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PLANNING COMMISSION MEETING AGENDA REGULAR MEETING

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

August 22, 2023

7:00 P.M.

Council Board Room

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES – August 8, 2023
4. PUBLIC COMMENT – For Items Not on the Agenda

REPORT

5. NEIGHBORING COMMUNITY SUSTAINABILITY REPORT

OTHER ITEMS

6. PUBLIC COMMENT- For Items on the Agenda
7. PLANNING COMMISSION COMMENT
8. ADJOURN

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Televised Live, Government Channel WTRY (10 WideOpenWest and 17 Comcast) Replayed Wednesdays 3:00 pm, 6:00 pm and 11:00 pm

Chair Lambert called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on August 8, 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:

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

2. APPROVAL OF AGENDA

Resolution # PC-2023-08-045

- Moved by: Faison
- Support by: Perakis

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES – July 11, 2023

Resolution # PC-2023-08-046

- Moved by: Buechner
- Support by: Fox

RESOLVED, To approve the minutes of the July 11, 2023 Regular meeting as submitted.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

PRELIMINARY SITE PLAN APPROVALS

5. PRELIMINARY SITE PLAN REVIEW (File Number SP JPLN2023-0014) – Proposed Estates of Brook Hollow No. 2 Site Condominium, 3 units/lots, South of Lamb Road, East of Rochester (Parcels 88-20-14-351-104 and 88-20-14-376-047), Section 14, Currently Zoned R-1C (One Family Residential) District

Mr. Savidant reviewed the Preliminary Site Plan application for the Estates of Brook Hollow No. 2 Site Condominium. He addressed the extension of Bloomingdale Drive to the west of Brook Hollow No. 1 to add three (3) residential units and one (1) lot for detention. Mr. Savidant said the application meets all R-1C requirements of the Zoning Ordinance. He addressed the square footage of homes, elevations, access and circulation and landscape mitigation. He asked the applicant to clarify if the development would be a part of an existing homeowners' association or have its own association.

Mr. Savidant asked the Planning Commission to consider if the Site Plan Standards and Site Condominium Standards have been met. He recommended conditioning any approval of the Site Plan application on obtaining a stamped Landscape Plan and Tree Survey.

Joe Maniaci of Mondrian Properties stated six elevations were provided in the application. He explained the reason behind using one lot for detention and informed the Board that the detention pond has the capacity to accommodate the proposed three units and any future development to the west. Mr. Maniaci said there would be only one homeowners' association for the proposed units and any future units.

There was discussion, some comments related to:

- Removal of tree #768, a 21-inch red maple.
- Language in condominium documents acknowledging developer's intent to extend development to the west.
- Notification to surrounding neighbors; not required by Zoning Ordinance.
- Development designed to extend through existing easement and connect street for future residential development.
- EV charging stations; purchaser option to install in garage.

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.

Resolution # PC-2023-08-047

Moved by: Fox
 Seconded by: Faison

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for the proposed Estates of Brook Hollow No. 2 Site Condominium, 3 units/lots, South of Lamb, East of Rochester (Parcels 88-20-14-351-104 and 88-20-14-376-047, Section 14, approximately 1.305 acres in size, Currently Zoned R-1C (One Family Residential) District, be granted.

1. Stamp Landscape Plan by Licensed Landscape Architect.
2. Stamp Tree Survey by Licensed Landscape Architect or Certified Arborist.

Yes: All present (9)

MOTION CARRIED

Chair Lambert commended the applicant’s inclusion of all homes in one homeowners’ association and accommodation of detention pond for future development.

6. PRELIMINARY SITE PLAN REVIEW (File Number SP JPLN2023-0001) – Proposed New Tower Troy Office Building Elevations, East side of Troy Center Drive, South of Big Beaver, 755 Big Beaver Road (PIN 88-20-28-101-067), Section 28, Currently Zoned BB (Big Beaver) District

Mr. Savidant cited the condition to the Resolution granted for Preliminary Site Plan approval for New Tower Troy on May 23, 2023: He stated the Project Architect is present this evening to address the architectural design of the office elevations and building materials.

Present were Chris Kojaian of Kojaian Companies and Project Architect Robert Szantner of Yamasaki.

Mr. Szantner reviewed the building design strategy of precast concrete panels and color scheme in response to the market for a corporate tenant. He detailed the different levels of texture, dimension, and depth of the quality design for a contemporary look. Mr. Szantner addressed the annex building, courtyard, additional greenery, walkway, entry, glazing and tempered gray glass windows.

