

AGENDA

REGULAR MEETING

Council Chambers

7:30 P.M.

TROY CITY PLANNING COMMISSION

January 14, 1997

1. ROLL CALL *Bob Davisson*
Asst. City Attorney
2. MINUTES - Special/Study Meeting of January 7, 1997
3. PUBLIC COMMENTS

SITE PLANS

4. SITE PLAN REVIEW - Proposed Collision Shop Expansion - West Side of Dequindre, South of Lovington - Section 36

SPECIAL USE REQUESTS

5. PUBLIC HEARING - SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Church - Southeast Corner of John R and Tucker - Section 12

REZONING PROPOSALS AND TEXT AMENDMENTS

6. PUBLIC HEARING - PROPOSED REZONING - East and West Sides of Rochester Road, South of South Boulevard - Sections 2 and 3 - R-1D and R-1B to O-1 and E-P

OTHER BUSINESS

7. ELECTION OF PLANNING COMMISSION OFFICERS - 1997
8. ESTABLISHMENT OF MEETING SCHEDULE - 1997

APPROVAL REQUIREMENTS

- A) The Planning Commission has final authority on the following types of matters. A minimum of *five (5) affirmative votes are required* for approval.
- 1) Site Plan Review
 - 2) Special Use Requests
 - 3) Master Plan Amendments (*six (6) votes required*)
- B) The Planning Commission acts in an advisory capacity on the following types of matters. Their action constitutes a recommendation to the City Council. Such recommending actions require a *majority vote* of those Commission members present.
- 1) Rezoning Proposals and Ordinance Text Amendments
 - 2) Subdivision Plats
 - 3) Street and Alley Vacations or Extensions
 - 4) Historic District Designations

Reports covering the Planning Commission's recommendations on these matters are directed to the City Manager's Office. The City Manager's Office is responsible for preparation of City Council Agendas. Inquiries as to when a matter will appear on a City Council Agenda should be directed to the City Manager's Office (524-3330).

When the City Council receives reports regarding Rezoning, Ordinance Text Amendments, and Street and Alley Vacations, they have the option of denying the proposals without a Public Hearing, or establishing a Public Hearing for a future date. The City Council will typically establish a Public Hearing, when requested by the petitioner, although they are not compelled to do so.

TO: Troy City Planning Commission

FROM: Laurence G. Keisling, Planning Director

SUBJECT: Regular Meeting Agenda - January 14, 1997

1. ROLL CALL
(Resolution to excuse absent members if necessary)
2. MINUTES - Special/Study Meeting of January 7, 1997
3. PUBLIC COMMENTS

SITE PLANS

4. SITE PLAN REVIEW - Proposed Collision Shop Expansion - West Side of Dequindre, South of Lovington - Section 36 (SP-148)

Matt McNabb

A site plan has been submitted for the construction of a building addition and related parking area expansion on the M-1 zoned Action Collision site, having 100 feet of frontage on the west side of Dequindre south of Lovington. Special Use Approval was granted by the Planning Commission in February of 1979 in order to permit the establishment of an auto body repair facility in this pre-existing building, subject to the following conditions:

1. That parking be prohibited in the front yard of the subject site, and that a physical barrier be constructed to assure such prohibition.
 2. That vehicles awaiting service be kept to the rear of the subject building (and north of the south building line) in order to screen same from Dequindre Road.
 3. That no outside storage of new or used parts or equipment be permitted.
- 1) The present building exists as a non-conforming structure, in that it has no side yard setback from the north property line, and encroaches 20 feet into the required 50 foot setback from Dequindre Road. The
- 2) present use is also a legal non-conforming use, in that the Zoning Ordinance no longer permits auto service uses on M-1 sites which have major thoroughfare frontage.

In conjunction with this proposed construction, the petitioners propose to remove the easterly portion of the building, and the paving in the required front yard, so that no front yard encroachments will result. They have requested and received variances from the Board of Zoning Appeals in order to permit the non-conforming use to be expanded, and in order to permit the building expansion to include the present zero side yard setback.

The site will continue to be served by a single driveway from John R Road. We have requested a floor plan for the proposed expanded building, in order to assure that the parking provided meets Ordinance requirements. The previously-established requirement relative to the location of vehicles awaiting service should continue to be imposed. The present site plan, in addition to meeting the front yard setback requirements, will also meet the landscape requirements for the total site. Subject to

6 Bays
Indicated

- ✓ confirmation of adequacy of the proposed parking, and recognition of the previously-established conditions of Special Use Approval, approval of this site plan is recommended by the Planning Department.

Proposed resolution

Moved by

Seconded by

RESOLVED, that Preliminary Site Plan Approval, as requested for the modification and expansion of the Action Collision building and related parking facilities on the M-1 zoned site having 100 feet of frontage on the west side of Dequindre south of Lovington is hereby (granted, subject to the following conditions: _____) or (denied, for the following reasons: _____).

Yeas:

Nays:

Absent:

SPECIAL USE REQUESTS

5. PUBLIC HEARING - SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Church - Southeast Corner of John R and Tucker - Section 12 (SU-284)

Pastor Simion Timbue; Michael W. Hutson, attorney

In February of 1996 the Planning Commission considered and denied a request for Special Use Approval in order to enable the establishment of a church on a 3.84 acre R-1C zoned site at the southeast corner of John R Road and Tucker Drive, north of Long Lake Road. The enclosed excerpt from the February 13, 1996 minutes indicates the background of this proposal, the matters discussed at that time, and the basis for the Planning Commission's action. Also enclosed is a copy of the relevant excerpts from the Zoning Ordinance, including the introductory portion of the Special Use provisions within R-1 Districts, and the provisions related to the establishment of churches in R-1 Districts.

The Bethesda Romanian Pentecostal Church, the previous petitioner, has now submitted a new request for the establishment of church facilities on the same site. As indicated previously, this 3.84 acre site has approximately 308 feet of frontage on John R, and 318 feet of frontage on Tucker. Although the scale of the proposed church is approximately the same as that previously presented, the site plan as now presented has been substantially revised to include an entrance-only driveway from John R Road. The lack of a properly-located John R Road driveway was of course one of the major concerns in relation to the previous submittal. Enclosed with this agenda is a letter of May 2, 1996 from George Ward of the Road Commission for Oakland County, expressing their concern about a two-way John R Road driveway which was being proposed by the petitioners' engineers at that time. Also enclosed is the recent letter which you have received from Michael Hutson, attorney for the petitioners, indicating that the Road Commission would accept the placement of a one-way entrance only driveway as now proposed. The proposed driveway location is also 200 feet south of the center of Tucker Drive, the minimum offset distance recommended last year by the City's Consulting Traffic Engineer.

The revised site plan submitted with the present request involved re-orientation of the church building, and the placement of a driveway and parking area along the east boundary of the site,

adjacent to the residence at 2008 Tucker. In the course of our review, we referred to the latest site plan presented at the time of the February 1996 consideration and action, which included a five foot berm along the northeasterly boundaries of the proposed site, thus providing a substantial buffer between the church building and parking area and the adjacent residence at that location. We have asked that the petitioners revise their site plan in order to be similar to that previously presented, including the indicated berm, while also including the one-way entrance drive from John R Road. In our view, this alternative plan direction would provide the best available response to the concerns expressed at the time of the previous submittal and action. We have also asked that the position of the Road Commission for Oakland County, in relation to the proposed John R Road driveway, be confirmed. At the time of this writing, we have not as yet received the revised site plan, and are thus unable to confirm compliance with applicable requirements such as parking, screenwalls, etc.

