



500 West Big Beaver
Troy, MI 48084
troymi.gov

248.524.3364
planning@troymi.gov

PLANNING COMMISSION MEETING AGENDA REGULAR MEETING

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

March 22, 2022

7:00 P.M.

Council Chambers

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – March 8, 2022
4. PUBLIC COMMENT – For Items Not on the Agenda

PLANNED UNIT DEVELOPMENT

5. POTENTIAL PLANNED UNIT DEVELOPMENT (PUD) APPLICATION – Concept Plan Discussion, East side of Stephenson Highway, North of Fourteen Mile (750 Stephenson), Section 35, Currently Zoned RC (Research Center) District

OTHER ITEMS

6. APPLICATION TO DE-LIST 54 E. SQUARE LAKE
7. PUBLIC COMMENTS – For Items on the Agenda
8. PLANNING COMMISSION COMMENT
9. 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 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 Lambert called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on March 8, 2022, in the Council Chamber of the Troy City Hall. Chair Lambert and Vice Chair Perakis presented opening remarks relative to the role of the Planning Commission and procedure of tonight’s meeting.

1. ROLL CALL

Present:

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

Absent:

Toby Buechner

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2022-03-014

Moved by: Faison

Support by: Krent

RESOLVED, To approve the Agenda as prepared.

Yes: All present (8)

Absent: Buechner

MOTION CARRIED

3. APPROVAL OF MINUTES – February 22, 2022

Resolution # PC-2022-03-015

Moved by: Malalahalli

Support by: Faison

RESOLVED, To approve the minutes of the February 22, 2022 Regular meeting as submitted.

Yes: Faison, Hutson, Krent, Lambert, Malalahalli, Rahman, Tagle
 Abstain: Perakis
 Absent: Buechner

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

PRELIMINARY SITE PLAN APPROVAL

5. PRELIMINARY SITE PLAN APPROVAL (File Number SP2020-0017) – Proposed Janineh Medical Building, East side of Rochester, South of Square Lake (5600 Rochester Road; PIN 88-20-11-154-021), Section 11, Currently Zoned R-1C (One Family Residential) District and Controlled by Consent Judgment

Mr. Carlisle reviewed the Preliminary Site Plan application for the proposed Janineh Medical Building. He said the Planning Commission is to consider the proposed Amendment to Consent Judgment and Site Plan application and make a recommendation to City Council. Mr. Carlisle addressed the changes to the application since last considered at the January 26, 2021 Planning Commission meeting. The changes relate to additional ADA parking spaces, addition of a bicycle rack, moving the location of the transformer away from adjacent properties, dumpster screening and additional landscaping. Mr. Carlisle asked the applicant to revise the photometric plan to reduce the height of the two (2) twenty-foot-tall light poles at the rear of the site adjacent to single family residential homes. Mr. Carlisle reported the applicant has not provided building material samples, a design narrative outline or a three-dimensional (3-D) rendering.

Mr. Carlisle said the Planning Commission should discuss the building architectural design and building materials as part of their deliberation. He said that should the Planning Commission recommend the proposed Amendment to Consent Judgment, it is recommended to grant approval of the Site Plan application conditioned on reducing the height of the light poles adjacent to the eastern property line to ten (10) feet.

Ms. Dufrane provided an explanation of how a Consent Judgment relates to properties and underlying zoning.

Dr. Inad Janineh said the residential-looking architecture of the medical office would be an upscale, stone and brick building with an assortment of glass windows to provide natural light within the building. He addressed the various rooms for patient care and his intent to provide a homey interior atmosphere. Dr. Janineh indicated his preference is to construct a wall to buffer adjacent residential homes and add landscaping along the wall should the Board desire.

There was discussion on:

- Transparency; not required in R-1C zoning district.
- Deceleration lane; determined by Engineering during Final Site Plan review.
- 3-D rendering and building material samples; requirements of the Zoning Ordinance.
- Building entrances; rear entrance accommodates patients with physical limitations.
- Administrative hours for staff and doctor.
- Therapy/treatment fitness rooms; for patients’ use only.
- Building architectural design.
- Buffer of residential to east; wall, fence, natural landscaping.
- Building signage.

Chair Lambert opened the floor for public comment. Acknowledging there was no one present who wished to speak, Chair Lambert closed the floor for public comment.

There was a brief discussion on the Site Plan application not meeting Zoning Ordinance requirements because the applicant did not provide a 3-D rendering and building material samples.

Resolution # PC-2022-03-016

Moved by: Rahman
 Support by: Tagle

RESOLVED, The Planning Commission recommends that Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Janineh Medical Building, located on the East side of Rochester, South of Square Lake (5600 Rochester Road), Section 11, Currently Zoned R-1C (One Family Residential) District and Controlled by Consent Judgment, be postponed, for the following reason:

1. That the applicant provide a 3-D colored rendering and building material samples.

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

MOTION CARRIED

Dr. Janineh said he would request the Board’s consideration to buffer the adjacent residential with a wall and landscaping at the next meeting.

Ms. Dufrane asked the applicant to have his attorney contact her regarding the preparation of documents for the proposed Amendment to Consent Judgment.

OTHER ITEMS

6. LANDSCAPE DESIGN IN THE TROY DOWNTOWN DEVELOPMENT AUTHORITY (DDA) DISTRICT – Planning Commission Input

Public Works Director Kurt Bovensiep presented opening remarks on the Downtown Development Authority (DDA) district landscape project. He announced the DDA contracted with OHM Advisors for landscape improvements within the DDA district along Big Beaver. He introduced Chris Riggert, Landscape Architect and Urban Design Project Manager, from OHM Advisors.

Mr. Riggert gave a brief presentation of the beginning stages of the DDA improvement project. He displayed project overview maps noting a decline in existing landscape and hardscape. He addressed the DDA district boundary, landscaping views and perspectives, gateway improvements, branding and a sense of place and shared the goals and objectives of the project.

Mr. Riggert identified and discussed the following project working drivers:

- High impact
- Timeless
- Enjoyable
- Balanced
- Adaptable
- Safe
- Unique
- Coordinated

Dialogue among Board members followed; comments related to:

- Keep existing trees; residents enjoy green space, holiday lighting.
- Make gateway entrances to City visual, attractive, impactful.
- Create a destination point, public, social, engagement spaces.
- Incentivize businesses to create public spaces.
- Visibility perspectives; east-west, north-south.
- Master Plan (page 86) depicts typical downtown vision.
- Safety for pedestrian traffic.
- Incorporate pocket parks, public art, murals, sculptures, local art pieces.
- Organize walking art tours.
- Amenities for walkers; benches, chairs, tables.
- Improvements to diverging diamond interchange; safety, lighting, openness, graffiti art.
- Consideration to blocking noise blight.
- Timeline of project.

7. TROY MASTER PLAN UPDATE – Planning Commission Subcommittee

Mr. Savidant announced that City Council will be conducting a tour of three Neighborhood Nodes on Saturday, March 12, at 8 a.m. He stated the tour is open to the public. The three Neighborhood Nodes scheduled to be toured by City Council are Crooks and Wattles, Square Lake and Livernois, and Long Lake and Livernois.

Mr. Savidant asked for representation from the Planning Commission to form a subcommittee with an objective to arrive at an action plan for each Neighborhood Node zoning district. The makeup of the committee would be four members; meeting dates and times to be determined. Mr. Savidant said the meetings would be work sessions that are open to the public and discussion would be facilitated by the administration.

Resolution # PC-2022-03-017

Moved by: Lambert
 Support by: Rahman

RESOLVED, To appoint Commissioners Krent, Faison, Perakis and Lambert to a subcommittee on Neighborhood Nodes.

Yes: All present (8)
 Absent: Buechner

MOTION CARRIED

8. PUBLIC COMMENT – For Items on the Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENT

Mr. Savidant announced Toby Buechner as the newly appointed Planning Commissioner. Mr. Savidant said Mr. Buechner’s absence this evening is because of a previously planned family event.

10. ADJOURN

The Regular meeting of the Planning Commission adjourned at 8:36 p.m.

Respectfully submitted,

David Lambert, Chair

Kathy L. Czarnecki, Recording Secretary

[https://d.docs.live.net/2f7ed4fe5f664ea8/Documents/Kathy/COT Planning Commission Minutes/2022/2022 03 08 Draft.docx](https://d.docs.live.net/2f7ed4fe5f664ea8/Documents/Kathy/COT%20Planning%20Commission%20Minutes/2022/2022%2003%2008%20Draft.docx)

DATE: March 18, 2022

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: POTENTIAL PLANNED UNIT DEVELOPMENT (PUD) APPLICATION – Concept plan discussion, East side of Stephenson Highway, North of Fourteen Mile (750 Stephenson), Section 35, Currently Zoned RC (Research Center) District

The owner of the subject parcel is interested in developing a mixed-use PUD on the site. The Planning Department was provided a conceptual site plan and some rendered images describing the potential project.

A 7-story office tower presently sits on the 7.8-acre site. The site is zoned RC Research Center and master planned as The Smart Zone classification (the concept plan incorrectly calls out the zoning as IB). A PUD could provide the applicant with some flexibility with potential project uses moving forward. The attached memo summarizes the project.

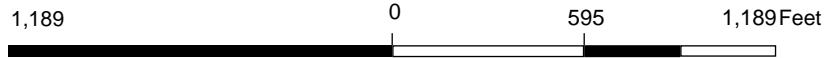
A formal application has not been submitted. The applicant seeks input and direction from the Planning Commission on this matter, prior to moving forward. Formal action is not required.

Please be prepared to discuss this item at the March 22, 2022 Regular meeting.

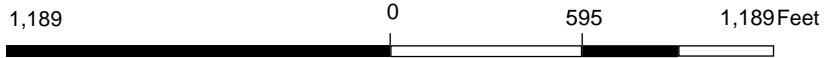
Attachments:

1. Maps
2. Memo from Carlisle/Wortman Associates, Inc.
3. Miscellaneous information provided by applicant
4. City of Troy Master Plan (excerpt)

G:\PUDs\Potential Project\Stephenson Site\PC Memo 03 22 2022.docx



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



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Carlisle | Wortman
ASSOCIATES, INC.

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

To: Troy Planning Commission

From: Ben Carlisle, AICP

Date: March 10, 2022

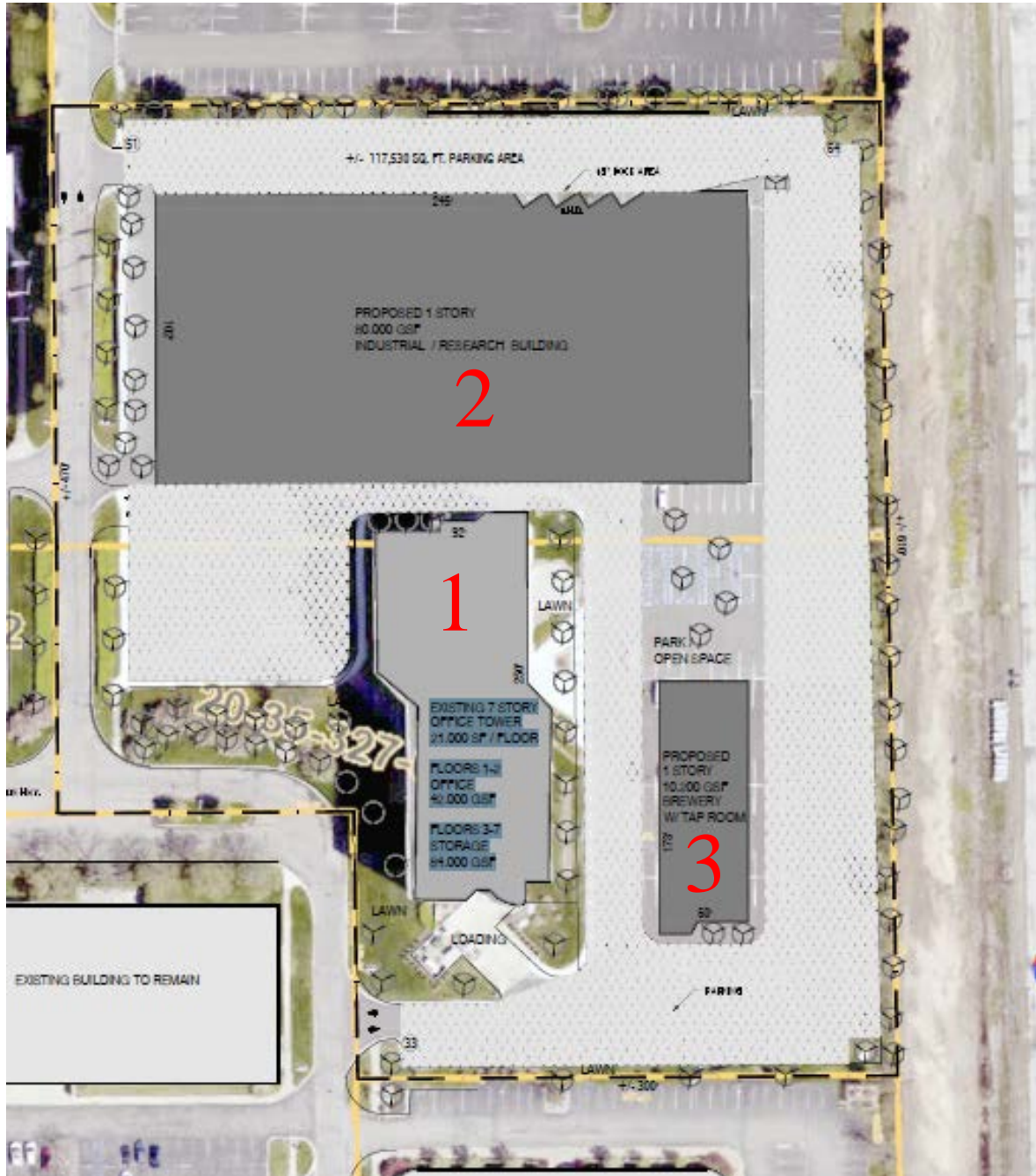
Re: 750 Stephenson Concept Plan

A concept plan has been submitted for 750 Stephenson. We have been asked to review the concept plan resubmittal and offer comments to the Planning Commission for their consideration.



