



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

248.524.3364  
planning@troymi.gov

## **PLANNING COMMISSION MEETING AGENDA REGULAR MEETING**

Tom Krent, Chairman, David Lambert, Vice Chairman  
Carlton Faison, Michael W. Hutson, Lakshmi Malalahalli,  
Marianna Perakis, Sadek Rahman, Jerry Rauch and John J. Tagle

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**May 11, 2021**

**7:00 P.M.**

**REMOTE MEETING**

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***Public Comment may be communicated to the Planning Commission via telephone voice mail by calling 248.524.1305 or by sending an email to [planning@troymi.gov](mailto:planning@troymi.gov). All comments will be provided to the Planning Commission.***

1. ROLL CALL
2. SUSPENSION OF PLANNING COMMISSION BYLAWS
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES – April 27, 2021
5. PUBLIC COMMENT – For Items Submitted via Email or Telephone Message

### **REZONING REQUEST**

6. PUBLIC HEARING – REZONING REQUEST (File Number Z JPLN2021-0001) – Proposed Lindsey Center Rezoning, East of Crooks, south of Big Beaver (2690 Crooks; PIN 88-20-28-101-003), Section 28, From O (Office) to BB (Big Beaver) Zoning District.

### **STUDY ITEM**

7. INTERPRETATION OF CHAPTER 39 ZONING ORDINANCE, SECTION 5.06

### **CITY OF TROY MASTER PLAN**

8. MASTER PLAN UPDATE

### **OTHER ITEMS**

9. PLANNING COMMISSION COMMENT
10. 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.

## **Instructions for Virtual Public Meeting**

The Troy City Council has declared a limited State of Emergency to allow the City's government bodies (including boards and commissions) to conduct remote meetings. This official act of government expressly suspends compliance with section 3 of the Open Meetings Act to alleviate physical presence requirements for board and commission members in recognition of the threat imposed by the COVID-19 virus. The City is committed to staying as accessible to the public as possible.

In order to comply with the state of emergency and to best meet the intent of the Open Meetings Act, the following accommodations have been made:

- Planning Commission meetings are live streamed on the City's YouTube channel which may be directly accessed using the below link:  
[https://troymi.gov/community/government/citycouncil/council\\_meeting\\_webcast.php](https://troymi.gov/community/government/citycouncil/council_meeting_webcast.php)
- Meetings are also broadcast on WTRY. WOW, Channel 10; COMCAST, Channel 17; AT&T Channel 99.
- Members of the public who wish to address the Planning Commission during a meeting may join the meeting by using the following link:  
<https://zoom.us/j/93709105979?pwd=RUkob29xVFFHWWlha3MyNEpacGROUT09>. If prompted for a passcode, enter 958 565. Persons familiar with the zoom.us application may join with MEETING ID: 937 0910 5979, passcode 958 565. You must enter your email address and your first and last names. Failure to do so may delay when you are recognized by the Chair to comment.
- If you want to call into the meeting, please dial (312) 626-6799. When prompted, enter the Meeting ID: 937 0910 5979 followed by # and then enter the PASSCODE 958 565 followed by #.
- Members of the public who wish to provide comments to the Planning Commission are also encouraged to send an email to [Planning@troymi.gov](mailto:Planning@troymi.gov). Please indicate in the subject line the project or parcel you are addressing. Emails will be incorporated into the public record and provided to Planning Commission members for review and consideration. Emails must be received before 12:00 pm (noon) on the day of a scheduled Planning Commission meeting. Emails must contain your first and last names and your relationship to the project or your address.
- Comments can also be left in the form of a voicemail. Please call (248) 524-1305 to leave a message. Be sure to indicate your first and last names and your address or relationship to the project. Recorded voicemails will be made part of the public record by playing them at the time of the Planning Commission meeting.
- Whether public comments are submitted by leaving a voice mail message or calling into the meeting, each person is permitted a total time of three (3) minutes.

**If you have questions about accessing the virtual platform and/or making public comment please reach out to the Planning Department by phone (248) 524-3364 or by email:**

**[Planning@troymi.gov](mailto:Planning@troymi.gov)**

## PROPOSED RESOLUTION

### PROPOSED RESOLUTION TO TEMPORARILY SUSPEND THE PLANNING COMMISSION RULES OF PROCEDURE

#### **Resolution # PC-2021-05-**

Moved by:

Seconded by:

WHEREAS Public Act 228 of 2020, MCL 15.263a(1)(b), permits public meetings to be held by electronic means where a local state of emergency has been declared,

WHEREAS the Troy City Council declared a local state of emergency through Resolution 2021-04-048 because it determined that an in-person meeting could detrimentally increase exposure of board members and the general public to COVID-19,

THEREFORE, BE IT RESOLVED, That as allowed by Planning Commission Rules of Procedure Article IV, Sections 3 and 6, the Troy Planning Commission hereby **TEMPORARILY SUSPENDS** the requirement of holding a meeting at the Troy City Hall and **ALLOWS** all Troy Planning Commission Members to electronically participate in any Planning Commission meeting until the Troy City Council lifts the local state of emergency or through December 31, 2021 whichever is earlier.

Members participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present. However, members must avoid using email, texting, instant messaging, and other such electronic forms of communication **during the meeting** to make a decision or deliberate toward a decision.

RESOLVED, As allowed by Planning Commission By-laws and Rules of Procedure Article VII, Section 5(A-D) the Troy Planning Commission hereby **TEMPORARILY SUSPENDS** the requirement that a person who wishes to address Planning Commission must do so in person and **ALLOWS** four (4) methods of receiving Public Comment for electronic meetings. (1) Public comments can be submitted for the Planning Commission meeting by sending an email to: [planning@troymi.gov](mailto:planning@troymi.gov). **Timely received emails will be incorporated into the record by reference and will be distributed to Planning Commission members for review and consideration. Emails will be considered timely if received prior to 12:00 pm (noon) on the day of the meeting. The Vice Chair or in the absence of the Vice Chair another member designated by the Chair is designated to compile the emails and advise members of Planning Commission, during the meeting, the number of comments that favor an agenda item, oppose an agenda item, and/or are neutral toward an agenda item,** or (2) Public comments may be submitted by leaving a voicemail message. Please call: (248) 524-1305. **Timely received voicemail messages will be played during the electronic meeting. Recorded voicemail messages will be considered timely if received prior to 4:00 pm on the day of the meeting,** (3) Members of the public may attend the electronic meeting virtually by signing into the electronic meeting through the designated platform (i.e. Zoom.us) and may comment on an agenda item when recognized by the Chair, and (4) Members of the public may call into the electronic meeting using a designated call-in number associated with the electronic meeting and will be recognized by the Chair before being permitted to speak. All public comments will be limited to three minutes.

Chair Krent called the virtual Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on April 27, 2021. Chair Krent introduced the procedure to be followed for a remote meeting.

1. ROLL CALL

Present:

Carlton M. Faison  
Michael W. Hutson  
Tom Krent  
David Lambert  
Lakshmi Malalahalli  
Marianna Perakis  
Sadek Rahman  
Jerry Rauch  
John J. Tagle

Also Present:

R. Brent Savidant, Community Development Director  
Ben Carlisle, Carlisle Wortman Associates  
Julie Quinlan Dufrane, Assistant City Attorney  
Jackie Ferencz, Planning Department Administrative Assistant  
Kathy L. Czarnecki, Recording Secretary

2. SUSPENSION OF PLANNING COMMISSION BYLAWS

**Resolution # PC-2021-04-027**

Moved by: Rahman

Support by: Faison

**WHEREAS** Public Act 228 of 2020, MCL 15.263a(1)(b), permits public meetings to be held by electronic means where a local state of emergency has been declared,

**WHEREAS** the Troy City Council declared a local state of emergency through Resolution 2021-04-048 because it determined that an in-person meeting could detrimentally increase exposure of board members and the general public to COVID-19,

**THEREFORE, BE IT RESOLVED**, That as allowed by Planning Commission Rules of Procedure Article IV, Sections 3 and 6, the Troy Planning Commission hereby **TEMPORARILY SUSPENDS** the requirement of holding a meeting at the Troy City Hall and **ALLOWS** all Troy Planning Commission Members to electronically participate in any Planning Commission meeting until the Troy City Council lifts the local state of emergency or through December 31, 2021 whichever is earlier.

Members participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present. However, members must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision.

**RESOLVED**, As allowed by Planning Commission By-laws and Rules of Procedure Article VII, Section 5(A-D) the Troy Planning Commission hereby **TEMPORARILY SUSPENDS** the requirement that a person who wishes to address Planning Commission must do so in person and **ALLOWS** four (4) methods of receiving Public Comment for electronic meetings. (1) Public comments can be submitted for the Planning Commission meeting by sending an email to: [planning@troymi.gov](mailto:planning@troymi.gov). Timely received emails will be incorporated into the record by reference and will be distributed to Planning Commission members for review and consideration. Emails will be considered timely if received prior to 4:00 pm on the day of the meeting, (2) Public comments may be submitted by calling the following phone number and leaving a voicemail message: (248) 524-1305. Timely received voicemail messages will be played during the electronic meeting. Recorded voicemail messages will be considered timely if received prior to 4:00 pm on the day of the meeting, (3) Members of the public may attend the electronic meeting virtually by signing into the electronic meeting through the designated platform (i.e. Zoom.us) and may comment on an agenda item when recognized by the Chair, and (4) Members of the public may call into the electronic meeting using a designated call-in number associated with the electronic meeting and will be recognized by the Chair before being permitted to speak. All public comments will be limited to three minutes.

Discussion on the motion on the floor.

There was discussion on procedure to follow with respect to public comment received by email.

- Acknowledge receipt and read all email messages into the record.
- Acknowledge receipt and read only email messages not incorporated in agenda packet and received after posted deadline.
- If resident present at live Public Hearing, email message does not have to be read.
- Consistency in procedure among all Boards; City Council reads email messages into record.
- Tally email messages; in support and/or in opposition.
- Select Planning Commission member to read email messages into the record.
- Time limitation on email messages.
- Notice posted online regarding public comment received by email.

Ms. Dufrane clarified the Notice posted online with reference to public comment posed no legal concern. She advised the Board that an amendment to the Bylaws requires two-thirds vote.

