

Chair Lambert called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on September 12, 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

**Resolution # PC-2023-09-051**

Moved by: Tagle  
Support by: Faison

**RESOLVED**, To approve the Agenda as prepared.

Yes: All present (9)

**MOTION CARRIED**

3. APPROVAL OF MINUTES – August 22, 2023

**Resolution # PC-2023-09-052**

Moved by: Fox  
Support by: Buechner

**RESOLVED**, To approve the minutes of the August 22, 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.

**REZONING REQUEST**

5. PUBLIC HEARING – REZONING REQUEST (File Number Z JPLN2023-0016) – Proposed Encore Development Rezoning, East side of Todd, South of Big Beaver (PIN 88-20-29-226-019 and -020), Section 29, From R-1C (One Family Residential) and P (Vehicular Parking) Districts to BB (Big Beaver) Zoning District

Mr. Carlisle reviewed the Encore Development Rezoning Request. He provided a background of the location, surrounding zoning and ownership of each parcel. Mr. Carlisle reported the application is a straight rezoning request with no conditions, is consistent with the Master Plan and would allow all permitted uses in the Big Beaver zoning district.

In summary, Mr. Carlisle said the Planning Commission should consider public testimony during the public hearing, whether the request meets the Rezoning Standards set forth in Section 16.03 C and make a recommendation to the City Council.

There was a brief discussion on the definition, use and intent of the P (Vehicular Parking) zoning district designation.

Jim Butler of PEA Group and Jason Hamama of Encore Development were present.

Mr. Butler offered specific responses to the five (5) Rezoning Standards set forth in the Zoning Ordinance. He said the applicant intends to construct a mixed-use development. Mr. Butler addressed the future uses of the three parcels to the north that are under the same ownership.

Chair Lambert referenced a previous concept plan presented to the Board for a conditional rezoning of the parcels to include the parcel zoned Office (O) that is under different ownership. He said at that time the Board expressed concerns with a straight rezoning because of its potential impact on adjacent properties.

Mr. Hamama said the parcel under different ownership might come into play in the future as a third phase of the development. He said they are back in front of the Board with a straight rezoning application after a delay resulting from working with a potential free-standing tenant.

**PUBLIC HEARING OPENED**

There was no one present who wished to speak.

**PUBLIC HEARING CLOSED**

Ms. Perakis shared her views on a conditional rezoning application versus a straight rezoning application as relates to compatibility with adjacent parcels.

There was discussion, some comments related to:

- Range of permitted uses and building forms in the Big Beaver zoning district.
- Compatibility with adjacent uses; no assurance with straight rezoning.
- Application of Site Plan Review Standards during site plan review and approval process.

**Resolution # PC-2023-09-053**

Moved by: Faison

Seconded by: Krent

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the R-1C (One Family Residential) and P (Vehicular Parking) to BB (Big Beaver) Rezoning Request, as per Section 16.03 of the City of Troy Zoning Ordinance, located on the East side of Todd, South of Big Beaver (PIN 88-20-29-226-019 and -020), within Section 29, being approximately 1.49 acres in size, be **GRANTED**, for the following reasons:

1. The proposed rezoning is consistent with the Master Plan.
2. The proposed rezoning does not appear to cause or increase any nonconformity.
3. If rezoned the property will be capable of accommodating service and facility loads caused by the use of the development.
4. The rezoning does not appear to impact public health, safety, or welfare.
5. The rezoning will ensure compatibility with adjacent uses of land.

Discussion on the motion on the floor.

Mr. Faison said the Resolution does not discount the viewpoint of Ms. Perakis and he respects the comments of Mr. Savidant that site plan review standards would be applied to the site plan application in the approval process.

Mr. Buechner said he values Ms. Perakis’ viewpoint also and that he is interested to see what type of development is proposed.

Ms. Perakis said that with a conditional rezoning the Planning Commission has more control of the type of development and its compatibility with adjacent parcels.

Chair Lambert referenced previous dialogue on the parcels wherein the Board shared that a conditional rezoning would be preferable.

Vote on the motion on the floor.

Yes: Buehner, Faison, Fox, Hutson, Krent, Tagle

No: Lambert, Malalahalli, Perakis

**MOTION CARRIED**

## OTHER ITEMS

6. PUBLIC HEARING – REVISED PRELIMINARY SITE PLAN AND AMENDMENT TO CONDITIONAL REZONING AGREEMENT (JPLN2023-0018) – Proposed Homestead Site Condominiums, East side of Livernois, North of Big Beaver (PIN 88-20-22-301-007, -008 and -009), Section 22, Zoned RT (One Family Attached Residential) Zoning District

Mr. Carlisle reviewed the revised Preliminary Site Plan and Amendment to Conditional Rezoning Agreement for Homestead Site Condominiums. He stated the applicant is seeking to amend the Conditional Rezoning to construct 14 detached homes. Mr. Carlisle presented a comparison of the 2022 plan to 2023 plan, specifically noting the change in unit type, the reduction in the number of units, and a reshaped detention pond. He reported it is a major amendment to the Agreement that is required to come back to the Planning Commission for a recommendation to the City Council.

