

L.G.K.

AGENDA

SPECIAL MEETING

7:30 P.M.

TROY CITY PLANNING COMMISSION

November 26, 1991

1. ROLL CALL
2. MINUTES - Regular Meeting - November 12, 1991

STUDY ITEMS

3. BOARD OF ZONING APPEALS REPORT
4. CURRENT DEVELOPMENT REPORT — Troy Hilton Hearings
5. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - "Frontage" Definition
6. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - Outside Dining and Activity Areas in O-S-C and O-M Districts
7. SPECIAL USE APPROVAL RESCISSION - Auto Electronic Installation Use - Southeast Corner of Maple and Rochester - Section 34

POTENTIAL REGULAR MEETING AGENDA ITEMS (December 10, 1991 & Beyond)

1. RENEWAL OF SITE PLAN APPROVAL (Additional Height Request) - Proposed Research/Office Development - Northeast Corner of 14 Mile and Stephenson - Section 35
2. SITE PLAN REVIEW - Proposed Parking Area Expansion - North Side of Troywood, West of Rochester - Section 22
3. SITE PLAN REVIEW - Proposed Commercial Building - Southeast Corner of Rochester and Glaser - Section 14
4. SITE PLAN REVIEW - Proposed Bank Drive-Up Facility Expansion - Northwest Corner of Long Lake and Coolidge - Section 7

- Later 5. SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Garden Shop Expansion - East Side of John R, North of 14 Mile Road - Section 36 *Parking Variance Denied 11/25*
6. SPECIAL USE REQUEST AND SITE PLAN REVIEW - Proposed Child Care Center - South Side of Long Lake, East of Rochester - Section 14
 7. PRELIMINARY PLAT - TENTATIVE APPROVAL - Cricket Cove Subdivision - East Side of Crooks, South of Wattles - Section 21
 8. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - "Frontage" Definition

TO: Troy City Planning Commission

FROM: Laurence G. Keisling, Planning Director

SUBJECT: Special/Study Meeting Agenda - November 26, 1991

1. ROLL CALL

(Resolution to excuse absent members, if necessary).

2. MINUTES - Regular Meeting - November 12, 1991

STUDY ITEMS

3. BOARD OF ZONING APPEALS REPORT

4. CURRENT DEVELOPMENT REPORT

5. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - "Frontage" Definition

In the course of preliminary hearings related to recent zoning litigation involving the site now occupied by John R Spring at the southeast corner of Maple and Chicago Roads, the Circuit Court Judge took the position that the City's interpretation of the term "frontage" is improper, as used in Section 28.30.08 of the Zoning Ordinance related to automobile repair and service facilities in M-1 Districts. It was his position that "frontage" relates only to the primary street to which a building is oriented, and potentially only to that street to which a site has access. He was thus saying that, if the subject site at the southeast corner of Maple and Chicago Roads did not have a driveway access to Maple Road, its "frontage" would be to Chicago Road, and it could not be considered as having frontage on Maple Road. On this basis, an automobile repair or service use could be permitted at this location, even though it abuts Maple Road.

In order to clarify this matter, and to eliminate the potential for future improper interpretations of the term "frontage", we are now recommending that a definition for the term "frontage" be included in the Zoning Ordinance. Enclosed with this agenda is a copy of the indicated Section of the Ordinance related to automobile repair and service uses in M-1 Districts, and a copy of the Public Hearing advertisement indicating the proposed definition for the term "frontage". At the Study Meeting we will be pleased to further comment on the background of this problem, and to answer any questions you may have in preparation for the December 10 Public Hearing.

6. PROPOSED ZONING ORDINANCE TEXT AMENDMENT - Outside Dining and Activity Areas in O-S-C and O-M Districts

As indicated in the enclosed letter, the owners and operators of the Northfield Hilton have formally requested an amendment to the Zoning Ordinance in order to permit outside dining and activity areas in O-S-C Districts. They have made this request in order to enable them to carry out the outdoor musical entertainment programs which previously occurred on a regular basis through the summer at the Troy Hilton, and which occurred through special permission during the month of August at the Northfield Hilton, following the closing of the Troy Hilton.

In discussing this matter with the planner for Northfield Hilton, he pointed out that they were interested in language which would be similar to or have the same effect as Section 22.25.04-(C) of the Zoning Ordinance, relating to outside seating areas for restaurants in (B-3) Districts (copy enclosed). As you are aware, the Troy Hilton site was, until recently, zoned in the B-3 classification.

Upon initially considering this matter, it is the opinion of the writer that it would be reasonable to consider a limited amount of outdoor seating areas for restaurants or similar uses within (O-S-C) Districts, as such Districts are typified by large developments primarily occurring in the Big Beaver Corridor. At the same time, consideration should be given to similar provisions within the (O-M) District, wherein the standards, with the exception of height limits, are basically the same as those in the O-S-C District.

At the Study Meeting we would propose to discuss this proposal, and to consider other standards or conditions which might be included in a text which would provide for outside activities of this type in our higher-intensity Office Districts.

7. SPECIAL USE APPROVAL RESCISSION - Auto Electronic Installation Use - Southeast Corner of Maple and Rochester - Section 34

Over the past several months Planning Commission members have raised questions as to the status of the Mickey Shorr establishment at the southeast corner of Maple and Rochester Roads. Following an unsuccessful request for the rezoning of this site from M-1 to B-3 in 1985, the owners requested and received Special Use Approval from the Planning Commission in order to permit them to operate a "car audio installation facility", subject to the conditions that there be no outside storage or display of parts or equipment, and that there be no retail sales on this site. This Special Use Approval was granted in February of 1986. The owners then began

November 26, 1991 Agenda

operating their business at this location, and included in that operation the retail sales of auto radios, alarms, etc. The City unsuccessfully attempted to prosecute the owners in the District Court for violating their Special Use permit. This matter was then appealed to the Oakland County Circuit Court, and the District Court's decision to dismiss charges against the defendant was affirmed. There is no Court action pending against the owners of Shorr Electronics, Inc., at this time.

In previous discussions, Planning Commission members have inquired as to the feasibility of attempting to rescind the subject Special Use Approval, due to the fact that the owners have not complied with the condition regarding retail sales, and they have not completed the site improvements including the significant landscape areas indicated on the plan related to the 1986 Special Use Approval. Rick Soranno of the Law Department will be available at the Study Meeting (potentially along with Peter Letzmann for a limited time), in order to further discuss this matter and to consider the alternative directions which can be taken.

*Use/Location is now
"Legal Non-Conforming"*

Respectfully submitted,



Laurence G. Keisling
Planning Director

LGK/eb

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, Michigan on December 10, 1991 at 7:30 P.M., or as soon thereafter as the agenda will permit, to consider a proposal to amend the text of the Zoning Ordinance by adding a definition for the term "FRONTAGE", as follows:

ARTICLE IV DEFINITIONS

04.20.64 FRONTAGE: The term "frontage" means and applies to any portion of a parcel of land abutting a street, thoroughfare, or freeway.

You may express your approval or objections by writing this office or by attending the Public Hearing.

Kenneth L. Courtney
City Clerk

Chapter 39 - Zoning Ordinance

28.30.08

Automobile Repair and Service Facilities, Including Engine, Electrical, and Mechanical Repair, Vehicle Body Repair, Painting, Rust-Proofing, and Auto Glass Work, Subject to the Following Conditions:

- A. Such sites shall be within the interior of industrially-zoned areas. They shall have their frontage on and access only to secondary or interior streets, and no frontage on or access to Major Thoroughfares ~~Freeways~~ ^{or} as established by the Master Thoroughfare Plan.
- B. Outside storage or display of parts or equipment shall be prohibited.
- C. Retail sales shall be limited to those items necessary to carry out the vehicle service activities occurring on the site.