**Resolution # PC-2021-04-028**

Moved by: Perakis  
Support by: Lambert

**RESOLVED**, To **AMEND** the **RESOLVED** portion of Resolution #PC-2021-04-027, specifically item one (1) with respect to the four (4) methods of receiving Public Comment for electronic meetings, to read: (1) Public comments can be submitted for the Planning Commission meeting by sending an email to: [planning@troymi.gov](mailto:planning@troymi.gov). Timely

received emails will be read at the meeting and made part of the record unless the email author attends the meeting at the live public hearing, at which point the email message will not be read but rather incorporated into the record by reference.

Vote on the amendment on the floor.

Yes: All present (9)

**MOTION CARRIED**

Vote on the motion on the floor as amended.

**Resolution # PC-2021-04-027** (as amended)

Moved by: Rahman

Support by: Faison

Yes: All present (9)

**MOTION CARRIED**

3. APPROVAL OF AGENDA

**Resolution # PC-2021-04-029**

Moved by: Rahman

Support by: Faison

**RESOLVED**, To approve the Agenda as amended to remove Agenda item #9, Rezoning Request (File Number Z JPLN2021-0001), Proposed Lindsey Center Rezoning, East side of Crooks, South of Big Beaver (2690 Crooks, Parcel 88-20-28-101-003), Section 28, From O (Office) to UR (Urban Residential).

Yes: All present (9)

**MOTION CARRIED**

4. APPROVAL OF MINUTES

**Resolution # PC-2021-04-030**

Moved by: Lambert

Support by: Malalahalli

**RESOLVED**, To approve the minutes of the April 13, 2021 Regular meeting as submitted.

Yes: All present (9)

**MOTION CARRIED**

5. **PUBLIC COMMENT** – For Items Submitted via Email or Telephone Message

- Brody Rukenbrod, University of Detroit Jesuit High School student and Troy resident, was virtually present. Mr. Rukenbrod asked for consideration to install a public basketball court at Beach Road park.

Mr. Savidant advised the Board that Mr. Rukenbrod's request received in an email format was forwarded to the appropriate department.

**PRELIMINARY SITE PLAN REVIEW**

6. **PUBLIC HEARING - PRELIMINARY SITE PLAN REVIEW (File Number SP2020-0013)**  
– Proposed The Meadows of Troy (One Family Residential Cluster), East of John R, North of Square Lake (Parcel 88-20-01-300-016), Section 1, Currently Zoned R-1D (One Family Residential) District

Mr. Carlisle gave a brief review of the Preliminary Site Plan application that was presented and discussed at the April 13, 2021 meeting. He specifically addressed the open space, wetlands, trailhead, desired housing project, elevations and renderings and the applicant's request for a side yard deviation. Mr. Carlisle compared the proposed cluster development plan with what could be developed by right. Mr. Carlisle cited the benefits of the application that would not be achievable without a cluster type development. He recommends that the Planning Commission recommend approval to the City Council with the three conditions as identified in his report dated March 26, 2021.

Present were Tim Loughrin and James Clarke of Robertson Brothers, James Butler of Professional Engineering Associates and Rick West, Superintendent for Business Services, Troy School District.

Mr. Loughrin gave a PowerPoint presentation. He addressed property ownership, desired ranch style homes, open space, homeowners' association maintenance responsibility and the trailhead amenity that connects to the existing trail system.

There was discussion on:

- Landscaping along the west and east sides of the development.
- Ownership of parcels.
- Deviation of side yard setbacks; sale of homes, "real" distance.
- Comparison of similar housing development by applicant outside of the City.
- Environmental concerns with maintenance of open space area.
- Typical homeowners' association fees for this type of development; \$350-\$450/mo.

Mr. Clarke addressed the cluster development plan as relates to the side yard deviation and preservation of the wetlands.

PUBLIC HEARING OPENED (continued)

There was no one virtually present to speak.

The following email messages were read:

- Laury Shah, no address; in opposition
- Ellen B, no last name/address, multiple emails and petition; in opposition
- Maureen Bedford, no address, multiple emails; in opposition
- Koshy and Esther George, 2212 Lakeside; in opposition
- Natalie Chrisopoulos, no address; in opposition
- Chuck Shepherd, no address; in support
- Linda and Don Gottschalk, 6270 Silverstone, two emails; in opposition
- Dorene, no last name/address; in opposition
- Camille Bedford, no address, 2 emails; in opposition

Ms. Ferencz reported no voicemail messages were received.

PUBLIC HEARING CLOSED

Mr. Rauch noted from the 39-page petition of 843 signatures, he counted 140 Troy resident signatures.

**Resolution # PC-2021-04-xxx**

Moved by: Rahman

Support by: - - -

**RESOLVED**, The Planning Commission hereby recommends to the City Council that the proposed The Meadows of Troy Site Condominium (One Family Residential Cluster), 31 units/lots, East of John R, North of Square Lake (Parcel 88-20-01-300-016), Section 1, approximately 12 acres in size, Currently Zoned R-1D (One Family Residential) District, be approved for the following reasons:

1. The cluster development better protects the site's natural resources than if the site were not developed as a cluster.
2. The cluster development better protects the adjacent properties than if the site were not developed as a cluster.
3. The cluster development is compatible with adjacent properties.
4. The site can be adequately served with municipal water and sewer.
5. The applicant is providing a public parking lot and trailhead to preserved trails.
6. The applicant is providing a housing product with first floor master bedroom and bath desired by the community.

**BE IT FINALLY RESOLVED**, The Planning Commission recommends the following design considerations:

1. Provide a new wetland assessment or extension from Michigan Department of Environment, Great Lakes and Energy (EGLE).
2. Provide maintenance agreement for the public parking lot.



3. Provide easement over Turtle Woods for access to the public lot.
4. Provide landscaping on the east and west sides with trees for privacy.
5. To include in the Homeowners' Association manual a statement that state they should not use chemicals that are harmful for animals and ecology.

With no support for the motion, a brief discussion followed with respect to the appropriateness of placing restrictions on the use of harsh chemicals in the maintenance of the open space area. Mr. Rahman opted to remove condition #5.

**Resolution # PC-2021-04-031**

Moved by: Rahman  
Support by: Lambert

**RESOLVED**, The Planning Commission hereby recommends to the City Council that the proposed The Meadows of Troy Site Condominium (One Family Residential Cluster), 31 units/lots, East of John R, North of Square Lake (Parcel 88-20-01-300-016), Section 1, approximately 12 acres in size, Currently Zoned R-1D (One Family Residential) District, be approved for the following reasons:

1. The cluster development better protects the site's natural resources than if the site were not developed as a cluster.
2. The cluster development better protects the adjacent properties than if the site were not developed as a cluster.
3. The cluster development is compatible with adjacent properties.
4. The site can be adequately served with municipal water and sewer.
5. The applicant is providing a public parking lot and trailhead to preserved trails.
6. The applicant is providing a housing product with first floor master bedroom and bath desired by the community.

**BE IT FINALLY RESOLVED**, The Planning Commission recommends the following design considerations:

1. Provide a new wetland assessment or extension from the Michigan Department of Environment, Great Lakes and Energy (EGLE).
2. Provide maintenance agreement for the public parking lot.
3. Provide easement over Turtle Woods for access to the public lot.
4. Provide landscaping on the east and west sides with trees for privacy.

Yes: Faison, Krent, Lambert, Rahman, Tagle  
No: Hutson, Perakis, Rauch, Malalahalli

**MOTION CARRIED**

Mr. Hutson stated he voted no because he is in favor of placing a condition on the use of harsh chemicals in the maintenance of the open space area.

**SPECIAL USE APPROVAL**

7. PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SP2020-0014) – Proposed St. Mark Coptic Church Gymnasium and Classroom Addition, West side of Livernois, South of Wattles (3603 Livernois), Section 21, Currently Zoned R-1B (One Family Residential) District

Mr. Carlisle gave a brief review of the Special Use and Preliminary Site Plan application that was presented and discussed at the April 13, 2021 meeting. He addressed worship services and the use of the gymnasium, landscape plan, lighting, elevations and renderings.

Mr. Carlisle said if the Planning Commission is satisfied that the use of the addition would not impact adjacent residential properties, that all Special Use standards have been met. He recommends approval of the application with the two conditions as identified in his report dated March 26, 2021.

Present were project architect Harold Remlinger of DesignTeam Plus and Mark Nasr of St. Mark Optic Church.

Mr. Remlinger gave a PowerPoint presentation. He addressed building height, insulation and security, existing landscape screening, lighting and church worship and gymnasium activities. Mr. Remlinger assured the Board there would be no spillage of light onto neighboring properties and worship services and gymnasium activities would not be held concurrently.

There was discussion on:

- Maintenance of church property.
- Landscape screening.

Mr. Carlisle confirmed the church is currently in compliance with landscape requirements. He said although the existing dense tree line appears to offer sufficient screening for adjacent residential, the Planning Commission could place a condition on the Special Use approval to provide additional landscaping.

Mr. Savidant said he conducted a site visit. He said the property appears to be well-maintained, the existing trees are quite dense, and he could not confirm any allegations as cited in comments received from the public.

**PUBLIC HEARING OPENED (continued)**

There was no one virtually present to speak.

The following email messages were read:

- David Bemis, no address, multiple emails; in opposition
- Mary Ann and Joseph Howell, no address; in opposition
- Suzanne Conover, 73 Kirks Lane; in opposition

Ms. Ferencz reported no voicemail messages were received.

**PUBLIC HEARING CLOSED**

Ms. Perakis said the property appeared to be well-kept when she visited the site.

Mr. Nasr said the church wants to be a good neighbor and welcomed anyone to walk the property or contact the church with any concerns.

**Resolution # PC-2021-04-032**

Moved by: Lambert

Support by: Tagle

**RESOLVED**, That Special Use Approval and Preliminary Site Plan Approval for the proposed St. Mark Coptic Church Gymnasium and Classroom Addition, West side of Livernois, South of Wattles (Parcel 88-20-21-277-036), Section 21, Zoned R-1B (One Family Residential) District, be granted, subject to the following conditions:

1. Applicant agrees that there will be no concurrent use of site facilities that should require parking to exceed 322 spaces. Events or uses that draw users to the facility, such as basketball tournaments or other large gathering events, shall not be held concurrently with regularly scheduled church activities such as mass.
2. Applicant provides a detailed landscape review as a part of the final site plan.

