

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Waller at 7:30 P.M. on Tuesday September 9, 1997 in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:	Storrs	Beltramini	Absent: None
	Starr	Chamberlain	
	Waller	Lepp	
	Kramer	Reece	
	Wright		

2. MINUTES - Regular Meeting of August 12, 1997

Moved by Starr Seconded by Storrs

RESOLVED, that the Minutes of the Regular Meeting of August 12, 1997 be approved as printed.

Yeas: All Present (9) Absent: None

MOTION CARRIED

3. PUBLIC COMMENTS

No one wished to be heard.

TABLED ITEMS

4. PRELIMINARY PLAT - TENTATIVE APPROVAL - Elgin Corners Subdivision - West Side of Livernois, South of South Boulevard - Section 4

Mr. Keisling explained that action was tabled on this proposed subdivision, following extensive discussion at the September 9 Regular Meeting, in order to provide an opportunity for the developers to submit a revised subdivision layout which would properly enable the extension of conforming residential development in the area to the south of the site. A revised plat was submitted at the time of the August 26 Study Meeting, and was discussed at that time. As now submitted, this proposed subdivision involves 23 lots within a 13.9 acre R-1B zoned assembly of properties extending west from Livernois Road in the area south of South Boulevard. The proposed subdivision layout has also been revised to include conforming lot depths along the west edge of the proposed subdivision, and for the two lots which abut the existing home site on proposed Lot 22. The site includes land now owned by the Sun Oil Company, whose pipeline regulator station is presently located within the Livernois frontage. This facility will be removed and the site "cleaned-up" by Sun Oil. The southerly portion of the property involves a large acreage home site. The existing house will remain on proposed Lot 22 of the subdivision, and will have its frontage on the proposed interior street system. The 84 inch Detroit MWD watermain extends along the north edge of the site within a 50 foot wide easement. The street system as now proposed involves a street extending west from Livernois, which then extends north and west to the present east end of Scone Drive within the Glenmoor and High Oak Subdivisions. The westernmost southerly street extension will enable a future connection to St. Clair Drive, which extends north from the Serravalle Subdivision. The plat also includes a second street extending to the south, which will help to enable conforming residential development within the acreage parcel which abuts the south edge of the site. This subdivision is to be developed in accordance with the lot-averaging provisions applicable to the subject R-1B Zoning District. A shallow-sloped unfenced stormwater detention basin is proposed in the southeasterly portion of the property, adjacent to the agricultural drain or watercourse which extends through the easternmost portion of the site. Tentative Approval of the Preliminary Plat was recommended by the Planning Department.

Mr. Keisling noted that the Planning Commission had received copies of the most recent correspondence from Mr. and Mrs. Green, whose property abuts the Livernois Road frontage of this proposed subdivision site, and Mr. Roberts, whose property lies still further to the south. The Greens and Mr. Roberts were present at the August 12 Regular Meeting and at the August 26 Study Meeting. At the Study Meeting, a memorandum to the City Council from the City Engineer was distributed, addressing the storm drainage concerns expressed by the Greens. In addition to that information, the City Council has now authorized a consultant study of the present and potential storm drainage patterns and conditions in this area. The Commission also received copies of a petition from Glenmoor Subdivision residents, asking that no street connection be made to Scone Drive.

In response to Mr. Storrs' question, Mr. Keisling noted that potential future street extensions to the south from this proposed subdivision are indicated on the plat. No potential lot lines for development in that area are presently indicated, but could be included on the plat. In response to Mr. Waller's question, Mr. Keisling explained that the existing house which would become a part of the subdivision would be addressed on the proposed interior street.

Jack Carnahan was present on behalf of Biltmore Properties, the subdivision developers. In response to Mr. Waller's question, Mr. Carnahan indicated that he did not feel that the study being conducted by Hubbell, Roth and Clark would delay their project. Biltmore will be applying to the DEQ and FEMA, in order to alter the floodplain. They will not be able to build on the lots in the area of the floodplain until approvals are received from those agencies.

Mrs. Walenda Green of 6811 Livernois was present. She felt that since the existing home shown on the plat would not face the other homes on the street, it would not be legal according to the Zoning Ordinance. She was concerned about flooding caused by the conditions in the area south of her property, and potential additional flooding caused by this proposed development.

George Roberts of 6791 Livernois was present and read a letter that he had submitted to the Commission objecting to the proposed subdivision layout. He then explained ways in which he felt the subdivision layout could be revised in order to avoid negatively impacting his property.

