



# PLANNING COMMISSION MEETING AGENDA REGULAR MEETING

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Troy, MI 48084  
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Donald Edmunds, Chair, Tom Krent, Vice Chair  
Ollie Apahidean, Karen Crusse, Carlton M. Faison, Michael W. Hutson  
Padma Kuppa, Philip Sanzica and John J. Tagle

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**January 10, 2017**

**7:00 P.M.**

**Council Board Room**

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1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – December 13, 2016
4. PUBLIC COMMENT – For Items Not on the Agenda

## **ZONING ORDINANCE TEXT AMENDMENT**

5. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 250) – Miscellaneous Design Provisions

## **OTHER BUSINESS**

6. 2016 ANNUAL REPORT
7. ELECTION OF OFFICERS
8. PUBLIC COMMENT – Items on Current Agenda
9. PLANNING COMMISSION COMMENT

ADJOURN

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 13, 2016 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean  
Karen Crusse  
Donald Edmunds  
Carlton M. Faison  
Michael W. Hutson  
Tom Krent  
Padma Kuppa  
John J. Tagle  
Philip Sanzica (arrived at 7:02 p.m.)

Also Present:

R. Brent Savidant, Planning Director  
Ben Carlisle, Carlisle Wortman Associates  
Julie Quinlan Dufrane, Assistant City Attorney  
Claire Hao, Student Representative

2. APPROVAL OF AGENDA

**Resolution # PC-2016-12-077**

Moved by: Kuppa  
Support by: Tagle

**RESOLVED**, To approve the agenda as printed.

Yes: All present (8)  
Absent: Sanzica (arrived at 7:02 p.m.)

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2016-12-078**

Moved by: Tagle  
Support by: Apahidean

**RESOLVED**, To approve the minutes of the November 29, 2016 Regular meeting as submitted.

Yes: Apahidean, Crusse, Edmunds, Hutson, Krent, Sanzica, Tagle  
Abstain: Faison, Kuppa

**MOTION CARRIED**

4. PUBLIC COMMENT – Items not on the Agenda

There was no one present who wished to speak.

**PRELIMINARY SITE PLAN REVIEW**

5. PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (File Number SP JPLN2016-0021) – Proposed Parkview on Beach, 20 units/lots, Southwest Corner Beach and Long Lake (4909 Beach), Section 18, Currently Zoned R-1A (One Family Residential) District

Mr. Carlisle gave a review on the Preliminary Site Condominium application. Mr. Carlisle reported the application meets all requirements of the Zoning Ordinance and recommended approval of the Preliminary Site Condominium Plan.

The applicant Joe Maniaci of Mondrian Homes was present. Mr. Mondrian presented a summary of the project.

Chair Edmunds opened the public hearing.

John Meram, 2681 W. Long Lake Road, Troy MI expressed concern regarding gaps in greenbelt around property and size of homes.

Douglas Amick, 4930 Big Oak Trail, Troy MI expressed concern related to density and gaps in greenbelt.

Chair Edmunds closed the public hearing.

Mr. Maniaci stated he would work with neighbors to fill in gaps in greenbelt.

**Resolution # PC-2015-12-079**

Moved by: Krent

Seconded by: Sanzica

**RESOLVED**, The Planning Commission recommends that Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.04 of the Zoning Ordinance, as requested for Parkview on Beach Site Condominium, 20 units/lots, Southwest corner of Beach and Long Lake (4909 Beach), Section 18, Currently Zoned R-1A (One Family Residential) District, be granted, subject to the following:

1. Applicant shall work with City Attorney's Office to provide documentation to guarantee that all open space portions of the development will be preserved and maintained as approved and that all commitments for such preservation and maintenance are binding on successors and future owners of the subject property.
2. Provide a five-foot wide sidewalk with 2-foot grass strip along both sides of interior road.
3. Increase sidewalk width along Long Lake to eight (8) feet.
4. Seek sidewalk waiver for Beach Road from Traffic Commission.