Yes: All present (9)

**MOTION CARRIED**

**CONDITIONAL REZONING**

8. **PUBLIC HEARING - CONDITIONAL REZONING (File Number CR JPLN2019-003)** – Proposed Livernois Court, East side of Livernois, North of Big Beaver (88-20-22-301-007, 88-20-22-301-008 and 88-20-22-301-009), Section 22, From R-1C (One Family residential) to BB (Big Beaver Road)

After a brief explanation of a Conditional Rezoning application, Mr. Carlisle reviewed the Conditional Rezoning application for the Board's consideration this evening. He addressed the existing wetlands and floodplain, the concept plan provided by the applicant and conditions offered by the applicant. Mr. Carlisle indicated that due to traffic, surrounding land uses and limited developable area because of the wetlands and floodplain, it is unlikely that the site will develop as currently zoned single family residential. Mr. Carlisle asked the applicant to confirm how the development relates to the floodplain and wetlands, how he plans to preserve the wetland/floodplain area and explain the necessity of a 40-foot easement for the parcel to the north.

Mr. Carlisle said the change in the application since it was last considered at the December 10, 2020 meeting is that the parcel to the north and owned by Mr. Black is now included in the proposed rezoning. He addressed how the property could be developed by right and how the application relates to the Rezoning Standards and the Master Plan. Mr. Carlisle recommends that the Planning Commission consider the application, hold a public hearing and consider any public comments.

Mr. Rauch stated he attended the December 10, 2020 meeting in which this item was considered and spoke at the public hearing as a member of the public. He said his comments were based on the information presented at that time and do not reflect any pre-determined opinion on the application before the Board this evening.

Present were Erion Nikolla of Eureka Building Company and James Butler of Professional Engineering Associates.

Mr. Nikolla said Mr. Black, owner of the parcel to the north, does not want to sell his property but Mr. Black supports the proposed rezoning to the Big Beaver zoning district. He said the proposed 40-foot easement is for access to and from the Black property. Mr. Nikolla said the same rezoning conditions would apply to the Black property. Mr. Nikolla said the development would not interfere with the floodplain or wetlands and conservation of the wetlands would be determined during legal discussions and incorporated into the Conditional Rezoning agreement.

There was discussion on:

- Applicant bound by any approval of a conditional rezoning, even if subsequent zoning changes are made to the Master Plan.
- Uniqueness of this particular application.
  - not tied to a specific site plan
  - submittal by co-applicants, co-property ownership
  - future development on northern parcel unknown
  - uncertainty that conditions offered are associated to northern parcel
- Comparison of building heights of surrounding developments.
- Allowable building heights in Big Beaver district versus multi-family district.
- Process to draft Conditional Rezoning agreement.
- Assurance that wetlands, green space to the east remain undeveloped.

Ms. Dufrane stated that any conditions offered by the applicant, or in this case co-applicants, must be associated to all the parcels; one parcel cannot be singled out and acquire a zoning change only.

Ms. Dufrane will work with the applicants on the application submittal as it relates to property ownership and conditions offered.

PUBLIC HEARING OPENED

There was no one virtually present to speak.

The following email messages were read:

- Chance Tess, property owner of Parcel 88-20-22-301-009; in support
- George Contis, legal representative for Judith A. Bill and B. Suzanne Giarmarco, property owners of Parcel 88-20-22-301-008; in support
- William B. Black, 3364 Livernois, property owner of Parcel 20-22-301-007; in support

Ms. Ferencz reported no voicemail messages were received.

PUBLIC HEARING CLOSED**Resolution # PC-2021-04-033**

Moved by: Lambert

Support by: Rahman

**RESOLVED**, To postpone action on the application so that the petitioner has time to resolve issues raised by City staff, the Planning Consultant and members of the Commission.

Yes: All present (9)

**MOTION CARRIED****REZONING**

9. Agenda item removed; see Resolution # PC-2021-04-029.

10. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments, some relating to:

- Zoom meeting format for public hearings.
- Comparison of applications with other communities.
- Signatures on petitions.

Ms. Dufrane asked members to determine a format they wish to follow in handling public comment at Public Hearings so that she can better prepare a Resolution to Suspend the Bylaws.

11. ADJOURNMENT

The virtual Regular meeting of the Planning Commission adjourned at 10:55 p.m.

Respectfully submitted,

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Tom Krent, Chair

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Kathy L. Czarnecki, Recording Secretary

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DATE: May 6, 2021

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING – REZONING REQUEST (File Number Z JPLN2021-0001) – Proposed Lindsey Center Rezoning, East of Crooks, south of Big Beaver (2690 Crooks; PIN 88-20-28-101-003), Section 28, From O (Office) to BB (Big Beaver) Zoning District.

The applicant AF Jonna Development & Management Company seeks rezoning of the subject parcel from O (Office) to BB (Big Beaver). The parcel is 4.45 acres in area. An office building presently sits on the parcel.

Based on the application, the applicant seeks to repurpose the existing building from office to residential. This may be accommodated via the building permit review process if there is minimal site work proposed. The Big Beaver Zoning District permits multi-family residential use, the Office district does not.

The Master Plan classifies the parcel as Big Beaver Road. The rezoning application is consistent with the Master Plan.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the rezoning request. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire Department. City Management supports the findings of fact contained in the report and agrees with the recommendation.

Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Rezoning application

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## **PROPOSED RESOLUTION**

PUBLIC HEARING – REZONING REQUEST (File Number Z JPLN2021-0001) – Proposed Lindsey Center Rezoning, East of Crooks, south of Big Beaver (2690 Crooks; PIN 88-20-28-101-003), Section 28, From O (Office) to BB (Big Beaver) Zoning District.

### **Resolution # PC-2021-05-**

Moved by:

Seconded by:

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the O to BB rezoning request, as per Section 16.03 of the City of Troy Zoning Ordinance, located on the east side of Crooks, south of Big Beaver (2690 Crooks), within Section 28, being approximately 4.45 acres in size, be **GRANTED** for the following reasons:

1. The proposed rezoning is consistent with the Master Plan
2. The proposed rezoning does not appear to cause or increase any non-conformity.
3. If rezoned the property will be capable of accommodating service and facility loads caused by use of the development.
4. The rezoning does not appear to impact public health, safety, or welfare.
5. The rezoning will ensure compatibility with adjacent uses of land.
6. The rezoning would provide market flexibility to an office building in the wake of the Covid-19 pandemic.
7. The rezoning would permit residential uses by right, which would have the effect of locating new residents within walking distance of the Big Beaver commercial corridor and employment centers.
8. The rezoning would permit residential uses which would promote walkability and create a more 24-hour environment within the Big beaver corridor.

Yes:

No:

**MOTION PASSED / FAILED**





**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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Date: May 4, 2021

## **Rezoning Analysis For City of Troy, Michigan**

<b>Applicant:</b>	Jordan Jonna
<b>Project Name:</b>	Lindsey Center
<b>Location:</b>	2690 Crooks Road
<b>Zoning:</b>	O, Office
<b>Action Requested:</b>	Rezone from O, Office to BB, Big Beaver

### **SITE/PROJECT DESCRIPTION/CURRENT USE**

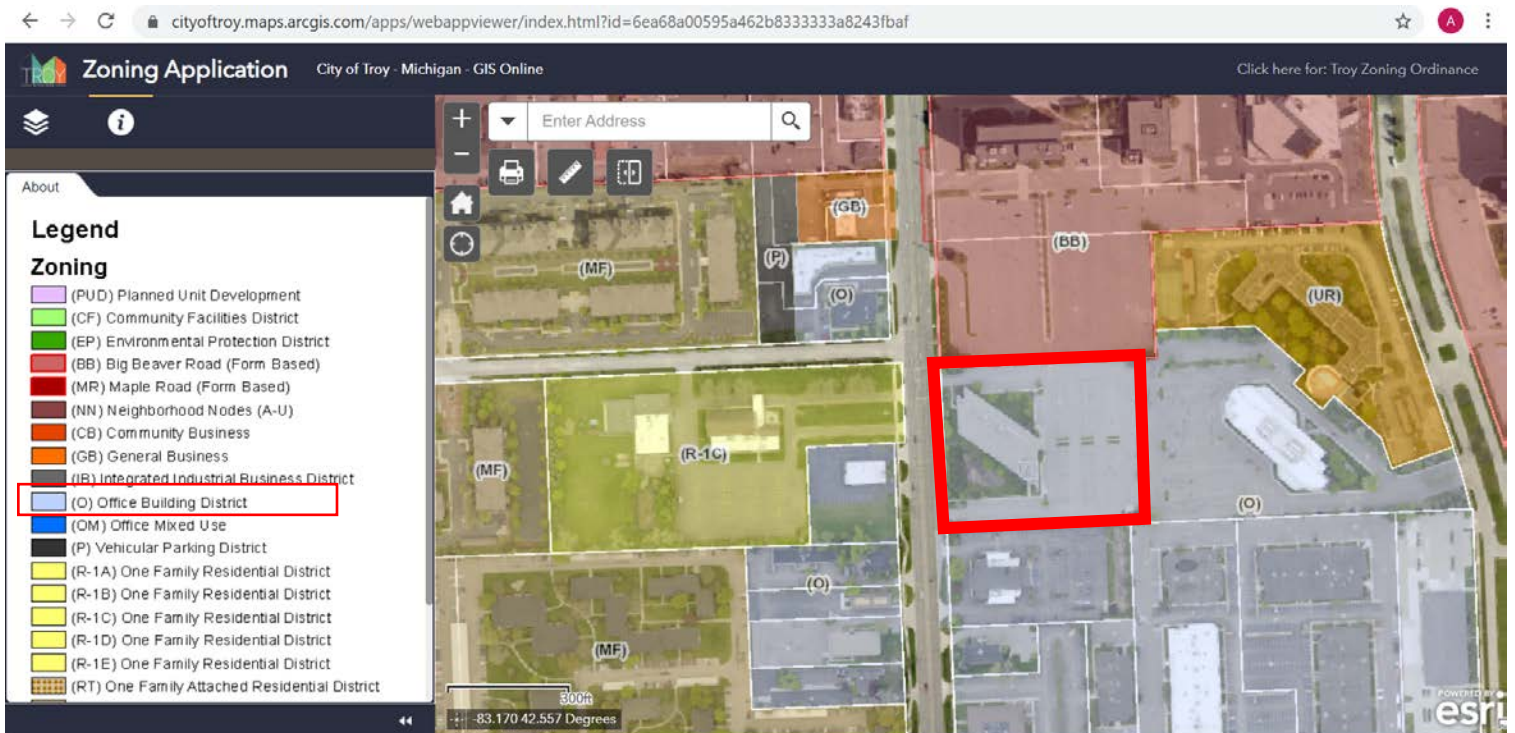
The applicant is requesting to rezone the parcel at 2690 Crooks Road from O-Office to BB, Big Beaver, in order to convert the existing four-story Lindsey Centre building to a 64-unit apartment building. The parcel is located on the east side of Crooks Road, between Big Beaver (16 Mile) Road and Kirts Boulevard. Currently, the 14.8-acre subject site is improved with the aforementioned 4-story office building. Overall site parking is sufficient for the conversion from office to residential.