In the course of the Commission's discussion, Mrs. Beltramini expressed concern about proceeding with plat approval without knowing how much regrading will be necessary. Mr. Carnahan noted that they would be subject to the requirements of the City as well as those of the State and FEMA in relation to any floodplain alterations, and that delaying action on the plat would not solve anything. Mr. Keisling noted that necessary floodplain alterations, or wetland conditions, may reduce the number of lots which can ultimately be developed. Approval of the Tentative Preliminary Plat makes no guarantees in this regard.

Mike Yoshonis, a member of the Glenmoor Civic Association, stated that they had submitted a petition from Glenmoor residents asking that no connection be made to Scone Drive. Glenmoor residents were concerned about the potential additional cut-through traffic which would result from the proposed subdivision development. Mr. Wright noted that the present end of Scone Drive would be barricaded until construction of the subdivision improvements, and the great majority of the homes within the proposed subdivision, are completed. The Commission generally concluded that the developers had done everything that was asked in relation to this proposal.

Moved by Chamberlain

Seconded by Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that Tentative Approval be granted to the Preliminary Plat of Elgin Corners Subdivision, on the west side of Livernois south of South Boulevard.

Yeas: All Present (9)

Absent: None

MOTION CARRIED

5. PRELIMINARY PLAT - TENTATIVE APPROVAL - Pennington Estates Subdivision - West of Rochester, South of Robinwood - Section 27

Mr. Keisling explained that action was tabled on this matter, following discussion at the August 12 Regular Meeting, in order to provide an opportunity for the developers to submit an acceptable alternative plat layout, including a preliminary layout for their proposed condominium development to the east. The original subdivision proposal involved 36-38 lots within an 8.9 acre parcel lying west of Rochester Road, between Maple Road and Robinwood Street. The easterly portion of this site and the land abutting to the east were recently rezoned, from R-2 to R-1E and R-1T, in order to enable subdivision development in this area, and a potential townhouse condominium development to the east extending to Rochester Road. The Commission had received copies of a letter of July 24, 1997 to Michael Lamb, on behalf of the developers, indicating the deficiencies in the original plat submittal. A slightly revised plat and additional information was submitted by Mr. Lamb on August 25, 1997. The staff's major concern was, and continues to be, the developers' continuing proposal to create another (almost) half-mile straight street in this area. The proposed subdivision development still consists of a northern extension of present gravel-surfaced Enterprise Street north to Robinwood Street. Because of these concerns, the staff had

provided four potential street and lot layout alternatives, and although the Planning Department has a preference, the staff felt that any of these alternatives would be substantially better than the developers' proposal.

Mr. Keisling noted that this proposed subdivision is to be developed in accordance with standard R-1E provisions (7,500 square foot minimum lot area, 60 foot minimum frontage). It continues to be the position of the Planning Department and the City staff that the proposed single straight street pattern is unacceptable. This position is based on many years of experience of receiving numerous safety complaints about street configurations of this type. Residents invariably request alleged "cures" such as unwarranted stop signs, speed bumps, improper barricades, etc. It was the staff's position that, if the street pattern is designed properly, improper and ineffective cures to potential traffic and safety problems will not be necessary. They, therefore, recommended that Tentative Preliminary Approval for the plat as now submitted by the developers be denied, as a proper subdivision of the same property could be achieved through the use of a street pattern which would result in a higher level of resident and traffic safety, while also generating lots and residential environments which would be significantly more desirable than those now proposed. An "Alternative Layout" was prepared by the Planning Department, involving the creation of a cul-de-sac extending south from Robinwood Street, and streets extending both to the east and to the west from the proposed northerly extension of Enterprise Street. Mr. Keisling noted that the Commission (and perhaps the developer) may of course choose an alternative which would not include all of the indicated features.

Michael Lamb, design engineer and part-owner of ET&C Development, was present on behalf of the petitioners. He stated that he had done a lot of study relative to streets and safety, and that straight streets are not unsafe. He noted that several streets of this type exist elsewhere in this Section. He also noted that Mrs. Pennington had given the outlot extending west from the site to her cousin, so that parcel is not available for a street connection to Van Courtland Street. He explained that Mrs. Pennington, the property owner and partner in this development, wants to wait and see how the subdivision goes before proceeding with the proposed condominium project. The intent is now to construct an attached condominium development for mature residents, with a secure, controlled and quiet environment. Mr. Lamb, therefore, did not want to extend a street east from the proposed subdivision to the condominium site to Rochester Road.

Jenny Shade of 1789 Enterprise Street was concerned about traffic which would result from the opening of Enterprise. She preferred that Enterprise not be extended at all. She further commented that it would be better to have the subdivision pattern connect to Rochester Road than to Van Courtland. Nancy Yockey of 1845 Van Courtland also felt that an outlet to Rochester would be better. She inquired as to the notification process for subdivisions.