Mr. Kojaian addressed potential tenants and their intent to satisfy the building design specifications of a future tenant.

There was discussion, some comments related to:

- Applicant marketing for single corporate headquarters but could be multi-tenants.
- Overall building design will be dictated by future tenant(s).
- Core building design complementary to buildings along Big Beaver.

- Environmental design features as relates to glass, heat absorption, energy efficiency, light reflectivity, transparency.
- Application would come back to Planning Commission for review should there be a significant change in building style/design.

Mr. Hutson expressed disappointment in the design of the buildings, citing lack of decorative detail and imaginative thinking.

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.

Mr. Savidant said the application would come back to the Planning Commission for consideration if the building designs were not consistent with the approved plans.

Resolution # PC-2023-08-048

Moved by: Buechner
 Seconded by: Perakis

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed New Tower Troy Office Building Elevations, located on the East side of Troy Center Drive, South of Big Beaver, Section 28, Zoned BB (Big Beaver) District, be granted.

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

MOTION CARRIED

OTHER ITEMS

7. **PUBLIC COMMENT** – For Items on the Agenda

There was no one present who wished to speak.

8. **PLANNING COMMISSION COMMENT**

Mr. Savidant announced the following:

- The edited draft Master Plan to address City Council comments will be placed on the August 21, 2023 City Council agenda for consideration to release the document for the 63-day review period.
- Street Vacation Request (SV JPLN2023-001) to vacate an unconstructed alley, west of John R and South of Larchwood – City Council granted approval at their August 7, 2023 meeting.

Mr. Krent announced there is a MAP (Michigan Association of Planners) gathering on August 24, 2023 from 5:30 p.m. to 10:00 p.m. at the Northern Lights Lounge on Baltimore Street in Detroit. He said there is no charge to attend.

Mr. Fox said it is his understanding that State funds have recently been granted specifically for the purpose and use of Planning Commissions.

Mr. Savidant said he would look into the grant money. Mr. Savidant said he is optimistic the Master Plan update will be complete by the end of the year.

9. ADJOURN

The Regular meeting of the Planning Commission adjourned at 7:48 p.m.

Respectfully submitted,

David Lambert, Chair

Kathy L. Czarnecki, Recording Secretary

[https://d.docs.live.net/2f7ed4fe5f664ea8/Documents/Kathy/COT Planning Commission Minutes/2023/2023 08 08 Draft.docx](https://d.docs.live.net/2f7ed4fe5f664ea8/Documents/Kathy/COT%20Planning%20Commission%20Minutes/2023/2023%2008%2008%20Draft.docx)

DATE: August 10, 2023
TO: Planning Commission
FROM: R. Brent Savidant, Community Development Director
Salim Huerta Jr.,
SUBJECT: NEIGHBORING COMMUNITY SUSTAINABILITY REPORT

At the June 27, 2023 Regular meeting, the Planning Commission approved the following resolution:

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

Approach

Our first project task was defining the scope of the report, based on the approved resolution. The term "low impact development" can be defined as "systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of storm-water in order to protect water quality and associated aquatic habitat" (Source: US EPA). The term "green building" is defined as "the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle from siting to design, construction, operation, maintenance, renovation and deconstruction" (Source: USEPA). We interpreted the request's intent as comparing a wide range of sustainable best practices, not just pertaining to storm-water and buildings. For the purposes of this report, we defined "sustainable" as "employing products or methods that seek to minimize the impact of development on the natural environment".

This report compares Troy's zoning ordinance with the following neighboring communities: Auburn Hills, Rochester Hills, Shelby Township, Sterling Heights, Madison Heights, Royal Oak, Clawson, Birmingham and Bloomfield Township. Planning staff reviewed the documents for relevant language, using terms such as "low impact development", "LEED" (Leadership in Energy and Environmental Design) and "sustainable". We created a table that summarized our findings. Terms used on the table are defined after the table.