5. Prove to the Engineering Department that the sewer location along the southern property line is sufficient; or relocate sewer line, ensure tree woodland protection ordinance is met, and replant area with mature trees to ensure adequate screening for the adjacent southern property.
6. Work with the Public Works Department to determine access and maintenance to pond.
7. Provide detailed narrative that indicates a specific method for protecting significant natural features.
8. Work with neighbors to ensure adequate landscape is in place in greenbelt areas.

Yes: All present (9)

### **MOTION CARRIED**

### **CONCEPTUAL REVIEW**

6. PLANNED UNIT DEVELOPMENT APPLICATION (File Number PUD JPLN2016-0029) – Proposed Troy Crossing, Northeast Quadrant of Big Beaver and John R (Parcels 88-20-24-352-024, 025, 026, 027, 028, 041), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District

Mr. Carlisle gave a review of the proposed project. Mr. Carlisle explained that the City's Traffic Consultant had yet to submit a report on the traffic study provided by the applicant. The traffic study supported a significant parking reduction.

Brian Najor, applicant, and Leo Gonzalez, representing applicant, summarized the project.

Planning Commission members expressed concern with the following:

- Parking shortfall.
- Large parking field.
- Building design and materials.
- Lack of pervious open space.
- Site appears to be over built.

The Planning Commission supported the overall direction of the project but concerns need to be addressed moving forward.

### **OTHER BUSINESS**

7. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 250) – Miscellaneous Design Provisions

There was discussion on the report presented by Mr. Carlisle and Mr. Savidant.

- It was decided to create design standards first then decide if a design review committee is needed.
- Staff to revise standards for variation in appearance for single family residential homes.
- Amend Big Beaver District to permit multiple story buildings by right and single story buildings subject to special use approval.
- Require higher quality materials throughout City for commercial projects.

8. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENT

There were general Planning Commission comments.

Student Representative Hao commented on how much she has learned in her first few months attending meetings.

The Regular meeting of the Planning Commission adjourned at 9:36 p.m.

Respectfully submitted,

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Donald Edmunds, Chair

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R. Brent Savidant, Acting Recording Secretary

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DATE: January 5, 2017

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 250) – Miscellaneous Design Provisions

The proposed Zoning Ordinance Text Amendment initiated by the Planning Commission is also consistent with Strategy #6 of the City of Troy 2016 Strategies to establish site development design standards.

At the December Regular meeting we discussed various design issues. That discussion provided direction for the attached draft text amendments.

Please be prepared to discuss this item at the January 10, 2017 Planning Commission meeting.

Attachments:

1. Memorandum prepared by Carlisle Wortman Associates
2. City of Troy 2016 Strategies

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## MEMORANDUM

**TO:** R. Brent Savidant, AICP, Planning Director

**FROM:** Ben Carlisle, AICP

**DATE:** January 3, 2017

**RE:** Design Standards Discussion

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The Planning Commission recently held a discussion regarding potential zoning text amendments to strengthen design requirements and address massing and bulk issues on Big Beaver. The discussion focused on four topics: 1). architectural monotony for single-family residential developments; 2) ensuring appropriate use of transparency; 3). height and massing on Big Beaver; and 4). stronger design standards.

We find that the first three items noted above can be addressed via simple amendments to the zoning ordinance. We recommend that the Planning Commission consider the following amendments for the first three items in the near-term, while staff continues to research the creation of detailed design and architectural standards that will address such issues of building siting and orientation; building massing, scale, roof form; material use, and architectural styles and elements.

Please note that proposed amendments is based on the direction from the Planning Commission at the last meeting. All proposed new language is in red and underlined, and removed language is ~~struckthrough~~.

### **1. Architectural monotony for single-family residential developments**

#### 4.06.D.4:

*Variation in Appearance. In any One-Family Residential District, there shall be variation in the appearance of ~~the one family detached residential dwellings.~~ Variation shall be defined as a minimum of three (3) substantial structural or architectural differences. A dwelling's front elevation shall only ~~not re-~~ occur in the same or a substantially similar structural or architectural form once ~~on another dwelling~~ within three (3) contiguous lots on the same street frontage ~~without there being at least one (1) other dwelling with a different elevation between the dwellings that repeat the frontage elevation. Different colors alone will not constitute different front elevations.~~*