In the course of the Commission's discussion, Mr. Starr stated that he did not want to send a plat to the City Council which he personally, and potentially the Commission, could not support. He felt that several alternatives are available and that they would be preferable. Mr. Storrs suggested that the developer investigate a street pattern involving two cul-de-sacs, one extending south from Robinwood and one extending north from Enterprise. Mr. Reece felt that tabling action was necessary, and noted that he would not vote for a straight-through street. Mr. Wright noted that one of the lots does not meet the minimum width requirements and felt that the Commission could not recommend approval of a plat with such a lot. Mr. Starr stated that he was in favor of connections to adjacent subdivisions and also to the potential condominium site. If the condominium development is not built, such a street connection would be necessary in relation to a potential single-family development in that area.

Moved by Starr

Seconded by Wright

RESOLVED, that action on Tentative Preliminary Plat Approval for Pennington Estates Subdivision be tabled until the October 14, 1997 Regular Meeting, in order to provide an opportunity for the developers to provide an acceptable alternative plat layout, and to consider a layout including a stub street to the east.

MOTION CARRIED

Yeas: Starr, Wright, Chamberlain  
Reece, Storrs, Kramer

Nays: Beltramini, Waller, Lepp  
Absent: None

MOTION CARRIED

Mrs. Beltrami and Mr. Lepp felt that Tentative Preliminary Plat Approval should be denied, as the developer has failed to modify the plat in order to create an acceptable street pattern. Mr. Waller felt that the Planning Commission did not have the authority to force the developer to use a parcel in the subdivision which he did not control.

### REZONING PROPOSALS AND TEXT AMENDMENTS

6. PUBLIC HEARING - PROPOSED REZONING - Southwest Corner of Square Lake and Crooks - Sections 5 and 8 - O-1 and R-1B to R-C (Z-101)

Mr. Keisling explained that a request has been submitted for the rezoning of an irregularly-shaped parcel lying southwest of the Square Lake-Crooks intersection and extending to I-75, from its present O-1 (Office Building) and R-1B classifications to the R-C (Research Center) classification. The petitioners, Hi-Lex Corporation, propose to construct a 30,000 square foot two-story office and research building on this parcel. Due to the nature and extent of the proposed research activities, the site must be zoned in the R-C classification rather than the O-1 classification. This rather unusual site presently consists of a portion of the original Square Lake Road right-of-way, a portion of the area to the north of the traditional Square Lake Road right-of-way which was acquired for the relocation of Square Lake Road in this area, and a parcel south of the traditional Square Lake Road right-of-way which is presently owned by Bellemead and is to be sold to Hi-Lex. With the abandonment of the subject portions of the Square Lake Road right-of-way, the northerly 0.4 acre portion of the proposed site will be zoned in the R-1B classification, while the southerly 1.85 acre portion of the site will be zoned O-1. Subject to rezoning, the present City-owned portion of the site will then be sold to the abutting private owners (either Bellemead or Hi-Lex) for use in conjunction with their proposed development, through the City's Remnant Parcel Sale Policy. This approach will enable additional control as to the nature of the potential development and use, in much the same manner as a private "deed restriction".

Mr. Keisling noted that the southerly portion of this parcel was at one time zoned in the R-C classification, as a part of the zoning classification applied to all of Section 8. This sliver was then separated from the rest of the Section with the construction of I-75. The small parcel was later rezoned from R-C to O-1, in part to control the nature of the potential use of the property, and in part in recognition of its very limited size and unusual dimensions. In this regard, the Planning Department did not originally contemplate the potential use of this property, even in conjunction with the City-owned parcel, under the R-C classification, due in part to the 50 foot landscaped setbacks which are required from any public right-of-way. In this situation, public rights-of-way abut three of the four sides of the site, excluding the short westerly boundary. The Planning Department has been working with the petitioners and their architect in order to determine ways in which the site can be developed under R-C zoning, with minimum variances as to setback encroachment or landscape requirements. In any event, due to the substantial amount of thoroughfare frontage, the landscaped area on this site will far exceed typical research sites. With the additional controls which the City has through the remnant parcel conveyance process, it is the opinion of the Planning Department that R-C rezoning of this site can enable a reasonable and desirable development of this unusual parcel, which will not negatively impact adjacent properties.

In response to Mr. Storrs' question, Mr. Keisling noted that the setbacks in R-C Districts require 50 foot landscaped setbacks from any street frontage, whereas 30 foot building setbacks are required in O-1 zoning. It appears that a small building setback variance may be needed in this case. After noting that both O-1 and R-C Districts permit three story buildings, Mr. Kramer commented that the City could restrict the building height on this site to two stories through the property conveyance process. He also felt that this process could be used to limit the scope of activities on the site, and to control the character of the building.

