

Chair Lambert called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on June 27, 2023, 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:

- Toby Buechner
- Carlton M. Faison
- Tyler Fox
- Michael W. Hutson
- Tom Krent
- David Lambert
- Lakshmi Malalahalli
- Marianna Perakis
- John J. Tagle

Also Present:

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

2. APPROVAL OF AGENDA

Mr. Fox requested to add *Request for Report* as Agenda item #8.

Resolution # PC-2023-06-035

Moved by: Fox
 Support by: Malalahalli

RESOLVED, To approve the Agenda as amended.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES – June 13, 2023

Resolution # PC-2023-06-036

Moved by: Buechner
 Support by: Faison

RESOLVED, To approve the minutes of the June 13, 2023 Regular meeting as submitted.

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

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

STREET VACATION

5. **PUBLIC HEARING - STREET VACATION REQUEST (SV JPLN2023-001)** – Request to vacate an unconstructed alley, approximately 18-feet wide by 115-feet long, West of John R and south of Larchwood, Abutting PIN 88-20-26-433-021 (1980 Larchwood) to the west, PIN 88-20-26-433-020 to the south and PIN 88-20-26-433-019 to the east, Platted as part of John R Garden Subdivision, Located between Lot 259 to the west and Lots 65 through 70 to the east, in Section 26

Mr. Savidant gave an overview of a street vacation application process and conveyed how the subject *paper* alley materialized. He said the request to vacate the alley relates to the following agenda item for a proposed Kroger Fuel Station.

PUBLIC HEARING OPENED

Matthew Pisko, representative of the Kroger Company of Michigan, said the request to vacate the alley is to allow for the construction of a Kroger Fuel Station. Mr. Pisko addressed the 12-foot-wide public utility easement on site.

PUBLIC HEARING CLOSED

There was discussion, some comments related to:

- Public utility easement on site.
- Ownership of alley.
- Allocation of property should request be granted.
- Mix of zoning districts and uses.

Resolution # PC-2023-06-037

Moved by: Fox
Seconded by: Malalahalli

RESOLVED, That the Planning Commission hereby recommends to the City Council that the street vacation request to vacate an unconstructed alley approximately 18-feet wide by 115-feet long, abutting PIN 88-20-26-433-021 (1980 Larchwood) to the west, PIN 88-20-26-433-020 to the south and PIN 88-20-26-433-019 to the east, Platted as part of John R Garden Subdivision, Located between Lot 259 to the west and Lots 65 through 70 to the east, in Section 26, be approved.

Yes: All present (9)

MOTION CARRIED

SPECIAL USE AND PRELIMINARY SITE PLAN APPROVAL

6. **SPECIAL USE APPROVAL AND PRELIMINARY SITE PLAN REVIEW (SU JPLN2023-0002)** - Proposed Kroger D-463 Fuel Station, West side of John R, South of Larchwood (PIN 88-20-26-435-029, 88-20-26-433-019, -020 and -021), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the Special Use Approval and Preliminary Site Plan application for a Kroger Fuel Station. He said the application was considered and a Public Hearing was held at the May 9, 2023 Planning Commission Regular meeting. Mr. Carlisle reported the application was postponed allowing the applicant the opportunity to seek the vacation of the alley. He stated the applicant was also asked to reduce the lighting intensity on site and to consider additional landscaping.

Mr. Carlisle reported the application does not show additional landscaping. He said the applicant reduced the lighting candles from 53.9 to 47.9 candles but noted the lighting intensity is still 2.5 times more than pole lighting. Mr. Carlisle noted conditions can be placed on approval of the application because it is a Special Use Approval. Mr. Carlisle addressed the Special Use Standards and Site Plan Review Design Standards.

There was discussion, some comments related to:

- Landscaping as relates to Zoning Ordinance requirements.
- Additional landscaping along property lines.
- Light intensity; shielding of lighting.

Matthew Pisko, representative of the Kroger Company of Michigan, stated an EV parking space has been added. Mr. Pisko addressed the mitigation of lighting intensity. He said all lighting would be shielded and it is Kroger’s preference to keep the canopy well-lit for safety reasons. He said the hours of operation would be from 6 a.m. to 10 p.m. and the lights would be manually turned off at store closing.

Mr. Pisko said they would continue the hedge row landscaping along the southern and western property lines. He shared a concern that a line of trees along the southern property line would hinder vehicular circulation on site.

Discussion continued:

- Signage.
- Concerns with diesel truck traffic, environmental impact, safety.
- Shielding, directional flow of canopy and building lighting.

Chair Lambert opened the floor for public comment.

Greg Jamian, 1941 Woodslee, stated opposition to the application because of the impact on his property that abuts to the south. He expressed concerns with environmental and health impact, potential increase in crime, store operating hours, alcohol sales, loitering and littering.