### **2. Ensuring appropriate use of transparency**

#### 5.04.E.3. Ground Story Activation.

##### a. Transparency.

- i. The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building. The first floor of any front façade facing a right-of-way shall be no less than fifty (50) percent windows and doors, and the minimum transparency for facades facing a side street, side yard, or parking area shall be no less than thirty (30) percent of the façade. Ground story transparency is measured between two and eight feet above the sidewalk elevation.
- ii. For multiple tenant buildings, the minimum transparency requirement must be met by each suite or tenant.
- iii. The minimum transparency requirement shall apply to all sides of a building that abut an open space, including a side yard, or public right-of-way. Transparency requirements shall not apply to sides which abut an alley.
- iv. Windows for building sides shall be concentrated toward the front edge of the building, in locations most visible from an urban open space or public right-of-way.
- v. Visibility through the required transparency must portray the principal use of the operation and shall not portray secondary or "back of house" operation areas including, but not limited to, laundry, cleaning supply, stock, or storage areas.

b. Transparency Alternatives. The following alternatives may be used singularly or in combination. ~~If used in combination, they may count toward no more than eighty (80) percent of the transparency requirement set forth in Section 5.04 E.4.~~ The wall design alternative may count toward fifty (50) ~~one hundred (100)~~ percent of the side yard or parking lot side ~~side street~~ transparency requirement, provided the entirety of the length and height of the wall is considered.

- i. Wall Design. ~~Wall designs that provide visual interest and pedestrian scale may count toward no more than fifty (50) percent of primary street and fifty (50) percent of side street transparency requirements.~~ Wall designs must provide a minimum of three (3) of the following elements, occurring at intervals no greater than twenty-five (25) feet horizontally and ten (10) feet vertically:
  - a) Expression of structural system and infill panels through change in plane not less than three (3) inches.
  - b) System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters.
  - c) System of horizontal and vertical reveals not less than one (1) inch in width/depth.
  - d) Variations in material module, pattern, and/or color.
  - e) System of integrated architectural ornamentation.
  - f) Green screen or planter walls.
  - g) Translucent, fritted, patterned, or colored glazing.



- ~~ii. Outdoor Dining/Seating. Outdoor dining/seating located between the building and the primary street zone lot line may count toward no more than sixty (60) percent of the transparency requirement. Outdoor dining/seating located between the building and side street zone lot line may count toward no more than eighty (80) percent of the transparency requirement.~~
- iii. Permanent Art. Non-commercial art or graphic design of sufficient scale and orientation to be perceived from the public right-of-way and rendered in materials or media appropriate to an exterior, urban environment and permanently integrated into the building wall may count toward no more than forty (40) percent of the transparency requirement.

### **3. Require a Special Use for one-story development in Big Beaver District**

#### **5.04.D**


##### **D. Authorized Building Forms.**

- i. Authorized building forms, as set forth in Section 5.03.B and Table 5.04.C-2, are applied to the site types and street types in the Big Beaver District in Table 5.04.C-2.
- ii. Any Building Form A that is a one-story building or any Building Form A without a functional second story requires a special use as set forth in Article 9.

The Planning Commission is asked to consider the amendment language and provide direction in order to schedule a public hearing.

I look forward to meeting. Please contact me if you have any questions.

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CARLISLE/WORTMAN ASSOC., INC.  
Benjamin R. Carlisle, LEED AP, AICP

# *2016 Strategies*

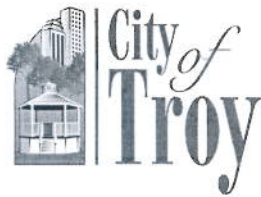
We believe a strong community embraces diversity, promotes innovation, and encourages collaboration.

We strive to lead by example within the region.

We do this because we want everyone to choose Troy as their community for life.

We believe in doing government the best.