Proposed resolution

Moved by

Seconded by

RESOLVED, that Special Use Approval, as requested for the construction of a church on a 3.84 acre R-1C zoned site at the southeast corner of John R Road and Tucker Drive is hereby (granted, in accordance with the provisions of Section 10.30.00 of the Zoning Ordinance, subject to the following conditions:

1. The paving of Tucker Drive across the total frontage of the proposed church site.
2. _____.
3. _____.

or (denied, for the following reasons: _____).

Yeas:

Nays:

Absent:

Moved by

Seconded by

RESOLVED, that Preliminary Site Plan Approval, as requested for the construction of a church on a 3.84 acre R-1C zoned site at the southeast corner of John R Road and Tucker Drive is hereby (granted, subject to the following conditions: _____) or (denied, for the following reasons: _____).

Yeas:

Nays:

Absent:

REZONING PROPOSALS AND TEXT AMENDMENTS

6. PUBLIC HEARING - PROPOSED REZONING - East and West Sides of Rochester Road, South of South Boulevard - Sections 2 and 3 - R-1D and R-1B to O-1 and E-P

In August of 1996 the Planning Commission adopted a Local Area Plan for the Rochester/South Boulevard area. Review of this area began following action to rezone a 6.9 acre parcel to B-2 and O-1 in the area surrounding the office development adjacent to the southwest corner of the Rochester/South Boulevard intersection. Concerns about limiting the further extension or expansion of commercial/retail land use per se were heightened by that action, but were also previously discussed in recognition of the scattered commercially-zoned and developed parcels in the Rochester

frontage areas adjacent to Hartwig Street on the east, and Lovell and Marengo Streets on the west. Although properly zoned for their uses, these parcels have always been non-conforming in relation to the low-density use direction indicated on the Master Land Use Plan. The adopted Local Area Plan represents a reasonable zoning and land use direction for those portions of the Rochester Road frontage areas extending north from Lovell Street, which would not involve commercial/retail land use per se, but would also have a reasonable likelihood of development feasibility. The plan also conceptually indicates how street patterns for substantial additional low-density residential use can be extended into the areas to the east and to the west of the Rochester frontages. Finally, one of the detail elements of the Local Area Plan is the proposal to extend E-P zoned buffer areas along the rear portions of the major road frontage developments, in order to provide improved buffering of the adjacent residential areas, as compared to typical screenwall approaches. This buffering approach has of course been encouraged over the past year by the City Council.

In order to enable the City to take a further positive step in the direction of assuring a reasonable and desirable land use pattern in this area, rather than just reacting to future rezoning requests, this Public Hearing has been established in order to enable consideration of the potential application of O-1 and E-P zoning to properties lying both east and west of Rochester Road. The easterly frontage under consideration extends from the present B-3 and P-1 Petruzello's Banquet Hall site, south to the B-1 zoned office site at the northeast corner of Rochester and Hartwig. The westerly Rochester Road frontage extends south from the Salvaggio Market site to Lovell Street. These proposed rezoning actions would thus basically just fill in the "gaps" between existing developed commercially-zoned properties within the Rochester Road frontages. The area proposed for O-1 zoning would result in 250 feet of net O-1 depth, excluding the planned rights-of-way for Rochester Road in this area, with 50 foot wide E-P areas lying to the rear of the proposed O-1 parcels. This proposed O-1 depth would enable a reasonable low-rise office development configuration, while at the same time resulting in non-residential frontage depths which are substantially less than those of the commercial properties immediately to the north. The proposed 250 foot depth would be the same as the depth of the O-1 zoned easterly Rochester Road frontage block between Glaser and Bradley Streets, south of Long Lake Road.

Enclosed with this agenda is a copy of the adopted Local Area Plan, along with copies of the advertisement for this Public Hearing and the related maps indicating the parcels involved. As discussed at the January 7 Study Meeting, we have added an indication of the existing E-P zoned area along the west edge of the Salvaggio site. We also advised the Commission at that time that we had not included the westerly portion of the residential parcel addressed at 114 East South Boulevard in the area proposed for E-P zoning at this time, as it was our understanding that the proposed zoning would extend through the house on that site, and would thus add an obstruction to the continued use of that residence. Future development or re-development could of course include such a buffer if such is felt to be necessary at that time. The property proposed for rezoning on the east side of Rochester Road involves approximately 709 feet of frontage, while that on the west side involves approximately 722 feet of frontage extending to the north line of Lovell Avenue. As indicated on the enclosed maps, the easterly frontage under consideration lies directly opposite land which is zoned in the B-2 and O-1 classifications and is fully developed. The southernmost parcel in the east frontage contains a non-conforming commercial kennel operation. The westerly frontage properties lie opposite the B-3 and B-1 zoned Alibi Restaurant site, and the B-1 zoned office site at the northeast corner of Rochester and Hartwig. A non-conforming commercial kennel also exists in the northernmost portion of the westerly frontage proposed for rezoning. It is the recommendation of the Planning Department that the Planning Commission recommend the indicated O-1 and E-P rezoning, both east and west of Rochester Road, in order to help to assure the implementation of a reasonable

development pattern in this area which will relate well to adjacent properties, while at the same time enhancing and having minimum negative impact on the overall non-residential development pattern and direction of the City.

Proposed Resolution

City Mgr. requests further consideration of a Residential Alternative.

Moved by

Seconded by

RESOLVED, that the Planning Commission hereby recommends to the City Council that properties lying east and west of Rochester Road in the area south of South Boulevard, and having approximately 709 feet of frontage on the east side of Rochester Road and approximately 722 feet of frontage on the west side of Rochester Road, be rezoned from R-1D and R-1B to O-1 and E-P, generally in accordance with the zoning pattern as presented on this date, and in accordance with the adopted Local Area Plan in this area, in order to set a direction for the implementation of a reasonable development pattern in this area which will relate well to adjacent properties, while at the same time enhancing and having minimum negative impact on the overall non-residential development pattern and direction of the City.

Yeas:

Nays:

Absent:

OTHER BUSINESS

7. ELECTION OF PLANNING COMMISSION OFFICERS - 1997

Article III, Section 1, of the Planning Commission By-Laws (copy enclosed) provides that nomination and election of Planning Commission officers shall occur at the " - - Annual Organization Meeting which shall be held on the second Tuesday of January of each year - -". The By-Laws state that the officers of the Commission shall consist of a Chairman and a Vice-Chairman.

It has also been customary at this time, that the Planning Commission forward their recommendations to the City Council as to a member and alternate to serve on the Board of Zoning Appeals for the coming year.

8. ESTABLISHMENT OF MEETING SCHEDULE - 1997

In accordance with the "Open Meetings Act" it is necessary to establish a schedule for public meetings of Bodies such as the Planning Commission. This requirement has been fulfilled through the adoption of a resolution designating the first and fourth Tuesdays of each month as "Special Meetings" for the Planning Commission, and the second Tuesday of each month as the date for "Regular Meetings". Such a resolution should be adopted at this time to cover the calendar year 1997. Meetings can of course be canceled or eliminated from this schedule, or rescheduled at a future date, as you might deem necessary.

Proposed resolution

Moved by

Supported by

RESOLVED, that the Troy City Planning Commission hereby establishes the following schedule for their meetings during the calendar year 1997:

1. Regular Meetings will be held on the second Tuesday of each month.
2. Special/Study Meetings will be held on the first and fourth Tuesdays of each month, as necessary.

