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The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Walter Storrs at 7:30 P.M. on Tuesday August 24, 1993 in the Troy City Hall.

1. ROLL CALL

Present: Chamberlain      Starr  
          Ethier                Thompson  
          Kramer              Storrs  
          Reece                Palazzolo

Absent: Wright  
          ethier

Moved by Chamberlain

Supported by Palazzolo

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

Yeas: All Present (8)

Absent: Wright

MOTION CARRIED

2. MINUTES - Regular Meeting of August 10, 1993

Moved by Chamberlain

Supported by Kramer

RESOLVED, that the Minutes of the Regular Meeting of August 10, 1993 be approved as printed.

Yeas: Chamberlain, Kramer, Ethier  
          Thompson, Starr, Storrs

Abstain: Palazzolo, Reece  
Absent: Wright

MOTION CARRIED

STUDY ITEMS

3. BOARD OF ZONING APPEALS REPORT

Mr. Chamberlain and Mr. Starr commented on some of the items recently considered by the Board of Zoning Appeals, including the following:

- A. A request to waive the "neighbors' consent" provision of the Zoning Ordinance in relation to the placement of a satellite dish ("accessory structure"). This matter was tabled in order to provide an opportunity for further input from the City Attorney.
- B. Approval of a request for parking area screenwall waivers in conjunction with the expansion of the St. Augustine Lutheran Church on Livernois at McKinley. Mr. Chamberlain asked that the Planning Commission, in a future Study Meeting, review the Ordinance provisions related to such screening.
- C. Mr. Starr noted the approval of a variance from the requirements of footnote (P) of the Schedule of Regulations, in relation to a front yard setback from Shelldrake Street. The proposed Zoning Ordinance Text Amendment deleting footnote (P) would eliminate the need for this variance.

4. CURRENT DEVELOPMENT REPORT

In response to Mr. Starr's question, Mr. Keisling noted that the City Council will be holding a Public Hearing in relation to the proposal to delete the above-noted footnote (P) from the Zoning Ordinance, on September 13, 1993.

Mr. Keisling noted that the City Council had taken action to authorize the vacation of Mastin Street in the two blocks between Larchwood and Woodslee. This action eliminates the potential for creating an indirect street pattern in the Hartshorn Street area, as has been suggested by the concept plans developed for the Addison Heights area.

In response to questions from the Commission, Mr. Keisling and Mr. Letzmann indicated that the initial phase of the SCATS traffic signal system was nearing completion throughout the City. They further stated that the Ordinance establishing the Downtown Development Authority had been adopted by the City Council, and that the Mayor is now considering DDA Board appointments.

5. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - R-EC (Residential-Elder Care) Zoning District

Mr. Keisling summarized the evolution of the efforts to develop Zoning Ordinance language in order to broaden the provision of areas available for the establishment of elder care facilities. Before and since the time of the Joint Meeting with the City Council in May, the staff has been developing a text for a separate Zoning District, now proposed to be known as the R-EC (Residential-Elder Care) District, which would provide for a variety of types of elder-oriented facilities, along with conventional residential and residential-related facilities such as would be permitted in a One-Family Residential District. In the course of discussing this proposal at the Commission's May 25 Study Meeting, it was suggested that definitions for the various kinds of facilities or levels of care would be helpful. In order to help to develop such definitions, or to help in other ways with the potential Ordinance text, it was suggested that resource persons should be sought who could serve as learning resources for the Commission and staff.

Mr. Keisling introduced James McGuire of the Area Agency on Aging 1-B, whose agency is involved in the advocacy of, and planning and funding for services for older persons in six counties of southeastern Michigan. He also introduced Irving Shapiro, of Lakeland Administrative Services. Mr. Shapiro stated that he was formerly the director of Sinai Hospital, but was now involved with the operation of facilities for the elderly and handicapped, including the Byron Drive group home in Troy. He was particularly interested in the establishment of facilities accommodating approximately 10 Alzheimer's patients. He commented on the various types of facilities needed for the elderly, at various levels of physical need. He also discussed the various levels of care, and licensing in the various types of facilities. He felt that, in order to serve the greatest extent of need in a given area, a multi-faceted facility or "campus" would be preferable, as compared to "fragmenting" or disbursing various kinds of facilities around the community.

Mr. McGuire explained that his agency received and disbursed all governmental funds for community-based services for the elderly in the southeast Michigan region. He is a member of the Planning Commission and the DDA in Pleasant Ridge, so he is somewhat aware of the Planning Commission's concerns in this matter. In the area of statistics, he noted that it has been projected that by the year 2020 there will be more persons over 60 than children, and the average couple in their 40's will have more living parents than children. He then reviewed the "continuum" or series of types of living facilities for the elderly, related primarily to the level of care needed for the individuals. This series of approaches or facilities included the following: (1) "Age in place", where the elderly residents would remain in their own home; (2) Subsidized senior citizen housing, where the rent is based on income level; (3) Retirement housing, which is made available at market rates; (4) Assisted living, including partial care and support services for elderly who are not bedridden; (5) Home for the aged, a larger version of assisted living facility; (6) Adult foster care homes; (7) Nursing homes.

Mr. McGuire noted that adult day care facilities and respite care facilities are typically tied to other larger types of facilities, as it is generally not economically feasible to operate these two types of facilities on an independent basis. Mr. McGuire commented on some of the standards or requirements related to nursing homes, and noted that he is more familiar with these than with the various types of assisted living facilities. In response to Mr. Thompson's question regarding a definition for the term "elderly", Mr. McGuire confirmed that many of the subsidized facilities are not permitted to restrict occupancy solely to elderly residents, but that the term "predominantly elderly" would be reasonable in Ordinance language.