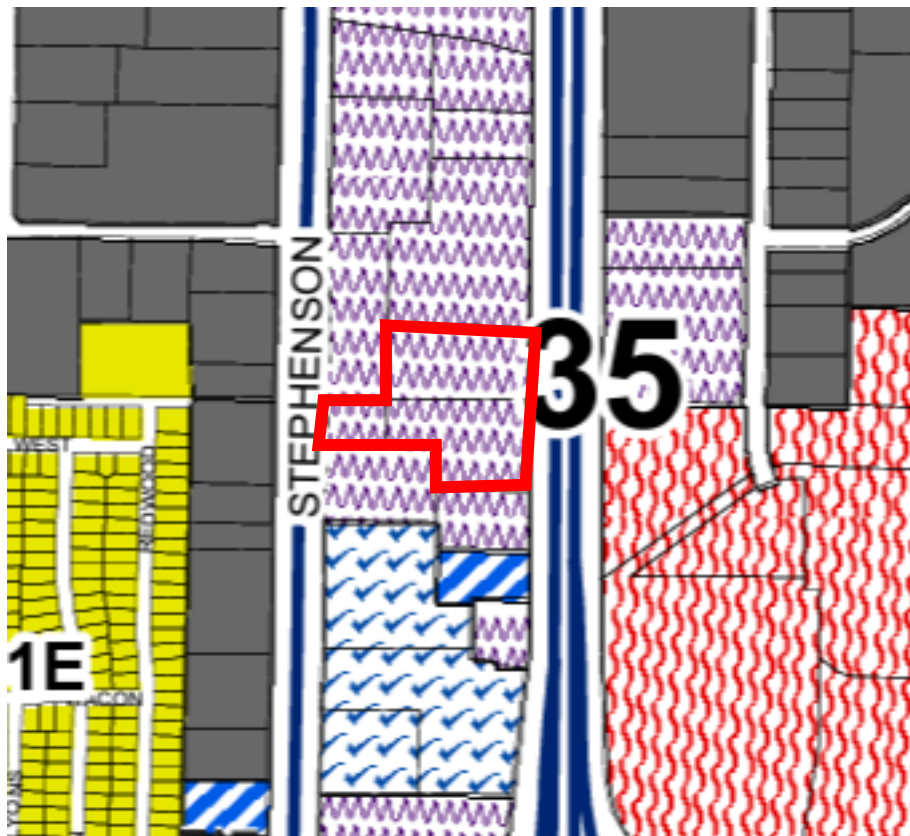
Proposed site improvements include:

1. Conversion of the existing 7-story office tower to have the first two floors remain office and floors 3-7 as to be converted to indoor self-storage.
2. A new proposed +/-80,000 sq/ft, 1-story, industrial/research building. Building to be located north of the existing building.
3. A new proposed +/- 10,200 sq/ft, 1-story brewery with tap room.



Current Zoning

The site is currently zoned RC, Research Center. The intent of the RC Research Center District is provide areas for industrial research and office uses in planned developments. Such districts are to be located and developed so as to complement the significant light industrial character of the community, while at the same time providing for the necessary related nonmanufacturing uses such as corporate office and research facilities. The RC District is intended to encourage the development of uses and services that will support and enhance the office environment in the RC District, primarily for the benefit of tenants and local residents. Further, the Research Center District is intended to provide for those major industrial-research, and office, and training uses which require proximity to major non-residential areas, rather than office uses serving a local market, which could reasonably be located in commercial and service areas elsewhere in the community.

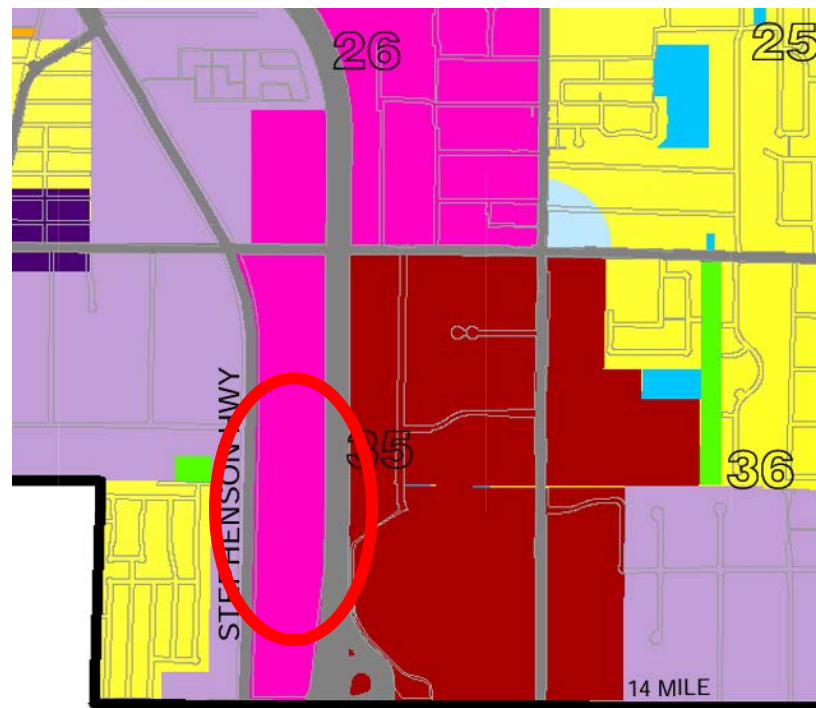


Master Plan

The site is identified as the Smart Zone in the Future Land Use plan. The primary tenets of the Smart Zone include:

- A special focus on high-technology uses that complement one another
- Potential high-density housing in proximity of 21st Century knowledge economy employers
- Regionally prominent location for technologically advanced companies

The Smart Zone was strongly emphasized in the Big Beaver Corridor Study and is the only proposed district within the Study to be called out specifically as a future land use category in the Master Plan. The Study envisions the Smart Zone as a unique area dominated by high-technology uses which are at the cutting edge of innovation. The Study calls this location a “paragon of innovation” and prescribes a combination of “signature” light industrial, research and development, and office uses. The Master Plan uses this category in an area expanded beyond the boundaries shown in the Big Beaver Corridor Study. The area south of the main Smart Zone area, situated around Interstate 75 provides an opportunity to foster additional Smart Zone uses and development. Furthermore, much of this area is occupied by vacant or underutilized office and industrial facilities that could be readily redeveloped into Knowledge Economy uses, or into uses that work in direct support of those uses. This area is highly visible from Interstate 75. Business-to business functions, such as materials suppliers or office support uses also represent an ideal fit in this southern section of the Smart Zone.



Basemap Source: Oal

Relief

The existing RC, Research Center does not permit mini-ware housing / self-storage or brewery/tap room uses. The applicant is proposing to utilize the Planned Unit Development (PUD) process to allow those uses on the site.

Mini-warehousing and self-storage IB, is a permitted use in IB, Integrated Industrial and Business and a special use in GB, General Business. Brewery/tap room is a permitted use in IB, Integrated Industrial and Business, GB, General Business, and CB, Commercial Business.

Additional required relief may be identified through the site plan review process.

Standards

The applicant shall demonstrate that through the use of the PUD option, the development will accomplish a sufficient number of the following objectives, as are reasonably applicable to the site, providing:

1. A mixture of land uses that would otherwise not be permitted without the use of the PUD provided that other objectives of this Article are also met.
2. A public improvement or public facility (e.g. recreational, transportation, safety and security) which will enhance, add to or replace those provided by public entities, thereby furthering the public health, safety and welfare.
3. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be infeasible or unlikely to be achieved absent these regulations.
4. Long-term protection and preservation of natural resources, natural features, and historic and cultural resources, of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations.
5. A compatible mixture of open space, landscaped areas, and/or pedestrian amenities.
6. Appropriate land use transitions between the PUD and surrounding properties.
7. Design features and techniques, such as green building and low impact design, which will promote and encourage energy conservation and sustainable development.
8. Innovative and creative site and building designs, solutions and materials.
9. The desirable qualities of a dynamic urban environment that is compact, designed to human scale, and exhibits contextual integration of buildings and city spaces.
10. The PUD will reasonably mitigate impacts to the transportation system and enhance nonmotorized facilities and amenities.
11. For the appropriate assembly, use, redevelopment, replacement and/ or improvement of existing sites that are occupied by obsolete uses and/or structures.
12. A complementary variety of housing types that is in harmony with adjacent uses.
13. A reduction of the impact of a non-conformity or removal of an obsolete building or structure.

14. A development consistent with and meeting the intent of this Article, which will promote the intent of the Master Plan or the intent of any applicable corridor or sub-area plans. If conditions have changed since the Plan, or any applicable corridor or sub-area plans were adopted, the uses shall be consistent with recent development trends in the area.
15. Includes all necessary information and specifications with respect to structures, heights, setbacks, density, parking, circulation, landscaping, amenities and other design and layout features, exhibiting a due regard for the relationship of the development to the surrounding properties and uses thereon, as well as to the relationship between the various elements within the proposed Planned Unit Development. In determining whether these relationships have been appropriately addressed, consideration shall be given to the following:
 - a. The bulk, placement, and materials of construction of the proposed structures and other site improvements.
 - b. The location and screening of vehicular circulation and parking areas in relation to surrounding properties and the other elements of the development.
 - c. The location and screening of outdoor storage, loading areas, outdoor activity or work areas, and mechanical equipment.
 - d. The hours of operation of the proposed uses.
 - e. The location, amount, type and intensity of landscaping, and other site amenities.
16. Parking shall be provided in order to properly serve the total range of uses within the Planned Unit Development. The sharing of parking among the various uses within a Planned Unit Development may be permitted. The applicant shall provide justification to the satisfaction of the City that the shared parking proposed is sufficient for the development and will not impair the functioning of the development, and will not have a negative effect on traffic flow within the development and/or on properties adjacent to the development.
17. Innovative methods of stormwater management that enhance water quality shall be considered in the design of the stormwater system.
18. The proposed Planned Unit Development shall be in compliance with all applicable Federal, State and local laws and ordinances, and shall coordinate with existing public facilities.

The Planning Commission should consider the standards when reviewing the project.

I look forward to meeting with you at your March 22nd meeting.

A handwritten signature in black ink that reads "Ben R. Carl". The signature is written in a cursive style with a horizontal line underneath it.

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



EXISTING ZONING:
IB - INTERGRATED BUSINESS

LOT AREA: +/- 339,749 SF

EXISTING TOWER
21,000 GSF / FLOOR

OFFICE
FLOORS 1-2
42,000 SQ. FT.

PARKING REQUIRED:
42,000 / 300
140 SPACES

STORAGE
FLOORS 3-7
84,000 SQ. FT.

PARKING
7 SPACES REQUIRED

PROPOSED 1 STORY
INDUSTRIAL / RESEARCH
BUILDING
80,000 SQ. FT.

PARKING
1 / 550 SF.
146 SPACES REQUIRED

PROPOSED 1 STORY
BREWERY W/ TAP ROOM
10,200 GSF

PARKING:
9,000 / 550
(LIGHT MANUFACTURING)
17 SPACES REQUIRED

1,200 SQ. FT. TAPROOM
(1 SPACE / 2 SEATS)
15 SPACES

32 SPACES REQUIRED

PARKING SUMMARY:

325 SPACES REQUIRED
+/- 336 SPACES PROVIDED

OPENSOURCE
23.71% (80,571 SQ. FT.)

