

March 14, 1967

A Regular Meeting of the Troy Plan Commission was held in the Troy City Offices on March 14, 1967, at 7:30 P.M.

PRESENT: Chairman
Alphonse S. Bajgier

Frank Christian
Emil Cischke
John C. Czarnowski
Donald A. Melchert
Isaac W. Robertson
Sherwood E. Shaver

ABSENT: Frank L. Bedard
Hilbert H. Hirschfield

MINUTES - FEBRUARY 14, 1967

Motion by Czarnowski
Support by Melchert

MOVED, that the minutes of the Regular Meeting of February 14, 1967, be approved as printed.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

1. PROPOSED REZONING REQUEST - MARATHON OIL

Attorney Oliver, representing the Marathon Oil Company, outlined the three locations of proposed gasoline stations:

- a) NW corner of Livernois and Long Lake Road, B-2 to B-3, Section 9
- b) SW corner Wattles and Rochester Road, B-1 to B-3, Section 22
- c) NE corner Wattles and John R. Road, B-2 to B-3, Section 13

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MARATHON OIL COMPANY REQUEST (cont.)

Attorney Oliver submitted site plans and photographs to the Commission and stated considerations to select an appropriate location, with the prime factors being:

1. Location on two major thoroughfares,
2. Provision of water and sewer facilities,
3. Population trends,
4. Credit card surveys,
5. Fact that the majority of people buy gas within one mile of their home.

Mr. Oliver added that the proposed structures will provide a safe and unobstructed corner. The Stations will not remain open 24 hours, will have an extensive training program for the owner, and operating policy forbidding junk cars on the property.

The most important consideration is that of population in the immediate area, and with the expected growth in Troy, there is a need for gasoline service.

Attorney Oliver outlined the location and proposed plans for each site.

No further questions or comments from the table.

No questions from the audience.

Motion by Czarnowski
Support by Melchert

MOVED, that the Marathon Oil Company's request for rezoning be tabled for one month for further study, and that final action be taken at the next Regular Meeting.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

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2. PROPOSED REZONING - LOTS 78 through 81 ADDISON
HEIGHTS SUBDIVISION, SECTION 27

Attorney Franco, representative of Mr. Davidson and Kentucky Fried Chicken, stated that the time the property was acquired, this matter was discussed with the City Officials and it was understood that the proposed project would be in conformity with the Code of Troy in a B-1 Zoning District.

Attorney Franco read the legal opinion on this matter from Stanley Burke, City Attorney, which stated that the project was a diversified use and suggested that it be located in a B-3 District, rather than B-1.

Mr. Franco further pointed out that there is no established zoning in the area and cited these examples: Clark Gas Station, Barber Shop, Parking Lot, Tool Shop, Troy National Bank, Restaurant, Big "D" Center, Church, Residence, and a vacant lot, all of which are in the immediated location. He stated that the purpose of the operation is to serve the immediate area, that it will not be a drive-in restaurant, there will not be consumption of food on the premises, that it is not predicated on the passer-by-trade.

Mr. Davidson, owner of the land, stated that he did not know that it was improperly zoned until two (2) months ago, having owned the property since November, 1965

Motion by Christian
Support by Cischke

MOVED, that the rezoning request of lots 78 through 81 of Addison Heights Subdivision from B-1 to B-3 by Kentucky Fried Chicken, Inc., be approved.

Yeas: Robertson, Christian, Cischke
Nays: Melchert, Czarnowski, Shaver, Bajgier
Absent: Bedard, Hirschfield

MOTION DENIED

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REZONING REQUEST-KENTUCKY FRIED CHICKEN (cont.)

Motion By Bajgier
Support by Czarnowski

MOVED, that the request of the petitioner to rezone lots 78-81, Addison Heights Subdivision, from B-1 to B-3, be denied for the following reasons:

- a) Rezoning to B-3 would constitute spot zoning in an area otherwise zoned B-1.
- b) To accomodate specific uses through map changes would establish a poor precedent.
- c) Previous discussions by the Planning Commission had concluded with agreement on retaining zoning as B-1 in the immediate area.