- 1** | Create space for a customer service welcome center at the east entrance of City Hall.
- 2** | Redesign the City of Troy website.
- 3** | Review city ordinances to address outdated policies and explore the need for new ordinances.
- 4** | Install recycling elements in city facilities.
- 5** | Link civic center campus with a trail and pathway system.
- 6** | Establish site development design standards to ensure quality.
- 7** | Explore the development of civic center property by conducting a market study and developing a concept plan.
- 8** | Launch the Global Troy Advisory Committee.
- 9** | Enhance the pedestrian crosswalk and transportation shelters at Automation Alley.
- 10** | Partner to establish a Big Beaver transportation service.



## **PLANNING COMMISSION 2016 ANNUAL REPORT**

The Michigan Planning Enabling Act requires that municipal planning commissions prepare an annual written report to the legislative body concerning operations and the status of planning activities undertaken during the calendar year. In accordance, the following information has been compiled:

### **PLANNING COMMISSION**

In 2016 the Planning Commission consisted of Donald Edmunds (Chair), Tom Krent (Vice Chair), Ollie Apahidean, Karen Crusse, Carlton Faison, Michael Hutson, Padma Kuppa, Phillip Sanzica and John Tagle. Student Representative Claire Hao was appointed September 19, 2016.

Phillip Sanzica was Zoning Board of Appeals (ZBA) Representative.

The Planning Commission held twenty one (21) meetings during the year. There were three (3) joint Planning Commission/City Council meetings held on April 18, June 14 and October 24.

Donald Edmunds and Michael Hutson served on the Sustainable Design Review Committee.

### **Planning Commission Training**

Planning Commission member Ollie Apahidean attended training sessions at the Michigan Association of Planning (MAP) Annual Conference.

### **MASTER PLAN UPDATE**

The amended Master Plan was approved by City Council on August 22, 2016.



## PLANNING COMMISSION 2016 ANNUAL REPORT

### SITE PLAN REVIEWS

The Planning Commission considered the following applications in 2016:

Project	Description	PC Action
SP 1010	Bradley Square Condominiums, East side of Rochester between Bradley and Shallowdale, Section 14	Granted Preliminary Site Plan Approval 01/12/16
PUD 014-A	Revised Elevations, Stonecrest Assisted Living Planned Unit Development, East side of Livernois between Big Beaver and Wattles, Section 22	Granted Preliminary Site Plan Approval 01/12/16
JPLN2015-0020	Korean United Methodist Church Addition, West side of Dequindre, South of Square Lake, Section 20	Granted Special Use Approval and Preliminary Site Plan Approval 02/09/16
JPLN2015-0016	Estates at Willowbrook, 28 units/lots, East side of John R, South of Wattles, Section 24	Granted Preliminary Site Plan Approval 02/23/16
JPLN2016-0003	Trevco Industrial Building Addition, East side of Stephenson, North of Maple, Section 26	Granted Preliminary Site Plan Approval 02/23/16
JPLN2016-0004	Eddie V's Prime Seafood Restaurant, North side of Big Beaver, West of Crooks, Section 20	Granted Preliminary Site Plan Approval 03/08/16
JPLN2016-0005	K-9 Club, North side of Maple, West of Rochester between Eastport and Westwood, Section 27	Granted Special Use Approval and Preliminary Site Plan Approval 03/22/16
JPLN2016-0006	1-800 Self Storage, East side of Rochester, South of Wattles, Section 23	Granted Special Use Approval and Preliminary Site Plan Approval 05/10/16
JPLN2016-0013	West Oak III, 10 units/lots, North side of Big Beaver between John R and Rochester, Section 23	Granted Preliminary Site Plan Approval 05/24/16
SU 413	Gresham's Snowplowing Inc. Contractor's Yard/Outdoor Storage, South of Maple, East side of Combermere, Section 34	Granted Special Use Approval and Preliminary Site Plan Approval 06/28/16
JPLN2016-0014	St. Nicholas Greek Orthodox Church Renovation and Addition, North side of Wattles, West of I-75, Section 16	Granted Special Use Approval and Preliminary Site Plan Approval 06/28/16
JPLN2016-0018	Forest Run Site Condominium, 13 units/lots, North side of Long Lake, East of John R, Section 12	Granted Preliminary Site Plan Approval 06/28/16