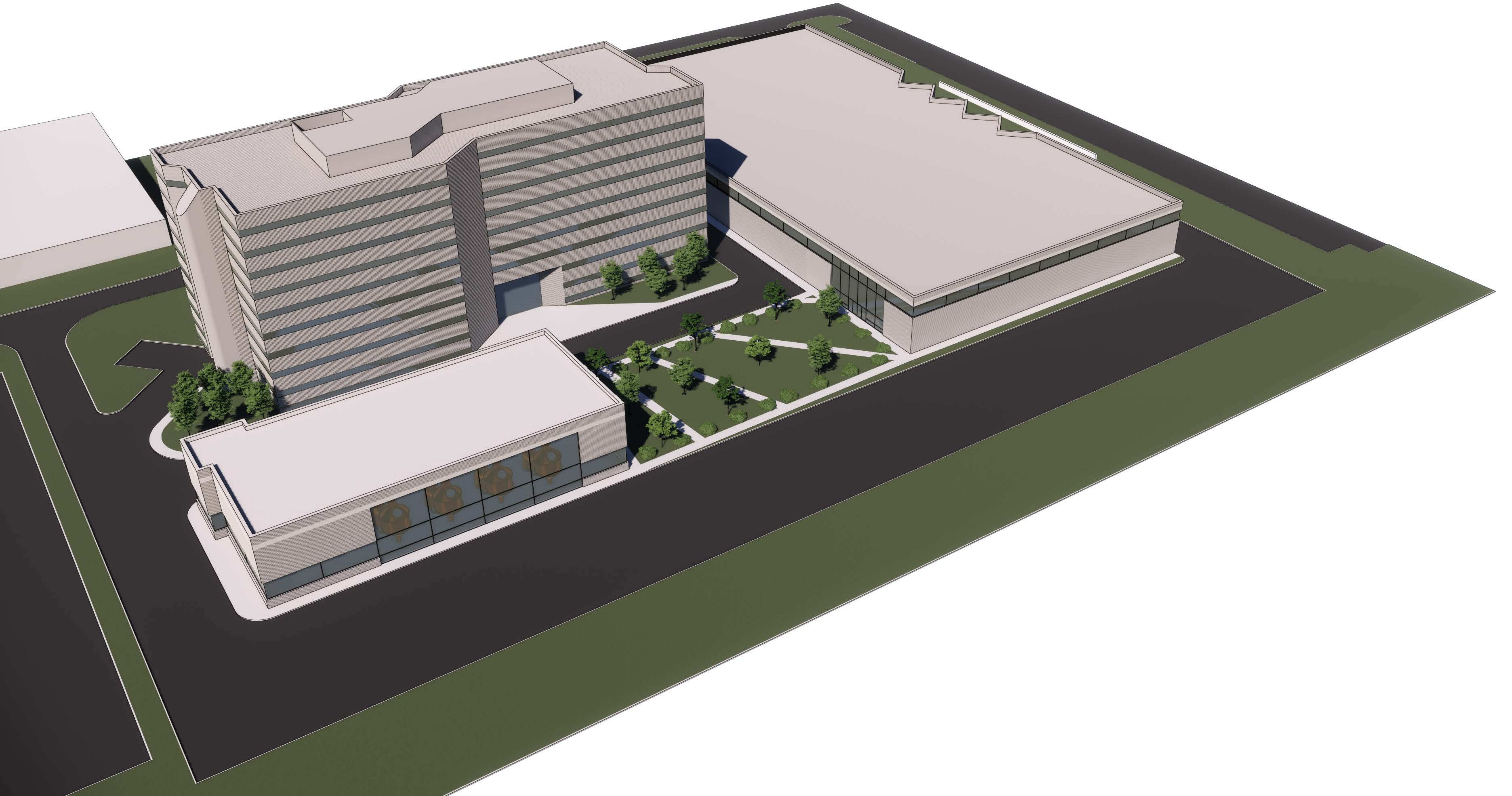
BUILDING COVERAGE
33.79% (114,803 SQ. FT.)

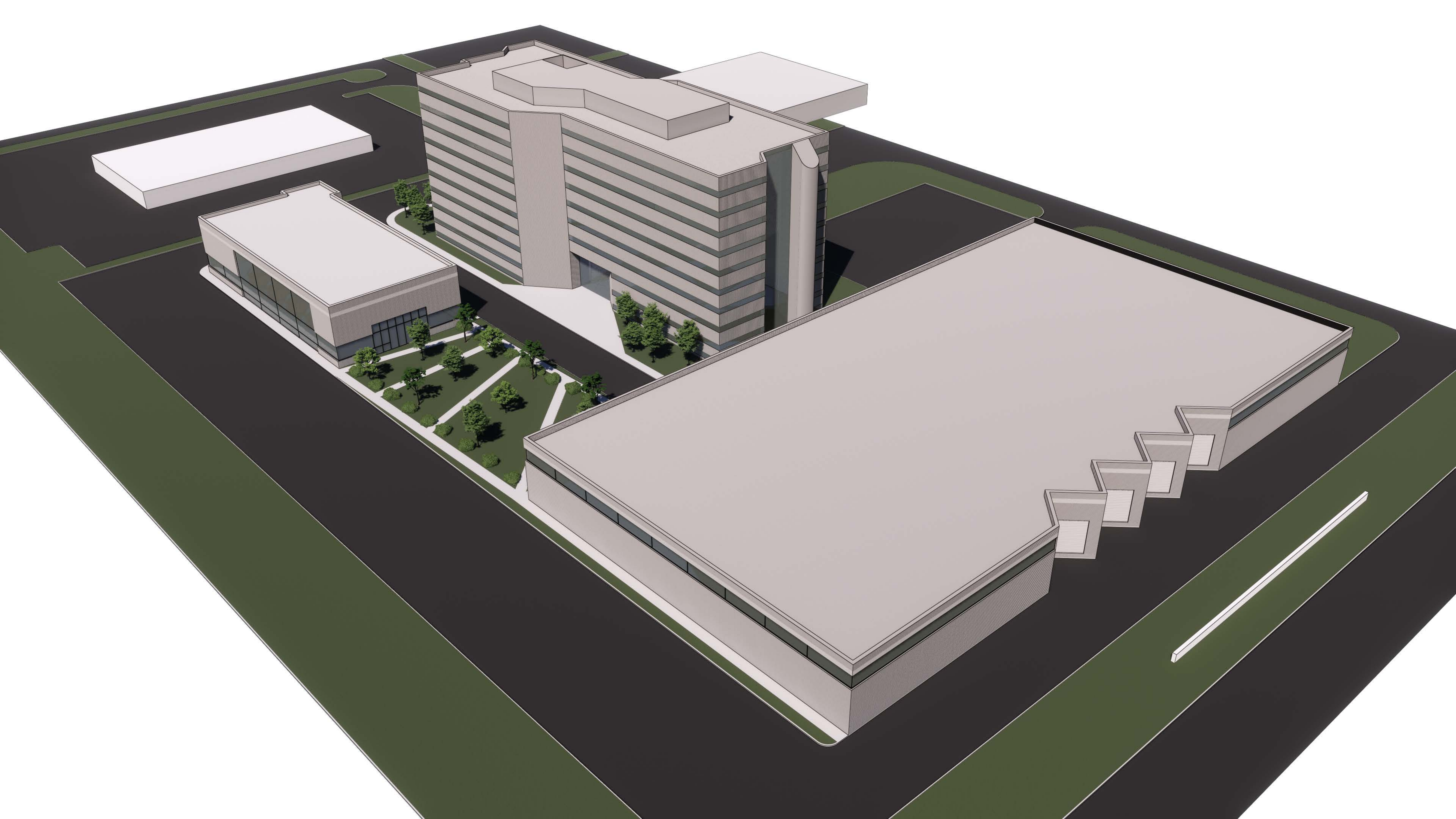
No.	Revision/Issue	Date
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	Design Development	1.1.13