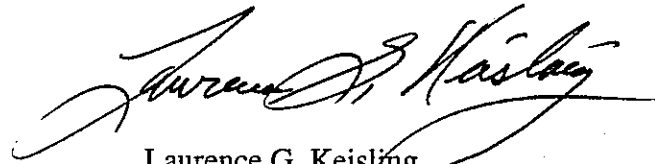
Yeas:

Nays:

Absent:

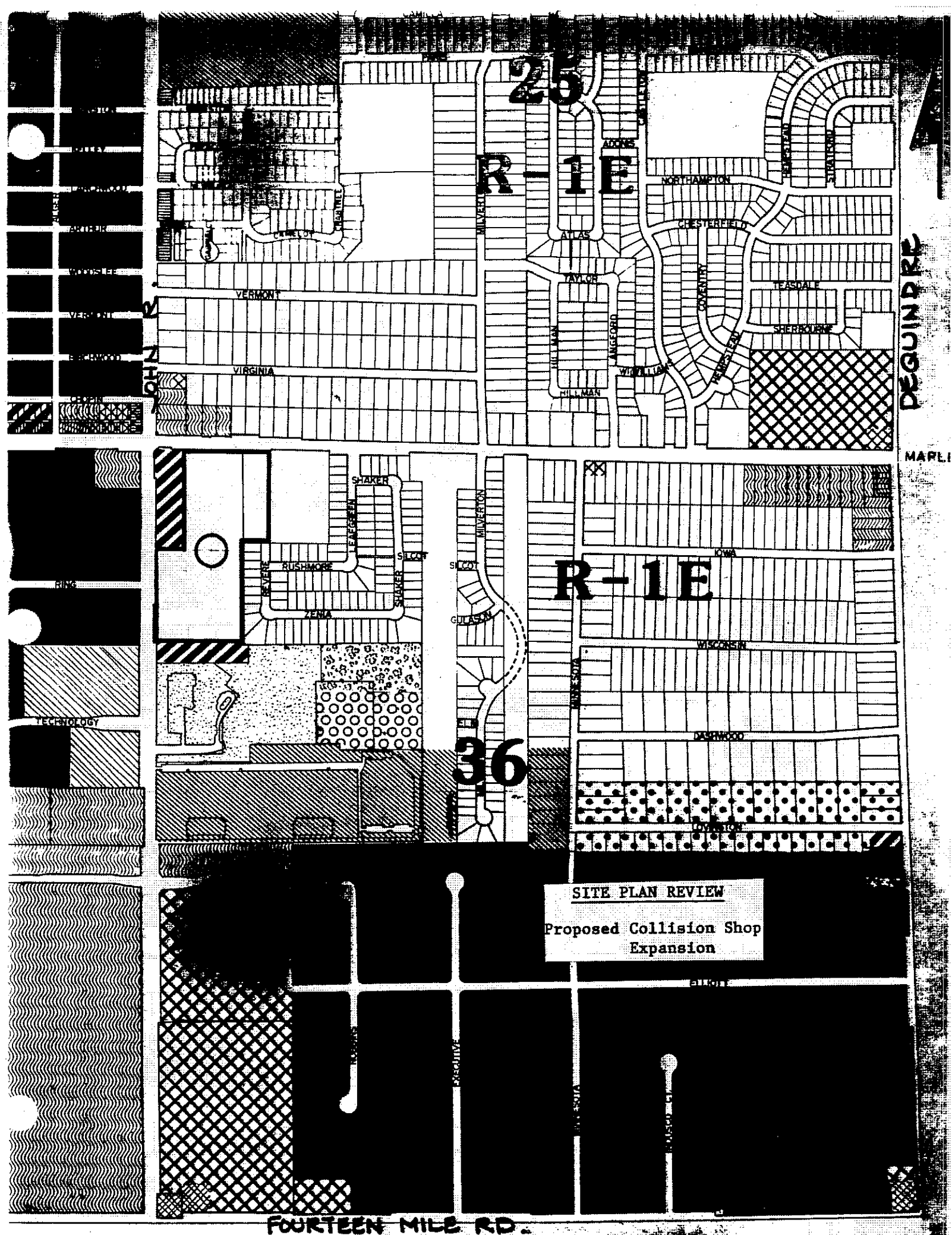
(Please advise the Planning Department, at your earliest convenience, as to your potential vacation schedules for the coming year, so that any necessary meeting schedule changes can be enacted.)