Multiple-family residential is not a permitted use in the O, Office District but is permitted in BB, Big Beaver Residential. Please note that additional uses to the site that alter the existing building footprint or any additional building on site will require a future site plan review by the Planning Commission.

Figure 1. Aerial View of Site



## NEIGHBORING ZONING AND LAND USE



The following chart compares zoning, future land use designation, and existing land use surrounding the subject parcel.

**Table 1. Neighboring Zoning and Land Use**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use (Master Plan)</b>
<b>Subject Parcel</b>	O – Office	Office Building	Big Beaver / High Density Residential
<b>North</b>	BB – Big Beaver Road FBC	Office Building	Big Beaver Road FBC
<b>South</b>	O – Office	Funeral Home	High Density Residential
<b>East</b>	O – Office	Office Building	Big Beaver / High Density Residential
<b>West</b>	R-1C – One Family Residential / O – Office	Church (Special Use) / Office	Big Beaver / High Density Residential

According to the Future Land Use Map in the Troy Master Plan, the property is located on the border of the Big Beaver Road Corridor and High Density Residential.

## MASTER PLAN

The proposed development is consistent with the Master Plan as the City seeks to bring additional high-density residential units to this area of the City. The 2006 Big Beaver Corridor study stated that *“In order to remain competitive and continue to be a leader in economic development in Southeast Michigan, Troy must plan for this Corridor to evolve in light of a changing economy.”* In that spirit, the City adopted the key concepts of the Big Beaver Corridor Study in 2006:

- Promote redevelopment opportunities along the Big Beaver Corridor.
- Promote redevelopment with a greater mix of land uses, particularly new residences.
- Transform Big Beaver Corridor into a destination or "People Place" characterized by round-the-clock activity and an exciting nightlife.
- Maintain a unified vision for transforming Big Beaver Road into a World-Class Boulevard, while improving the corridor by focusing on each of its neighborhoods.
- Maintain and improve existing businesses along Big Beaver Corridor.
- Transform the corridor into a pedestrian-friendly environment.

The current Master Plan emphasizes these points, and emphasis residential uses along the corridor, and improvements to pedestrian circulation.

We find that the conversion of the office building into a multiple family residential use is consistent the Master Plan and Big Beaver Corridor Study:

- The proposed development will locate new residents within walking distance of the ever-booming Big Beaver commercial corridor and employment centers.
- Providing easy access to a main thoroughfare within the City and regional transportation network.
- Repurposes a building from an unknown future office market to a known market of residential.
- Additional residential uses promotes walkability and creates a more 24-hour environment.

We find that the proposed rezoning is consistent with the City's adopted policies including the Master Plan and the Big Beaver Corridor Study.

## **DEVELOPMENT POTENTIAL**

### **Current Zoning**

The intent of the O, Office District is to provide areas for office uses and limited related retail and service uses which support an office environment. These districts are typically located along commercial corridors in the City, or on the periphery of regionally prominent retail and service center. The O, Office District is suited to serve as a conventional transition zone or in support of more regionally prominent areas districts with a more intense concentration of uses.

### **Proposed Zoning**

The Troy Master Plan recognizes that certain areas of the City may be conducive to high-density residential dwellings, particularly when located in close proximity to more intense mixed use and non-residential development.

The Big Beaver (BB) District is intended to implement the policies set forth in the Big Beaver Corridor Study, Big Beaver Design Guidelines, and the City's Master Plan. With the current office market environment, the conversion to a more viable use of residential is supported both in the Master Plan, the Big Beaver Corridor Study and the zoning ordinance.

## **TRAFFIC IMPACT AND SITE ACCESS**

Access to the site will be two driveways from Crooks Road. As stated before, the site is currently a 4-story office building with an existing parking lot with 300+ spaces. Sixty-four (64) multiple family residential units is less impactful from a traffic standpoint than the exiting four (4) story office building.

If future development is proposed for the site, a Traffic Impact Analysis may be required by the Zoning Administrator, in consultation with the Traffic Engineer, to analyze the effect of development upon existing street traffic.

## ESSENTIAL FACILITIES AND SERVICES

Essential facilities and services related to the proposed development will be evaluated as part of the building permit review if the property is rezoned for use as a multiple family residential building.

## FINDING FOR REZONING

According to Rezoning Procedures in Section 16.03C, a rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- 1) The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan.

**CWA:** The Future Land Use Map in the Master Plan designates this area as the border between Big Beaver District and High Density Residential. Repurposing a building from an unknown future office market to a known market of residential is consistent with the goals and policies of the Master Plan and Big Beaver Corridor Study

2. The proposed rezoning will not cause nor increase any non-conformity.

**CWA:** Rezoning from O, Office to BB, Big Beaver will not cause nor increase any non-conformity as a residential use is not permitted in O, Office but is permitted in BB, Big Beaver.

3. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.

**CWA:** The use conversion is not likely to significantly adversely impact any public services and facilities under the requested rezoning.

4. The rezoning will not impact public health, safety, or welfare.

**CWA:** Rezoning of this site to BB, Big Beaver will not impact the public health, safety, or welfare of the citizens of Troy or adjacent municipality.

5. The rezoning will ensure compatibility with adjacent uses of land.

**CWA:** Adjacent uses of land are O, Office designated parcels of land with existing office/office-like buildings. The office building on the subject parcel will be converted into a high-density residential building, keeping the office building aesthetic. As stated above, the rezoning will be consistent with the Master Plan.

## RECOMMENDATIONS

We find that the conversion of the rezoning of the site to repurpose the building from an unknown future office market to a known market of residential, is consistent with the Master Plan and the required rezoning standards:

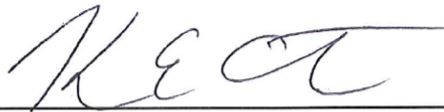
- The proposed development will locate new residents within walking distance of the ever-booming Big Beaver commercial corridor and employment centers.
- Provides easy access to a main thoroughfare within the city and regional transportation network.
- Additional residential promotes walkability and creates a more 24-hour environment.

Based upon the comments of the analysis, we recommend approval of the proposed rezoning of the parcel from O, Office to BB, Big Beaver.

---



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



**CARLISLE/WORTMAN ASSOC., INC.**  
**Kristoffer Canty**  
**Planner**

# CITY OF TROY REZONING REQUEST APPLICATION

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER  
TROY, MICHIGAN 48084  
248-524-3364  
E-MAIL: [planning@troymi.gov](mailto:planning@troymi.gov)



REZONING REQUEST APPLICATION  
\$1,800.00

ESCROW FEE  
\$1,500.00

## NOTICE TO THE APPLICANT

REGULAR MEETINGS OF THE TROY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAY OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

APPLICATIONS SHALL BE FILED NOT LATER THAN THIRTY (30) DAYS BEFORE THE SCHEDULED DATE OF THE MEETING.

A PLANNING COMMISSION PUBLIC HEARING SHALL BE SCHEDULED FOLLOWING A DETERMINATION BY THE PLANNING DEPARTMENT THAT THE APPLICATION IS COMPLETE.

### PLEASE COMPLETE THE FOLLOWING:

1. NAME OF THE PROPOSED DEVELOPMENT: Lindsey Center
2. ADDRESS OF THE SUBJECT PROPERTY: 2690 Crooks Road
3. CURRENT ZONING CLASSIFICATION: Office
4. PROPOSED ZONING CLASSIFICATION: Urban Residential (UR)
5. TAX ID NUMBER(S) OF SUBJECT PROPERTY: 20-28-101-003
6. APPLICANT FOR REZONING:  
NAME Jordan Jonna  
COMPANY AF Jonna Development & Management Co.  
ADDRESS 4036 Telegraph Road, Suite 201  
CITY Bloomfield Hills STATE MI ZIP 48032  
TELEPHONE 248-593-6200  
E-MAIL jjonna@afjonna.com
- OWNER OF THE SUBJECT PROPERTY:  
NAME \_\_\_\_\_  
COMPANY \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
E-MAIL \_\_\_\_\_
7. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:  
Applicant is owner.
8. SIGNATURE OF THE PROPERTY OWNER: [Signature]  
BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR REZONING.
9. SIGNATURE OF THE APPLICANT: [Signature]

# REZONING APPLICATION CHECKLIST

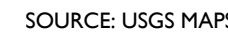
A COMPLETE REZONING APPLICATION SHALL INCLUDE THE FOLLOWING:

- ☐ REQUIRED FEE
- ☐ ONE (1) HARD COPY OF THE SIGNED APPLICATION FORM
- ☐ ONE (1) HARD COPY OF A CERTIFIED BOUNDARY SURVEY OF THE PROPERTY TO BE REZONED, WHICH SHALL INCLUDE A LEGAL DESCRIPTION AND A SCALE DRAWING, PREPARED BY A LICENSED LAND SURVEYOR
- ☐ ONE (1) HARD COPY OF A PROPOSED SITE PLAN INDICATING THE SUBJECT PROPERTY AND THE BUILDINGS / USES PROPOSED TO BE CONSTRUCTED
- ☐ ONE (1) HARD COPY OF A STATEMENT INDICATING WHY, IN THE OPINION OF THE APPLICANT, THE REZONING REQUESTED IS CONSISTENT WITH THE MASTER PLAN, AND WHY SUCH A REZONING IS CONSISTENT WITH ADJACENT ZONING DISTRICTS AND USES, AND WILL NOT BE DETRIMENTAL TO THE PROPERTY OF OTHER PERSONS LOCATED IN THE VICINITY
- ☐ ONE (1) CD CONTAINING AN ELECTRONIC VERSION OF THE COMPLETE REZONING APPLICATION

## NOTICE TO APPLICANT

PUBLIC HEARING NOTICES REGARDING REQUESTS FOR REZONING REQUESTS WILL BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF THE SITE INVOLVED IN THE REQUEST. THE OPINIONS OF ADJACENT PROPERTY OWNERS ARE TAKEN INTO CONSIDERATION BY THE PLANNING COMMISSION AND THE CITY COUNCIL IN THE COURSE OF THEIR PUBLIC HEARINGS.