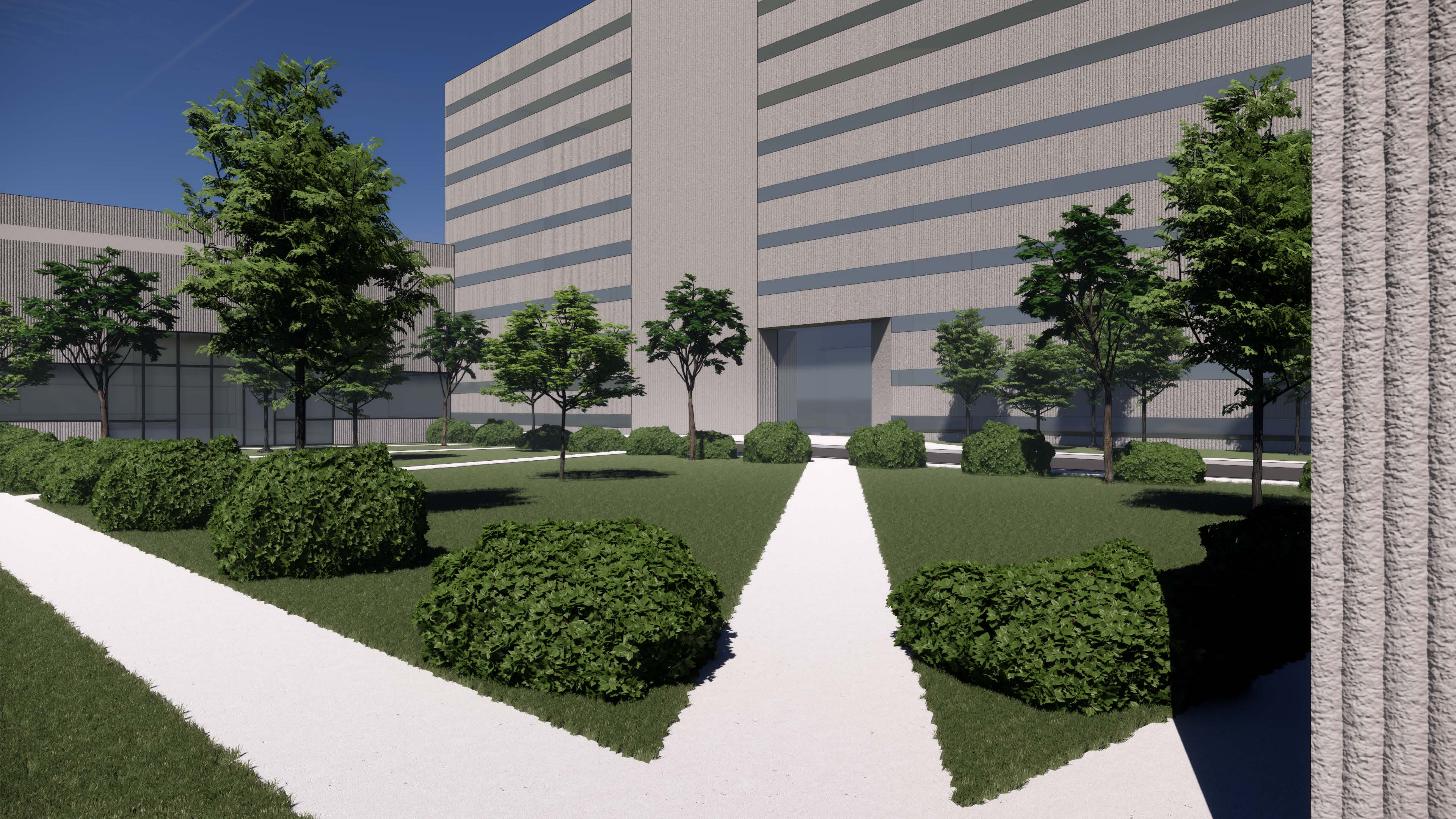
750 Stephenson
750 Stephenson
Troy, MI

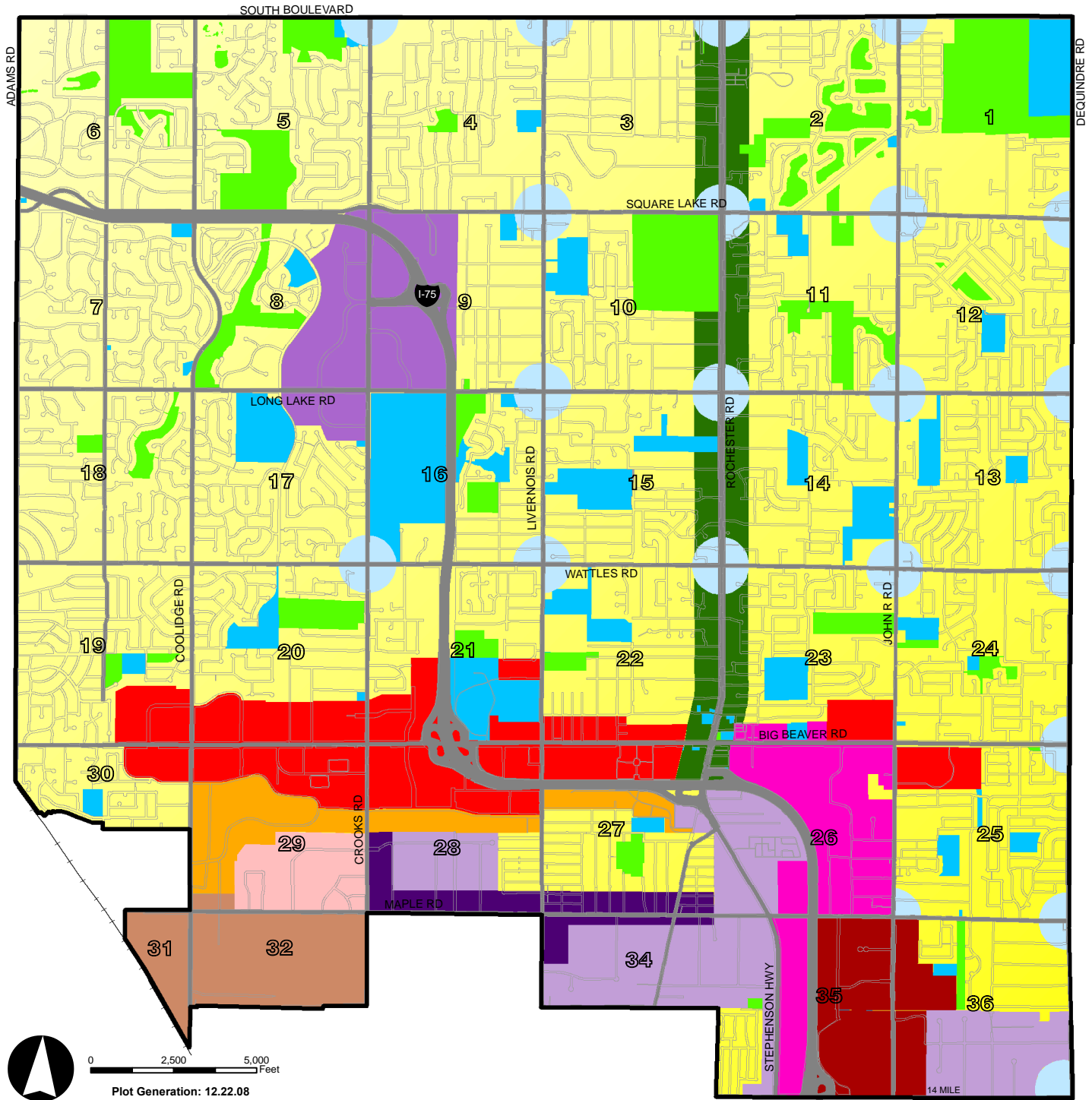
Site Plan

S100 02/301




















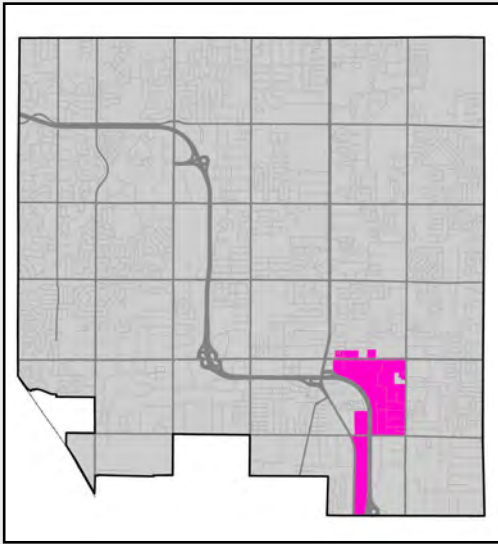




Future Land Use

- | | |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
|  Single Family Residential |  The Smart Zone |
|  High Density Residential |  Automall |
|  Neighborhood Nodes |  The Transit Center |
|  South John R. Road |  21st Century Industrial |
|  Big Beaver Road |  Public and Quasi-Public |
|  Rochester Road |  Recreation and Open Space |
|  Maple Road |  15 Section Number |
|  Northfield | |

The Smart Zone: Big Beaver and Beyond



- *A special focus on high-technology uses that complement one another*
- *Potential high-density housing in proximity of 21st Century knowledge economy employers*
- *Regionally prominent location for technologically advanced companies*

The Smart Zone was strongly emphasized in the Big Beaver Corridor Study and is the only proposed district within the Study to be called out specifically as a future land use category in the Master Plan. The Study envisions the Smart Zone as a unique area dominated by high-technology uses which are at the cutting edge of innovation. The Study calls this location a “paragon of innovation” and prescribes a combination of “signature” light industrial, research and development, and office uses.

The Master Plan uses this category in an area expanded beyond the boundaries shown in the Big Beaver Corridor Study. The area south of the main Smart Zone area, situated around Interstate 75 provides an opportunity to foster additional Smart Zone uses and development. Furthermore, much of this area is occupied by

vacant or underutilized office and industrial facilities that could be readily redeveloped into Knowledge Economy uses, or into uses that work in direct support of those uses. This area is highly visible from Interstate 75. Business-to-business functions, such as materials suppliers or office support uses also represent an ideal fit in this southern section of the Smart Zone.

DESIGN CONCEPT

- New construction and redeveloping properties should be set in an integrated campus environment.
- Paths, generous landscaping, water features and similar features found in first-class



Ford Rouge LEED Rated Assembly Plant and Visitor Center



Automation Alley Technology Park in Troy; Photo by Brent Savidant

business parks should be infused throughout the site.

- Mass-transit stops should be located along routes to accommodate the workforce.

SITE DESIGN ATTRIBUTES

- Primary parking areas will be within rear or interior side yards and separated into modest-sized components by storm water management and landscaping.
- All parking should be screened from view by landscaping or walls.
- Walks should connect businesses, adjacent developments and the public sidewalks.
- Storm water detention should be captured in pedestrian friendly landscaped designs.

- Mass transit stops should be provided on the exterior and within the interior of the district.

ARCHITECTURAL ATTRIBUTES

- Height should be encouraged in cases where the development makes unique contributions to the area.
- Non-industrial portions of businesses should face the street system.
- Durable metal, glass, masonry and other materials should be used to promote the scientific image of emerging technology.
- Entries should be well-defined.



High-tech industry within the Smart Zone; Photos by Brent Savidant

Date: March 18, 2022
To: Planning Commission
From: R. Brent Savidant, Community Development Director
Subject: APPLICATION TO DE-LIST 54 E SQUARE LAKE

Renis Nushaj, owner, of the subject property, submitted an application to de-list 54 E. Square Lake. The property is listed as a historic property in the City's Historic Preservation Ordinance (Chapter 13). De-listing the property would remove the property's historic designation.

The owner did not provide a reason for seeking de-listing for the property.

Chapter 13 specifies the process for de-listing (see attached Chapter 13). The HDSC reviewed the Preliminary Report at a meeting on October 5, 2021. Following that meeting the report was provided to City Council, after which followed a mandatory 60-day waiting period. The Preliminary Report was submitted to the Michigan Historical Commission and the State Historic Preservation Review Board for review and comment. Their feedback is attached. A Historic District Study Committee public hearing is scheduled for March 28, 2022 at 6:00PM at Troy Historic Village.

The Planning Commission may make a recommendation on the de-listing as described in the Preliminary Report, however Planning Commission action is not required.

Attachments:

1. Map.
2. Minutes from October 5, 2021 Historic District Study Committee meeting (draft).
3. Preliminary Report to De-List 54 E Square Lake, prepared by 313 Historic Preservation.
4. Letter and report from MSHDA, dated February 10, 2022.
5. Chapter 13 Historic Preservation.

G:\Historic District Study Committee\54 E Square Lake\PC Memo 03 22 2022.doc

APPLICATION TO DE-LIST 54 E. SQUARE LAKE

Resolution # PC-2022-03-

Moved by:
Support by:

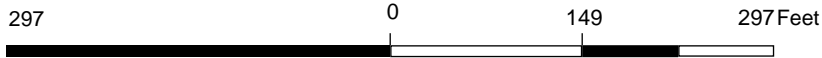
RESOLVED, The Planning Commission hereby recommends to City Council that 54 E Square Lake Road be de-listed (not be de-listed for the following reasons).

Yes:
No:

MOTION CARRIED/FAILED



GIS Online



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

The Historic District Study Committee meeting began at 5:30 pm p.m. on October 5, 2021, in Niles-Barnard House, Troy Historic Village.

1. ROLL CALL

Present:

Barb Chambers
Timothy McGee
Kent Voigt

Also Present:

R. Brent Savidant, Community Development Director
Renis Nushaj, Applicant

2. APPROVAL OF AGENDA

Moved by: Voigt
Seconded by: McGee

RESOLVED, To approve the Agenda as prepared.

Yes: All present (3)

MOTION CARRIED

3. APPROVAL OF MINUTES

Moved by: Voigt
Seconded by: McGee

RESOLVED, To approve minutes of July 19, 2021, as presented.

Yes: All present (3)

MOTION CARRIED

4. PUBLIC HEARING – PRELIMINARY REPORT, APPLICATION TO DE-LIST A HISTORIC PROPERTY – 54 E SQUARE LAKE

Mr. Savidant presented the Preliminary Report to De-List 54 E Square Lake Road.

General discussion followed.

The integrity of the property is non-compliant to historical resource standards and the historic character has been eliminated. For this reason the Committee supports de-listing.

Moved by: Voigt
Seconded by: McGee

RESOLVED, The Historic District Study Committee hereby approves the Preliminary Report to De-List 54 E. Square Lake.

BE IT FURTHER RESOLVED, The Historic District Study Committee hereby requests that the Planning Department transmit copies of the Preliminary Report to City Council, the Planning Commission, the Historic District Commission, the Michigan Historical Commission and the State Historic Preservation Review Board, and any additional review body required by the State Historic Preservation Officer.

BE IT FINALLY RESOLVED, The Historic District Study Committee hereby requests the Planning Department to schedule a public hearing not less than sixty (60) days after the transmittal of the report to the above listed organizations.

Yes: All present (3)

MOTION CARRIED

5. PUBLIC COMMENT

There was no one present who wished to speak.

Chairperson Chambers adjourned the meeting at 6:01 pm

PRELIMINARY REPORT
HISTORIC DISTRICT STUDY COMMITTEE
APPLICATION TO DE-LIST 54 E. SQUARE LAKE ROAD, TROY MICHIGAN 48085

Michigan SHPO Architectural Properties Identification Form

Property Overview and Location

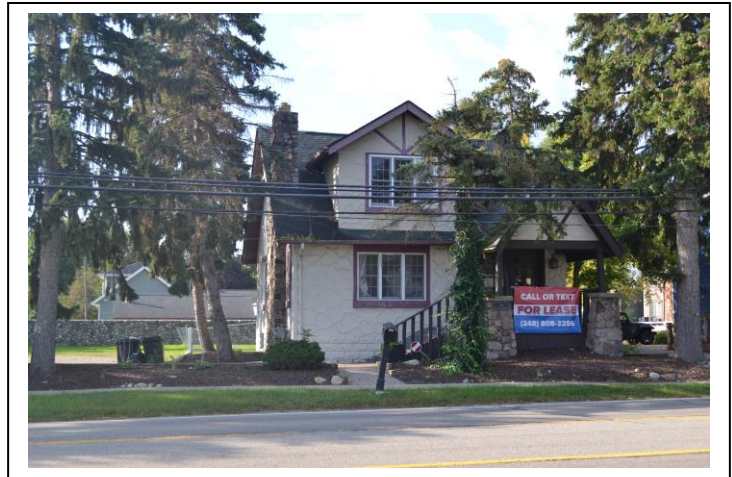


Street Address	54 E. Square Lake Road				
City/Township, State, Zip Code	Troy, Michigan 48085				
County	Oakland				
Assessor's Parcel #	88-20-10-101-003				
Latitude/Longitude (to the 6 th decimal point)	Lat: 42.606464	Long: 83.148630			
Ownership	Private <input checked="" type="checkbox"/>	Public-Local <input type="checkbox"/>	Public-State <input type="checkbox"/>	Public-Federal <input type="checkbox"/>	Multiple <input type="checkbox"/>

Property Type

(Insert primary photograph below.)

Building <input checked="" type="checkbox"/> select sub-type below	Structure <input type="checkbox"/>
Commercial <input checked="" type="checkbox"/>	Object <input type="checkbox"/>
Residential <input checked="" type="checkbox"/>	
Industrial <input type="checkbox"/>	
Other <input type="checkbox"/>	



Architectural Information

Construction Date	c. 1910-1915	
Architectural Style		
Building Form	Square	
Roof Form	Gable	
Roof Materials	Asphalt Shingle	
Exterior Wall Materials	Stucco	
Foundation Materials	Masonry block	
Window Materials	Vinyl	
Window Type	Double-hung	
Outbuildings	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Number/Type:		

Eligibility

Individually Eligible	Criterion A <input type="checkbox"/>	Criterion B <input type="checkbox"/>	Criterion C <input type="checkbox"/>	Criterion D <input type="checkbox"/>
Criteria Considerations:	a. <input type="checkbox"/> b. <input type="checkbox"/> c. <input type="checkbox"/> d. <input type="checkbox"/> e. <input type="checkbox"/> f. <input type="checkbox"/> g. <input type="checkbox"/>			
Component of a Historic District	Contributing to a district <input checked="" type="checkbox"/>	Non-contributing to a district <input type="checkbox"/>	Historic District Name	54 E. Square Lake Road
Not Eligible <input type="checkbox"/>				
Area(s) of Significance	Unknown			
Period(s) of Significance	c. 1910-1915			
Integrity – Does the property possess integrity in all or some of the 7 aspects?				
Location <input type="checkbox"/>	Design <input checked="" type="checkbox"/>	Materials <input type="checkbox"/>	Workmanship <input type="checkbox"/>	Setting <input type="checkbox"/> Feeling <input type="checkbox"/> Association <input type="checkbox"/>
General Integrity:	Intact <input type="checkbox"/>	Altered <input checked="" type="checkbox"/>	Moved <input type="checkbox"/>	Date(s):
Historic Name	N/A			
Current/Common Name	54 E. Square Lake Road			
Historic/Original Owner	Unknown			
Historic Building Use	Residential			
Current Building Use	Commercial – Vacant			
Architect/Engineer/Designer	Unknown			
Builder/Contractor	Unknown			

Survey Date	9-9-2021	Recorded By	Dawn A. Bilobran	Agency Report #	
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For SHPO Use Only	SHPO Concurrence?: Y / N	Date:	
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Narrative Architectural Description

Provide a detailed description of the property, including all character-defining features and any accessory resources. This is required for all properties.