## PLANNING COMMISSION 2016 ANNUAL REPORT

JPLN2016-0019	Fire Station #4, North side of Maple, East of John R, Section 25	Granted Preliminary Site Plan Approval 06/28/16
JPLN2016-0020	Rite Aid Pharmacy Drive-Through Addition, Southeast corner of South Boulevard and Crooks, Section 4	Granted Special Use Approval and Preliminary Site Plan Approval 07/26/16
JPLN2016-0017	1-800 Self Storage Facility, East side of Coolidge, South of Maple, Section 32	Discussed concept, no action taken
JPLN2016-0009	Maplelawn II Mixed Use, West side of Crooks, North of Maplelawn, Section 29	Granted Preliminary Site Plan Approval 07/26/16
JPLN2015-0014	Aloft Hotel, East side of Troy Center, South of Big Beaver, Section 28	Granted Preliminary Site Plan Approval 07/26/16
JPLN2016-0027	Troy City Center (Fidelity Investments), Northeast corner of Big Beaver and Crooks, Section 21	Granted Preliminary Site Plan Approval 07/26/16
SP 1005	Renovation of Southeast corner of Rochester and Maple, Section 34	Granted Preliminary Site Plan Approval 09/13/16
JPLN2016-0028	Troy Market Place Additions, Southwest corner of Big Beaver and Rochester, Section 27	Granted Preliminary Site Plan Approval 11/01/16
JPLN2016-0031	Estates of Brook Hollow, 29 units/lots, East of Rochester, North of Wattles, Section 14	Granted Preliminary Site Plan Approval 11/29/16
JPLN2016-0021	Parkview on Beach, 20 units/lots, Southwest corner of Beach and Long Lake, Section 18	Granted Preliminary Site Plan Approval 11/29/16
JPLN2016-0029	Planned Unit Development Troy Crossing, Northeast Quadrant of Big Beaver and John R, Section 27	Discussed concept, no action taken

### ZONING ORDINANCE AMENDMENTS

The Planning Commission considered the following amendment applications in 2016:

Amendment	Description	PC Action
ZOTA 247	Text Amendment - Oil and Gas Extraction	Recommended approval on 01/26/16
JPCR2016-001	Conditional Rezoning - Andale Commons Restaurant and Retail, North side of Big Beaver, East of Livernois, Section 22, From R1-E to BB	Discussed concept, no action taken
JPCR2016-002	Conditional Rezoning - IHOP Restaurant and Retail, East side of Rochester, North of Big Beaver, Section 23, From R-1E to GB	Discussed concept, no action taken
ZOTA 249	Text Amendment - Enhanced Cluster Option	Recommended approval on 09/27/16



## PLANNING COMMISSION 2016 ANNUAL REPORT

JPCR2016-004	Conditional Rezoning - EZ Storage Mixed Use, South side of Long Lake, West of Livernois, Section 16, From R-1B to NN	Discussed concept, no action taken
ZOTA 250	Text Amendment - Miscellaneous Design Provisions	Discussed concept, no action taken
JPCR2016-003	Conditional Rezoning - Proposed McClure Road Apartments, North of Big Beaver, West of Crooks, East side of McClure, Section 20, From R-1B to BB	Held public hearing 11/01/16, no action taken

### OTHER ITEMS

The Planning Commission considered the following items in 2016:

Project	Description	PC Action
De-Listing	Application To De-List 3645 Crooks	Recommended de-listing on 03/08/16
Town Center Master Plan	Master Plan for Civic Center Campus	Resolution of Support 11/29/16

### SUSTAINABLE DEVELOPMENT REVIEW COMMITTEE

The Sustainable Development Review Committee considered the following items in 2016:

Project	Description	SDRC Action
Extreme Granite	South side of Maple, West of John R (1890 Maple), Section 35	Granted SDP status to exceed 20% minimum open space requirement and park in front yard on 03/10/16
Regency at Troy	Southeast corner of Maple and Axtell (2785 W Maple), Section 32	Granted SDP status to park in front yard in IB zoning district on 11/17/16

DATE: January 5, 2017  
TO: Planning Commission  
FROM: R. Brent Savidant, Planning Director  
SUBJECT: ELECTION OF OFFICERS FOR 2017

The Planning Commission By-Laws call for the election of Officers (Chairperson and Vice Chairperson) and recommendation of appointment of Zoning Board of Appeals Representative each January at the Planning Commission Regular meeting.