SCALE: 1" = 2,000'±



SCALE: 1" = 200'±

PARCEL ID: 20-28-101-003

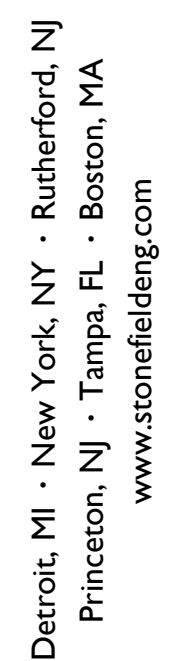
2690 CROOKS ROAD

**APPLICANT**

**AF JONNA DEVELOPMENT  
4036 TELEGRAPH ROAD, SUITE 201  
BLOOMFIELD HILLS, MI 48302**

[illegible]

**NOT APPROVED FOR CONSTRUCTION**



607 Shelby Suite 200, Detroit, MI 48226  
Phone 248.247.1115

## SITE REZONING PLANS

**2690 CROOKS ROAD**

## PROPOSED REZONING

20-28-101-003  
2690 CROOKS ROAD  
CITY OF TROY  
OAKLAND COUNTY, MICHIGAN



SCALE: AS SHOWN PROJECT ID: M-19301.01

TITLE:	
--------	--

COVER SHEET

**DRAWING:**

**C-1**

1. THIS PLAN SET REFERENCES THE FOLLOWING DOCUMENTS INCLUDING, BUT NOT LIMITED TO:

- ALTA SURVEY MAP SURVEY PREPARED BY KEM-TEC SURVEY DATED 12/12/2019
- AERIAL MAP OBTAINED FROM GOOGLE EARTH PRO
- LOCATION MAP OBTAINED FROM USGS ONLINE
- ZONING INFORMATION OBTAINED FROM CITY OF TROY ZONING MAP

2. ALL REFERENCE MATERIAL LISTED ABOVE SHALL BE CONSIDERED A PART OF THIS PLAN SET AND ALL INFORMATION CONTAINED WITHIN THESE MATERIALS SHALL BE UTILIZED IN CONJUNCTION WITH THIS PLAN SET. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN A COPY OF EACH REFERENCE AND REVIEW IT THOROUGHLY PRIOR TO THE START OF CONSTRUCTION.



PLANS PREPARED BY:



Detroit, MI • Rutherford, NJ • New York, NY

Princeton, NJ • Tampa, FL • Boston, MA

www.stonefieldeng.com

607 Shelby Suite 200, Detroit, MI 48226

Phone 248.247.1115



SCALE: 1" = 200'±

SHEET INDEX	
DRAWING TITLE	SHEET #
COVER SHEET	C-1
SITE PLAN	C-2
SITE PLAN (PHASE II)	C-3

DRAWING TITLE		SHEET #
ALTA LAND SURVEY		1 OF 1



V:\P19301\19301.dwg (DRAWING) 2690 CROOKS ROAD, TROY, MI 48068 PLOT 2690 CROOKS ROAD

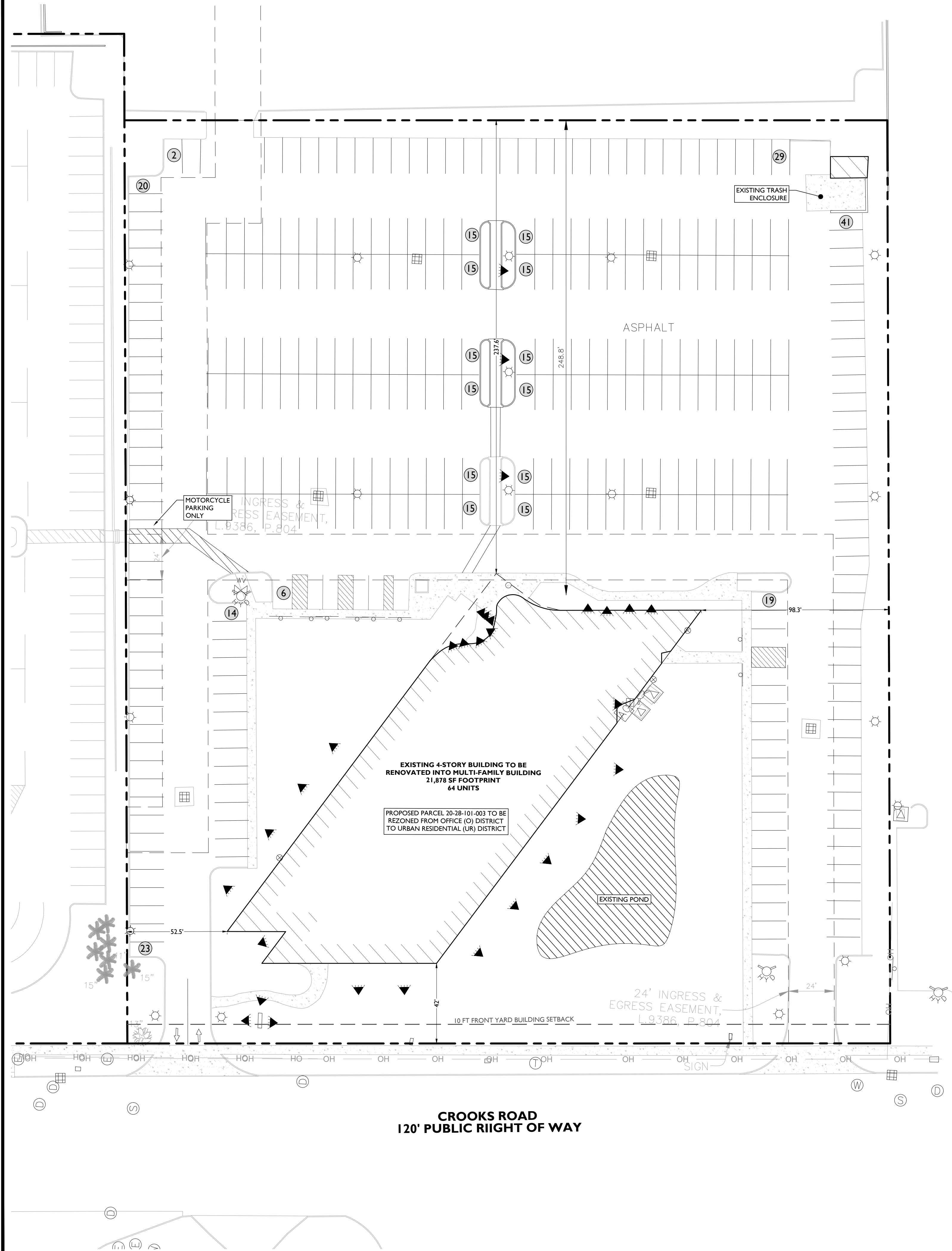


TABLE OF LAND USE AND ZONING		
PARCEL ID: 20-28-101-003		
EXISTING ZONE: OFFICE (O)		
PROPOSED ZONE: URBAN RESIDENTIAL (UR)		
PROPOSED USE MULTI-FAMILY APARTMENTS	PERMITTED USE	
ZONING REQUIREMENT	REQUIRED	PROPOSED
MINIMUM LOT AREA	N/A	193,599 SF (4.44 AC)
MINIMUM BUILDING COVERAGE	50% (96,800 SF)	11.3% (21,890 SF)
MAXIMUM DENSITY	35 UNITS/ACRE (155 UNITS)	14.8 UNITS/ACRE (62 UNITS)
REQUIRED FRONT YARD SETBACK	10 FT	42.0 FT
MINIMUM SIDE YARD SETBACK	0 FT	52.5 FT
MINIMUM REAR YARD SETBACK	0 FT	237.6 FT
MINIMUM SETBACK BETWEEN BUILDINGS	30 FT	N/A

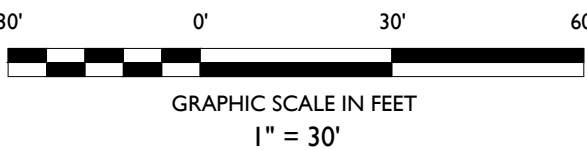
FLOOR AREA TABLE		
CODE SECTION	REQUIRED	PROPOSED
§ 4.09.C	FLOOR AREA/UNIT:	TBD
	1 BEDROOM = 600 SF/UNIT	
	2 BEDROOM = 800 SF/UNIT	
	3 BEDROOM = 1,000 SF/UNIT	
	4 BEDROOM = 1,200 SF/UNIT	

OFF-STREET PARKING REQUIREMENTS		
CODE SECTION	REQUIRED	PROPOSED
§ TABLE 13.06-A	MULTI-FAMILY DWELLING:	333 SPACES
	2 SPACES PER DWELLING UNIT (62 UNITS)(2 SPACES PER UNIT) = 124 SPACES	
§ TABLE 13.06-B	90° PARKING: 9.5 FT X 19 FT W/ 24 FT AISLE	EXISTING
§ 13.06.F.3	MAXIMUM PARKING: 120% OF REQUIRED PARKING (124 SPACES)(1.2) = 149 SPACES	333 SPACES (W)
§ 13.11.C.4	BICYCLE PARKING: 2 SPACES PER BUILDING (1 BUILDINGS)(2 SPACES/BUILDING) = 2 SPACES	TO BE PROVIDED
§ 13.02.E-1	SITE LANDSCAPING: 15% OF THE SITE AREA SHALL BE LANDSCAPED (193,599 SF)(0.15) = 29,040 SF	26.4% (51,208 SF)
§ 4.09.D.5	RECREATIONAL AREA: 300 SF RECREATIONAL AREA PER UNIT (62 UNITS)(300 SF/UNIT) = 18,600 SF	36,542 SF