See continuation sheet.

History of the Resource

Provide information on previous owners, land use(s), and construction and alteration dates in a narrative format. This is required for all intensive level surveys, NRPQs, and nominations, and recommended for other identification efforts.

See continuation sheet.

Statement of Significance/Recommendation of Eligibility

Provide a detailed explanation of the property's eligibility for the National Register. Include an evaluation under at least one of the four National Register Criteria and one Area of Significance. Include a discussion of the seven aspects of integrity, and make a recommendation about eligibility. This is required for all properties.

See continuation sheet.

References

List references used to research and evaluate the individual property. For NRPQ's include copies of key documents.

See continuation sheet.

54 E. Square Lake Road - Architectural Properties Identification Form Continuation Sheet

Narrative Architectural Description

Provide a detailed description of the property, including all character-defining features and any accessory resources. This is required for all properties.

54 E. Square Lake Road is one and a half story building with a side-gable roof with projecting eaves. It is constructed on a raised foundation of rusticated concrete block. The building has a square footprint and is positioned near the northern lot line facing Square Lake Road. It was originally constructed as a residence.

A projecting front porch is positioned at western end of the front façade, covered by a steeply pitched front gable roof decorated with wooden boards to convey half-timbering. The porch roof supported by wooden posts above tapered piers covered in split field stone. The entry is accessed via a raised porch with wooden stairs parallel to the front elevation. On the first floor of the façade, three double-hung six-over-six windows are positioned to the left of the front porch and entry. On the second floor, a gabled dormer is punctuated by three six-over-six double-hung windows. Windows on all four elevations are surrounded with flat wood trim.

The façade is embellished with English Tudor Revival elements to elevate the Bungalow style building. Front facing gables are decorated with boards to mimic half-timbering and have protruding open eaves edged with oversize wood boards. Exterior walls are finished in a faux stucco replicating a rustic stone and mortar pattern. The chimney is finished in the same split stone treatment as the front porch piers.

At the rear elevation, a secondary entry to the first floor is accessed via a set of wood stairs and ramp. Entry to the building's second floor is gained via an enclosed exterior stairway with three square fixed window openings. The shed dormer and stairway are faced with vertically oriented painted wood boards.

History of the Resource

Provide information on previous owners, land use(s), and construction and alteration dates in a narrative format

54 East Square Lake Road is located in the City of Troy in Oakland County Michigan. Square Lake Road runs east and west between Pine Lake Country Club in West Bloomfield and terminating at Van Dyke Avenue and the Clinton River in Sterling Heights, Michigan. It alternates between a two lane and four lane roadway, occasionally with center turn lanes to accommodate traffic patterns. Square Lake Road is named 19 Mile Road east of John R Road. Historically at Troy Corners Square Lake Road was called Troy Road and Livernois Road was also known as Main Street.

The land commonly known as 54 E. Square Lake Road was constructed was originally territory of the Anishinabewaki, Potawatomi and Mississauga tribes. In 1821, New York native Johnson Niles purchased a 160 acre tract in the northwest part of Section 9 from the United States government. Troy Township is formally established in 1827 and in 1838 Johnson Niles platted sixteen blocks in Sections 4, 9, and 10 to form the Village of Hastings, including the property commonly known as 54 E. Square Lake Road in Section 10. A 1872 map indicates the Niles family owed the majority land surrounding Troy Corners in Sections 4, 9, and 10 however by 1896 land ownership has been greatly diversified amongst a number of families and individuals. Ownership information for 54 E. Square Lake Road is not included in the historic maps.

There are no records in the Troy Historical Commission archives to indicate the year built, architect, builder, or original owner for 54 E. Square Lake Road. It is estimated the building was constructed between 1910 and 1915. City of Troy assessor records assign 1915 as the year of construction. In

September 1926, Supervisor's Plat No. 7 was approved by Troy Township and 54 E. Square Lake was assigned Lot 26.

City of Troy records reveal that the resource has undergone multiple exterior and interior alterations. In 1965 a change of occupancy from residential to commercial use was approved and it is at this time the building is connected to utility gas service. In 1973 a change of occupancy was again sought from residential to commercial use and alterations included a new roof, mechanical and electrical upgrades, repairs to the front porch and stairs and refinishing of interior ceilings and walls. In 1979 major improvements included grading and installation of gravel parking lot, new first floor restroom and the addition of a new wooden ramp and porch railings at the primary entry. In 1988 a six foot high masonry screening wall was erected to provide a barrier between neighbors and the business use of the property.

After 54 E. Square Lake Road was converted from residential to commercial use, retail operations have dominated the businesses located at the building, with the majority focused in the antique, floral and gift genres. The historic buildings of Troy Corners that were converted into commercial use were dominated by small antique shops for several decades and the following businesses were located at 54 East Square Lake Road: Horse's Mouth Antiques & Gifts (1960s); Acorn Antiques & Gifts (1980s); Schaefer Florist, Inc. (1990s); Sense of Thyme Herbs (2000s). Later businesses included a real estate firm and State Farm insurance brokerage.

Statement of Significance/Recommendation of Eligibility

Provide a detailed explanation of the property's eligibility for the National Register. Include an evaluation under at least one of the four National Register Criteria and one Area of Significance. Include a discussion of the seven aspects of integrity, and make a recommendation about eligibility. This is required for all properties.

The resource at 54 E. Square Lake Road is designated as an individual historic district under City of Troy Code Chapter 13. A review of building records, Troy Historical Commission designation and survey files and Troy Historical Village archives revealed no information regarding the individual significance, original owner or year built for 54 E. Square Lake Road. There is no indication the building or any below-ground resources were researched or examined further prior to the listing 54 E. Square Lake Road as an individual historic district. The site in question was included in a listing of existing properties nominated for designation by member Dorothy Scott for the Troy Historical Commission in the early 1970s. The listing criteria was most likely only established due to the building's age, exceeding the 50-year historic designation threshold at time of survey. To a lesser degree, significance was likely derived due to proximity and association with the second wave of development that took place between 1900-1930 at Troy Corners.

In 1955, Troy Township became the thirty-three square mile City of Troy and suburban population swells paired with the advanced age of the buildings created an environment ripe for expansion. Aerial photographs of the land immediately surrounding Livernois and Square Lake Roads taken between 1949 and 2020 reveal a consistent pattern of development, resulting in the removal of architectural and agricultural resources significant in their connection to the nineteenth and twentieth century community development of Troy. The church and parsonage originally sited west of 54 E. Square Lake Road was relocated to the Troy Historical Village in 2003, joining a blacksmith shop moved from the northwest corner of Livernois and Square Lake Roads in 1978. Where resources are no longer extant, land reuse includes both new commercial construction and parcels void of development. In 2020, the Michigan State Historic Preservation Office advised the removal of a Michigan Historical Site marker for Troy Corners due to the loss of integrity, namely a lack of existing resources providing tangible connections to the 1820s settlement. The context originally provided by its location at time of listing has been altered to a degree where integrity is lost.

The setting at 54 E. Square Lake Road has changed over time with the removal of trees and growth, addition of a masonry wall along the southern lot line and grading to construct a gravel parking lot for

commercial customers. There are no outbuildings on the property. A modern chain-link fence separates the gravel parking lot from a grassed area behind the building. Immediately west of 54 E. Square Lake is 46 E. Square Lake Road, an individual historic district listed without a year of construction in the Troy Historical Commission documents but likely built prior to 1900. In the view of the resource is the intersection of Square Lake and Livernois Roads, a modern bank and a modern one-story masonry block convenience store and vacant parcels are visible.

While 54 E. Square Lake Road does demonstrate the Bungalow architectural style, it does not prove significant in construction methods or level of workmanship nor a connection to an important person or event. There is no information regarding an architect or builder in historical records. Original materials and configurations have been replaced and altered over time, including replacement vinyl windows, new entries and new porch railings and stairs.

While the individual historic district at 54 E. Square Lake Road is identifiable as a historic building, it does not convey a particular sense of time or significance due to the alteration of the materials and setting. The resource at 54 E. Square Lake Road is not individually eligible for the National Register of Historic Places due to a lack of demonstrated integrity and significance. Any association with the evolution of Troy Corners from agricultural crossroads to suburban intersection is depleted due to a lack of extant historic resources at this location, and no longer supports a connection to the founding or community development of the City of Troy. The previous density of Troy Corners has been eroded in favor of commercial development and thus the building's association with its evolution is also eroded and the resource and setting have been altered to a point that integrity is confused or compromised. As a result, it is recommended that the City of Troy approve the request to delist the resource located at 54 E. Square Lake Road.

References

- Campbell, Loraine, Ed. Troy: A City from the Corners. Charleston S.C., Arcadia: 2004.
- City of Troy Building Department records, various dates.
- Detroit Free Press*, various dates.
- McAlester, Virginia Savage. A Field Guide to American Houses. New York, Random House: 1984.
- Seeley, Thaddeus D. History of Oakland County Michigan, Vol. 1., Chicago, Lewis Publishing Co.: 1912.
- State of Michigan Department of Licensing and Regulatory Affairs, Subdivision Plat Records, https://www.michigan.gov/lara/0,4601,7-154-89334_10575_17394_17565-46660--,00.html. Accessed September 12, 2021.
- Troy Historical Village <https://www.troyhistoricvillage.org/>. Accessed September 9, 2021.
- Troy Historical Commission Records, Series I: Box 1. Troy Historical Village Institutional History Collection, Troy Historical Village, Troy, MI.
- Troy Township 1838 survey by Bela Hubbard. <https://www.ocphs.org/wp-content/uploads/2020/05/20-2N11E-Troy-Township-scaled.jpg>. Accessed September 9, 2021.
- Troy Township 1872 map. <https://cms6.revize.com/revize/troymi/departments/maps/1872.pdf>. Accessed September 9, 2021.
- Troy Township 1896 map. <https://cms6.revize.com/revize/troymi/departments/maps/1896.pdf>. Accessed September 9, 2021.
- Troy Township 1906 map. <https://cms6.revize.com/revize/troymi/departments/maps/1906.pdf>. Accessed September 9, 2021.
- Troy Township 1916 map <https://cms6.revize.com/revize/troymi/departments/maps/1916.pdf>. Accessed September 9, 2021.

54 E. Square Lake Road – Exterior Photographs



Front façade, image taken facing south - 09-08-21



East elevation, image taken facing west - 09-08-21



Rear elevation, image taken facing north - 09-08-21



West elevation, image taken from neighboring property facing southeast - 09-08-21



Setting along E. Square Lake Road, image taken facing southeast - 09-08-21



Setting along E. Square Lake Road, image taken facing southwest, intersection of Livernois Road is visible at far right - 09-08-21

SUPERVISORS · PLAT · No 7.

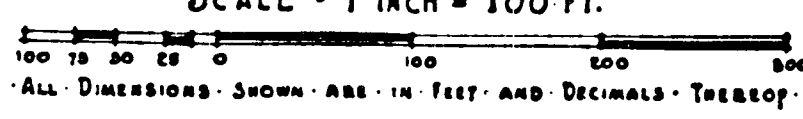
Oct 21-1926
OT 3

23386

· OF · PARTS · OF · THE · S.E. ¼ · SEC. 4, N.E. ¼ SEC. 9, S.W. ¼ · SEC. 3 · AND · N.W. ¼ · SEC. 10 ·
TROY · TWP. · OAKLAND · CO. · MICHIGAN ·

· SHEET · ONE · OF · TWO · SHEETS ·

SCALE · - · 1 · INCH · = · 100 · FT.



DEDICATION :-

Know all men by these presents that I, Maria G. Wittke Supervisor of the Township of Troy, Oakland County, Michigan by virtue of authority in me vested by Section 2330, Compiled Laws of 1915, as amended in 1925 having been duly authorized by the Township Board have caused the land described in the annexed plat to be surveyed, laid out and platted, to be known as "Supervisors' Plat No 7" and that the streets shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in the presence of:-
Maria G. Wittke L.S.
William Pauls

CERTIFICATE · OF · MUNICIPAL · APPROVAL :-

This Plat was approved by the Township Board of the Township of Troy, Oakland County, Michigan, at a meeting held on the 24 day of Sept A.D., 1926.