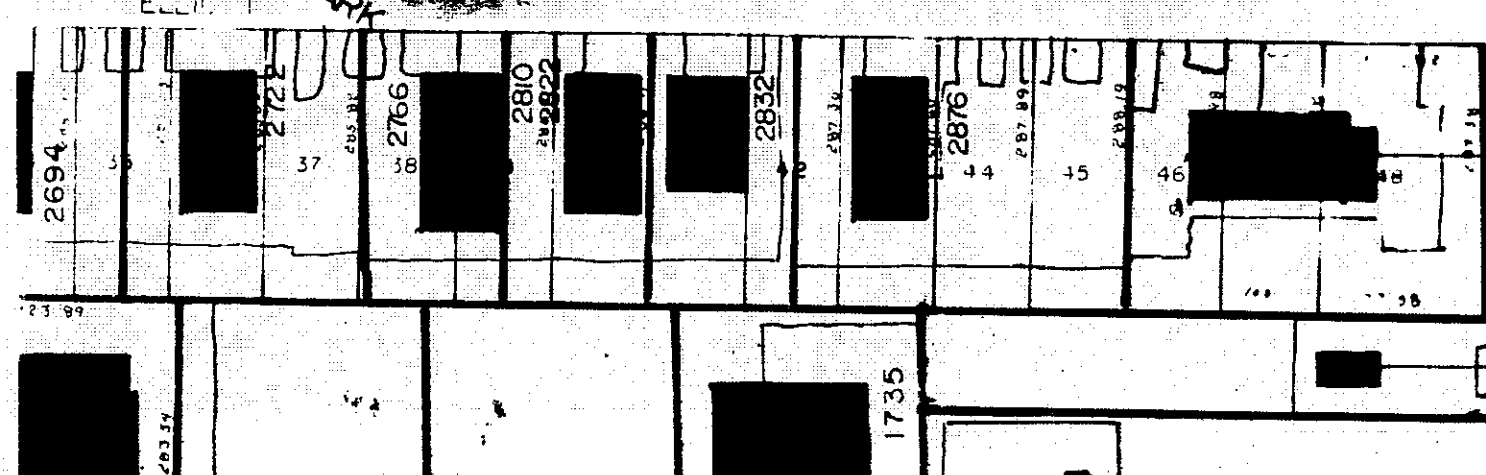
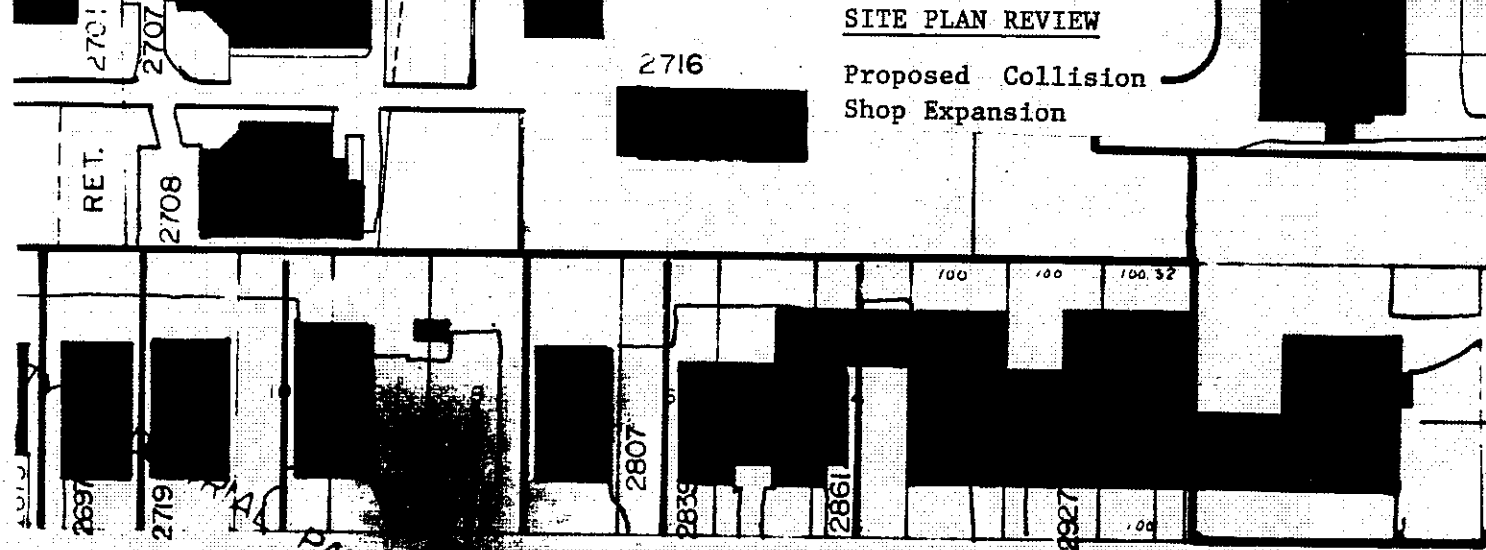
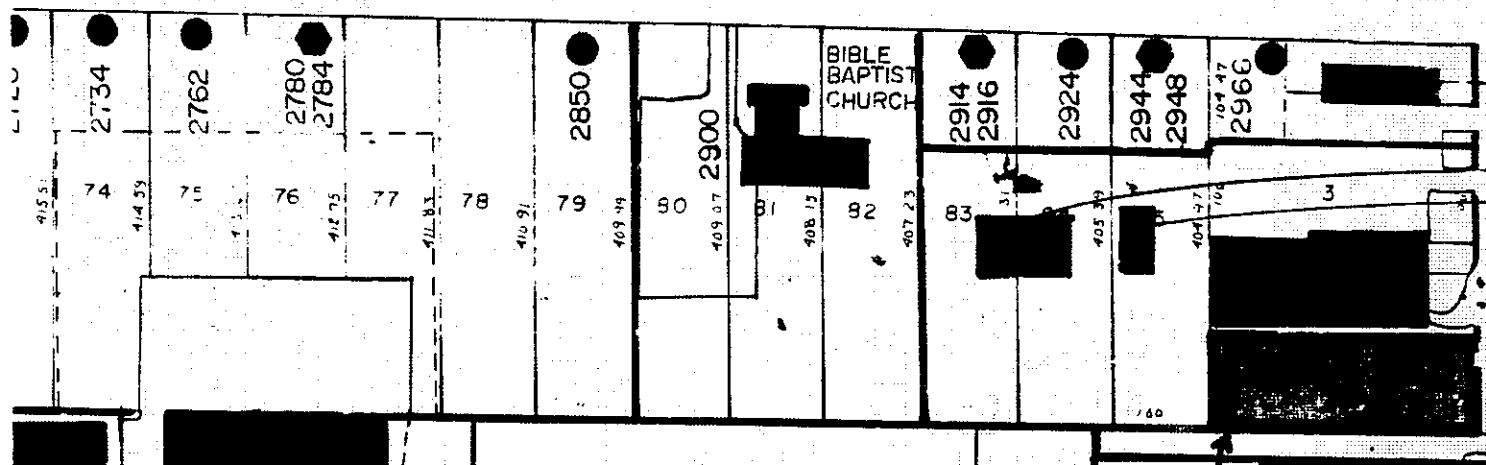
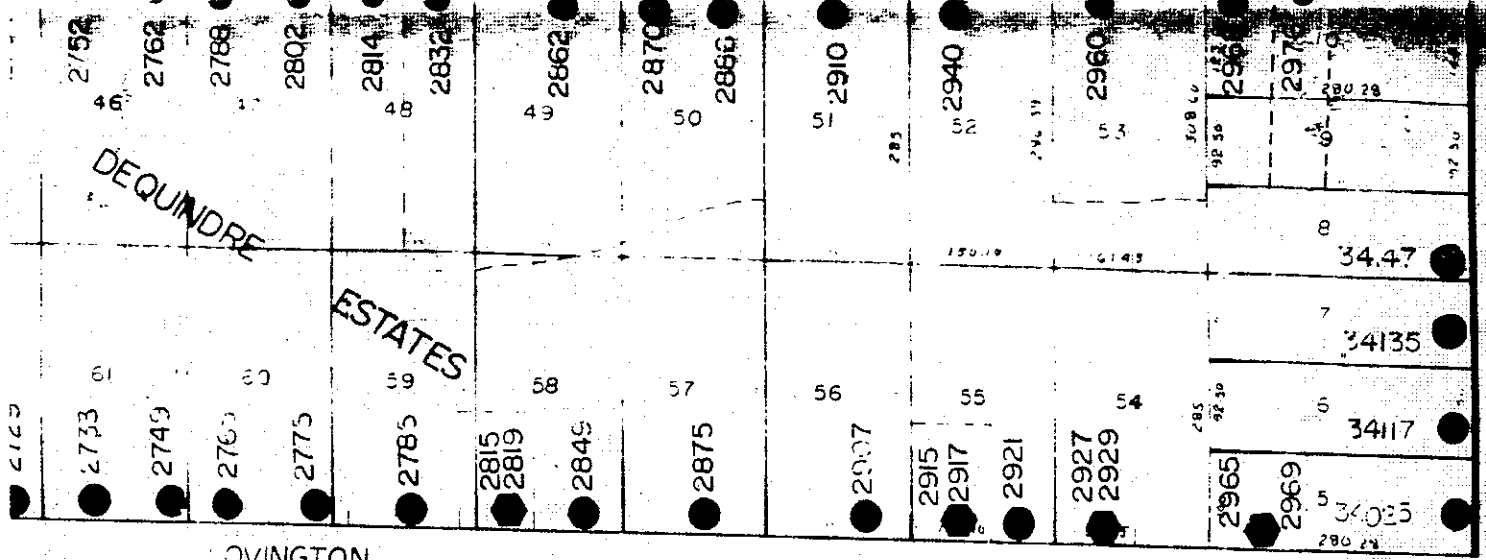
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Laurence G. Keisling", written in a cursive style.

Laurence G. Keisling
Planning Director

LGK/eh





NORTH

R-1C
11

C
•
F

SPECIAL USE REQUEST

Proposed Church
Complex

12
R-1C

14
R-1C

13
R-1C

JOHN R.

NORTH

EYSTER'S JOHN

TUCKER

ACRES

DRAKE

STANDISH

CUSTER

LONG LAKE RD.