(W) WAIVER

SYMBOL	DESCRIPTION
	PROPERTY LINE
	EXISTING BUILDING
	PROPOSED CURB
	PROPOSED BUILDING
	PROPOSED CONCRETE

- GENERAL NOTES**
- THE CONTRACTOR SHALL VERIFY AND FAMILIARIZE THEMSELVES WITH THE EXISTING SITE CONDITIONS AND THE PROPOSED SCOPE OF WORK (INCLUDING DIMENSIONS, LAYOUT, ETC.) PRIOR TO INITIATING THE IMPROVEMENTS IDENTIFIED WITHIN THESE DOCUMENTS. SHOULD ANY DISCREPANCY BE FOUND BETWEEN THE EXISTING SITE CONDITIONS AND THE PROPOSED WORK, THE CONTRACTOR SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC PRIOR TO THE START OF CONSTRUCTION.
  - THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND ENSURE THAT ALL REQUIRED APPROVALS HAVE BEEN OBTAINED PRIOR TO THE START OF CONSTRUCTION. COPIES OF ALL REQUIRED PERMITS AND APPROVALS SHALL BE KEPT ON SITE AT ALL TIMES DURING CONSTRUCTION.
  - ALL CONTRACTORS WILL, TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS STONEFIELD ENGINEERING & DESIGN, LLC, AND ITS SUB-CONSULTANTS FROM AND AGAINST ANY DAMAGES AND LIABILITIES INCLUDING ATTORNEY'S FEES ARISING OUT OF CLAIMS BY EMPLOYEES OF THE CONTRACTOR IN ADDITION TO CLAIMS CONNECTED TO THE PROJECT AS A RESULT OF NOT CARRYING THE PROPER INSURANCE FOR WORKERS COMPENSATION, LIABILITY INSURANCE, AND LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE.
  - THE CONTRACTOR SHALL NOT DEVIATE FROM THE PROPOSED IMPROVEMENTS IDENTIFIED WITHIN THIS PLAN SET UNLESS APPROVAL IS PROVIDED IN WRITING BY STONEFIELD ENGINEERING & DESIGN, LLC.
  - THE CONTRACTOR IS RESPONSIBLE TO DETERMINE THE MEANS AND METHODS OF CONSTRUCTION.
  - THE CONTRACTOR SHALL NOT PERFORM ANY WORK OR CAUSE DISTURBANCE ON A PRIVATE PROPERTY NOT CONTROLLED BY THE PERSON OR ENTITY WHO HAS AUTHORIZED THE WORK WITHOUT PRIOR WRITTEN CONSENT FROM THE OWNER OF THE PRIVATE PROPERTY.
  - THE CONTRACTOR IS RESPONSIBLE TO RESTORE ANY DAMAGED OR UNDERMINED STRUCTURE OR SITE FEATURE THAT IS IDENTIFIED TO REMAIN ON THE PLAN SET. ALL REPAIRS SHALL USE NEW MATERIALS TO RESTORE THE FEATURE TO ITS EXISTING CONDITION AT THE CONTRACTOR'S EXPENSE.
  - THE CONTRACTOR IS RESPONSIBLE TO PROVIDE THE APPROPRIATE SHOP DRAWINGS, PRODUCT DATA, AND OTHER REQUIRED SUBMITTALS FOR REVIEW. STONEFIELD ENGINEERING & DESIGN, LLC, WILL REVIEW THE SUBMITTALS IN ACCORDANCE WITH THE DESIGN INTENT AS REFLECTED WITHIN THE PLAN SET.
  - THE CONTRACTOR IS RESPONSIBLE FOR TRAFFIC CONTROL IN ACCORDANCE WITH MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
  - THE CONTRACTOR IS REQUIRED TO PERFORM ALL WORK IN THE PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH THE APPROPRIATE GOVERNING AUTHORITY AND SHALL BE RESPONSIBLE FOR THE PROCUREMENT OF STREET OPENING PERMITS.
  - THE CONTRACTOR IS REQUIRED TO RETAIN AN OSHA CERTIFIED SAFETY INSPECTOR TO BE PRESENT ON SITE AT ALL TIMES DURING CONSTRUCTION & DEMOLITION ACTIVITIES.
  - SHOULD AN EMPLOYEE OF STONEFIELD ENGINEERING & DESIGN, LLC, BE PRESENT ON SITE AT ANY TIME DURING CONSTRUCTION, IT DOES NOT RELIEVE THE CONTRACTOR OF ANY OF THE RESPONSIBILITIES AND REQUIREMENTS LISTED IN THE NOTES WITHIN THIS PLAN SET.



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Phone 248.247.1115

SITE REZONING PLANS

**2690 CROOKS ROAD**  
**PROPOSED REZONING**

20-28-101-003  
2690 CROOKS ROAD  
CITY OF TROY  
OAKLAND COUNTY, MICHIGAN



**STONEFIELD**  
engineering & design

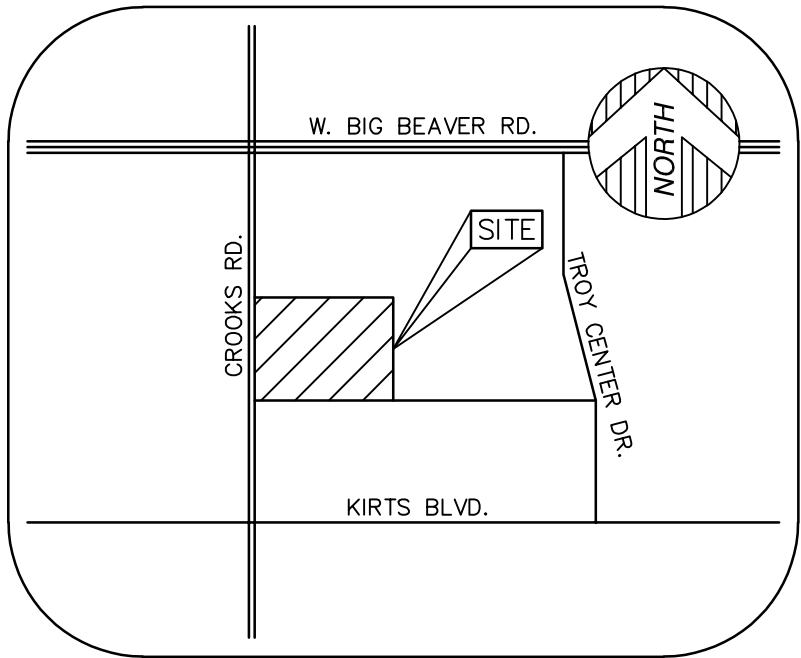
SCALE: 1" = 30' PROJECT ID: M-19301.01

TITLE:

SITE PLAN

DRAWING:

C-2



VICINITY MAP  
(NOT TO SCALE)

LEGEND

	FOUND MONUMENT (AS NOTED)
	FOUND SECTION CORNER (AS NOTED)
	RECORD AND MEASURED DIMENSION
	RECORD DIMENSION
	MEASURED DIMENSION
	ELECTRIC MANHOLE
	ELECTRIC PANEL
	TRANSFORMER
	UTILITY POLE
	GAS METER
	GAS VALVE
	TELEPHONE MANHOLE
	ELECTRIC OUTLET
	CABLE TV RISER
	TRAFFIC SIGNAL
	CROSSWALK SIGNAL
	CLEANOUT
	SANITARY MANHOLE
	ROUND CATCH BASIN
	SQUARE CATCH BASIN
	DRAIN
	STORM DRAIN MANHOLE
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	WATER GATE MANHOLE
	WATER VALVE
	AIR CONDITIONING UNIT
	BOLLARD
	FLAGPOLE
	FLOOD LIGHT
	LIGHTPOST/LAMP POST
	MAIL BOX
	SINGLE POST SIGN
	DOUBLE POST SIGN
	HANDICAP PARKING
	PARCEL BOUNDARY LINE
	ADJOINER PARCEL LINE
	SECTION LINE
	EASEMENT (AS NOTED)
	BUILDING
	BUILDING OVERHANG
	ASPHALT CURB
	CONCRETE CURB
	RAISED CONCRETE
	PARKING
	EDGE OF CONCRETE (CONC.)
	EDGE OF ASPHALT (ASPH.)
	EDGE OF GRAVEL
	FENCE (AS NOTED)
	WALL (AS NOTED)
	LANDSCAPING (AS NOTED)
	OVERHEAD UTILITY LINE
	UNDERGROUND PIPE (AS NOTED)
	BUILDING AREA
	ASPHALT
	CONCRETE

PARKING

HANDICAP PARKING = 8 STALLS  
STANDARD PARKING = 328 STALLS

BASIS OF BEARING

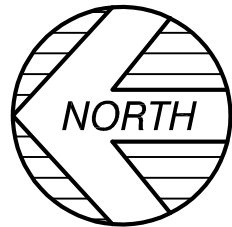
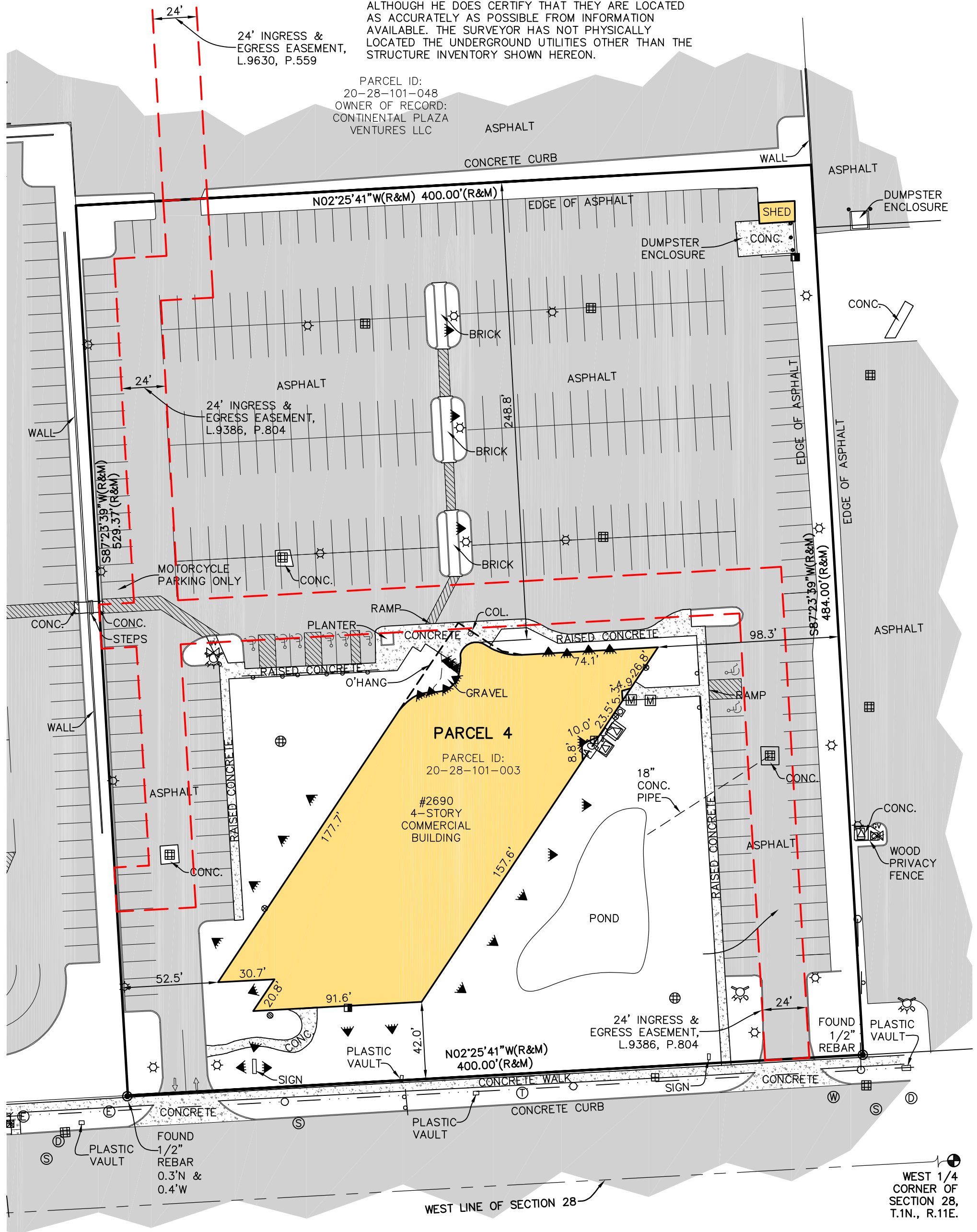
SOUTH 02°25'41" EAST, BEING THE WEST LINE OF SECTION 28, AS SHOWN.

