deceleration lane, etc., this project may not proceed until Spring. In answer to Mr. Storrs' question, he stated that there would be no rooftop equipment.

Moved by Ethier

Supported by Melaragni

RESOLVED, that Preliminary Site Plan Approval, as requested for the Michigan National Bank building and facility expansion on their O-1 zoned site having 180 feet of frontage on the west side of Dequindre, north of Long Lake Road is hereby granted.

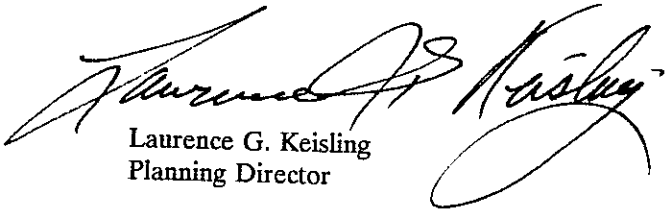
Yeas: All Present (8)

Absent: Wright

MOTION CARRIED

The meeting was adjourned at 9:50 P.M.

Respectfully submitted,



Laurence G. Keisling
Planning Director

LGK/eh