SPECIAL USE REQUEST
Proposed Church
Complex

5390

27

26

25

24

5318

5300

5280

5246

2097

2119

22

2155

2237

2238

2227

5363
5359
5349
5358
5335
5321
127.0

5297
5285
5269
5255
5241
5227

5363
5359
5349
5358
5335
5321
127.0

5297
5285
5269
5255
5241
5227

2084

2106

2124

2150

216

2235
2248
2262
2263

5131
2240

5092

5072

5

6

7

8

2267

228

2115

2153

2193

2213

60

60

248.02

219.98

265

205

245

227.52

7. PUBLIC HEARING - SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Church - Southeast Corner of John R and Tucker - Section 12 (SU-284)

Mr. Keisling explained that a request has been submitted for Special Use Approval and related Site Plan Approval in order to provide for the establishment of a church on a 3.84 acre R-1C zoned site at the southeast corner of John R Road and Tucker Drive, north of Long Lake Road. The subject site has approximately 308 feet of frontage on John R Road, and 318 feet of frontage on Tucker. Access to John R Road is, however, restricted by the Gibson Drain which runs across the southwesterly portion of the site. The guard rail constructed along the east side of John R, extending from the bridge crossing the Gibson Drain, leaves approximately 130 feet of accessible John R Road frontage extending south from the Tucker right-of-way. Due to this access restriction, the site plan submitted with this proposal indicates access by way of just a single driveway from Tucker, which is presently a gravel-surfaced residential street in this area. The information submitted with this proposal indicates a sanctuary seating capacity of 318. If the expandable classroom area of 1,920 square feet is considered to be a "hall", 128 people could be accommodated in that area. The parking proposed on the subject site exceeds Ordinance requirements, even with the assumption that the expandable classroom area would function as a "fellowship hall".

Mr. Keisling stated that this proposal is submitted in accordance with Section 10.30.04 of the Zoning Ordinance, which provides for the establishment of church facilities in Residential Districts, subject to a series of conditions. These conditions include locational criteria, additional setback provisions, and the access provisions covered under Section 10.30.04-C-1, which limit church facilities to parcels having major thoroughfare frontage, with sole or primary access to such frontage. The Ordinance provisions enable some discretion on the part of the Planning Commission in relation to permitting access by way of other types of streets, when such " - - - would improve the traffic safety characteristics in the area of the site, while not negatively impacting adjacent residential properties". This language has further been interpreted to refer to "secondary access" to church sites, rather than to sole or primary access. In the course of staff review of this matter, the Planning Department inquired with the Consulting Transportation Engineer as to the acceptability of a driveway from this site to John R Road. It was his recommendation that, if such a driveway is to be provided, its' centerline should lie at least 200 feet south of the center of Tucker Street. Such a drive access location is not available due to the physical obstructions previously noted. In considering the effect of providing the sole access to this site from Tucker, the Planning Department also noted that the gravel street portion of Tucker presently extends to a barricade approximately 1,150 feet east of John R, thus making the improved portions of Tucker Drive within the subdivisions to the east presently inaccessible. The City Council's policy on this matter is that the barrier will remain in place until Tucker is paved in the area between the barricade and John R. The only access to the series of properties within the gravel street portion of Tucker is, therefore, by way of the John R-Tucker intersection. This situation further heightens the staff's concern about the proposal to establish a church which would have its' only access to Tucker. It was, therefore, the recommendation of the Planning Department that this request for Special Use Approval be denied, on the basis that the access configuration presently proposed is unacceptable, and that it is in conflict with the primary intent of Section 10.30.04-C of the Zoning Ordinance. This access situation could also be readily interpreted as increasing factors which could be " - - - detrimental to the orderly development, property values, environment or use of adjacent land and/or Districts.", as set forth in the introductory language to the Special Use Approval portion of the R-1 District text (Section 10.30.00-A).

Mr. Keisling noted that, if the Planning Commission chooses to grant this Special Use Approval, it is the recommendation of the staff that such approval be conditioned upon the paving of Tucker Drive across the total frontage of the proposed church site.

Pastor Simion Timbue was present on behalf of the church along with Alex Nicolaescu of Nowak & Fraus, their consulting engineer. Mr. Nicolaescu noted that, with the County Drain guard rail placement, the necessary proximity of a John R access drive to Tucker Street would not be safe. He noted the natural drainage of the land in this area, and stated that the detention basin would be next to the Gibson Drain. Mr. Storrs expressed concern about the distance from the building entrance to the major parking area. He felt that such a site arrangement may encourage improper parking to occur at a "more convenient location", such as along the Tucker Drive frontage.

The Public Hearing was declared open.

John Tosch of 2088 Tucker was present and noted the letter which he had previously sent to the Commission. He was concerned about the traffic problems which will be created on Tucker if Tucker is the only access to the

February 13, 1996 Minutes

proposed church. He noted that the site plan was in conflict with the Zoning Ordinance as it did not have an access drive to a major thoroughfare. He then presented petitions containing signatures of many area residents, objecting to the proposed church. Romeo Bruce of 5160 Orchard Crest stated that he has lived across from the site since 1979, and felt that the City should consider the resident's needs. He had been told that the area was in a flood plain, and therefore, undevelopable. He was concerned that the development would cause flooding or drainage problems in the area. Kenneth Andreoni of 2097 Tucker was concerned about potential traffic problems, and the potential restriction of access to homes on Tucker because of the proposed church development. Dean Cifani of 5246 John R noted that John R narrows from four lanes to two lanes in this area. He was also concerned about the resultant difficulty of turning onto John R from Tucker. Lorri Lair of 2106 Tucker felt that the Tosch's would be financially devastated if this church was built next to their home. Craig Lanham of 2124 Tucker felt that paving part of Tucker in front of the church site didn't make sense, due to the resultant inconsistent nature of the street.

Pastor Timbue stated that he understood the concerns of the neighbors. Church representatives had met with Mr. Tosch and had adjusted their plan in accordance with his request, with the exception of the road access. The congregation, which consists of approximately 100 adults and 65 children, presently owns the property. The only activities at the site will be Sunday morning and evening services and a mid-week service. The church would be willing to make whatever reasonable adjustments to their plan that they can in order to make it acceptable.

No one else wished to be heard.

The Public Hearing was declared closed.

In the course of the Commission's discussion, Mr. Wright commented that, although he normally supported the establishment of churches, he would not support this proposal due to the lack of an access drive to John R Road. Mr. Storrs re-stated his concern about the awkward relationship between the building and the parking area.

Moved by Wright

Seconded by Starr

RESOLVED, that Special Use Approval, as requested for the construction of a church on a 3.84 acre R-1C zoned site at the southeast corner of John R Road and Tucker Drive, is hereby denied, as the proposed driveway access to the subject site, by way of Tucker Drive, is unacceptable, is in conflict with the intent of the Zoning Ordinance, and the development as proposed will thus be detrimental to the orderly development, property values, and environment of the adjacent residential area.

Yeas: All Present (8)

Absent: Chamberlain

MOTION CARRIED

P/c
2-13-96

10.30.00

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL

The following uses may be permitted in R-1A through R-1E, One Family Residential Districts, subject to the conditions hereinafter imposed for each use; and also subject to the review and approval of the use by the Planning Commission. Before approving any such uses, the Planning Commission shall find that:

- A. The land use or activity being proposed shall be of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is situated, and shall not be detrimental to the orderly development, property values, environment or use of adjacent land and/or Districts.
- B. The land use or activity under consideration is within the capacity limitations of the existing or proposed public services and facilities which serves its location.