The uses permitted by this Section shall not include Automobile Service Stations, as provided for in Section 23.30.02 of this Chapter.



Beckett and Raeder Inc
Landscape Architects
and Planners

REC'D

NOV 18 91

PLANNING DEPT

Copies 10/1/91
Clerk

12 November 1991

Mr. Laurence Keisling
TROY CITY PLANNING DEPARTMENT
500 West Big Beaver Road
Troy, Michigan 48084

Re: Northfield Hilton

Dear Mr. Keisling:

On behalf of the Northfield Hilton please find enclosed a proposed amendment to the City of Troy Zoning Ordinance and a check payable to the City in the amount of \$500.00 to commence a review of this matter.

As you are aware the subject property is zoned O-S-C (High Rise Office District) and is developed as a hotel which are "Uses Permitted Subject To Special Use Approval" under this article of the ordinance. The issue confronting the Northfield Hilton is the desire to utilize a portion of their property; adjacent to the hotel lounge for an outdoor dining/activity area for seasonal entertainment. In lieu of petitioning the City for a rezoning of the property to B-3 (General Business District), our client is requesting a revision of Article XXVI: O-S-C. The enclosed amendment would allow an outdoor dining/activity area subject to special use approval. The proposed language for this amendment is derived from Section 22.25.04 (C) with slight modifications for emergency vehicle access.

We are in the midst of preparing an updated site plan for the subject site and will forward this when completed. In the meantime, I would appreciate your review and comment of this proposal.

Sincerely,

BECKETT AND READER, INC.

A handwritten signature in black ink, appearing to read 'John R. Iacoangeli', is written over the typed name.
John R. Iacoangeli
Principal

535 West William, Suite 101
Ann Arbor, Michigan 48103
(313) 663-2622

**PROPOSED AMENDMENT
CITY OF TROY ZONING ORDINANCE**

Article XXVI: O-S-C (High Rise Office District)

26.30.03 Outside seating and activity areas for restaurants, designed as a part of the building mass to which ^{they} ~~are~~ accessory, in the sense that they shall be enclosed by masonry walls and/or decorative fencing elements extended from the main building. Patron entry to the outside seating and activity area shall be from the interior of the main building. Construction of the outside seating and activity area shall not impair emergency vehicle access ~~of~~ ^{to} the subject property or adjacent properties.

Chapter 39 - Zoning Ordinance

22.25.04

Open air business uses when developed as uses subordinate to primary uses and structures within the B-3 District, as follows:

- A) Retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies; provided further that such sales areas shall be designed as a part of the building mass to which they are accessory, in the sense that they shall be enclosed by masonry walls and/or decorative fencing elements extended from the main building, and shall be capable of entry only from the interior of the main building.
- B) Recreational space providing shuffle board, miniature golf, tennis, or similar outdoor recreation, when part of a planned development; provided further that such uses shall be located adjacent to the building mass to which they are secondary, but not at the intersection of two Major Thoroughfares. Such uses shall be at least 150 feet from any Residential District, and shall be enclosed on all sides with a fence having a minimum height of 4 feet.
- C) Outside seating areas for restaurants, designed as a part of the building mass to which they are accessory, in the sense that they shall be enclosed by masonry walls and/or decorative fencing elements extended from the main building, and shall be capable of entry only from the interior of the main building.

*Setbacks for such open air business uses shall be at least equal to those required for conventional buildings within this District.

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Li: 4PNQIS

HENDRICKSON

GRAND

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SPECIAL USE APPROVAL

Auto Electronic
Installation Use



MAPLE

1200 HALEY STREET

900

1010 MICKEY SHORR

1040 CATS CO.

1050 LYBEN COMPUT

1080

1100 GLOBE INTERIOR

1200 GENERAL AUTO

1449-1423

1460

1450

1515

1469

1401

1371

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1343

1400

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1100

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1163

ROCHESTER

ROCHESTER RD.

SOUTER

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REDWOOD

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HOLLYWOOD
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EVERLOCK

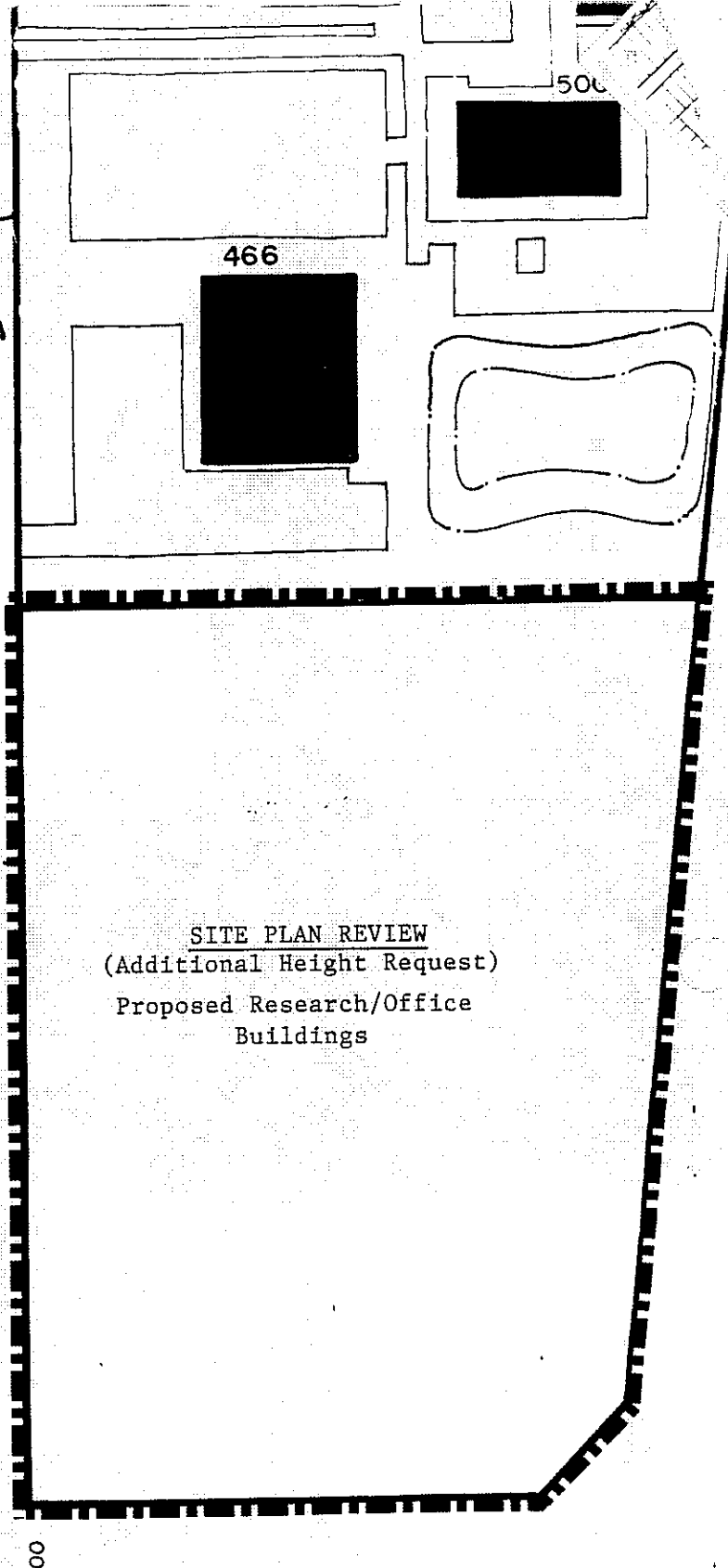
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MICHIGAN
BELL

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North

STEPHENSON HWY.