The Chair shall take nominations from the floor for each position, with the election following immediately thereafter.

The Planning Commission By-Laws are attached for your information. Election provisions are in Article 3.

Attachment:

1. Planning Commission By-Laws

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# **BY-LAWS AND RULES OF PROCEDURE OF THE CITY OF TROY PLANNING COMMISSION**

## **ARTICLE I – COMPLIANCE AND AUTHORITY**

The City of Troy Planning Commission shall comply with all applicable statutes, perform any duties, and exercise the powers granted to the Planning Commission by the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the Open Meetings Act, Public Act 267 of 1976, as amended, and the City of Troy Charter and Ordinances. The By-Laws and Rules of Procedure are adopted pursuant to the authority of those statutes and the City Charter.

## **ARTICLE II – OFFICERS AND THEIR DUTIES**

- Section 1. The Planning Commission shall select from its membership a Chairperson and Vice-Chairperson who shall serve for a one (1) year term and who shall be eligible for re-election. The Planning Commission shall make a recommendation to City Council for a Zoning Board of Appeals Representative.
- Section 2. The Chairperson shall preside at all meetings and shall conduct all meetings in accordance with these by-laws and rules and in accordance with the usual duties conferred by parliamentary procedure on the position of Chairperson.
- Section 3. The Vice-Chairperson shall act in the capacity of the Chairperson in the absence of the Chairperson and shall succeed to the office of Chairperson in the event of a vacancy in that office, in which case the Planning Commission shall select a successor to the office of Vice-Chairperson at the earliest practicable time by election procedures as set out in Article III.
- Section 4. In the absence of both the Chairperson and the Vice-Chairperson, the Zoning Board of Appeals representative shall act as Chairperson for that meeting only. The temporary Chairperson shall have the same duties and privileges as the Chairperson.
- Section 5. The Chairperson and Vice-Chairperson may engage in discussion on all matters before the Planning Commission and shall have voting privileges.



### **ARTICLE III – ELECTION OF OFFICERS AND APPOINTMENT OF ZONING BOARD OF APPEALS (ZBA) REPRESENTATIVES**

- Section 1. Each January at the Regular Meeting, the Planning Commission shall:
- A. Conduct elections of Officers (Chairperson and Vice Chairperson); and
  - B. Recommend appointment for a Zoning Board of Appeals Representative.

The Chairperson shall take nominations from the floor with the election immediately thereafter.

- Section 2. Candidates receiving a majority vote of the total number of members shall be declared elected as a Planning Commission Officer or recommended as a Zoning Board of Appeals Representative.

- Section 3. The Planning Commission Officers shall take office immediately following their election. Officers shall hold their office for a term of one (1) year, or until their successors are elected and assume office. The Zoning Board of Appeals Representative shall assume his or her responsibilities following confirmation of the appointment by City Council. The Zoning Board of Appeals Representative shall hold office for a term of one (1) year, or until a successor is appointed by City Council and assumes office.

- Section 4. The Method of Voting on Nominees shall be as follows:

- A. The Chairperson shall ask for nominations from the floor. A second shall not be required in order to nominate a person as an Officer or Zoning Board of Appeals Representative. The Chairperson shall announce each nomination as he or she hears it. If it becomes apparent to the Chairperson that there are no further nominations, the Chairperson shall inquire “are there further nominations?” If there are no further nominations, the Chairperson shall declare the nominations closed.
- B. If there is only one nominee for each position, a single resolution may be used to elect all the officers. The resolution must be approved by a majority of Planning Commission members by a roll call vote.
- C. If there is only one nominee for a particular position, a resolution electing that person to the particular position shall be approved by a roll call vote.

- D. If there is more than one nominee for a position, voting shall take place by calling a rotating roll of the Planning Commission and each member is to indicate the name of the individual he or she wishes to fill the position. If one candidate receives a majority vote, that person shall be deemed elected and the Chairperson shall announce such election. If no candidate receives a majority vote, the candidate with the least number of votes shall be eliminated from the ensuing ballot and the procedure shall be repeated until one candidate receives a majority vote.