Planning Commission approval of the Site Plan for such uses is also required. Site Plans for the expansion of such uses, which also involve the expansion of off-street parking and driveway facilities, shall also be subject to the approval of the Planning Commission.

10.30.01

Persons seeking Special Use Approval for specified uses governed by this Article shall conform to the requirements of Section 03.30.00.

10.30.04

Churches and other facilities normally incidental thereto, subject to the following conditions:

- A. Building of greater than the maximum height allowed in Article XXX, "Schedule of Regulations", may be allowed provided that the front, side and rear yards are increased one (1) foot for each foot of building height which exceeds the maximum height allowed.
- B. Front, side and rear yard setbacks shall be a minimum of fifty (50) feet.
- C. The site shall be so located as to have at least one (1) property line abutting a Major Thoroughfare of not less than one hundred twenty (120) feet of right-of-way width, existing or proposed, and all ingress and egress to the site shall be directly onto such major thoroughfare or a marginal access service drive thereof, with the following exceptions:
 - 1. The Planning Commission may permit access drives to streets or thoroughfares other than Major Thoroughfares, in those instances where they determine that such access would improve the traffic safety characteristics in the area of the site, while not negatively impacting adjacent residential properties.
- D. One or more of the following locational criteria may be considered by the Planning Commission as a basis for approval or denial of proposals for church development:
 - 1. Location at the intersection of two (2) Major Thoroughfares, each of which has a right-of-way width of at least one hundred twenty (120) feet (existing or proposed).
 - 2. Location abutting a Freeway right-of-way.
 - 3. Location involving a total Major Thoroughfare frontage block (extending between two intersecting local streets).

4. Location where the site has at least one (1) property line, apart from its Major Thoroughfare frontage, in common with land which is developed, zoned, or otherwise committed for use other than the construction of One-Family Residential dwellings.

These criteria are intended, in part, to assure that the location of a church will not negatively impact the potential for the logical extension of single-family residential development in the adjacent area.

- E. Parking shall not be permitted in the required yards adjacent to any public street, and said yards shall be maintained as landscaped open space.
- F. Whenever the off-street parking is adjacent to land zoned for residential purposes, a continuous obscuring wall, four (4) feet six (6) inches in height, shall be provided along the sides of the parking area adjacent to the residentially zoned land. The wall shall be subject to the provisions of Article XXXIX, Environmental Provisions.
- G. Whenever facilities such as community halls, fellowship or social halls, recreation facilities and other similar uses are proposed as incidental to the principal church or worship facility use, such secondary facilities shall not be constructed or occupied in advance of the sanctuary or principal worship area of the church complex.
 1. The seating capacity of such incidental use areas shall not exceed that of the sanctuary or principal worship area of the church complex.
 2. Parking shall be provided for such incidental use areas at 1/2 the rate of that required for the sanctuary or principal worship area, and shall be in addition to the parking required for the principal worship area.
 3. Such incidental facilities must be used for church, worship, or religious education purposes, in a manner which is consistent with residential zoning and compatible with adjacent residential property. They shall not be used, leased or rented for commercial purposes.



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE"

Board of Road Commissioners

John E. Olsen
Chairman

Richard V. Vogt
Vice-Chairman

Rudy D. Lozano
Commissioner

Brent D. Bair
Managing Director

Gerald M. Holmberg
Deputy Managing Director
County Highway Engineer

Permits and
Environmental
Concerns Dept.

2420 Pontiac Lk. Rd.
Waterford, MI
48328

810-858-4835

FAX
810-858-4773


810-858-8005



May 2, 1996

Nowak & Fraus, Inc.
Att: Mr. Patrick Williams
1310 N. Stephenson Hwy.
Royal Oak, MI 48067

**RE: PRELIMINARY REVIEW OF PROPOSED APPROACH TO
JOHN R ROAD AT TUCKER AVENUE FOR PROPOSED CHURCH
IN THE CITY OF TROY**

Dear Mr. Williams:

We have reviewed the proposed approach location and should inform you that the sight distance would be less than adequate due to guardrail beam and concrete barrier. Therefore, we do not recommend an approach in the area of the bridge to Tucker Avenue on the east side of John R Road.


A final approval will not be granted until such time as all permit requirements are met and the developer's contractor acquires a permit.

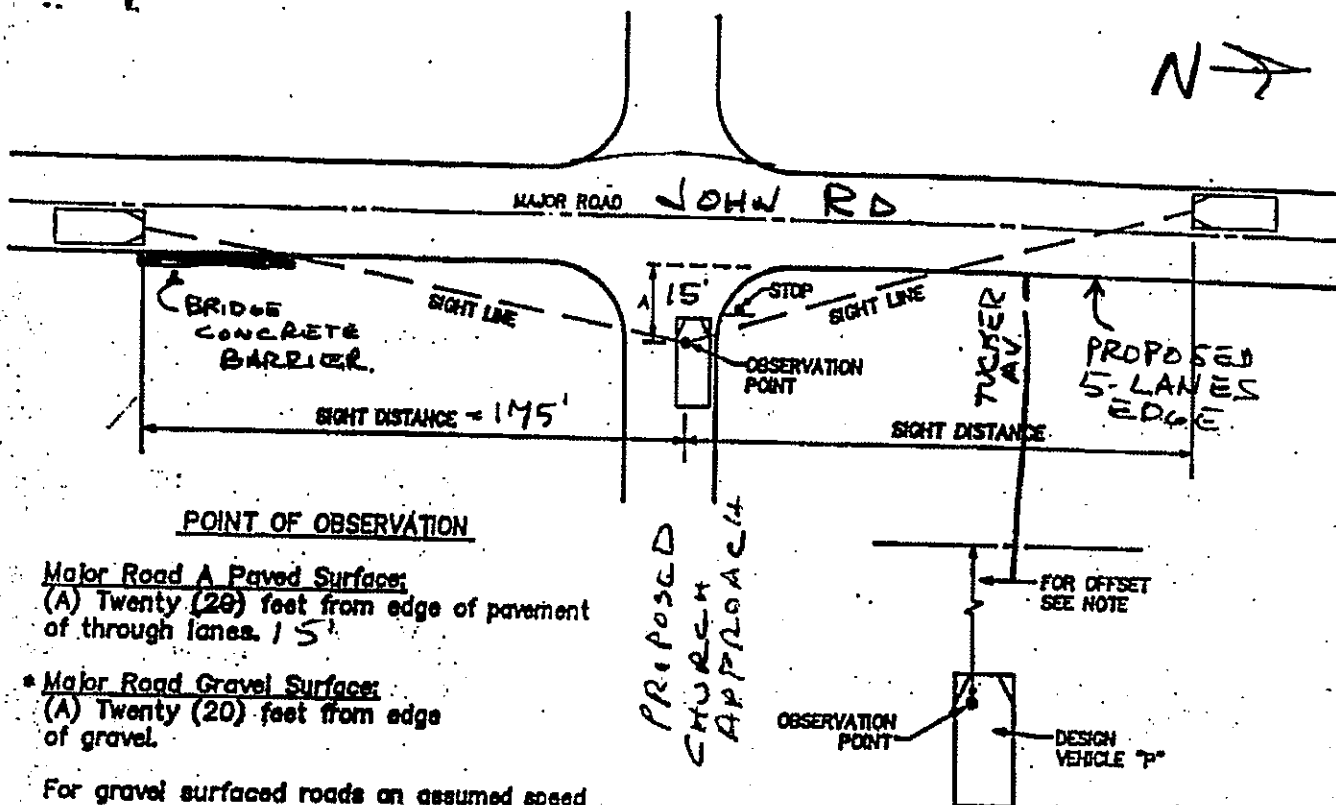
If you have any questions, please feel free to contact me at (810) 858-4776.