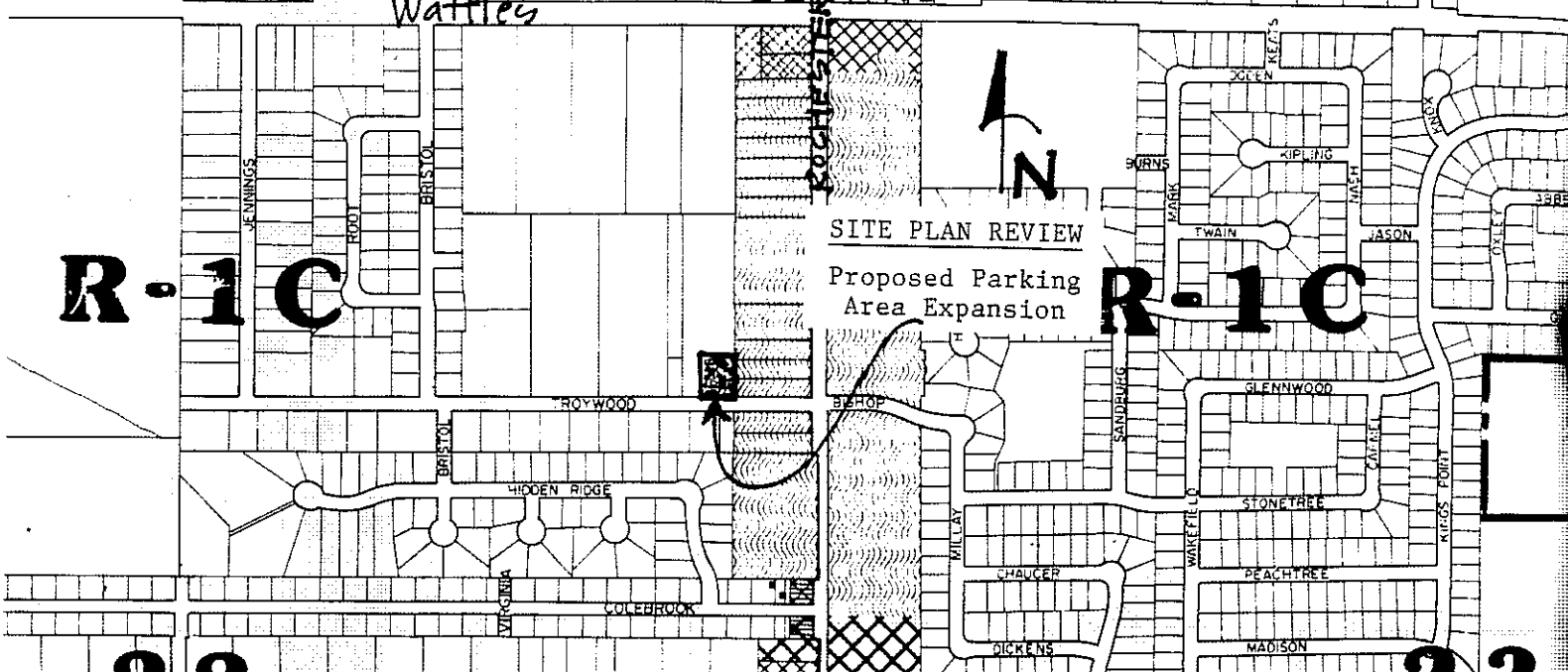
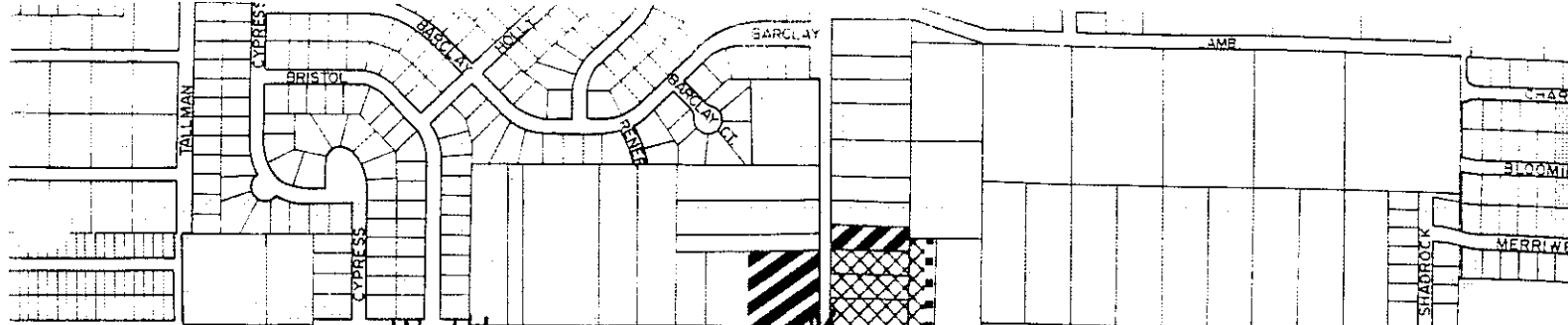


SITE PLAN REVIEW
(Additional Height Request)
Proposed Research/Office
Buildings

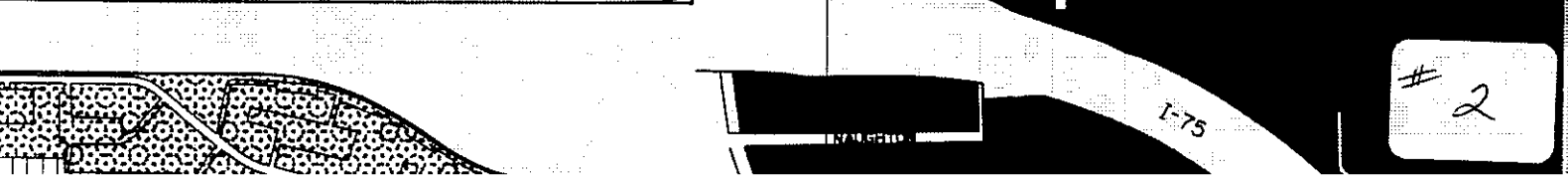
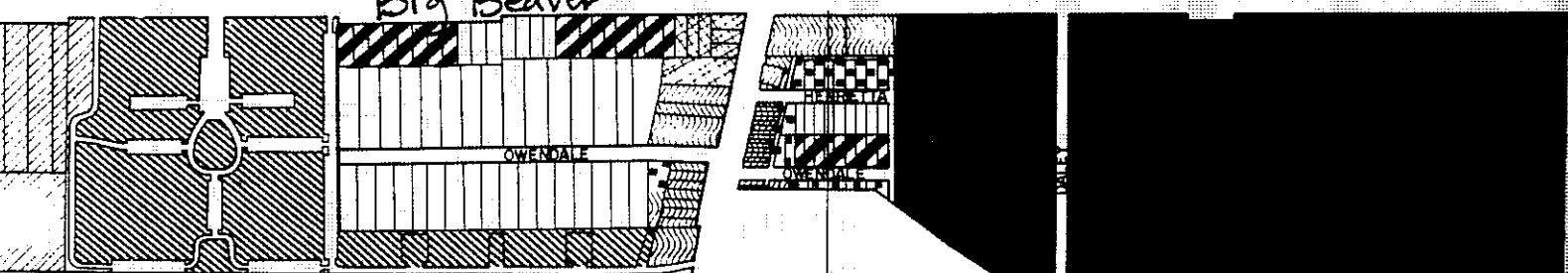
FOURTEEN MILE RD.