In summary, Mr. Carlisle asked the Planning Commission to consider public testimony during the public hearing. He asked as part of their deliberations to consider if the plan meets the Rezoning Standards and the Site Plan Review Design Standards and to address site plan items identified in his report dated September 5, 2023.

Jim Eppink of J Eppink Partners Inc. was present to represent Joe Maniaci of Mondrian Properties. Mr. Eppink said key missing items were discovered in the process of marketing homes as proposed in the original plan. He said home buyers are looking for two-car garages, basements for storage and maintenance-free homes with four walls of their own and not an-apartment-style living. Mr. Eppink said the applicant is coming back to the Board with a similar plan as relates to land balance and engineering of the existing floodplain. He noted the homes would be for sale, not rent, there would be public access to the trails and the material of the trails is a combination of asphalt and concrete.

There was discussion, some comments related to:

- Definition of “missing middle” homes.
- Connection and access to the trails; whether public or private, potential to connect to the south.
- Options to accommodate guest parking.
- Alternative locations for overflow parking.
- On-street parking per Fire Department regulations.
- Demographics used in marketing homes.
- Reforestation of trails.
- Maintenance of trails; easement dedicated to City to maintain.
- Material of the trails; asphalt in the rear, concrete in front.

**PUBLIC HEARING OPENED**

John Phillips, 3302 Frankton; addressed concerns with flooding, loss of wetlands, and connection of the trails to neighboring properties. He said he requested a copy of the site plan from the Planning Department but did not receive it.

**PUBLIC HEARING CLOSED**

Mr. Savidant apologized to Mr. Phillips that the Planning Department did not respond to his request. He asked Mr. Phillips to meet him at the Planning Department counter after the meeting to give him a copy of the site plan.

Mr. Savidant addressed the concerns expressed by Mr. Phillips with respect to flooding. He stated the proposed development is an opportunity to make improvements to the stormwater flow and flooding issues in the area.

Mr. Savidant cited the Master Plan definition of middle housing.

There was discussion:

- How the original Conditional Rezoning Agreement relates to the proposed amendment.
- Intent of the Resolution templates prepared by the administration.
- How the site plan issues identified in the Planning Consultant report relates to the proposed amendment.
- Applicant’s affirmation to research options for guest parking.
- Conditions offered by applicant in relation to the proposed application amendment.

Mr. Carlisle confirmed the plan meets the parking requirements of the Zoning Ordinance.

Mr. Fox said he does not support the application because of the demographics used in marketing the homes. He would like to see the demographics include a younger and/or a hybrid of generations.

**Resolution # PC-2023-09-054**

Moved by: Perakis  
 Seconded by: Buechner

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the proposed request to amend the Conditional Rezoning Agreement and Site Plan, located on the East side of Livernois, North of Big Beaver, within Section 22, being approximately 9.5 acres in size, be **GRANTED**, for the following reasons:

1. The request complies with the Master Plan.
2. The conditions offered by the applicant reasonably protect the adjacent properties.
3. The rezoning would be compatible with surrounding zoning and land use.
4. The site can be adequately served with municipal water and sewer.

**BE IT FURTHER RESOLVED**, That the Planning Commission recommends the following site plan design considerations:

1. Provide Conditional Rezoning Agreement prior to the City Council consideration.
2. Explore additional guest parking after determining with the Fire Department whether parking is permitted on both sides of the road.

Discussion on the motion on the floor.

Chair Lambert said his concerns with the original plan was that it was not entirely compatible with the neighbors to the south and that he would vote in favor of the amendment before the Board this evening.

Vote on the motion on the floor.

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

**MOTION CARRIED**

7. PUBLIC COMMENT – For Items on the Agenda

There was no one present who wished to speak.

8. PLANNING COMMISSION COMMENT

There were general Planning Commission comments, some related to:

- Update on Downtown Development Authority (DDA) district landscape project.
- Format of resolution(s) prepared by administration.
- Distribution of informational articles among Planning Commission.
- Presentation by Mr. Savidant at the Oakland County Planners Gathering.

9. ADJOURN

The Regular meeting of the Planning Commission adjourned at 8:40 p.m.

Respectfully submitted,

David Lambert, Chair

Kathy L. Czarnecki, Recording Secretary