Very truly yours,

George S. Ward
Plan Review Engineer
Permits & Environmental Concerns Department

GSW:kd
Enclosure

c:  Mr. Singh Bhatia, City of Troy



POINT OF OBSERVATION

Major Road A Paved Surface:

(A) Twenty (20) feet from edge of pavement of through lanes. 15'

* Major Road Gravel Surface:

(A) Twenty (20) feet from edge of gravel.

For gravel surfaced roads an assumed speed of 45 mph, shall be used to determine sight distance unless otherwise posted.

Certain existing conditions may require an engineering study to determine the sight distance.

* FOR RESIDENTIAL DRIVEWAYS APPROACHING GRAVEL OR PAVED ROADS (A) IS 10' FROM THE EDGE OF GRAVEL.

The point of vision shall be from the height of eye, 3.5 feet above the proposed intersecting elevation to a height of object 3.5 feet above the existing or proposed road centerline and shall be continuously visible within the specified limits.

TABLE I
MINIMUM CORNER SIGHT DISTANCE

| MAJOR THROUGH ROAD POSTED SPEED | SUBDIVISION STREETS | |
|---------------------------------|---|------------|
| | RESIDENTIAL DRIVEWAYS, COMMERCIAL DRIVEWAYS | |
| IN MPH | 2 LANE | MULTI LANE |
| 25 | 280 | 280 |
| 30 | 310 | 340 |
| 35 | 380 | 400 |
| 40 | 410 | 450 |
| 45 | 480 | 510 |
| 50 | 510 | 580 |
| 55 | 580 | 620 |

Note:

The above data is based on a left turn maneuver into the intersecting major roadway as described in AASHTO. Due to the higher potential accident severity, the left turning sight distance was used to determine the corner sight distance required.

Any deviation from given data requires an engineering study by the R.C.O.C. Traffic Safety Department.

For new or reconstructed roadway projects the Design Division shall address corner sight distance as suggested by AASHTO (green book 1980) for at-grade intersection design; and at minimum, shall meet sight distance shown in table I. This design guide also applies to new Permit & Plat construction projects.

3/28/96
DCB

ROAD COMMISSION FOR OAKLAND COUNTY
A Detail For:

GUIDE FOR CORNER SIGHT DISTANCE

| | | |
|----------------------------------|--|---------------|
| PREPARED BY ENGINEERING DEPT. | EFFECTIVE DATE 1/4/94 | ITEM CODE NO. |
| Rev. 12/3/92 | Rev. | Rev. |
| APPROVED BY: | [Signature] County Highway Engineer | |

THOMAS G. SAWYER
MICHAEL W. HUTSON
RONALD A. CHAPMAN
MICHAEL J. REILLY

HUTSON, SAWYER, CHAPMAN & REILLY
ATTORNEYS AT LAW
292 TOWN CENTER DRIVE
TROY, MICHIGAN 48064-1799
(810) 689-5700

OF COUNSEL
JACK W. HUTSON
FAX
(810) 689-5741

January 6, 1997

1/7/97
Previously Sent to
Planning Comm. Members
by Mike Hutson.
J.H.

COPY

Walter A. Storrs III
5676 Martel
Troy, MI 48098

Re: Bethesda Romanian Pentecostal Church

Dear Mr. Storrs:

On February 13, 1996 the Bethesda Romanian Pentecostal Church came before the Planning Commission requesting approval to build a church on the four (4) acres it owns on the southeast corner of Tucker Drive and John R Road. You denied its request.

When I reviewed the minutes of that meeting, I saw the denial was based primarily on an Oakland County Road Commission Report that indicated cars exiting the property adjacent to a bridge over the Gibson Drain would pose a hazard to motorists on John R Road. You also denied approval that would have allowed access to the property by way of Tucker Drive.

In order to satisfy the Special Use provisions of the Zoning Ordinance and allay Road Commission objections, the church has modified the site plan to create a one-way entrance to the property from John R Road, as well as both an entrance and exit on Tucker Drive.

I spoke with George C. Ward, the Oakland County Road Commission Plan Review Engineer. He confirmed that the Road Commission's initial problem had been with cars exiting on to John R Road from the property. Since the new site plan has an entrance and not an exit on to John R Road, he sees no problem with it.

The minutes also indicated that the surrounding neighbors were concerned with the amount of traffic the church would generate. All of us who live in Troy are concerned with any change that will bring more cars in and through our subdivisions. But, I think, the neighbors will find that the fifty (50) families—not individuals, but families—who will use the church for about three (3) hours on a Sunday, when traffic in that area is already light, and for two (2) hours on Thursday evenings will add little by way of traffic problems to the neighborhood.

In fact, if 10 to 12 homes were built on the property, they would probably generate more traffic coming and going at all hours of the day and night than would the members of this small congregation.

Walter A. Storrs III
January 6, 1997
Page 2

As you know from your years of service on the Planning Commission and as I know as a 20-year resident of Troy, change comes hard to established neighborhoods. Each of us would like to have had the opportunity to move into a community like Troy and have the sidewalks rolled up after us. Unfortunately, that didn't and can't happen. Change and growth have been managed by adherence to the Master Plan.

The new site plan is consistent with the Special Use provision of the Zoning Ordinance and in harmony with the Master Plan.

Both the members of the church and I look forward to meeting with you on January 14, 1997 to discuss our request.

Very truly yours,

HUTSON, SAWYER, CHAPMAN & REILLY

Michael W. Hutson, Attorney for
Bethesda Romanian Pentecostal Church

MWH:dp

cc: Laurence Keisling
Client

Adopted By Planning Commission

August 13, 1996

COMMERCIAL

LOW-RISE OFFICE

GREENBELT BUFFER

RESIDENTIAL - ONE FAMILY.

() EXISTING NON-RESIDENTIAL ZONING.