FIRST FEDERAL 1250
COMPUTER CENTER

1



SITE PLAN REVIEW
Proposed Parking
Area Expansion





R-1C

**C
F**

SITE PLAN REVIEW
Proposed Commercial
Building

C-F

Long Lake

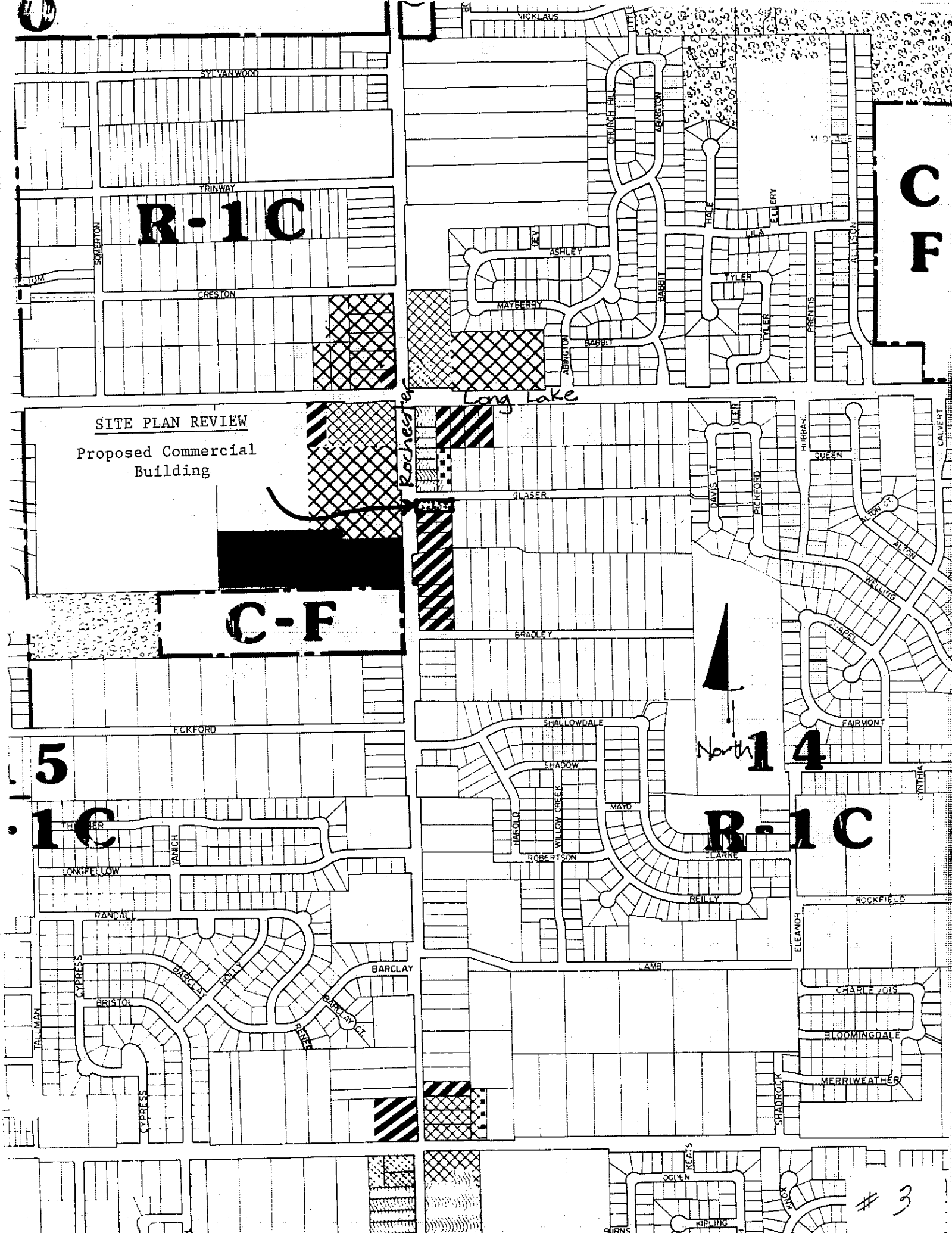
Rochester

North **14**

R-1C

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Long Lake Road

SITE PLAN REVIEW

Proposed Commercial Building

GLASER

ROCHESTER

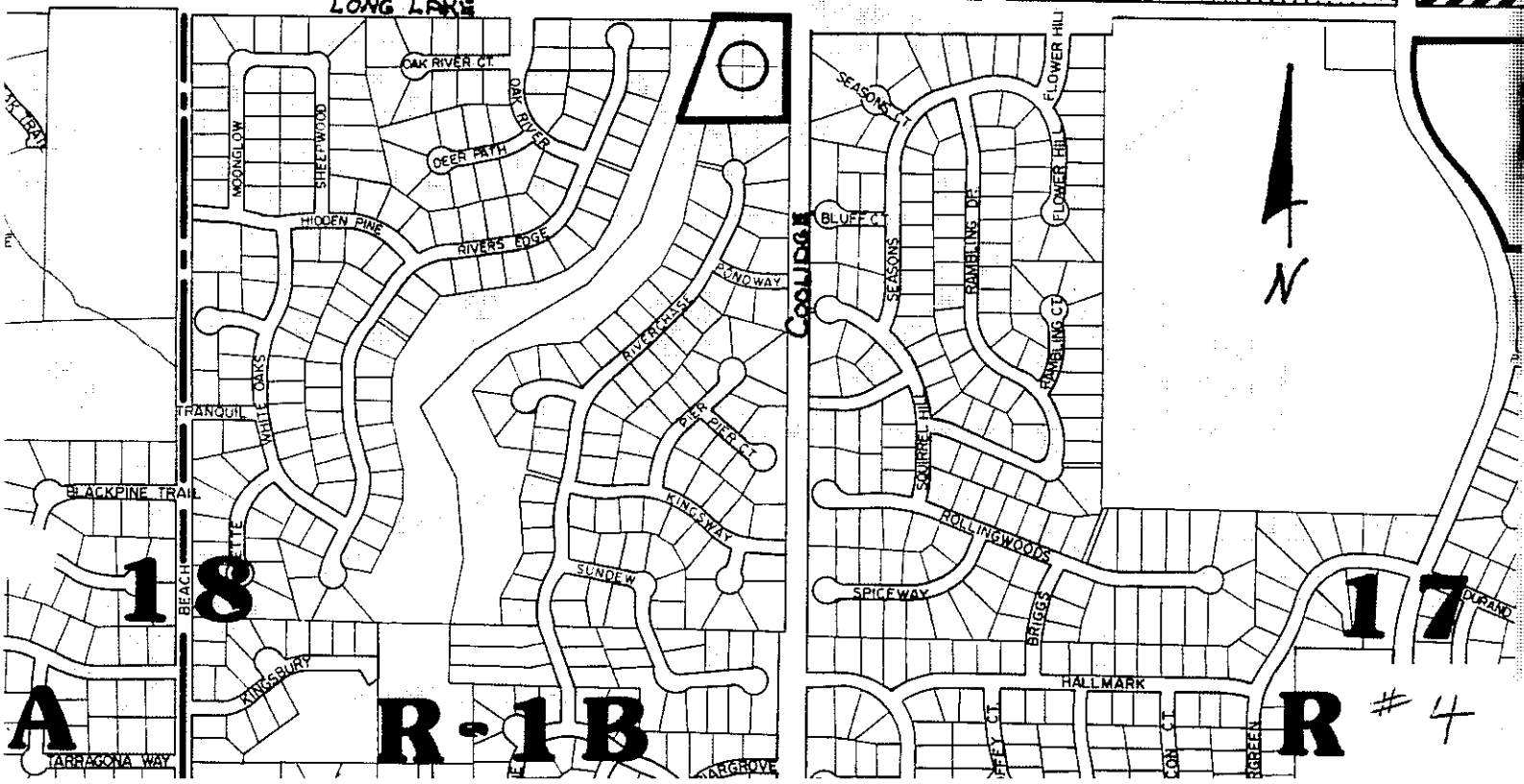
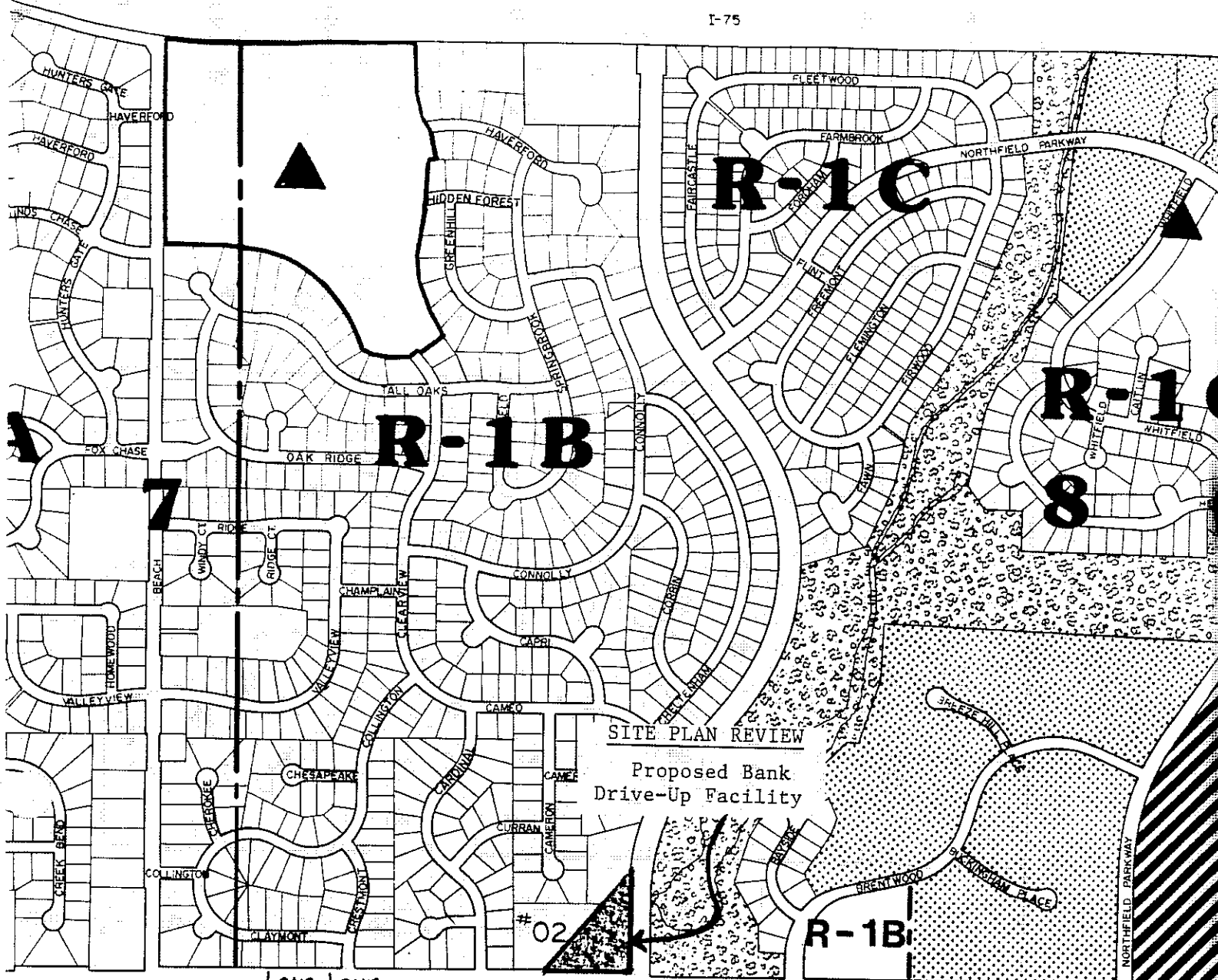
ROAD

FARMS

North

BRADLEY

#3



LONG LAKE

CRESTMONT

CARDINAL CT.

CARDINAL

CURRAN

CAMERON

CAMERON CT.