Best Managing Practices Non-Structural	Troy	Bloomfield ¹ Hills	Sterling ² Heights	Rochester Hills	Royal ³ Oak	Clawson	Madison Heights	Shelby Township	Auburn ⁴ Hills	Warren	Birmingham
Cluster development	✓	✓	✓	✓	✗	✗	✗	✓	✗	✗	✗
Minimizing soil compact	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Minimizing total disturbed areas	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓
Protecting natural flow pathways	✗	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗
Protecting riparian buffer areas	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Protecting sensitive areas	✓	✗	✗	✓	✓	✓	✓	✓	✗	✗	✓
Reducing impervious surfaces	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓
Stormwater disconnect	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗

Legend

Required ✓
Permitted ✓
Incentivized ✓

1. Storm-water disconnects are permitted, but may be required to connect at any time.
2. Sustainability commission implicitly permits (LID) practices, without explicit mention in their ordinance.
3. SDP requirements are specific to marihuana establishments.
4. Offers access to materials from SEMCOG, EPA, and Green Built Michigan promoting permitted LID principles for developments, but the zoning ordinance doesn't explicitly mention LID or sustainable practices.

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Best Managing Practices Structural	Troy	Bloomfield Hills	Sterling Heights	Rochester Hills	Royal Oak	Clawson	Madison Heights	Shelby Township	Auburn Hills	Warren	Birmingham
Bioretention rain gardens	✓	✓	✓	✓	✓	✓	✓	✓	×	×	×
Capture reuse	×	×	×	×	×	×	×	×	×	×	×
Constructed filters	✓	✓	✓	✓	✓	✓	×	✓	×	×	×
Detention basins	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	×
Infiltration practices	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	×
Level spreaders	×	×	×	×	×	×	×	×	×	×	×
Native revegetation	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	✓
Pervious pavement with infiltration	✓	✓	✓	✓	✓	✓	✓	✓	×	×	×
Planter boxes	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	×

Defining Terms

As identified above, there is a significant differentiation between the terms Green Building, Leadership in Energy and Environmental Design, and Low-Impact Development.

- **Green Building:** Measures that go above and beyond the minimum requirements set by the Michigan Building and Residential Codes. These include (ANSI) American National Standards, (ASTM) American Society for Testing and Materials, (ASHRAE) American Society of Heating, Refrigerating, and Air Conditioning Engineers, and (IgCC) International Green Construction Code.
- **Low-Impact Development (LID):** Defined by SEMCOG in the Low Impact Development Manual for Michigan, pertains primarily to best practices in water management.
- **Leadership in Energy and Environmental Design (LEED):** Certification that evaluates both Green Building and LID concepts to assess the environmental sustainability of a development. Categorized under three rating systems for Building Design, Operations and Maintenance Plan, or Interior Design.

Non-Structural Elements of Low Impact Development

- **Cluster development:** Cluster development promotes compact and efficient land use by concentrating buildings and infrastructure in specific areas, preserving open spaces, and minimizing environmental impact.
- **Minimizing soil compact:** Minimizing soil compact focuses on preserving the natural structure and permeability of soil, reducing compaction caused by construction activities, and maintaining optimal conditions for water infiltration and plant growth.
- **Minimizing total disturbed areas:** Minimizing total disturbed areas aims to limit the extent of land disruption during construction, preserving natural habitats, reducing soil erosion, and minimizing the need for additional storm-water management measures.
- **Protecting natural flow pathways:** Protecting natural flow pathways involves preserving and restoring natural drainage patterns, such as streams and swales, to allow for the effective movement of storm-water, minimize erosion, and maintain water quality.
- **Protecting riparian buffer areas:** Protecting riparian buffer areas involves preserving and maintaining vegetated strips of land along water bodies, which act as natural filters, reducing pollution runoff, protecting aquatic habitats, and enhancing overall water quality.
- **Protecting sensitive areas:** Protecting sensitive areas focuses on identifying and preserving environmentally sensitive areas, such as wetlands or endangered species habitats, to prevent adverse impacts and maintain ecological balance.
- **Reducing impervious surfaces:** Reducing impervious surfaces aims to minimize the amount of paved or hard surfaces, such as roads and parking lots, to promote water infiltration, reduce storm-water runoff, and mitigate the risk of flooding and pollution.
- **Storm-water disconnections:** Storm-water disconnections involve redirecting storm-water away from traditional drainage systems, such as pipes or sewers, towards decentralized green infrastructure, like rain gardens or bio-detention basins, to improve water quality, reduce runoff volume, and enhance overall storm-water management.