R-1B/ EXISTING RESIDENTIAL ZONING

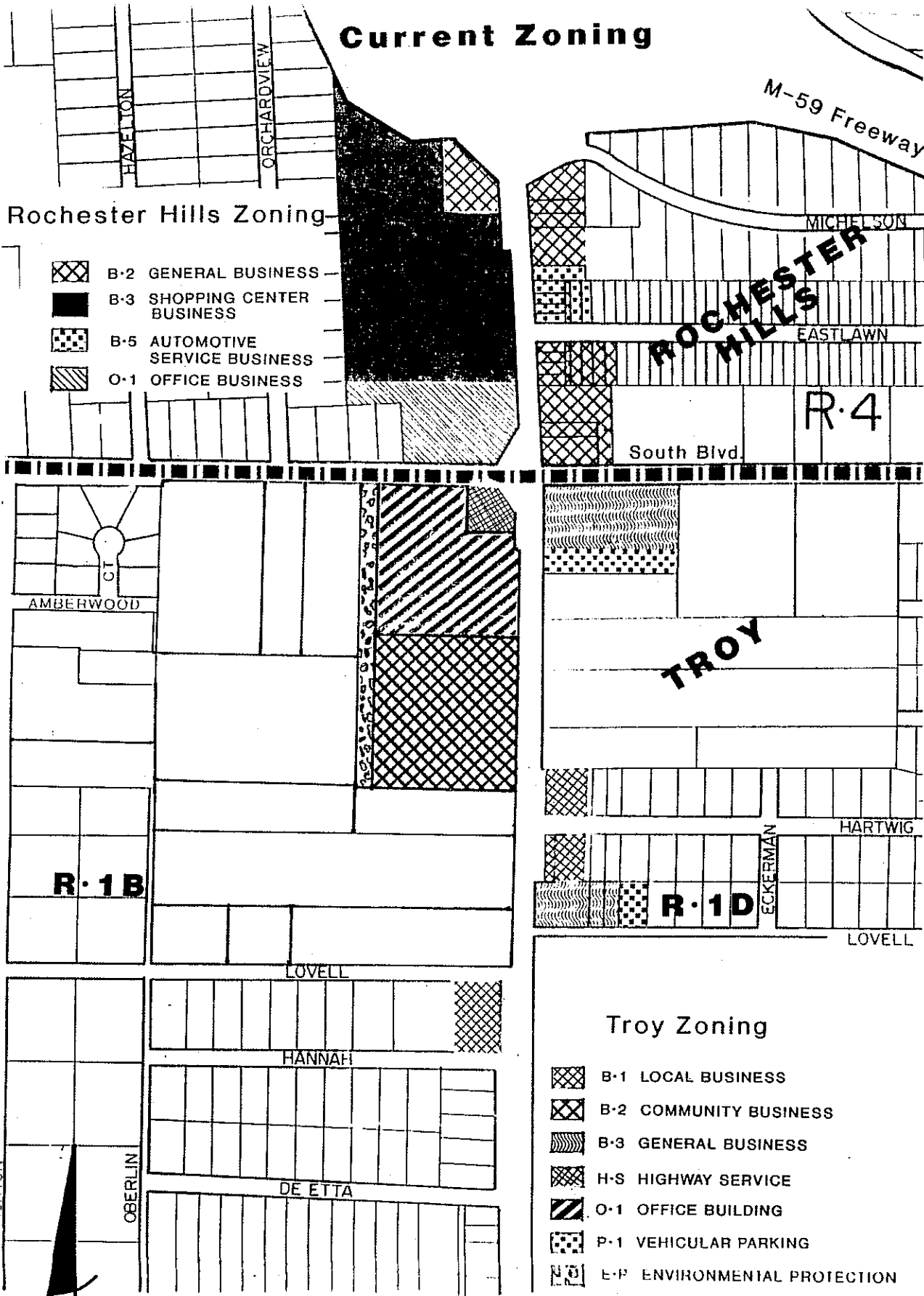
R-1D/ EXISTING RESIDENTIAL ZONING

POTENTIAL STREET/LOT PATTERN








Current Zoning

Rochester Hills Zoning

-  B-2 GENERAL BUSINESS
-  B-3 SHOPPING CENTER BUSINESS
-  B-5 AUTOMOTIVE SERVICE BUSINESS
-  O-1 OFFICE BUSINESS



Troy Zoning

-  B-1 LOCAL BUSINESS
-  B-2 COMMUNITY BUSINESS
-  B-3 GENERAL BUSINESS
-  H-S HIGHWAY SERVICE
-  O-1 OFFICE BUILDING
-  P-1 VEHICULAR PARKING
-  E-P ENVIRONMENTAL PROTECTION

North

ROCHESTER

CITY OF TROY

A Public Hearing will be held by and before the Planning Commission of the City of Troy at City Hall, 500 W. Big Beaver, Troy, MI on Tuesday January 14, 1997, at 7:30 P.M., or as soon thereafter as the agenda will permit, to consider a proposal to rezone the following described properties, pursuant to a portion of the "Local Area Plan" adopted by the Planning Commission on August 13, 1996 relative to the Rochester Road/South Boulevard Area:

PARCEL "A": Rezone, from R-1D (One-Family Residential) to O-1 (Office Building), the following described properties:

T2N, R11E, NW ¼ of Section 2

The West 340 ft. of City of Troy Tax Parcels 20-02-101-004, 20-02-101-007, 20-02-101-008 and 20-02-101-009, except for those portions acquired or used for Rochester Road right-of-way.

These properties are further generally described as beginning at a point on the West Line of Section 2, 356 ft. South of the Northwest Section Corner; thence East 340 ft. along the north line of Parcel 20-02-101-004; thence South, parallel to the West Section Line, approximately 708.8 ft. to the South Line of Parcel 20-02-101-009 and the North Line of Eysters Suburban Home Subdivision; thence S. 89D 47M 00S W., approximately 340 ft. to the West Section Line, thence North along the West Section Line to the point of beginning.

PARCEL "B": Rezone, from R-1D (One-Family Residential) to E-P (Environmental Protection) the following described properties:

T2N, R11E, NW ¼ of Section 2

The East 50 ft. of the West 390 ft. of City of Troy Tax Parcels 20-02-101-004, 20-02-101-007, 20-02-101-008 and 20-02-101-009. These properties consist of the area extending 50 ft. East from that described in Parcel "A" above.

PARCEL "C": Rezone, from R-1D (One-Family Residential) to E-P (Environmental Protection) the following described properties:

T2N, R11E, NW ¼ of Section 2

The West 208 ft. of the East 258 ft. of the North 50 ft. of City of Troy Tax Parcel 20-02-101-004; and the West 50 ft. of the East 100 ft. of City of Troy Tax Parcel 20-02-101-003.

PARCELS "A", "B" AND "C" lie along and East of Rochester Road in the area South of South Boulevard, and extend from the present B-3 and P-1 zoned Petruzzello's Banquet Hall site, South, to the B-1 zoned office site at the northeast corner of Rochester and Hartwig.

PARCEL "D": Rezone from R-1B (One-Family Residential) to O-1 (Office Building) the following described properties:

T2N, R11E, NE ¼ of Section 3

The East 325 ft. of City of Troy Tax Parcels 20-03-226-018, 20-03-226-019 and 20-03-226-022, except for those portions acquired or used for Rochester Road right-of-way.

These properties are further generally described as beginning at a point on the East Line of Section 3, approximately 1064.15 ft. from the Northeast Section Corner; thence N. 89D 35M 5S West, 325 ft. along the North Line of Parcel 20-03-226-018; thence South, parallel to the East Section Line, approximately 721.8 ft. to the North Line of Lovell Avenue and the South Line of Parcel 20-03-226-022; thence Easterly along the North Line of Lovell Avenue and the South Line of Parcel 20-03-226-022 approximately 325 ft. to the East Section Line; thence North along the East Section Line to the point of beginning.

PARCEL "E": Rezone from R-1B (One-Family Residential) to E-P (Environmental Protection) the following described properties:

T2N, R11E, NE ¼ of Section 3

The West 50 ft. of the East 375 ft. of City of Troy Tax Parcels 20-03-226-018, 20-03-226-019 and 20-03-226-022. These properties consist of the area extending 50 ft. West from that described in Parcel "D" above.

PARCEL "F": Rezone from R-1B (One-Family Residential) to E-P (Environmental Protection) the following described properties:

T2N, R11E, NE ¼ of Section 3

The West 210 ft. of the East 585 ft. of the North 50 ft. of City of Troy Tax Parcel 20-03-226-018.

PARCELS "D", "E", AND "F" lie along the West side of Rochester Road, in the area between the Salvaggio Market and Lovell Street.

You may express your comments regarding this matter by writing this office or by attending the Public Hearing.

Tamara Renshaw
City Clerk

SOUTH BLVD.

SOUTH BLVD.