COOLIDGE

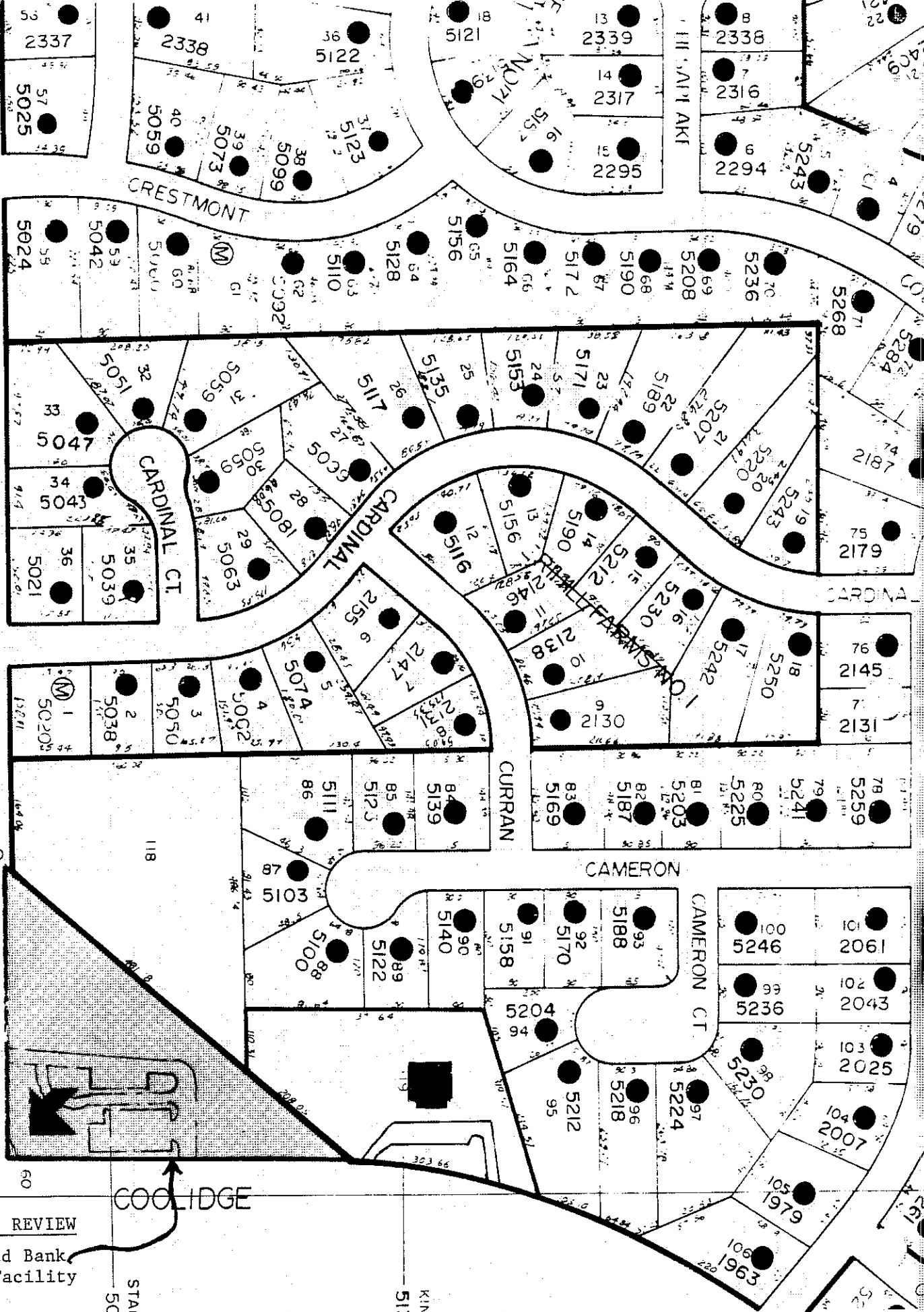
KNEELAND CAKE

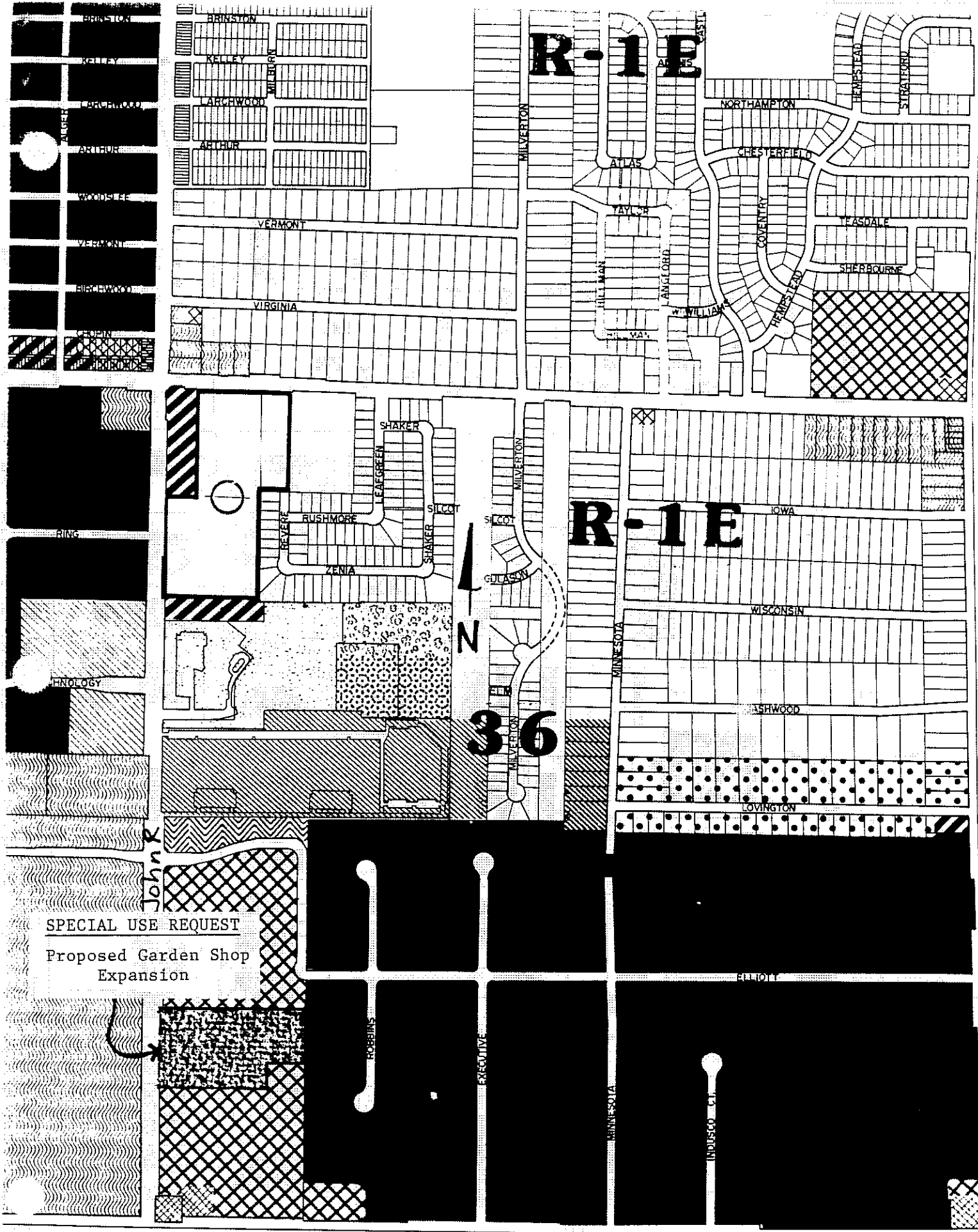


SITE PLAN REVIEW

Proposed Bank
Drive-Up Facility

STANDARD F-
5051





JOHN R

#5

OAKLAND PARK TOWERS

CANTERBURY SQUARE