Maria G. Wittke
James M. Miller
Clerk

STATE · OF · MICHIGAN } S.S.
COUNTY OF OAKLAND }

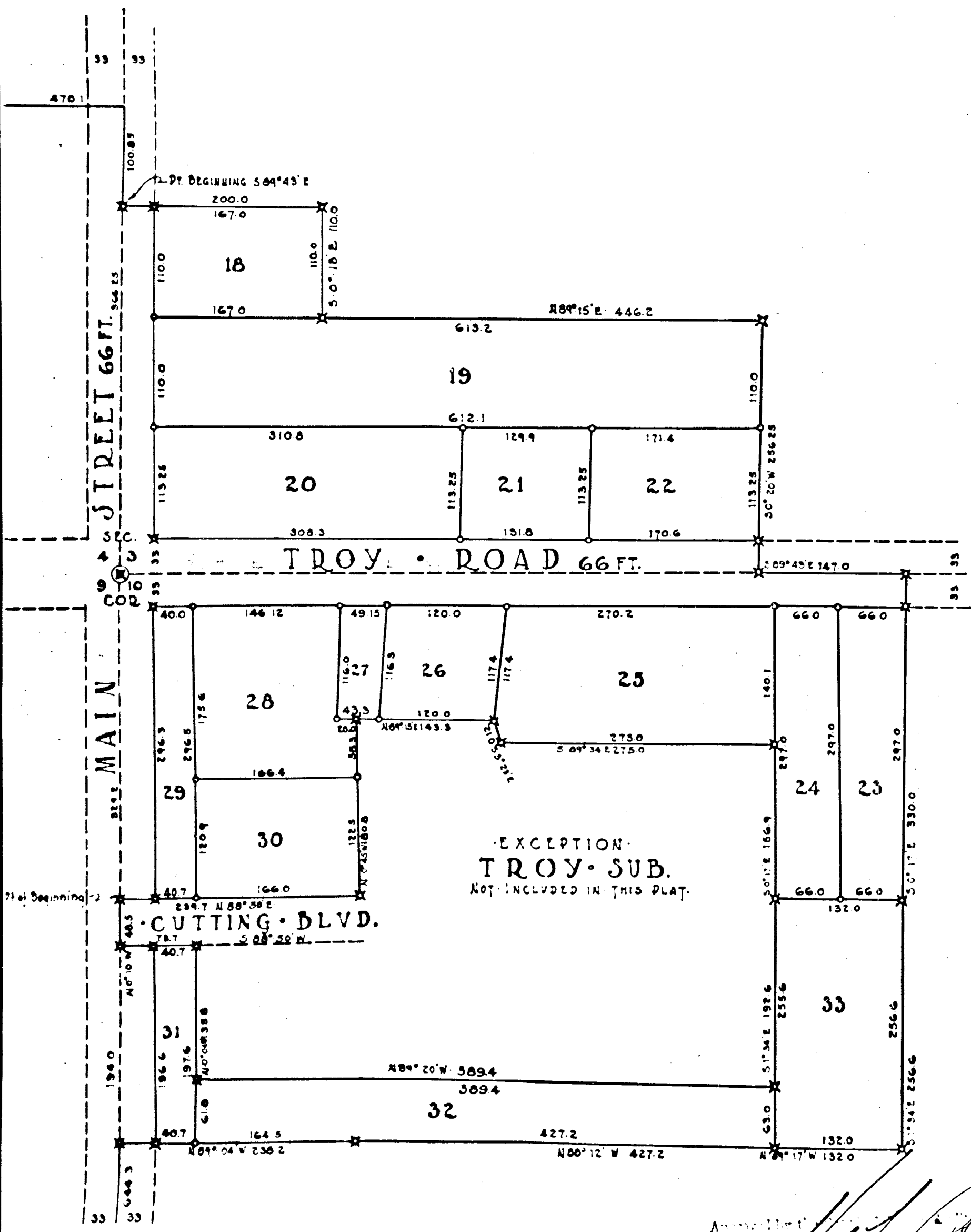
On this 24 day of Sept A.D., 1926, before me a Notary Public in and for said County, personally came the above named Maria G. Wittke Supervisor of the Township of Troy, known to me to be the person who executed the above dedication and acknowledged the same to be his free act and deed as such Supervisor

Elmer M. Schroeder
Notary Public, Oakland County, Mich.
My Commission expires: Dec 1-1926

· SURVEYOR'S · CERTIFICATE :-

I hereby certify that the plat hereon delineated is a correct one and that permanent metal monuments of not less than one inch in diameter and fifteen inches in length set in a concrete base at least four inches in diameter and forty eight inches in depth have been placed at points marked thus as thereon shown at all angles of the land platted, and at the intersection of streets, and at the intersection of streets with the boundaries of the platas shown on said plat.

Ray Crane Allen
Registered Surveyor.



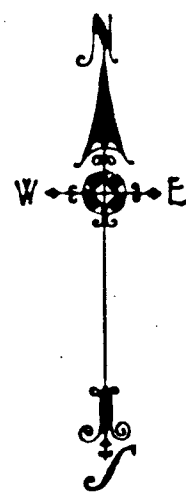
DESCRIPTION :-

The land embraced in this plat is described as being a part of the S.E. ¼ of Sec. 4, N.E. ¼ Sec. 9, S.W. ¼ Sec. 3, and the N.W. ¼ Sec. 10, beginning at a point located N 0° 18' 36.25" E. from the section corner common to sections 3, 4, 9 and 10,

Thence S 89° 43' E 200.0 ft.
Thence S 0° 18' E 110.0 ft.
Thence N 89° 15' E 446.2 ft.
Thence S 0° 20' W 256.25 ft. to the East and West Section line.
Thence S 89° 43' E 147.0 ft. along the section line
Thence S 0° 17' E 330.0 ft.
Thence S 1° 34' E 256.6 ft.
Thence N 89° 17' W 132.0 ft.
Thence N 88° 12' W 427.2 ft.
Thence N 89° 04' W 238.2 ft. to the North and South Section line
Thence S 0° 10' E 644.3 along the Sec line
Thence S 89° 51' W 1507.7 ft.
Thence N 0° 21' E 1219.5 to the East and West Section line.
Thence Due East 502.0 ft. along the Sec. line
Thence S 0° 13' E 861.0 ft.
Thence Due East 465.0 ft.
Thence N 0° 13' W 861.0 ft. to the East and West Sec. line.
Thence Due West 156.5 ft. along the Sec. line
Thence N 0 46' W 467.4 ft.
Thence S 89° 58' E 470.1 ft. to the North and South Sec. line
Thence S 0° 18' E 1008.5 ft. along the Sec. line to the pt. of beginning.

Excepting from the above, "Troy Subdivision" described as:-
Beginning S 0° 10' W 329.2 ft. from the Section Corner.

- Thence N 88° 50' E 239.7 ft.
- Thence N 0° 45' W 180.8 -
- Thence N 89° 15' E 143.3 -
- Thence S 3° 25' E 21.0 -
- Thence S 89° 34' E 275.0 -
- Thence S 0° 17' E 156.9 -
- Thence S 1° 34' E 192.6 -
- Thence N 89° 20' W 509.4 -
- Thence N 0° 04' W 135.8 -
- Thence S 88° 50' W 73.7 -
- Thence N 0° 10' W 485 - To the point of beginning



Oct 21-1926
Geo L. Hansen

Oakland
Supervisors Plat
3 ct
22
26 3
115
21 & 21 1/2
Lucile Corey Whitfield

Approved this _____ day of _____
W. L. Hansen
Chairman

Oct 25-1926
Geo L. Hansen



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STRATEGIC FUND
STATE HISTORIC PRESERVATION OFFICE

QUENTIN L. MESSER, JR.
PRESIDENT

February 10, 2022

Mr. R. Brent Savidant
Community Development Director
City of Troy
SavidantB@troymi.gov

Dear Ms. Davis:

Staff members of the State Historic Preservation Office (SHPO) have reviewed the preliminary historic district study committee report for the elimination of 54 E. Square Lake Road local historic district. Our comments are enclosed. We offer these comments in order to assist communities to prepare final study committee reports that meet the requirements of Michigan's Local Historic Districts Act. These comments and recommendations are based on our experiences working with local historic districts. The SHPO lacks authority to give legal advice to any person or agency, public or private.

The report was presented to the State Historic Preservation Review Board at their January 27th meeting. They concurred with the SHPO and had no further comments. The Michigan Historical Commission (MHC) will provide their comments directly to the community. If you have questions regarding the MHC comments please contact Michelle Davis at DavisM1@michigan.gov.

We appreciate the City of Troy's efforts to protect Michigan's historic resources. If the SHPO can assist you further, please contact me at ArnoldA@michigan.gov.

Sincerely,

Preservation Planner





**State Historic Preservation Office
Staff Comments, November 30, 2021**

**De-List 54 E. Square Lake Road, Troy
Local Historic District Study Committee Report**

The report that was submitted to de-list 54 E. Square Lake is a historic resource survey form not a complete study committee report. It does not include the elements required in PA 169 for inclusion in a study committee report such as the charge of the committee, committee membership, the boundary on a map, etc. When requesting to eliminate a designated local historic district, Section 399.214 of Public Act 169 of 1970 states that study committees shall “comply with the procedures set forth in section 3” of the Act.

The report hints that the resource was related to Troy Corners early 20th century history but provides no background information about what was happening at the time or how the resource related to it. The report states that building records, survey files, and the Troy Village archives were reviewed for information, but deed research could also have been undertaken to determine the names of the building’s owners and their relationship to Troy’s early settlement period.

Section 399.214 (2) of Public Act 169 requires that the report show that the resource meets at least one of three criteria for elimination. The report should state the exact language of the elimination criterion being used to de-list the resource and a statement and documentation that justify that claim.

Chapter 13 - Historic Preservation

1. **PURPOSE**

The purpose of this Chapter is to 1) safeguard the heritage of the City of Troy by preserving historic resources in the City which reflect elements of its cultural, social, economic, political and architectural history; (2) stabilize and improve property values; 3) foster civic beauty; 4) strengthen the local economy; 5) promote the use of historic resources for the education, pleasure and welfare of the citizens of the City.

(Rev. 11/17/2003)

2. **DEFINITIONS**

For the purpose of this Chapter, the following definitions shall apply:

- A. **ALTERATION**: Work that changes the detail of a resource but does not change its basic size or shape.
- B. **CERTIFICATE OF APPROPRIATENESS (COA)**: Written approval of a permit application to apply for a building permit if required, for work that is determined to be appropriate and that does not adversely affect a resource.
- C. **COMMISSION**: The historic district commission which is responsible for implementing Public Act 169 of 1970 as amended and the city's historic preservation ordinance for the City of Troy.
- D. **COMMITTEE**: A historic district study committee appointed by the city council.
- E. **DEMOLITION**: razing a resource, whether entirely or in part, which may include, but is not limited to demolition by neglect.
- F. **DEMOLITION BY NEGLECT**: Neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.
- G. **FIRE ALARM SYSTEM**: A system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.
(12/22/2005)
- H. **HISTORIC DISTRICT**: In accordance with Act 169, Public Acts of 1970, the term "Historic District" shall mean an area or group of areas not necessarily having contiguous boundaries, created by the City for the purposes of this Chapter. This shall include any historical or cultural site or structure (including significant trees or other plant life located thereon) of particular historic or cultural significance to the City of Troy, the State of Michigan, or the U.S.A., where cultural, political, spiritual, economic or social history of the community, state or nation is reflected or exemplified with historic personages or with important events in local, state, or national history, or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, or style or method of construction, or a notable work of construction, or a notable

Chapter 13 - Historic Preservation

work of a master designer or architect whose individual genius influenced his age.

- I. **HISTORIC LANDMARK**: Any structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this city, state, or of the United States. A landmark is a historic district as defined in this section which contains only one (1) resource.
- J. **HISTORIC RESOURCE**: A structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this city, state, or of the United States.
- K. **NOTICE TO PROCEED**: Authorization to perform work that does not qualify for a COA but may legally be accomplished following criteria set forth in this ordinance.
- L. **OPEN SPACE**: Undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.
- M. **ORDINARY MAINTENANCE**: Keeping a resource unimpaired and in good condition through ongoing minor intervention to the exterior of a resource. Ordinary maintenance does not change the exterior appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.
- N. **PROPOSED HISTORIC DISTRICT**: An area or group of areas, not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.
- O. **REPAIR**: To restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes an alteration for purposes of this act.
- P. **RESOURCE**: A building, structure, site, object, feature or open space located within a historic district, or described as a historic landmark.
- Q. **SMOKE ALARM**: A single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this ordinance “single-station alarm” means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. “Multiple-station alarm” means two or more single-station alarms that are capable of interconnection such that actuation of one alarm causes all integrated separate audible alarms to operate.
(12/22/2005)
- R. **WORK**: Construction, addition, alteration, repair, moving, excavation or

demolition.

(Renumbered 12/22/2005)

3. **REGULATION OF RESOURCES AND ESTABLISHED HISTORIC DISTRICTS**

- A. There shall be no construction, alteration, repair, moving or demolition of the exterior features of a Historic Resource unless a certificate of appropriateness or a notice to proceed is issued in accordance with this chapter. The following Historic Districts are hereby established.