PARCEL AREA

PARCEL 4:  
193,599± SQUARE FEET = 4.444± ACRES

SURVEYOR'S NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.



GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.

PROPERTY DESCRIPTION

THE LAND SITUATED IN THE TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

PARCEL 4:  
THE EAST 484 FEET OF THE WEST 544 FEET OF THE SOUTH 400 FEET OF THE NORTH 1/2 OF THE NORTHWEST 1/4 CORNER OF SECTION 28, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN.

TITLE REPORT NOTE

ONLY THOSE EXCEPTIONS CONTAINED WITHIN THE STEWART TITLE GUARANTY COMPANY FILE No. 63-19650824-SCM, REVISION 4, DATED SEPTEMBER 03, 2019, AND RELISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

27. TERMS AND PROVISIONS CONTAINED WITHIN, AND EASEMENTS CREATED BY CROSS-ACCESS OR JOINT-DRIVE EASEMENT RECORDED IN LIBER 9386, PAGE 804, OAKLAND COUNTY RECORDS (AFFECTS PARCELS 4). (AS SHOWN)

28. TERMS AND PROVISIONS CONTAINED WITHIN, AND EASEMENTS CREATED BY CROSS-ACCESS OR JOINT-DRIVE EASEMENT RECORDED IN LIBER 9630, PAGE 559, OAKLAND COUNTY RECORDS (AFFECTS PARCELS 4). (AS SHOWN)

SURVEYOR'S CERTIFICATION

TO A.F. JONNA; STEWART TITLE GUARANTY COMPANY; AND ATA NATIONAL TITLE GROUP, LLC:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDED ITEMS 2, 4, 7A, 8, AND 9 OF TABLE A, THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 05, 2019.

DATE OF PLAT OR MAP: DECEMBER 10, 2019

DRAFT

ANTHONY T. SYCKO, JR., P.S.  
PROFESSIONAL SURVEYOR  
MICHIGAN LICENSE NO. 47976  
22556 GRATIOT AVE., EASTPOINTE, MI 48021  
TSycko@kemttec-survey.com

ALTA / NSPS LAND TITLE SURVEY

PREPARED FOR: A.F. JONNA  
991 & 999 W. BIG BEAVER RD. & 2690 CROOKS RD.,  
TROY, MICHIGAN,  
PART OF SECTION 28,  
TOWN 2 NORTH, RANGE 11 EAST

PROFESSIONAL ENGINEERING,  
SURVEYING & ENVIRONMENTAL  
SERVICES  
**KEM-TEC**  
A GROUP OF COMPANIES  
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(734) 994-0667  
Detroit  
(313) 758-0677  
Grand Blanc  
(888) 684-0001  
FAX: (688) 772-4048 FAX: (688) 772-4048 FAX: (810) 694-9955  
[www.kemttecgroupofcompanies.com](http://www.kemttecgroupofcompanies.com)

DRAWN BY:	JDM	12/12/19
CHECKED BY:	ATS	12/12/19
DATE:	DECEMBER 12, 2019	
PROJECT NO:	19-03820	SCALE: 1" = 50'

DATE: April 23, 2021

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: Interpretation of Chapter 39 Zoning Ordinance, Section 5.06

### **Background**

Planning Commission member Gerald Rauch submitted the following proposed text amendment to Section 5.06.E.1.a to the Planning Commission for consideration:

- a. Primary Entrance. The primary building entrance shall be clearly identifiable and useable and located in the front façade parallel to the street public or private street in residential developments that abut a residential district.*

Based on discussion at the April 13, 2021 Planning Commission meeting, Mr. Rauch contends that the provisions of Section 5.06.E.1.a should be applied to every residential unit in a Neighborhood Node development when the development abuts a residential district. This would have the effect of requiring the primary building façade of every building to front on a public or private street, including internal units. For most residential developments, vehicle access is provided internally via 24-foot drive aisles. Since private road easements are 40-foot wide and public rights-of-way are typically 60 feet wide, the amendment would have the effect of significantly reducing density in residential developments in Neighborhood Nodes. Mr. Rauch indicated this would be the intent of the amendment.

At the Regular Meeting of April 13, 2021, the Planning Commission passed the following Resolution:

Moved by: Rauch  
Support by: Hutson

**RESOLVED**, That the Planning Commission direct staff to review the proposed Zoning Ordinance Text Amendment presented by Mr. Rauch in his March 29, 2021 memorandum and advise of the impact of those changes to the existing Zoning Ordinance.

### **Discussion on the motion on the floor.**

Mr. Tagle asked if the extent of the Resolution is only for staff to review the text amendment and come back with pros and cons.



Mr. Rauch replied in the affirmative.

Vote on the motion on the floor.

Yes: All present (9)

### **MOTION CARRIED**

During Planning Commission discussion on April 13, 2021, numerous Planning Commissioners disagreed with the Zoning Administrator's interpretation of Section 5.06.E.1.a. The interpretation of this provision will be discussed in this memo.

### **Zoning Ordinance Interpretation**

The Zoning Ordinance is a 350-page document with thousands of provisions that are applied to a wide range of development applications. It is impossible to create a Zoning Ordinance that has provisions that apply to every potential situation. Because of this, interpretations are made on a regular basis. It is important that the Planning Commission understands how the Planning Department interprets the Zoning Ordinance.

### **The Zoning Administrator and Interpretation**

The following Section 2.01 of the Zoning Ordinance lays out Rules of Interpretation that are applied when the Zoning Ordinance is interpreted:

*For the purposes of this Ordinance, certain terms or words used in this Ordinance shall be interpreted as follows:*

- A. *The particular shall control the general.*
- B. *In the case of any differences of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.*
- C. *The word "person" includes a firm, association, proprietorship, organization, partnership, trust, corporation, limited liability company, or other entity as well as an individual.*
- D. *The present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular.*
- E. *The word "shall" is mandatory; the word "may" is permissive.*
- F. *The words "used" or "occupied" include the words "intended", "designed", or "arranged to be used" or "arranged to be occupied."*
- G. *A "building" or "structure" includes any part thereof.*

- H. *Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and,” “or,” “either...or,” such conjunctions shall be interpreted as follows:*
1. *“And” indicates that all the connected items, conditions, provisions, or events shall apply.*
  2. *“Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination.*
  3. *“Either...or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.*
- I. *Terms not defined in this Ordinance shall have the meaning customarily assigned to them.*

### **Designation of Zoning Administrator**

The City Manager has designated the Community Development Director to serve as Zoning Administrator day to day, with final say on complicated matters reverting to the City Manager. Section 3.01 provides this authority:

*This Zoning Ordinance shall be administered by the Zoning Administrator or such deputies as designated by the Zoning Administrator. The Zoning Administrator shall be designated by the City Manager.*

### **Responsibility for Interpretation**

The Zoning Administrator is charged with the responsibility of interpreting the Zoning Ordinance, as per Section 3.02:

*The duties and responsibilities of the Zoning Administrator shall include the following:*

- F. *Enforce and interpret the meaning and applicability of all provisions and requirements of the Ordinance.*

### **Process of Interpretation**

Interpretation of Zoning Ordinance provisions is an important responsibility that is not taken lightly. In most situations, the Community Development Director will consult with another staff member or Planning Consultant for feedback, prior to making an interpretation. The person consulted depends on the specific provision being interpreted. For example, if the provision relates to an architectural feature, the Building Official is consulted based on his education, experience and expertise dealing with architecture and buildings. Consulting with another professional provides “checks and balances” and the interaction ensures the interpretation is fully vetted before making a final decision. The City Attorney is consulted if

the interpretation involves legal matters. For interpretations that are challenging or controversial, the City Manager is asked to participate in the interpretation. If the issue cannot be resolved administratively by the City Manager, the matter is sent to the Zoning Board of Appeals. This is a rare occurrence but the option is there if needed.

### **Credentials**

The following is a summary of credentials of professionals involved in the interpretation of the City of Troy Zoning Ordinance:

#### **R. Brent Savidant, AICP - Community Development Director**

- 26 years experience in Planning and Zoning
- Masters in Planning
- Member, American Institute of Certified Planners

#### **Salim Huerta, Building Official**

- 35 years experience in Construction and Plan Review
- Undergraduate degree in Architecture
- Certified Building Official
- International Member, AIA

#### **Paul Evans, Zoning Compliance Specialist**

- 25 years experience in Code Enforcement and Zoning Administration
- Certified Zoning Administrator

#### **Ben Carlisle, AICP - Planning Consultant**

- 20 years experience in Planning and Zoning
- Masters in Planning
- Member, American Institute of Certified Planners

#### **Mark F. Miller, AICP - City Manager**

- 30 years experience in Planning & Zoning
- Undergraduate degree in Planning
- Member, American Institute of Certified Planners
- Former President, Michigan Association of Planners

### **Interpretation of Section 5.06.E.1.a:**

Section 5.06.E.1.a is provided below within the entire subsection E to provide context for this discussion. The section of the Zoning Ordinance proposed to be amended is shown in **red** to differentiate from the rest of the section.