MILLORE'S PALACE 650

ICE MFG. PLANT 600

MAST STREET 500

FOREST 400

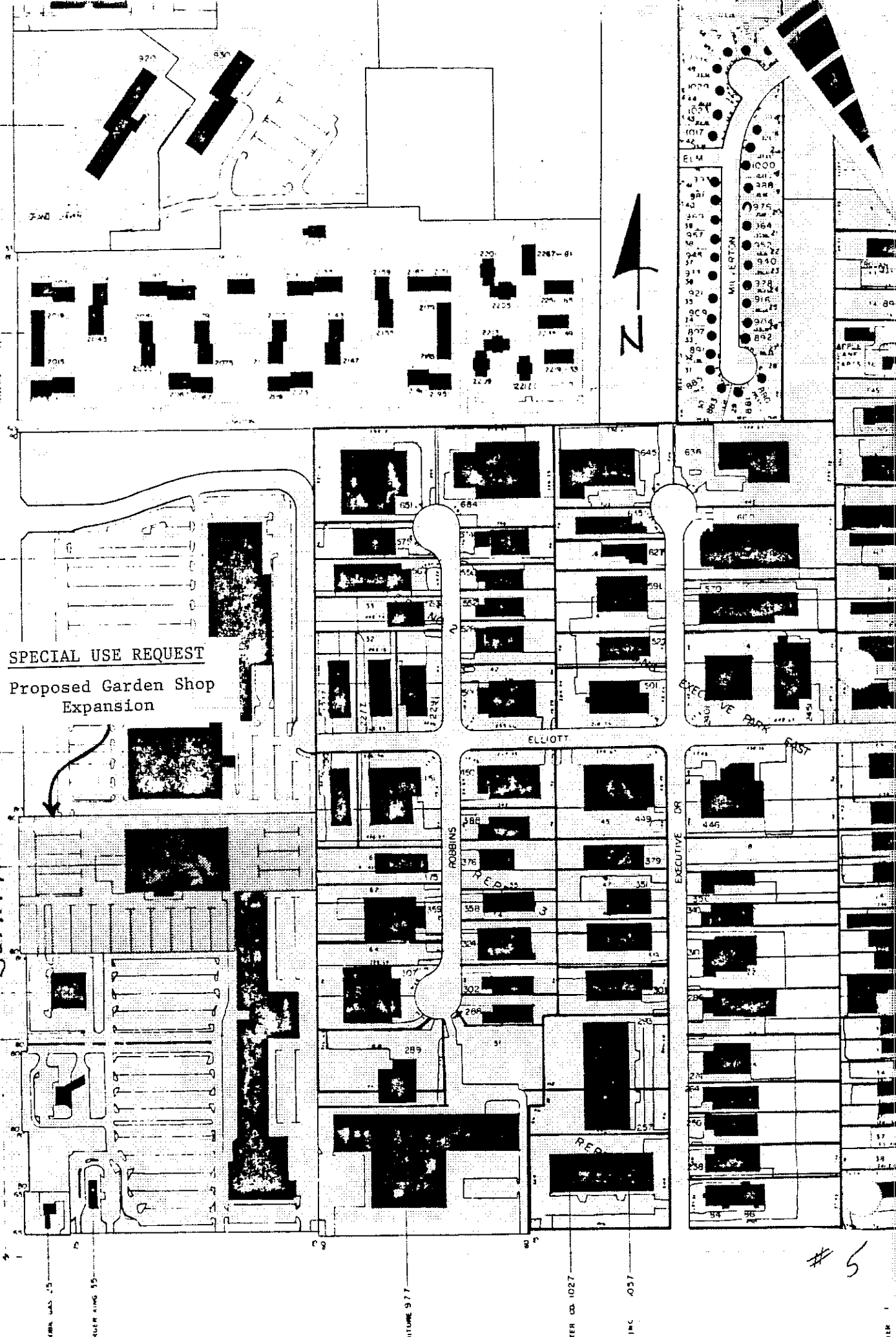
WILSON & APPL 300

AND PLAZA 268-1

NBD OF TROY 260

SPECIAL USE REQUEST
Proposed Garden Shop
Expansion

John R



#5

R-1C

SPECIAL USE REQUEST