Structural Elements of Low-Impact Development

- **Bio-retention rain gardens:** Bio-retention rain gardens utilize specially designed landscaped areas to capture and treat storm-water runoff, promoting infiltration and removing pollutants through natural biological processes.
- **Capture reuse:** Capture reuse involves capturing and treating storm-water runoff for beneficial reuse, such as irrigation or non-potable water needs, reducing demand on freshwater sources and minimizing the volume of runoff entering traditional drainage systems.
- **Constructed filters:** Constructed filters employ engineered filtration systems, such as filter strips or filter media, to remove pollutants from storm-water runoff, improving water quality before it is discharged into receiving water bodies.
- **Detention basins:** Detention basins function as temporary storage areas for storm-water runoff, allowing for controlled release and gradual discharge to prevent flooding, manage peak flows, and reduce the impact on downstream areas.
- **Infiltration practices:** Infiltration practices promote the direct infiltration of storm-water into the soil, utilizing techniques like infiltration basins or trenches to recharge groundwater, reduce runoff volume, and enhance water quality.
- **Level spreaders:** Level spreaders distribute storm-water runoff evenly over a vegetated area, preventing concentrated flows, reducing erosion, and encouraging infiltration and pollutant removal.
- **Native re-vegetation:** Native re-vegetation involves planting indigenous vegetation in disturbed areas to restore natural habitats, stabilize soil, enhance biodiversity, and improve overall ecosystem resilience.
- **Pervious pavement with infiltration:** Pervious pavement with infiltration utilizes porous materials in pavements, allowing for the infiltration of storm-water into the underlying soil, reducing runoff, and promoting groundwater recharge.
- **Planter boxes:** Planter boxes consist of containers filled with vegetation, serving as mini green spaces to capture and treat storm-water runoff, improving water quality and providing aesthetic benefits.
- **Riparian buffer restoration:** Riparian buffer restoration involves restoring and enhancing vegetated areas along water bodies, preserving or creating buffers that provide multiple benefits, including erosion control, water quality improvement, and wildlife habitat.
- **Soil restoration:** Soil restoration focuses on improving soil health and structure through techniques like compost amendment, erosion control measures, and minimizing soil disturbance during construction, promoting vegetation growth and enhancing storm-water infiltration.
- **Vegetated filter strips:** Vegetated filter strips consist of vegetated areas adjacent to impervious surfaces, serving as a natural filter to capture sediment and pollutants from storm-water runoff before it enters water bodies, protecting water quality.
- **Vegetated roofs:** Vegetated roofs, also known as green roofs, involve covering rooftops with vegetation, providing multiple benefits such as storm-water retention, energy efficiency, urban heat island reduction, and improved air quality.
- **Vegetated swales:** Vegetated swales are designed as shallow, vegetated channels to convey and treat storm-water runoff, promoting infiltration, removing pollutants, and reducing erosion.
- **Water quality devices:** Water quality devices encompass various engineered systems, such as oil-water separators, storm-water filters, or hydrodynamic separators, designed to capture and remove pollutants from storm-water runoff, protecting water quality.

Elements of Green Building

- **Energy efficiency:** insulation, green or cool reflecting roofs, fenestrations, HVAC systems, lighting, and energy management systems. (GEB) Grid-interactive efficient building technologies are the leading edge in energy efficiency within high population cities with significant grid power demands.
- **Water efficient:** plumbing fixtures, greywater recycling.
- **Sustainable Materials:** Utilizing reclaimed, recycled, or sustainably sourced building materials, low-voc (volatile organic compound) paints, adhesives, and finishes.
- **Indoor Environmental Quality:** natural light and ventilation, air filtration, and incorporation of plants and green walls.
- **Renewable Energy:** solar, wind, or solar water heating systems.
- **Building Envelope Design:** heat loss minimization and high-performance glazing and shading materials.
- **Building Automation:** smart sensors and timers for thermostat and lighting controls.
- **Sustainable Construction Practices:** waste reduction and site disturbance minimization.
- **Lifecycle Considerations:** Building deconstruction and recycling cycle and ease of maintenance.
- **Certifications** include LEED, BREEAM, and other regional standards.

Zoning Ordinance versus Building Code

While there is no code that specifically addresses clean air, we reduce negative impacts on air quality when we promote mixed use development, lower parking requirements, encourage EV infrastructure, adopt green building standards, encourage green spaces, limit heavy industrial use, promote multi-modal transportation, and provide incentives for renewable energy sources.

Building codes are essentially the "floor" or the minimum safety standards that all construction must meet. They are the baseline requirements designed to protect public health, safety, and general welfare as they relate to the construction and occupancy of buildings and structures. They encompass structural integrity, fire resistance, safe exits, lighting, ventilation, and construction materials. Importantly, zoning ordinances cannot impose "requirements" that would effectively make these minimum standards more stringent. This is because building codes are typically based on widely accepted standards developed by experts in the field, and are designed to ensure that all buildings provide a safe and healthy environment for their occupants.