#### **ARTICLE IV – MEETINGS**

- Section 1. All meetings shall be posted at City Hall according to the Open Meetings Act. The notice shall include the place, date and time of the meeting.
- Section 2. All meetings shall be conducted in accordance with generally accepted parliamentary procedure. The current version of Robert's Rules of Orders can serve as a guide.
- Section 3. Regular Meetings of the Planning Commission shall be held on the second and fourth Tuesday of each month at 7:00 p.m. at the Troy City Hall, 500 West Big Beaver Road, Troy, Michigan. Site Location Meetings may be scheduled by the Planning Commission at any reasonable time in accordance with the Open Meetings Act. Any changes in the date or time of any meeting shall be posted and noticed in accordance with the Open Meetings Act. When a Regular Meeting date falls on or near a legal holiday, the Planning Commission may schedule a meeting on a suitable alternate date in the same month.
- Section 4. The Chairperson may call Special Meetings. In addition, it shall be the duty of the Chairperson to call a Special Meeting when requested to do so by an affirmative vote of a majority of the Planning Commission members present. The business which the Planning Commission may perform at a Special Meeting may be the same business that the Planning Commission performs at a Regular Meeting. Notice of the time, date and place of the Special Meeting shall be given in a manner as required by the Open Meetings Act and the Planning Director shall notify all members of the Planning Commission not less than 48 hours in advance of a Special Meetings.
- Section 5. The Chairperson may call Study Meetings. At Study Meetings, the Planning Commission shall not vote on any of the following matters: (1) any matter requiring a public hearing, (2) matters which must be finally approved by the Planning Commission such as Site Plan review applications and Special Use Requests, and (3) matters where the Planning Commission is acting in an advisory capacity, such as, Rezoning

Requests, Ordinance Text Amendments, Subdivision Plats, Street and Alley Vacations, or Planned Unit Development Proposals. It may vote on housekeeping matters such as setting public hearing dates and approving minutes.

Section 6. All meetings of the Planning Commission, including Regular, Special, Study or Site Location meetings shall be open to the general public unless exempted from public meeting requirements under the Open Meetings Act. The Planning Commission, with guidance provided by the City Attorney's Office, shall make the determination as to whether the meeting or a portion of the meeting is exempt under the Open Meetings Act, and shall pass an appropriate resolution setting forth its determination.

Section 7. A majority of the membership of the Planning Commission constitutes a quorum and the number of votes necessary to transact business is as follows:

- A. The affirmative vote of six (6) members shall be necessary in order to adopt or amend a Master Plan.
- B. A majority vote of the members is necessary for those matters on which the Planning Commission has final jurisdiction, as per Section 3.10 of the City of Troy Zoning Ordinance.
- C. A majority vote of those members present at a meeting shall be necessary for those matters on which the Planning Commission serves in an advisory capacity.
- D. Voting on items on the Business Agenda shall be by a rotating roll call. A record of the vote shall be kept as a part of the minutes.
- E. When a quorum is not present, no official action shall take place. The Chairperson or Planning Director shall announce to the Commission and anyone in attendance that there is no quorum and that all agenda items will be rescheduled for a specific date.
- F. The Chairperson may ask members who vote "no" on an item to explain the "no" vote for clarification purposes and to add to the public record.

Section 8. The Planning Director of the City of Troy or his or her designee shall serve as the Secretary of the Planning Commission and keep the minutes and records of the Commission, prepare the agenda of Regular Meetings, Special Meetings and Study Meetings with the Chairperson, provide notice of meetings to Planning Commission members, present agenda items to the Planning Commission at its meetings, attend to correspondence of the

Planning Commission, and perform such other duties as necessary to carry out the business of the Planning Commission.