Yeas: Robertson, Christian, Czarnowski, Bajgier
Melchert, Shaver

Nays: Cischke

Absent: Bedard, Hirschfield

MOTION CARRIED.

3. PROPOSED REZONING REQUEST - LOT 2 - SUPERVISOR'S PLAT #2

Mr. D. Beier objected to any consideration given to a P-1 Zoning. He feels that there is too much land to be zoned in this manner. Mr. Beier further added that zoning the entire lot as P-1 would jeproadize the plans for future development.

No futher questions from the table.

No comments from the audience.

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PROPOSED REZONING REQUEST - SUPERVISOR'S PLAT #2 (cont.)

Motion by Robertson
Support by Cischke

MOVED, that the request of the petitioner to rezone Lot #2, Supervisor's Plat 23, from RM-1 to B-3, be tabled for the next Regular Meeting.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

4. PROPOSED REZONING REQUEST-SHELL OIL COMPANY

The Commission indicated they should consider this request with the same policy as applied to Marathon Oil.

E. Ellis, representative of Shell Oil Company, submitted aerial photographs of the proposed site and explained his Company's theory as to where a service station should be located. The following are two prime factors taken into consideration before the development of such station:

1. The proposed location is important. The station has to be situated in an area where there is a constant flow of traffic.
2. The facility must be presentable to the public.

Mr. Ellis further stated that the proposed station would be located at Big Beaver and John R., two main thoroughfares in the City of Troy, thus fulfilling the first primary consideration, that of suitable location. This intersection has the third highest traffic count in the City of Troy. The Shell Station to be erected will be a ranch-type unit, presentable to the public.

No further comments from the table.

No questions from the audience.

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REZONING REQUEST - SHELL OIL COMPANY (cont.)

Motion by Melchert
Support by Robertson

MOVED, that this item be tabled until the next Regular Meeting.

Yeas: All-7
Nays: none
Absent: none

5. PROPOSED REZONING REQUEST-MOOSELodge#409-SECTION 23

Mr. Perica, 28225 Mound, Warren, stated that the Moose Lodge #409 of Royal Oak requests rezoning of twelve acres in Section 23 from R-1E to B-2, which would allow the proposed type of land use opposite Berz Airport.

John Czarnowski asked if the property abutted that of the Elks Lodge. Mr. Perica stated that it is approximately 900 feet East of that property and that the property in question is made up of three four (4) acre parcels, with a total frontage of 404.13' and depth of 1309'.

No further comments from the table.

No comments from the audience.

Motion by Czarnowski
Support by Christian

MOVED, that the Rezoning Request of Moose Lodge #409, property located on the North side of Big Beaver with an acreage parcel measuring 404.13' x 578' be granted for a B-2 Zoning Classification.

Yeas: Cischke, Christian, Czarnowski
Nays: Robertson, Shaver, Bajgier, Melchert
Absent: Bedard, Hirschfield

MOTION DENIED.

REZONING REQUEST-MOOSE LODGE #409 (cont.)

Motion by Robertson
Support by Bajgier

MOVED, that the petition of Moose Lodge #409, for rezoning on their property to be tabled for the next Regular Meeting to permit further study.

Yeas: Robertson, Shaver, Bajgier, Melchert
Nays: Cischke, Christian, Czarnowski
Absent: Bedard, Hirschfield

MOTION CARRIED.

6. TEXT AMENDMENT - SECTION 5.165 - OBSCURING WALLS

No questions from the audience.

Motion by Melchert
Support by Shaver

MOVED, that the Planning Commission recommend to the City Commission that the following zoning text amendment be adopted:

Section 5.165 Walls, Change Subsection (1) (c) to require a 6'0" high wall and (d) to require a 6'0" to 8'0" high wall.