Ken Strobel, consultant to Hi-Lex, was present on behalf of the petitioners along with Bob Chrysler, President of Hi-Lex. Mr. Strobel stated that Bellemead has owned a portion of this site since 1979, and that the consolidated parcel would be sold to Hi-Lex. Hi-Lex manufactures control cables for the automotive industry, but no manufacturing would occur at this location. Hi-Lex will be moving to this site from Bloomfield Hills. They are willing to consider deed restrictions in order to cover matters such as the appearance of the building, and external effects from their operations. He noted that this building would be 30% smaller than a building which could be constructed under O-1 zoning. A typical office building on this site could have a potential of approximately 190 employees, whereas Hi-Lex currently has less than 60 employees, and also operates under flex-time. Mr. Strobel then reviewed a series of pictures indicating how the site is screened and separated from the residences on the north side of Square Lake Road. The home which is nearest to the proposed building is 375 feet away. In response to Mr. Storrs' question, he stated that, because of the curve of Square Lake Road, a 9 foot setback encroachment may occur adjacent to the northwest corner of the proposed building. In response to Mr. Lepp's question regarding potential landscaping, Mr. Chrysler commented on his experience with Saks Automotive in Troy, and stated that Hi-Lex will do all that they can to create a desirable development. He noted that they will be doubling the size of their facilities, as compared to their present location. They currently have 53 employees and would ultimately have a maximum of 70-75.

The Public Hearing was declared open.

Mary Joseph of 1285 Falcon expressed concern about additional traffic congestion. She felt that this proposal represented too much of an extension of non-residential development into a residential area. She was also concerned about the extent of the Public Hearing notices regarding this rezoning. Ron DiCesare of 1271 Falcon Drive expressed concern about the visual and noise impacts of this proposed development, along with potential additional traffic. He also noted that electrical service may not be available for this site. David Blakely of 6344 Elsey, President of the Fox Hall Homeowners Association, explained that the petitioners had met with association representatives on the previous evening in order to describe their proposal. He supported the proposal, due to the proposed lower density of development and lower employee count. He asked that the City assure that external effects such as noise and odor will be limited, and that the exterior materials proposed (brick and glass) be assured, so that the building will blend with the office and residential buildings in the area.

In response to Mr. Lepp's question, Mr. Letzmann noted the City Ordinance provisions regarding noise, and commented that traffic noise typically exceeds that which is permitted to be generated from buildings. He felt that other external effects could be limited through the potential deed restrictions.

Claudia Egan of 1249 Prosper noted the letter which she and her husband had sent to the Commission objecting to the proposed rezoning. She was concerned that the sign indicating the proposed zoning action was posted too late for adequate response, and that everything was moving too quickly. She noted that the Zoning Ordinance stated that R-C zoning should " - - - complement the significant light industrial character of the community", and that the area adjacent is a residential area rather than a light industrial area. She felt that action should be postponed so that other residents in the area would have an opportunity to consider the proposal. Dennis Egan then arrived, and confirmed the concern about conflict with the Intent Statement of the R-C District text in the Zoning Ordinance, and conflict with the Master Plan.

No one else wished to be heard.

The Public Hearing was declared closed.

Mr. Chamberlain noted that the placement of a sign indicated a rezoning request is not a legal requirement as in the case of newspaper publication. He had proposed this procedure in order to provide additional information for the public. He also noted that R-C zoning and development presently exists in areas adjacent to residential, such as in the area to the southwest, adjacent to the Heatherwood Subdivision and the Manor Homes of Troy condominium development.

Moved by Chamberlain

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the request for the rezoning of a 2.25 acre parcel extending west from the southwest corner of Square Lake and Crooks Roads, from O-1 and R-1B to R-C (Research Center) be granted as such rezoning, in conjunction with the City's Remnant Parcel Sale Policy which is involved in this matter, will enable a reasonable and desirable development at this location which will not negatively impact adjacent properties. This recommendation is made with the understanding that the City's conveyance of property to the petitioners will include deed restrictions which will minimize or avoid any negative external effects such as noise or odor from the potential development.

Yeas: Chamberlain, Kramer, Reece, Wright  
Storrs, Starr, Lepp, Beltrami

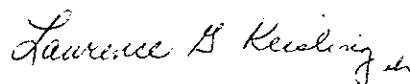
Nays: Waller  
Absent: None

MOTION CARRIED

Mr. Waller indicated that his negative vote was due to his opinion that further consideration should be given to the proximity of the proposed use to the residential area.

The meeting adjourned at 9:45 P.M.

Respectfully submitted,



Laurence G. Keisling  
Planning Director