## **ARTICLE V – ORDER OF BUSINESS**

The order of business at a Regular Meeting and Special Meetings shall be:

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes
- D. Public Comments for items not on the agenda
- E. Reports. Reports may include Zoning Board of Appeals reports, Downtown Development Authority reports, Planning and Zoning reports, and any other report on information that may be of interest to the Planning Commission as determined by the Planning Commission or Planning Department.
- F. Business Agenda. The business agenda may include postponed items, public hearings on zoning ordinance amendments and special use approval requests, preliminary site plan reviews, and any other matter that is before the Planning Commission seeking approval or a recommendation.
- G. Other Business
- H. Public Comments for items on the agenda.
- I. Planning Commissioner's Comments
- J. Adjournment

## **ARTICLE VI – PLANNING COMMISSION ACTIONS**

Following consideration of matters submitted to it in accordance with the provisions of the City Code of Ordinances or other applicable law, or referred to it by the City Council, the Planning Commission shall take one of the following actions:

- A. Approve the proposal, or recommend positive action by the City Council.
- B. Deny the proposal, or recommend negative action by the City Council.

- C. Approve a proposal modified to meet reasonable conditions, or recommend approval of a modified proposal meeting reasonable conditions by the City Council. However, the Planning Commission shall not place conditions on an approval of a recommendation to City Council for rezoning, except for conditional rezoning in accordance with Section 16.04 of the City of Troy Zoning Ordinance.
- D. Postpone action on the proposal to a specific date or upon the occurrence a specific event. The Planning Director or his or her designee shall monitor the matter and determine when such specific event has occurred so that the matter may be rescheduled. The Planning Commission shall indicate in the resolution the reason(s) for such action.

The Planning Commission shall act on all applications within a reasonable time. This shall not be construed to alter other time limits prescribed by the Charter, Code of Ordinances or State statutes.

## **ARTICLE VII – HEARINGS**

- Section 1. In addition to those required by law, the Planning Commission may in its discretion hold public hearings when it decides that such hearing will be in the public interest.
- Section 2. Notice of such hearings shall be published in the official newspaper of the City or in a newspaper of general circulation as required by the City Charter, Code of Ordinances and/or State statutes. The Planning Director or his or her designee shall take the necessary steps to see that notice is published in accordance with the City Charter, Code of Ordinances and/or State statutes.
- Section 3. Any request before the Planning Commission shall be presented in summary by the Planning Director or his or her representative or a designated member of the Planning Commission. The Planning Director may present additional information to the Planning Commission through personnel from other Departments and/or non-City employees, if the Planning Director believes that information would be helpful to the Planning Commission. Parties in interest shall have the privilege of the floor.
- Section 4. If the petitioner or petitioner's representative fails to appear for a scheduled hearing, the Planning Commission may proceed with the hearing in the absence of the petitioner and act on the proposal in accordance with Article VI. Adjournment of any scheduled hearing must be approved by a majority of the Planning Commission member in attendance. Requests for adjournment shall only be granted upon a demonstration of good cause.

Section 5. Public hearings and other proceedings conducted by the Planning Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure:

- A. If an agenda item does not formally require a public hearing, the Chairperson shall have the discretion to allow members of the public to address the agenda item. Once opened to the public for comment, the hearing shall be conducted in the same manner as a public hearing.
- B. After announcement by the Chairperson that the public hearing portion of the meeting for a specific agenda item is open, persons who wish to address the Planning Commission shall speak when recognized by the Chairperson and provide his/her name and address on the attendance sheet provided at the podium. All comments shall be addressed to the Chairperson.
- C. The Chairperson may order the removal of any member of the public that causes a breach of the peace during the public hearing.
- D. The Chairperson may place reasonable limits on the length of time speakers have to address an agenda item. The Planning Commission may override such time limitation by majority vote.

#### **ARTICLE VIII – COMMITTEES**

Section 1. Committees may be appointed as needed by the Chairperson for purposes and terms which the Planning Commission approves.

#### **ARTICLE IX – EMPLOYEES**

Section 1. The Planning Commission may recommend employment of such staff and/or experts as it sees fit to aid the Planning Commission in its work.

#### **ARTICLE X – AMENDMENTS**

These By-laws may be amended by a two-thirds vote of the entire membership of the Planning Commission.

#### **ARTICLE XI – ETHICS**

Planning Commission members shall adhere to the current version of the City of Troy Appointee Code of Ethics.

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