*E. Design Standards. In addition to standards set forth in this Ordinance, all proposed development shall comply with the standards set forth herein.*

#### ***1. Building Orientation and Entrance.***

*a. Primary Entrance. The primary building entrance shall be clearly identifiable and useable and located in the front façade parallel to the street.*

*b. Recessed Doorways. Where the building entrance is located on or within five (5) feet of a lot line, doorways shall be recessed into the face of the building to provide a sense of entrance and to add variety to the streetscape. The entrance recess shall not be less than the width of the door(s) when opened outward.*

*c. Residential Dwellings. Entrances for all residential dwellings shall be clearly defined by at least one (1) of the following:*

*i. Projecting or recessed entrance. A recessed entrance is required if the building entrance is located on or within five (5) feet of the lot line.*

*ii. Stoop or enclosed or covered porch.*

*iii. Transom and/or side light window panels framing the door opening.*

*iv. Architectural trim or unique color treatments framing the door opening.*

Section 5.06.E.1.a has been interpreted to apply ONLY to the elevation of the building(s) facing the major road and NOT to the buildings internal to the development.

### **Justification of Interpretation**

The following summarizes the information that was considered in making this interpretation:

1. The following Building Design Attributes from the Master Plan suggest that the façade(s) facing major thoroughfares are to be treated with stricter requirements than interior buildings.
  - *Facades facing major thoroughfares will be treated as fronts and should have a minimum of half transparent glass and special architectural design treatments.*
  - *Fenestration (the arrangement of windows and doors) should be highlighted through the use of awnings, overhangs or trim detailing.*
2. Section 5.06.E.1.a applies to all potential uses and building forms in Neighborhood Node. There are numerous uses and building forms that have been reviewed and approved under the Neighborhood Node provisions. All of the following entrances are examples of primary building entrances with façades that front on and are parallel to the street:





Retail – Node I



Gas station – Node L



Drive Through Restaurant – Node D



Townhomes – Node Q



Office/Retail – Node I



Apartments – Node I

3. The design focus of the Neighborhood Node Zoning District is to strengthen the relationship of the primary building façade with the street. This is based on the following:

- The Neighborhood Nodes are located exclusively at the intersection of major mile roads.
- The Neighborhood Node district has build-to requirements for the building(s) that front on the mile roads, but setback requirements for all other lot lines. Build-to requirements essentially pull the building close to the street, whereas setback requirements push buildings further away from property lines.
- The Neighborhood Node district includes minimum Transparency requirements to strengthen the relationship between the façade and the street. This means there are requirements for transparent windows that permit activities within the building to be viewed from the street. The Neighborhood Node district has a 50% Transparency requirement for the

façade that fronts on the mile road. But there is only a 30% Transparency requirement for the façade facing a parking lot, and no Transparency requirement for other building facades.

4. There are three (3) form-based zoning district in Troy: Big Beaver, Maple Road and Neighborhood Nodes. Form-based provisions attempt to strengthen the relationship between the street and the building(s) fronting on the street. For buildings and uses “behind” that building, the relationship with the street is partially screened by the frontage building and less important. There are numerous examples of this concept in the Big Beaver and Maple Road districts. An example of this in the Neighborhood Nodes is the Dunkin Donut drive through located in Node D, shown above. The placement of the restaurant building and the design of the south façade and primary entrance make the site more walkable and help the building and overall site relate to Big Beaver.
5. Section 5.06.E.1.a applies to all uses in the Neighborhood Node. For non-residential developments, such as retail and office, we did not require that the drive aisles providing access to non-residential buildings be treated as streets. We did not treat drives within residential development any differently.
6. Section 5.06.E.1.c includes standards specifically for Residential Dwellings. Standards for residential dwelling entrances are different and less restrictive than the general standards in Section 5.06.E.1.a. These Residential standards do not place any stricter requirements on access than the general standards of Section 5.06.E.i.e.
7. Finally, as someone involved in the process of comprehensively updating the Zoning Ordinance in 2011, it was never intended that the Neighborhood Node provisions treat internal drives and units in the exact same manner as units that front on major thoroughfares.

### **Compliance with Zoning Ordinance**

During the April 13, 2021 Planning Commission meeting, members of the Planning Commission stated their opinion that Section 5.06.E.1.a was misinterpreted by the Zoning Administrator and/or Planning staff in the past. Consequently, there were residential developments that had been approved in the past that violated the City of Troy Zoning Ordinance. This claim is false. Furthermore, stating this publicly by Planning Commissioners complicates matters for the City in enforcing zoning provisions and defending zoning decisions should they be challenged. There are no violations of Section 5.06.E.1.a that the Planning Department is aware of. The Planning Department stands behind the interpretation of Section 5.06.E.1.a that has been applied in previous projects.

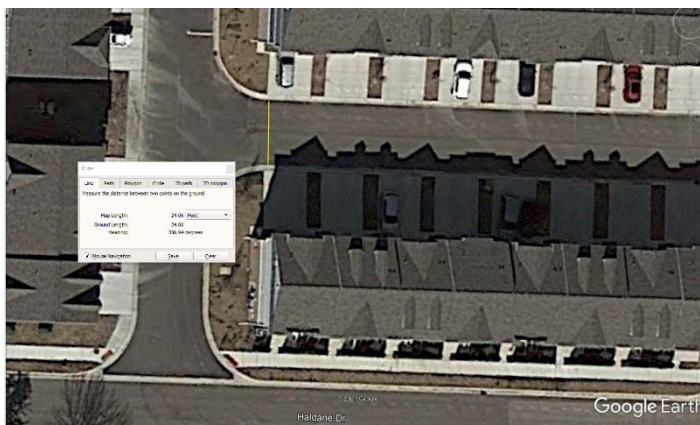
## Project Example

Numerous Planning Commissioners referred to the Midtown Square development at the southwest corner of Maple Road and Coolidge Highway as example of a project that would meet the requirements of the proposed text amendment.

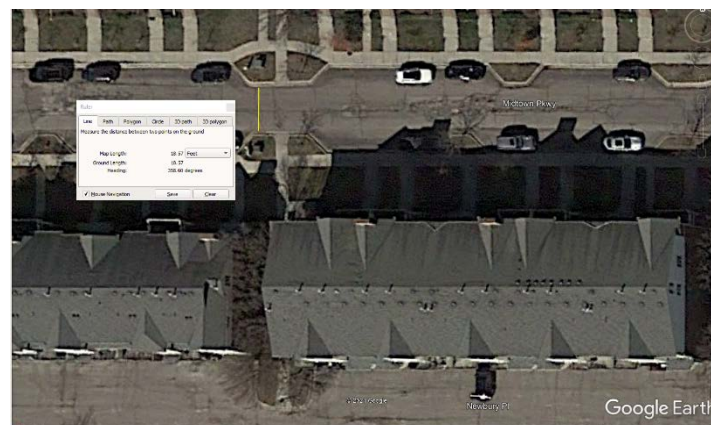
The Midtown Square development would not comply with the proposed text amendment. We would consider the internal roads to be “drives”, as they do not meet the easement or pavement width of a private or public road. Furthermore, there are units, outlined in red, that do not “front” on a drive or road, and would not comply.



The travel lanes in Midtown Square are narrower than those at the more recently approved Haldane townhome project.



Haldane Townhomes



Midtown Square

## **Pros/Cons of Proposed Amendment**

The following is a summary of Pros and Cons of the proposed amendment to Section 5.06.E.1.e, as requested by the Planning Commission:

### **Pros:**

- Planning Commissioner Rauch stated that the proposed amendment was intended to reduce density of residential developments in Neighborhood Nodes. The proposed amendment would have the desired effect.

### **Cons:**

- The proposed amendment applies only to residential development and therefore should be located in Section 5.06.E.1.c, which specifically applies to residential development.
- The proposed revision is confusing and difficult to understand. There are other potential amendments that could reduce density that would be easier to understand and apply. For example, a flat per acre density cap would achieve the same end.
- There is a proposed text amendment that will be going before City Council on May 24, 2021 that if approved will restrict building height to 2 stories and increase setbacks for development in Neighborhood Nodes when abutting residential neighborhoods. This will have the effect of reducing density in Neighborhood Nodes. This will have a similar effect to the proposed amendment, eliminating the need for proceeding with another text amendment at this time.
- The proposed amendment would require greater infrastructure and wider roads, which may have the unintended consequences of requiring greater impervious surface, reducing open space, increasing internal vehicular speeds, and reducing walkability.
- The proposed revision could significantly change the intent, purpose, and function of Neighborhood Nodes. Amending the intent, purpose, and function of the Nodes is best done through a Master Planning process, which the city is currently undertaking.



**Carlisle | Wortman**  
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To: Troy Planning Commission  
Brent Savidant, AICP, Community Development Director

From: Ben Carlisle, AICP  
Megan Masson-Minock, AICP

Date: May 4, 2021

Re: Troy Master Plan –Survey Release

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The Master Plan survey is ready for public release. The survey link will be forwarded to the Planning Commission.

Coinciding with the release of the survey, CWA will create a flyer with the web address and a QR code of the survey. The flyer will be distributed and placed in highly visible locations in the community.

Other means to distribute survey:

- City email distribution lists (approx. 10,000 households)
- City social media
- Emails to HOA Presidents (55 contacts)
- City website
- City Council and Planning Commission announcements
- Article in newspaper(s)
- Distribution to community organizations (schools, places of worship, library, community center, parks and recreation)
- Ad on Page 3 of Troy Times (distributed to every mailbox).



**Sample QR Code**

The goal is to be inclusive.

We look forward to Planning Commission input on how to best distribute survey.

Sincerely,



*Preserves of Troy*  
*January 22, 2021*



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



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**CARLISLE/WORTMAN ASSOC., INC.**  
**Megan Masson-Minock, AICP**  
**Planner**