Chair Lambert closed the floor for public comment.

Mr. Carlisle cited a few of a wide range of by-right uses in the IB zoning district; residential, retail, drive-through lane, bank, pharmacy, office, light manufacturing, truck terminal facility. Mr. Carlisle reported the retention pond on site is a requirement of the Engineering Department to manage stormwater flow.

Mr. Pisko said there would be no alcohol sales. He apologized that he misstated the hours of operation, noting hours would be from 6 a.m. to 11 p.m. to accommodate the time needed by employees to close. He said the lights would go off as close to 10 p.m. as possible, depending on customers being serviced near closing time.

Resolution # PC-2023-06-038

Moved by: Perakis

Seconded by: Fox

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Kroger D-463 Fuel Station, West side of John R, South of Larchwood (PIN 88-20-26-435-029, 88-20-26-433-019, -020 and -021), Section 26, Currently Zoned IB (Integrated Industrial and Business) District, be granted, subject to the following conditions:

1. Approval is subject to alley vacation.
2. Require an additional landscape buffer particularly along the western and southern property lines as discussed.
3. Reduce the lighting intensity along property lines pursuant to Zoning Ordinance.
4. Restrict the hours of operation from 6 a.m. to 11 p.m.

Yes: All present (9)

MOTION CARRIED

OTHER ITEMS

7. **PLANNING COMMISSION BYLAWS**

Ms. Dufrane presented revisions to the Planning Commission Bylaws that were reviewed and considered at the Planning Commission April 11, 2023 meeting.

After discussion, it was the consensus of the Board to adopt changes to the Bylaws as presented with the following two revisions:

- Article IV, Section 7.E. – Omit the words “Chairperson or” in the second sentence.
- Article VII, Section 5.D. – Replace the word “consensus” with “majority”.

Resolution # PC-2023-06-039

Moved by: Fox
Seconded by: Malalahalli

RESOLVED, To adopt the Bylaws as amended.

Yes: All present (9)

MOTION CARRIED

8. REQUEST FOR REPORT

Mr. Fox asked for input from Board members in its consideration of a proposed fact-finding Resolution requesting City staff to formally draft a report of ordinance changes implemented in neighboring communities that require or incentivize developers to implement low impact development, or other forms of green building.

Discussion followed, some comments related to:

- Various types of green building.
- Positive interest and broader range toward sustainability.
- Setting a time goal to present report.

Mr. Savidant said he would charge Salim Huerta Jr., the City’s Commercial Project Collaborator, with the assignment.

Resolution # PC-2023-06-040

Moved by: Fox
Seconded by: Perakis

RESOLVED, To request City Staff to formally draft a report of ordinance changes implemented in neighboring communities to specifically require or incentivize developers to implement low impact development or other forms of green building including but not limited to the installation of power installations that utilize green energy. It is requested that this report be presented to the Planning Commission no later than the second meeting of August 2023.

Yes: All present (9)

MOTION CARRIED

9. PUBLIC COMMENT – For Items on the Agenda

There was no one present who wished to speak.

10. PLANNING COMMISSION COMMENT

Mr. Carlisle reported on the Special City Council meeting held on June 26 in which the Master Plan was discussed. He said the City Council expressed some concerns but overall, the Master Plan was well received. Mr. Carlisle said the administration would act quickly on the revisions and present the item again to the City Council at their next available meeting.

Mr. Carlisle said concerns expressed by City Council relate to:

- Correcting typographical errors.
- Big Beaver land use designation.
- Executive summary to compare 2016 adoption to current plan.
- Brief history of Neighborhood Nodes; creation and locations.

Mr. Savidant thanked Mr. Carlisle for standing in at the City Council meeting.

Brief comments were made on previous sustainability resources implemented by the City.

Mr. Fox reported on the June 20, 2023 Zoning Board of Appeals (ZBA) meeting.

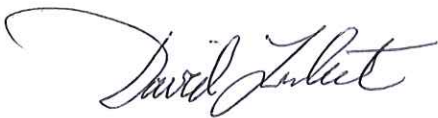
- 4928 Park Manor; approved to allow construction of deck.
- Thanked Mr. Carlisle for standing in at the ZBA meeting.

Mr. Fox encouraged the City's involvement in MIGreenPower, a DTE program that promotes renewable energy.

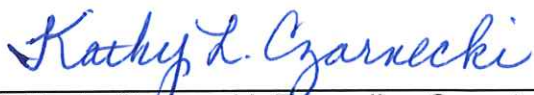
11. ADJOURN

The Regular meeting of the Planning Commission adjourned at 8:41 p.m.

Respectfully submitted,



David Lambert, Chair



Kathy L. Czarnecki, Recording Secretary