Troy Union Cemetery, 1199 E. Square Lake (Tax ID: 88-20-02-301-009) T2N, R11E, SEC 2, PART OF SW ¼ OF SW ¼ BEG AT PT DIST S 89-44-00 E 750 FT FROM SW COR SEC 2, TH S 89-44-00 E 573.57 FT, TH N 00-24-30 W 446.10 FT, TH N 88-46-00 W 365.25 FT, TH S 40-53-00 W 133.60 FT, TH S 89-27-30 W 29.8 FT, TH S 14-06-00 W 360.89 FT TO BEG 4.66 A

6890 Norton (Tax ID: 88-20-03-226-033) T2N, R11E, SEC 3 PART OF NE ¼ BEG AT PT DIST S 01-15-30 E 809.30 FT & S 88-59-30 W 276.15 FT FROM N 1/8 COR, TH S 88-59-30 W 250 FT, TH N 01-35-15 W 136.63 FT, TH N 88-59-30 E 250 FT, TH S 01-35-15 E 136.63 FT TO BEG 0.78 A

770 W. Square Lake (Tax ID: 88-20-04-354-011) T2N, R11E, SEC 4 PART OF SW ¼ BEG AT PT DIST N 00-17-56 E 259.88 FT & S 89-45-00 E 160 FT & S 79-23-48 E 273.17 FT & S 69-02-36 E 300 FT & S 79-29-59 E 232.30 FT & S 89-57-22 E 136.66 FT FROM SW SEC COR, T N 00-12-04 E 226.40 FT, TH N 73-29-54 E 14.90 FT TH ALG CURVE TO RIGHT, RAD 60 FT, CHORD BEARS N 86-20-14 E 26.67 FT, DIST OF 26.89 FT, TH ALG CURVE TO LEFT, RAD 60 FT, CHORD BEARS N 74-27-32 E 50.18 FT, DIST OF 51.77 FT, TH S 40-15-30 E 40.45 FT, TH S 89-57-22 E 9.96 FT, TH S 00-06-01 W 215 FT, TH N 89-59-22 W 125.75 FT, TO BEG 0.67 A5-3-90 FR 008

330 W. Square Lake (Tax ID: 88-20-04-451-029) T2N, R11E, SEC 4 E 169.92 FT of W 856.08 FT OF S 300 FT OF SE ¼, EXC S 60 FT TAKEN FOR RD 0.941A 2-6-93 FR 025

6091 Livernois (Tax ID: 88-20-04-478-013) T2N, R11E, SEC 4 TROY ACRES S 70 FT OF LOT 1

6059 Livernois (Tax ID: 88-20-04-478-018) T2N, R11E, SEC 3, 4, 9 & 10, SUPERVISOR'S PLAT NO. 7 LOT 2

90 West Square Lake (Tax ID: 88-20-04-478-022) T2N, R11E, SEC 4, TROY ACRES NO. 1 SLY 150 FT OF LOT 20 EXC BEG AT SW LOT COR, TH N 89-30-00 E 93 FT, TH N 41 FT, TH S 88-15-21 W 93.04 FT, TH S 38.98 FT TO BEG 6-13-96 CORR

Former Stone School, 3995 South Boulevard (Tax ID: 88-20-06-101-001) T2N, R11E, SEC 6 W 165 FT OF N 264 FT OF NW FRC ¼ EXC PART TAKEN FOR HWY DESC AS BEG AT NW SEC COR, TH ELY 91 FT ALG

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SEC LINE, TH SWLY TO PT IN W SEC LINE DIST OF 91 FT SLY FROM BEG, TH NLY 91 FT ALG SEC LINE TO BEG 0.90 A

Beach Road Cemetery (Tax ID: 88-20-07-451-001) T2N, R11E, SEC 7 N 147 FT OF 167 FT OF SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ 0.57A

46 East Square Lake Road (Tax ID: 88-20-10-101-002) T2N, R11E, SEC 3, 4, 9 & 10 SUPERVISORS PLAT NO. 7, PART OF LOT 26 BEG AT NW COR, T S 89-43-00 E 1.32 FT ALG N LOT LINE, TH S TO PT ON S LOT LINE 6 FT E OF SW LOT COR, TH S 89-15-00 W 6 FT ALG S LOT LINE, TH NLY 116.30 FT TO BEG, ALSO ALL OF LOT 27

54 East Square Lake Road (Tax ID: 88-20-10-101-003) T2N, R11E, SEC 3, 4, 9 & 10 SUPERVISORS PLAT NO. 7 LOT 26 EXC BEG AT NW LOT COR, TH S 89-43-00 E 1.32 FT ALG N LOT LINE, TH S TO PT ON S LOT LINE 6 FT E OF SW LOT COR, TH S 89-15-00 W 6 FT ALG S LOT LINE, TH NLY 116.30 FT ALG W LOT LINE TO BEG

90 East Square Lake Road and 110 East Square Lake Road (Tax ID 88-20-10-101-004) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 25

126 East Square Lake Road (Tax ID: 88-20-10-101-005) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISOR'S PLAT NO. 7 LOT 24

138 East Square Lake Road (Tax ID: 88-20-10-101-006) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 23

160 East Square Lake Road (Tax ID: 88-20-10-101-043) T2N, R11E, SEC 10 PART OF NW $\frac{1}{4}$ BEG AT PT DIST N 00-14-00 W 33 FT FROM NE COR OF LOT 23 OF 'SUPERVISOR'S PLAT NO 7', TH S 89-43-00 E 145 FT, TH S 00-14-00 E 300 FT, TH N 89-43-00 W 145 FT, TH N 00-14-00 W 300 FT TO BEG 1 A

101 East Square Lake Road (Tax ID: 88-20-03-301-077) T2N, R11E, SEC 3, SUPERVISOR'S PLAT NO. 7 E 30 FT OF LOT 20 EXC S 41 FT TAKEN FOR RD, ALSO LOT 21 EXC S 41 FT TAKEN FOR RD, ALSO N 73.43 FT OF LOT 22

Sylvan Glen Clubhouse, 5725 Rochester Road (Tax ID: 88-20-10-200-001) T2N, R11E, SEC 10 NE $\frac{1}{4}$ 160 A

5871 Hilmore (Tax ID: 88-20-11-103-014) T2N, R11E, SEC 11 PART OF NW $\frac{1}{4}$ BEG AT PT DIST S 01-33-00 E 833 FT FROM NE COR OF W $\frac{1}{2}$ OF NW $\frac{1}{4}$, TH S 88-55-00 W 330 FT, TH S 01-33-00 E 200 FT, TH N 88-55-00 E 330 FT, TH N 01-33-00 W 200 FT TO BEG 1.55 A

Hill House, 4320 John R (Tax ID: 88-20-13-303-014) T2N, R11E, SEC 13 PART OF SW $\frac{1}{4}$ BEG AT PT DIST N 00-49-43 E 1544.71 FT FROM SW SEC

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COR, TH S 89-10-17 E 220 FT, TH N 00-49-43 E 200 FT, TH N 89-10-17 W 220 FT, TH S 00-49-43 W 200 FT TO BEG EXC W 50 FT TAKEN FOR RD 0.77 A

Emerson Church – Unitarian Universalist, 4320 Livernois (Tax ID: 88-20-15-351-002) T2N, R11E, SEC 15 & 16 MC CORMICK & LAWRENCE LITTLE FARMS SUB LOTS 46 & 47 EXC W 27 FT TAKEN FOR RD, ALSO ALL OF LOT 48, ALSO W 85.58 FT OF LOT 49

Troy Museum & Historic Village - Caswell House, Poppleton School, Old City Hall, Old Troy Church and Parsonage, Log Cabin and Wagon Shop 60 W. Wattles (Tax ID: 88-20-16-478-033) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 89 TO 92 INCL, ALSO LOTS 131 TO 134 INCL EXC S 27 FT TAKEN FOR RD, ALSO N 30.75 FT OF LOT 138, ALSO LOTS 139 TO 142 INCL, EXC E 27 FT TAKEN FOR LIVERNOIS RD, and 100 W WATTLES (Tax ID 88-20-16-478-027) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 130 EXC S 20 FT TAKEN FOR WATTLES RD., and 109 LANGE (Tax ID: 88-20-16-478-026) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 93.

(Corrected: 12/07/2009)

Crooks Road Cemetery (Tax ID: 88-20-20-226-022) T2N, R11E, SEC 20 PART OF NE $\frac{1}{4}$ BEG AT PT DIST N 00-43-30 E 1101.84 FT FROM E $\frac{1}{4}$ COR, TH N 88-08-30 W 310.03 FT, TH ALG CURVE TO RIGHT, RAD 100 FT, CHORD BEARS N 43-08-30 W 141.42 FT, DIST OF 157.08 FT, TH N 01-51-30 E 180 FT, TH ALONG CURVE TO LEFT, RAD 180 FT, CHORD BEARS N 43-08-30 W 254.56 FT, DIST OF 282.74 FT, TH N 01-51-30 E 179.31 FT, TH S 87-06-30 E 577.09 FT, TH S 00-43-30 E 629.54 FT TO BEG 6.71 A

3864 Livernois (Part of Tax ID: 88-20-22-101-005) Part of the NW $\frac{1}{4}$ of Sec. 22, T.2N R11E, City of Troy, Oakland County, Michigan beginning at the point which is N 00°20'25" E 1771.60 ft. Along the West line of Sec. 22 from the West $\frac{1}{4}$ corner of Sec. 22, T2N R11E; thence, continuing along the West line of Sec. 22 N 00°20'25" E 330.00 ft.; thence S 89°25'55" E 225.00 ft.; thence S 00°20'25" W 330.00 ft.; thence N 89°25'55" W 225 ft. to the point of beginning. Containing 74,247 square feet – 1.705 acres, and subject to an easement over the North 30 ft. for ingress and egress and public utilities.

(Rev. 12/22/05)

36551 Dequindre (Tax ID: 88-20-25-230-032) T2N, R11E, SEC 25 PART OF NW $\frac{1}{4}$ BEG AT PT DIST S 00-00-08 E 1028.22 FT & S 89-23-59 W 60 FT FROM NE SEC COR, TH S 00-00-08 E 300 FT, TH S 89-23-59 W 245 FT, TH N 00-00-08 W 300 FT, TH N 89-23-59 E 245 FT TO BEG 1.69 A

1934 Livernois (Tax ID: 88-20-27-351-016) T2N, R11E, SEC 27 ADDISON HEIGHTS SUB N 81 FT OF W 108 FT OF LOT 53

Perrin Cemetery (Coolidge) (Tax ID: 88-20-32-152-002) T2N, R11E, SEC 32

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PART OF W ½ BEG AT W ¼ COR, TH N 00-03-00 E 165 FT, TH E 140 FT, TH S 00-03-00 W 165 FT, TH S 88-44-30 E 25 FT, TH S 01-06-30 W 67.5 FT, TH N 88-31-00 W 165 FT, TH N 00-03-00 E 66 FT TO BEG 0.78

(Revised 08/09/2021; Effective 08-19-2021)

- B. Except as provided in subsection C, all of the Historic Districts established as of July 21, 2003 shall be exempt from the requirements and provisions of Section 14 of this Chapter entitled "Establishment, Modification or Elimination of a Historic District". Such exempt Historic Districts shall not be within the purview of any Historic District Study Committee and shall remain under the sole jurisdiction of the Historic District Commission, except to the extent otherwise provided in Section 5 of this Chapter for the Historic Districts included in the Troy Museum and Historic Village.
- C. A person or entity that owns a resource within a Historic District established as of July 21, 2003, may submit a request to the Commission to modify or eliminate such Historic District. In such cases, the Historic District may only be eliminated or modified in accordance with Section 14.

(Rev. 11/17/2003)

4. **HISTORIC DISTRICT COMMISSION**

- A. **Creation of Commission:** In order to execute the purposes of this section, there is hereby created a Commission to be called the Historic District Commission.
- B. **Membership of Commission:** The Historic District Commission shall consist of seven (7) members whose residence is located in the City of Troy. The majority of the members will have a clearly demonstrated interest in or knowledge of historic preservation. The Commission shall include at least two (2) people chosen from a list submitted by a duly organized history group or groups, and, if available, one (1) architect duly registered in the State of Michigan. They shall be appointed by the City Council for terms of office of three (3) years. All members shall hold office until their successors are appointed. Members of the Commission may be reappointed after their terms expire. A vacancy occurring in the membership of the Commission for any cause shall be filled by a person appointed by the City Council for the unexpired term. The members of the Commission shall serve without compensation.

(Rev. 12/22/2005)

5. **DUTIES AND POWERS OF THE COMMISSION**

The Commission shall have all powers and duties authorized by Public Act 169 of 1970, as amended, MCL 399.201, et seq. including but not limited to the following:

- A. The Commission shall have authority to conduct an ongoing survey to identify historically and architecturally significant, properties, structures and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, state or city. The Commission may use the Michigan Historical Site

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Survey form as a guide, and accept the work of interested volunteers. Such Site Surveys should be kept as a part of the permanent records of the Commission, at a place designated by the Commission.

- B. It shall be the duty of this Commission to review all applications for permits required by City ordinance concerning construction, alteration, repair, moving or demolition of the exterior features of a historic resource. Plans for any work in the historic resources comprising the Troy Museum and Historic Village may be submitted based on a three-year plan based on Department of Interior Preservation briefs but without detailed specifications. For purposes of this Chapter, the historic resources of the Troy Museum and Historic Village shall include, but are not limited to, those Historic Districts established in Section 3 of this Chapter and listed as Old City Hall, Caswell House, Poppleton School, Old Troy Church, and Parsonage. It is the intent of this section that the Commission shall be lenient in its judgment of plans for a new construction or for alteration or demolition of historic resources of little historic value, except where such construction, alteration or demolition would seriously impair the historic value and character of the resource and the surrounding resources and area. A permit shall not be issued and proposed work shall not proceed until the Commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed.

In reviewing the plans, the Commission shall follow the United States Secretary of the Interior's standards for rehabilitating historic buildings as set forth in 36 CFR part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the Commission may be followed if they are equivalent in guidance to the Secretary of Interior's standards and guidelines and are established or approved by the Michigan Department of History, Arts, and Libraries. The Commission shall also consider the following:

1. The historical or architectural value and significance of the resource and its relationship to the historic value of the surrounding area;
2. The relationship of the exterior architectural features of the resource to the rest of the resource and to the surrounding area;
3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used;
4. Any other factor, including aesthetic, which it deems to be pertinent.