Proposed Child Care
Facility

Long Lake

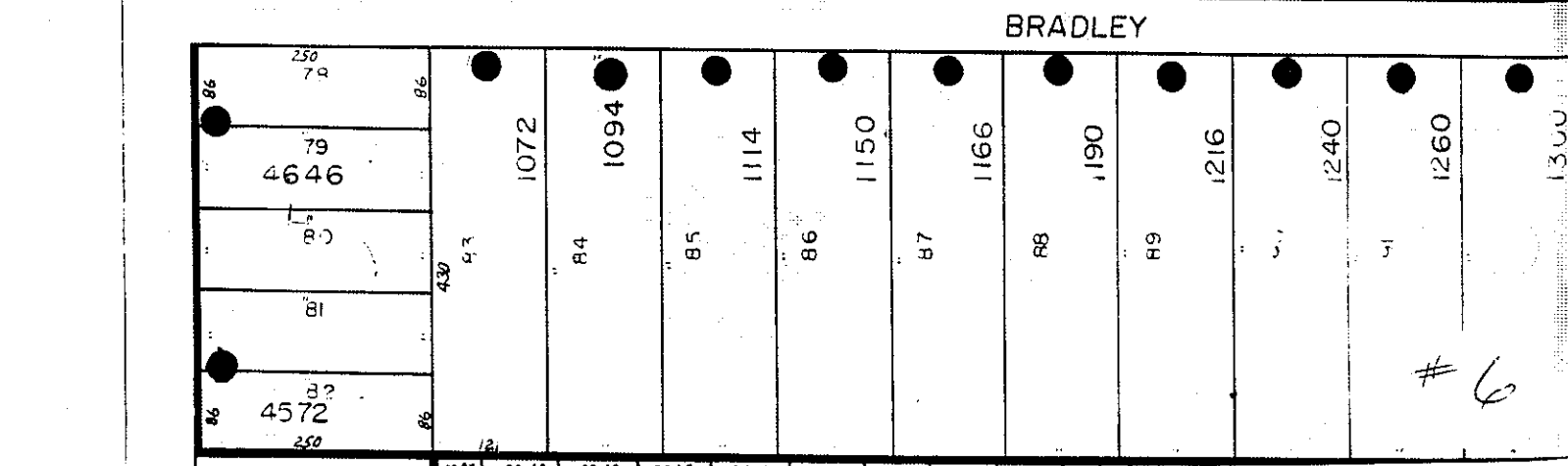
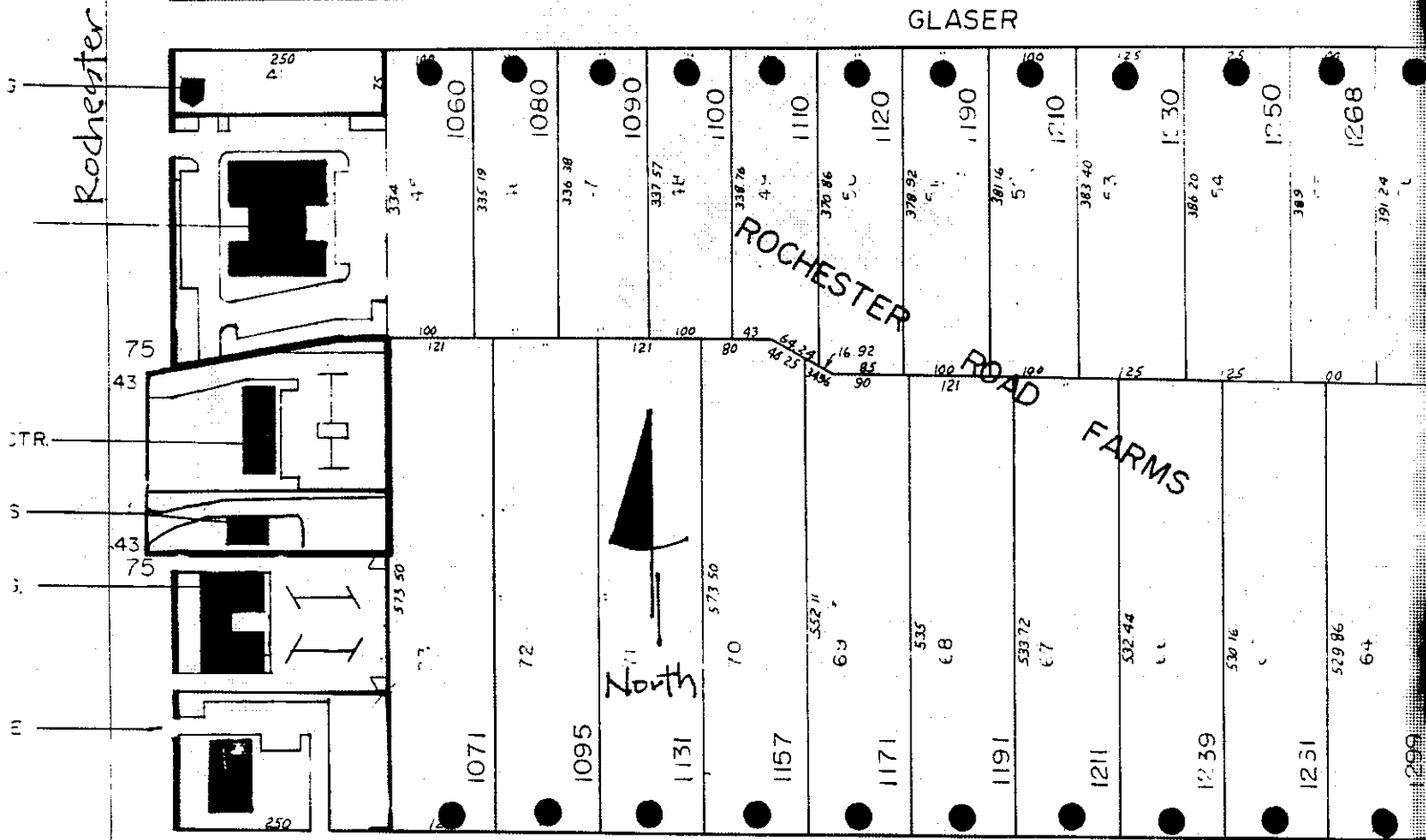
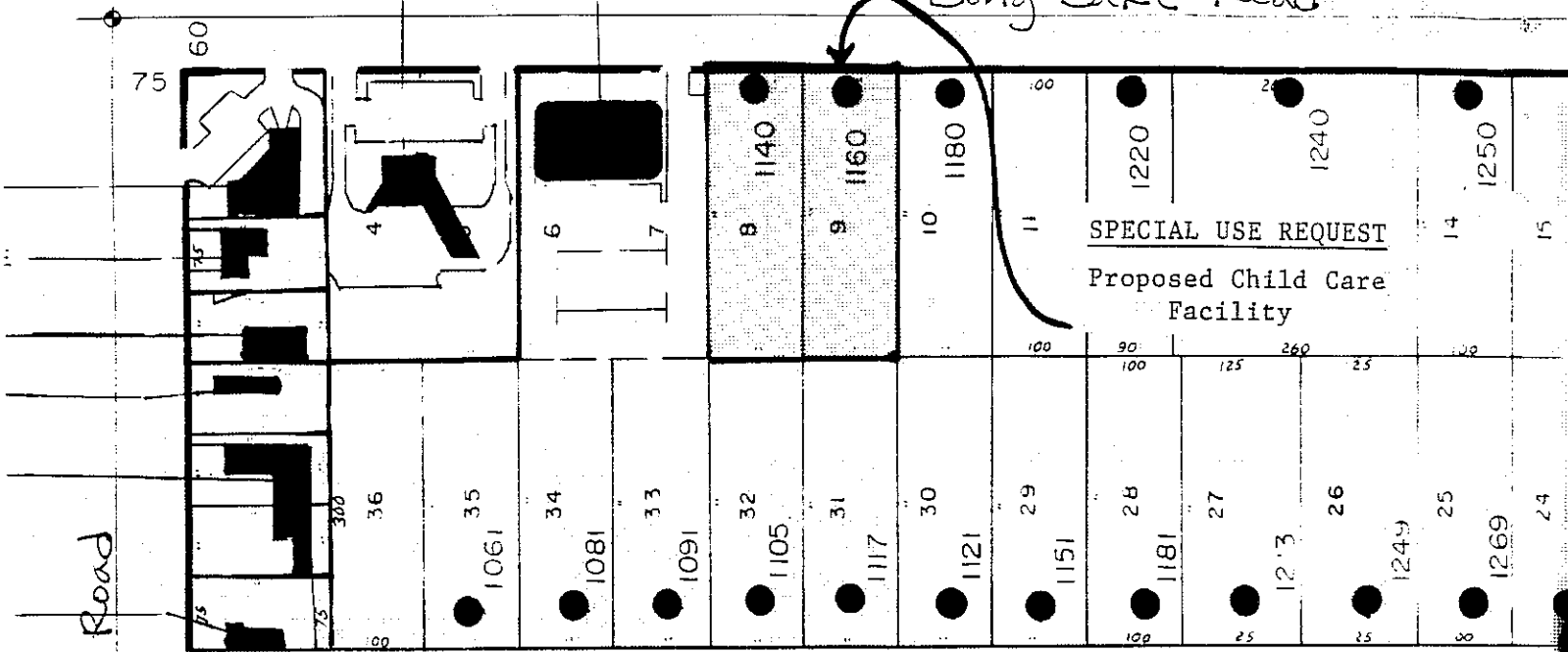
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North **14**