On the other hand, zoning ordinances serve as the "blueprint" for a city or town, guiding where and how development can occur. While they cannot make building codes stricter, they can encourage or incentivize certain practices or behaviors that go above and beyond the minimum requirements of the building codes. EV Infrastructure beyond the building envelope is an example of structural and site element that is both regulated by building codes and are within the regulation of zoning to require. The primary strength of Zoning is in determining the right balance of incentivizing, permitting, and requiring low-impact development best practices.

EXAMPLE PROJECTS IN TROY

Sustainable Development Projects

The Sustainable Development Checklist sets out the process and standards for qualifying as a sustainable development project (SDP). A sustainable development project meets certain requirements that support sustainable design. By meeting the requirements of a sustainable development project, the developer is granted other concessions as an incentive to promote sustainability (see Section 12.01 of the City of Troy Zoning Ordinance). The authority for reviewing and approving all SDP applications lies with the Sustainable Development Review Committee (SDRC).

The SDP program was established in 2011 with the adoption of the comprehensively revised City of Troy Zoning Ordinance. Since 2011 the Sustainable Development Review Committee has reviewed and approved 10 applications that have either been constructed or are under construction as of August 15, 2023.

966 Livernois is an example of an approved and completed SDP project. The owner/applicant O'Brien Construction was granted SDP approval in 2011, as part of the renovation of a vacant building into their company headquarters. The applicant sought SDP approval to construct parking in the front yard in the IB zoning district. The project included the following:

- Rain garden and swale at front of site.
- Roof rain water captured in underground storage tank
- Garage rain water captured in rain barrels
- 70% of the building was renovated/reused
- 95% of all construction demolition was recycled
- Bicycle racks, lockers and showers were provided
- EVA charging stations were provided on site



O'Brien Construction Headquarters

LEED Building

The U.S. Green Building Council (USGBC) awarded The Kresge Foundation headquarters Platinum certification, the highest attainable level in the LEED Rating System. Kresge made the decision to build an environmentally sustainable headquarters on its 3-acre Troy site in 2004. The project, designed by Joe Valerio of Valerio Dewalt Train Associates, integrated the renovation of a historic 19th century farmhouse and barn with the construction of a contemporary 19,500-square-foot office building. Environmental-impact considerations were paramount throughout the design, site development, construction and interior finishing of the two-level, glass-and-steel facility, completed in 2006. Kresge's headquarters typifies the foundation's commitment to solving the problem of global warming and serves as a model of sustainability for other organizations, says Lois R. DeBacker, program director and Environment team leader. "Climate change is one of the most serious challenges facing society today," she explains. "In the U.S., buildings constitute the source of approximately 40 percent of the greenhouse-gas emissions that contribute to global warming. By choosing to utilize green rather than standard construction, our organization is making a significant contribution to protecting the environment, as well as saving money in operating the building over the long term."

The historic character of the site was preserved by preserving the low-rise farm buildings. The new office building is oriented in to take advantage of natural light throughout the day. The parking lot is constructed using pervious materials.

Sustainable site elements include a geothermal well system for heating and cooling, photo sensors for controlling lighting and a storm-water management approach incorporating bio-swales, cisterns, pervious paving and wetlands. The landscape is irrigated with a water harvesting system, which collects and reuses 155,000 gallons of storm-water each year. Four green roofs help retain storm-water. A 40-kilowatt rooftop solar array reduces the building's electricity use. Approximately 64 percent of the 2 site is ecologically restored green space. The prairie-land habitat includes more than 100 different native grass and wildflower species.



The Kresge Foundation headquarters

Beach Road Park Rain Garden

Beach Road Park, is a City park located on the west side of Beach Road, between Wattles Road and Long Lake Road. In 2005, the City identified the problem of the large parking lot generating storm-water that collected on the grassy area south of the parking lot. Soils were of the clay variety so drainage was poor. It was frequently muddy and unsightly, with poor grass growth.

To address the problem, the City designed a rain garden comprised of native shrubs and easy-care wildflowers (perennials), combined with a “dry stone” riverbed. Steel edging was used to separate the “dry” riverbed from flower and shrub beds. SOCWA volunteers assisted in the early design stages by provided sample layout plans and plant selections. Plants were purchased by the City of Troy and installed by community and SOCWA volunteers on May 20, 2005.



Beach Road Park, pre-construction.



Beach Road Park Rain Garden, soon after planting.