The Commission shall review and act upon exterior features of a historic resource and shall not consider interior arrangement, unless interior work will cause visible change to the exterior of the resource. The Commission shall not disapprove an application due to considerations not set forth above.

- C. In those situations where the Commission finds the proposed work adversely affects the exterior of a resource the Commission considers valuable to the city,

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state or nation, and the Commission determines that the alteration or loss of that resource will adversely affect the public purpose of the city, state or nation, the Commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

- D. Work within a historic district shall be permitted through the issuance of a notice to proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Commission to be necessary to substantially improve or correct any of the following conditions:
1. The resource constitutes a hazard to the safety of the public or to the structure's occupants.
 2. The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
 3. Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.
 4. Retaining the resource is not in the interest of the majority of the community.
- E. The Commission may recommend to the City Council certain incentive programs to encourage preservation of landmark buildings in the City.
- F. The Commission may accept, in the name of the City of Troy, any grant, loan or aid of any character from Federal, State or private sources, to be expended for the purposes contemplated by this chapter, including, but not limited to the making of surveys of historical structures and/or sites, and the acquisition, restoration and possible resale of properties of historical or architectural significance. Such funds shall be administered in accordance with the Charter of the City of Troy, but a separate accounting shall be made of them and a copy of such accounting given to the Commission at least quarterly.
- G. Budget: There may be appropriated in the annual budget of the City of Troy a sum of money which may be expended and accounted for in accordance with the Troy City Charter and the Uniform Budgeting and Accounting Act of the State of Michigan.

(Rev. 11/17/2003)

6. RULES OF THE COMMISSION

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- A. The Commission shall elect from its membership a Chair, Vice- Chair and Secretary at the first meeting each year. The Chair shall preside over the Commission and have the right to vote. The Vice-Chair shall perform the duties of the Chair in his or her absence. The Secretary shall keep an accurate record of the proceedings of the Commission.

(Rev. 11/17/2003)

- B. The Commission should meet at least quarterly, and at the call of the Chair, Secretary, or two (2) members of the Commission, if matters are referred to it by the Planning Director.

(Rev. 10/03/2011)

- C. At least four (4) members of the Commission shall constitute a quorum for the transaction of its business. The Commission shall adopt rules for the transaction of its business which shall provide for the time and place of holding meetings. All meetings of the Commission shall be open to the public, and any person or his or her duly constituted representative shall be entitled to appear and be heard on any matter before the Commission before it reaches its decision.

(Rev. 11/17/2003)

- D. The Commission shall keep a record, which shall be open to public view, of its resolutions, proceedings and actions. The concurring affirmative vote of four (4) members shall constitute approval of plans before it for review, or for the adoption of any resolution, motion or other action of the Commission. The Commission shall submit an annual report of its activities to the City Council.

(Rev. 09/25/1978)

7. **PROCEDURES FOR REVIEW OF PLANS**

- A. Application for a building permit to construct, alter, move or demolish any resource in a Historic District shall be made to the Building Official. Plans shall be submitted showing the resource in question and also showing its relation to adjacent resources.

(10/03/2011)

- B. Upon the filing of such application, the Building Official or his or her representative shall immediately notify the Planning Director of the receipt of such application and shall transmit it together with accompanying plans and other information to the Commission.

(10/03/2011)

- C. The Commission shall review the plans according to the duties and powers specified herein. In reviewing the plans, the Commission may confer with the applicant for the building permit, and with the Building Official and/or Planning Director.

(10/03/2011)

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- D. The Commission shall approve or disapprove such plans, and, if approved, shall issue a certificate of appropriateness or a notice to proceed, which is to be signed by the Chair or Vice- Chair, attached to the application for a building permit and immediately transmitted to the Building Official. The Chair shall also stamp all plans submitted to the Commission signifying its approval or disapproval.

(10/03/2011)

- E. If the Commission disapproves of such plans, it shall state its reasons for doing so and shall transmit a record of such action and reasons therefore in writing to the Building Official and to the applicant. The Commission shall advise what it thinks is proper if it disapproves of the plans submitted. The applicant, if he or she so desires, may make modifications to the plans and shall have the right to resubmit the application at any time after so doing.

If the requested permit is denied by the Commission, the Building Official shall disapprove the application.

(10/03/2011)

- F. The failure of the Commission to approve, conditionally approve or disapprove of such plans within sixty (60) days from the date of application for the building permit, unless otherwise mutually agreed upon by the applicant and the Commission, shall be deemed to constitute approval and the Planning Director shall proceed to process the application without regard to a certificate of appropriateness or notice to proceed from the Commission.

(10/03/2011)

- G. After a building permit is granted, the Building Official or his or her representative shall inspect the construction or alteration in accordance with the procedures established by the Building Department of the City of Troy.

(10/03/2011)

- I. If the Commission grants a permit for demolition, it may notify the City Manager so that City Administration may consult with the owner about obtaining anything of historical significance from the property.

(10/03/2011)

- J. If an applicant seeks immediate approval to alter, repair, move or demolish a resource to prevent an imminent hazard to the safety of the public or a structure's occupants, the Chair of the Commission shall call a special meeting as early as possible, in compliance with the Open Meetings Act, to make a decision on the applicant's request.

- K. Upon a finding by the commission that a historic resource within an historic district, subject to its review and approval, is threatened by demolition by neglect, the commission may do either of the following:

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1. The commission may require the owner of the resource to repair all conditions contributing to the demolition by neglect.
2. If the owner does not make repairs within a reasonable time, the commission or agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The cost of the work shall be charged to the owner and may be levied by the city as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

- L. The Historic District Commission shall not issue a certificate of appropriateness or notice to proceed unless an applicant certifies in the application that the property where the work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the State Construction Code Act, MCL 125.1501 *et seq.* as amended.

(Rev. & Renumbered: 12/22/2005)

8. **DEMOLITION OR MOVING HISTORIC RESOURCES**

The demolition or moving of resources located in Historic Districts shall be discouraged. The Commission shall not approve demolition except when deemed a hazard to public health or safety by a responsible public agency, but may issue a certificate of appropriateness for moving said resource.

The Commission may issue a certificate of appropriateness or notice to proceed for the moving or demolition of any resource. An application for the moving or demolition of a resource shall be approved by the Commission if any of the following conditions prevail, and if in the opinion of the Commission the proposed work will materially improve or correct these conditions:

1. The resource is a deterrent to a major improvement program which will be of substantial benefit to the community;
2. Retention of the resource would cause undue financial hardship to the owner; or
3. Retention of the resource would not be in the interest of the majority of the community.

(Rev. 11/17/2003)

9. **PROPOSED HISTORIC DISTRICT**

Upon receipt of substantial evidence showing the presence of historic architectural, archeological, engineering, or cultural significance of a proposed historic district, the City Council may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the Historic District Commission for review as provided in this ordinance. The Historic District Commission

shall review permit applications with the same powers that would apply if the proposed historic district were an established historic district. The review may continue in the proposed historic district for not more than one year, or until such time as the City Council approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

(Rev. 11/17/2003)

10. **EMERGENCY MORATORIUM**

If the City Council determines that pending work will cause irreparable harm to resources located within an established historic district, City Council may, by resolution, declare an emergency moratorium of all such work for a period not to exceed six months. The City Council may extend the emergency moratorium for an additional period not to exceed six months upon finding that the threat of irreparable harm to resources is still present. Any pending permanent application concerning a resource subject to an emergency moratorium may be summarily denied.

(Rev. 11/17/2003)

11. **YARD VARIANCES**

Due to peculiar conditions of design and construction in Historic Districts, where structures were often built close to the lot lines, it is in the public interest to retain the District's appearance by making variances to normal yard requirements. Where it is deemed that such variances will not adversely affect neighboring properties, the Commission may recommend to the Zoning Board of Appeals that such variance to standard yard requirements be granted.

(Rev. 10/03/2011)

12. **EXCEPTIONS**

Nothing in this chapter shall be construed to prevent ordinary maintenance, repair or sale of any resource within an historic district. Nor shall anything in this chapter be construed to alter, amend or delete provisions of other Troy City ordinances, or the Troy City Charter pertaining to the administration, control, or ownership of property owned by the City of Troy.

(Rev. 11/17/2003)

13. **APPEALS**

An applicant aggrieved by a decision of the Commission concerning a permit application may file an appeal with the state historic preservation review board of the Michigan Historical Commission. The appeal shall be filed within sixty (60) days after the decision is furnished to the applicant. A permit applicant aggrieved by the decision of the historic preservation review board may appeal the decision to the circuit court. Any citizen or duly organized historic preservation organization in the city, as well as resource property owners, jointly or severally aggrieved by a decision of the historic district commission concerning a matter other than a permit application, may appeal the decision to the circuit

court.

(Rev. 11/17/2003)

14. **ESTABLISHMENT, MODIFICATION OR ELIMINATION OF A HISTORIC DISTRICT**

A. **Establishment of Historic District Study Committee**

Before establishing, modifying or eliminating any Historic District, City Council shall appoint a Historic District Study Committee. The Committee shall contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall consist of at least one (1) member of the Historic District Commission and shall contain representation from at least one other duly organized local historic preservation organization. The study committee shall be an ad hoc committee established to consider the establishment, modification or elimination of historic districts in specified areas as determined by City Council and then be dissolved.

B. **Duties of the Historic District Study Committee**

1. The Historic District Study Committee shall do all of the following:
 - a. Conduct a photographic inventory of resources within each proposed historic district, following procedures established or approved by the Michigan Department of History, Arts, and Libraries.
 - b. Conduct basic research of each proposed historic district and the historic resources located within that District;
 - c. Determine the total number of historic and non-historic resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of the historic resources, the Committee shall be guided by the selection criteria for evaluation issued by the Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 CFR part 60.
 - d. Prepare a preliminary Historic District Study Committee report that addresses at a minimum all of the following:
 - i. The charge of the Committee;
 - ii. The composition of the Committee membership;
 - iii. The historic district or districts studied;
 - iv. The boundaries for each proposed historic district in writing and on maps;
 - v. The history of each proposed historic district;
 - vi. The significance of each district as a whole, as well as a sufficient number of individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

- e. Transmit copies of the preliminary report for review to City Council, the Planning Commission, the Historic District Commission, the Michigan Department of History, Arts and Libraries, the Michigan Historical Commission and the State Historic Preservation Review Board.
 - f. Make copies of the preliminary report available to the public.
2. The City Council may prescribe the time for preparation and transmittal of the preliminary report if the Council deems it in the public interest to do so.
 3. Not less than sixty (60) calendar days after the transmittal of the preliminary report, the Study Committee shall hold a public hearing. Public notice of the time, date, and place of the hearing shall be given in the manner required by the Open Meetings Act, 1976 PA 267, MCL 15.261, et seq. Written notice shall be mailed by first class mail not less than fourteen (14) calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the City of Troy.
 4. The Committee shall have no other powers, express or implied, beyond those listed in this section, except as may be otherwise expressly authorized by ordinance or resolution of City Council.

C. **Actions to be Taken by the Historic District Study Committee and City Council**

After the date of the public hearing, the Historic District Study Committee and City Council shall take the following actions:

1. The Committee shall prepare and submit a final report with its recommendation and the recommendation, if any, of the Planning Commission to the City Council. If the recommendation is to establish, modify or eliminate a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.
2. After receiving a final report that recommends the establishment, modification or elimination of a historic district or districts, the City Council, at its discretion, may introduce and pass or reject an ordinance or ordinances establishing, modifying or eliminating one or more historic districts. If the City Council passes an ordinance or ordinances establishing, modifying or eliminating one or more historic districts, City Council shall file a copy of that ordinance or ordinances, including a legal description of the property or properties located within the historic district or districts, with the Register of Deeds. City Council shall not pass an ordinance establishing a contiguous historic district less than sixty days after a majority of the property owners within the proposed historic district, as listed on the City tax rolls, have approved the establishment of the historic district pursuant to a written petition.

3. At any time after expiration of the time limits set in or prescribed by City Council pursuant to this section for the Historic District Study Committee to act, the City Council may, in its discretion, proceed to introduce and pass or reject an ordinance as described in the immediately preceding paragraph 2.

D. Elimination of Districts

If considering elimination of a historic district, the Committee shall follow the procedures set forth for issuing a preliminary report, holding a public hearing and issuing a final report, but with the intent of showing one or more of the following:

1. The historic district has lost those physical characteristics that enabled establishment of the district.
2. The historic district was not significant in the way previously defined.
3. The historic district was established pursuant to defective procedures.

E. Availability

All writings prepared, owned, used, in possession of or retained by the Committee in the performance of any official function shall be made available to the public.

(Rev. 11/17/2003)

15. ENFORCEMENT; VIOLATIONS

- A. After issuance of a certificate of appropriateness or notice to proceed or if a violation of this article is suspected, the city's designated representative may from time to time inspect the exterior of properties covered by this article.
- B. The enforcement of this ordinance shall be the responsibility of this Historic District Commission, in conjunction with the Planning Director. A person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this act is responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code for the City of Troy. Each day a violation continues is a separate Municipal Civil Infraction Violation. Sanctions for violation shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100.
(Rev. 10/03/2011)
- C. A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.
(Rev. 11/17/2003)