Shelly Foley of Family Works of Troy was also present, and commented on their experience with referrals related to elderly services. She stated that they have as many inquiries in relation to elderly services as they do in relation to children's services.

In the course of the Commission's discussion, Mr. Kramer suggested that elder-care facilities could be considered on the basis of three levels or categories: (1) Group homes; (2) Assisted living facilities (involving moderate-sized buildings); and (3) Larger multi-function sites, which would be limited to higher intensity or non-residential areas.

Mr. Ethier expressed concern regarding the potential for over-providing for elder-care facilities, noting that other area communities should also be making equal efforts to provide for such facilities. Ms. Palazzolo noted the various recommendations contained in the Futures' report related to elderly living and care facilities. It was concluded that the Planning Department and the Commission would continue to develop the proposed Zoning Ordinance language, taking into consideration the extensive information presented this evening.

6. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - Outdoor Parking of Commercial Vehicles in Residential Districts

Mr. Keisling explained that, in July of 1991, the City Council adopted amendments to the text of the Zoning Ordinance which included a definition for the term "Commercial Vehicle", and modification of the provisions related to the parking of commercial vehicles in residential districts, resulting in the present Ordinance language (which reads as follows):

04.20.32        **COMMERCIAL VEHICLE:** Any vehicle used to generate income, and which, by appearance, is anything other than usual and customary personal family transportation.

40.66.00        **OUTDOOR PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS:**  
Outdoor parking of not more than one commercial vehicle of a rated capacity not to exceed one ton is permitted.

Mr. Keisling stated that the purpose of this Ordinance language continues to be the avoidance of incompatible uses in residential areas, and thus the support of continuing property maintenance efforts in order to assure sound and stable residential areas.

Mr. Keisling noted that the Building Department has experienced continuing difficulty in the enforcement of these provisions, particularly in relation to the interpretation of the "one ton rated capacity" language. Various related City staff have thus studied this matter in an effort to further improve these provisions. As a result of this effort, they have concluded that a preferable approach would be to prohibit the outdoor parking of commercial vehicles in residential districts, with the exception of two types of vehicles, a "pick-up truck", and a "passenger/cargo-style van". Revised Ordinance language was then developed, including definitions for the two types of commercial vehicles which could be permitted. It is hoped that this clear and concise language will be readily enforceable, and will thus achieve the objectives of these Ordinance provisions. In order to add to this clarity, it is further proposed that pictures of the two types of vehicles involved be included in the Zoning Ordinance text.

In the course of the Commission's discussion, Mr. Ethier suggested that the Ordinance language indicating the two types of commercial vehicles permitted should be stated in a positive manner. Otherwise, he felt that the proposals were reasonable and desirable. The Commission concluded that a Public Hearing should be established in order to consider the proposed revised Ordinance language.

7. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - H-S District Locational Criteria and Standards

Mr. Keisling noted that, at the May 19, 1993 Joint Meeting, the City Council and the Planning Commission also reviewed the history and evolution of the H-S (Highway Service) Zoning District, including the locational criterion which requires the placement of such districts at major thoroughfare intersections of a commercial nature. The Commission and the Council discussed the ramifications of rezoning existing gas station and auto wash sites to the Highway Service classification. The Planning Commission was asked to review the H-S District text, and in particular the locational criterion, and to make recommendations as to any amendments which they felt would be reasonable. This matter was further discussed at the May 25 Study Meeting. At that time questions were raised as to the need to retain the locational limitation. It was suggested that elimination of this requirement, and the application of H-S Zoning in other types of locations, may enable property improvements which would otherwise be difficult to achieve.

The Commission noted the existing and proposed Ordinance language which had been distributed. The suggested amendments would broaden the locational criteria and update or revise other standards. One of the matters which

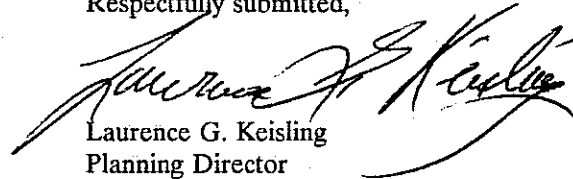
has been raised over the past year is the recognition that there is no present provision which would permit a drive-up activity as the sole use of a site. Drive-up service is presently permitted only as an accessory to various commercial uses, which also involve service to the customer within the building. The Commission also noted some of the background materials, including maps indicating the location of gas station and car wash facilities throughout the City, and noted those which are zoned in the H-S classification. They also discussed the situation where these types of facilities were in other than H-S Districts, and thus existed as "legal non-conforming uses".

Robert Waldron, owner and operator of two auto wash/gasoline service facilities on Rochester Road, was present and discussed the difficulties related to the legal non-conforming use status of his establishments. He also commented that the auto wash industry generally recommends locations away from major thoroughfare intersections, due to problems related to traffic and potential pavement icing. It was his understanding that over 90% of the car washes in Michigan are not at major thoroughfare intersections.

In the course of the Commission's continuing discussion, some of the Commission members felt that the present Ordinance language was proper, while others felt that further investigation and potential amendment may be in order. Chairman Storrs requested input from the City Transportation Engineer as to whether the uses permitted in H-S Districts should be limited to major thoroughfare intersections, or whether mid-mile locations would be preferable. He also suggested that consideration be given to a standard which would separate drive-up lanes or driveways from adjacent residential properties.

The meeting was adjourned at 10:00 P.M.

Respectfully submitted,



Laurence G. Keisling  
Planning Director

LGK/eh