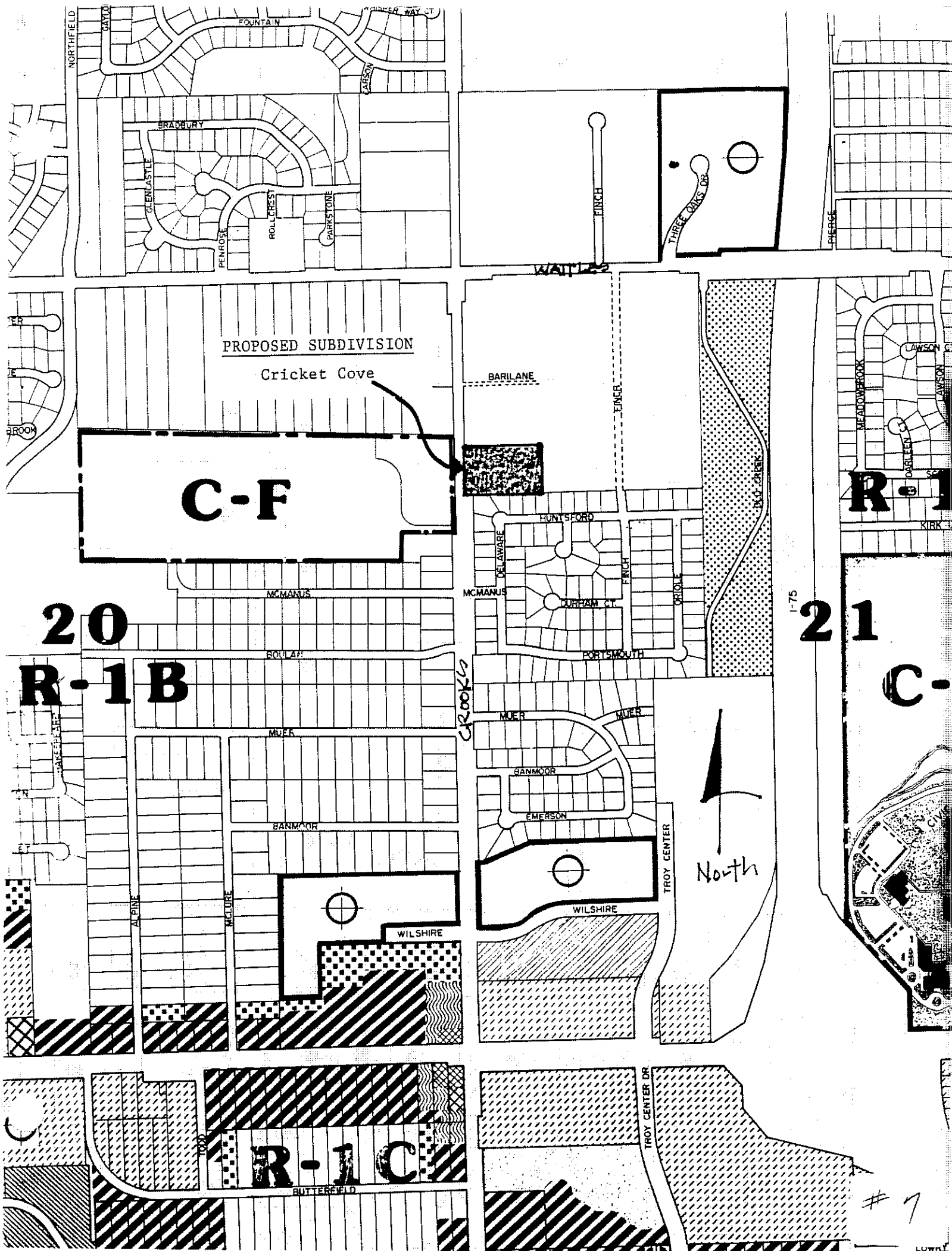
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R-1C

6



#6



CL. JK5