Change Subsection (3), the first paragraph to read as follows:

Such wall and screening barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this Chapter and except such openings as may be approved by the Chief of Police and the Chief Building Inspector. All walls herein required shall be constructed with a solid unpierced masonry material similar and compatible with the principle building and any adjacent residential districts.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

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7. STREET VACATION - BRINSTON STREET - SECTION 27

The request for the vacation of Brinston Street was referred to the Plan Commission by the City Commission because of a possible potential traffic hazard.

Motion by Cischke
Support by Christian

MOVED, that this item be recommended to the City Commission by the Plan Commission as being in favor of the vacation of Brinston Street and that the City Commission should hold a Public Hearing and notify adjacent landowners, in event the property owners should be land locked.

Yeas: Christian, Cischke, Czarnowski, Melchert, Shaver
Nays: Bajgier, Robertson
Absent: Bedard, Hirschfield

8. TEXT AMENDMENT-CLARIFICATION OF SECTION 5.143

Motion by Bajgier
Support by Robertson

MOVED, that Section 5.143, Lot Size Variation, Subsection (2) (C) of Zoning Ordinance, be amended to require a front setback of 40 feet in the R-1A, R-1B and R-1B1 because it is the intent of this section to permit a lot size reduction when park areas are provided.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

9. SITE PLAN REVIEW - FAITH LUTHERAN CHURCH-DEQUINDRE RD.

The site plan conforms with the zoning ordinance requirements except for the absence of an obscuring wall where

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SITE PLAN-FAITH LUTHERAN CHURCH (cont.)

the proposed parking area abutts the single family area on the South.

Reverend Reinschmidt stated that his congregation is presently worshipping in the County Line School. Mr. Reinschmidt feels this an appropriate location for the Church and stated that this development will take place in stages.

No questions from the table.

No questions from the audience.

Motion by Shaver
Support by Robertson

MOVED, that the site plan be approved with the requirement of an obscuring wall being placed where required.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

10. RECEIPT OF CITIZEN'S LETTER RE REZONING IN SECTION 20

Motion by Melchert
Support by Cischke

MOVED, that this letter be received and made a part of the minutes.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

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Motion by Bajgier
Support by Czarnowski

MOVED, that the Planning Commission recommend to the City Commission that the Building Inspection Department investigate that area south of Beaver Precision Corporation on John R., South of 16 Mile Road; that this property be cleaned up and the City Commission enforce the Ordinance.

Yeas: All-7
Nays: None
Absent: Bedard, Hrischfield

Motion by Melchert
Support by Christian

MOVED, that the Planning Commission recommend that sufficient funds be included with the Planning Budget to prepare and print a synopsis of planning studies for general public distribution.

Yeas: All-7
Nays: none
Absent: Bedard, Hirschfield

Motion by Shaver
Support by Melchert

MOVED, that the Regular Meeting of the Planning Commission be adjourned.

Yeas: Unanimous

ADJOURN 11:15 P.M.

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3157 Weathervane Lane
Troy, Michigan 48084
27 February 1967

Troy Planning Commission
Troy City Hall
Troy, Michigan

Gentlemen:

Subject: Proposed rezoning of Coolidge Road between Big Beaver
and Wattles

To our family, one of the most encouraging signs of Troy's stature as an outstanding suburb for superior residential environment about developing the master zoning plan. It was a real piece of public service and we were proud to live in such a forward-looking community. Our neighbors with whom we have spoken about this rezoning have all been opposed to it.

Your attention is invited to the obvious fact that it is never the residents who petition for such zoning changes, as they chose to live in this community because it was the way it was. If they wanted to change it they would have taken action. No. It is always a small cabal of outside promoters who seek to change zoning for purposes of personal gain. This again seems to be the case here.

Such gain is always at the expense of the present residents the character of whom property environment depreciates and whose taxes usually go up to provide services for the inevitable increase in commercial traffic generated by the so-called progressive zone change.

We are therefore, completely opposed to the proposed subject rezoning and respectfully request that the rezoning petitioned for be denied. Your master zoning plan is one of which you can all be proud. Do not tarnish your image by a salami process of slicing it up bit by bit. Let us stop even the first attempt to change it.

Most respectfully

Frederick P. Maas

cc Troy City Commission

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