

# **CITY COUNCIL AGENDA ITEM**

Date: September 7, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager

R. Brent Savidant, Community Development Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING - TROY CROSSING PLANNED UNIT

<u>DEVELOPMENT (File Number PUD JPLN2021-0008)</u> – Proposed Amendment to Troy Crossing PUD, North side of Big Beaver, East of John R (Parcels 88-20-24-352-067 and

-068), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District

The applicant Brian Najor of Najor Companies submitted an application to amend Troy Crossing (AKA The Phoenix Troy Apartments) Planned Unit Development (PUD). The PUD was approved in 2017. The approved project featured two retail buildings plus four apartment buildings totaling 96 units. The four apartment buildings are nearing completion. The two retail buildings along Big Beaver have not been constructed and the applicant seeks to replace the approved retail buildings with another 3-story, 25-unit apartment building featuring 2,000 square feet of retail/restaurant on the ground floor.

The Planning Commission considered this application at a public hearing on August 24, 2021 and recommended approval of the rezoning by an 8-0 vote. In the resolution, the Planning Commission encouraged the applicant to enhance the development with additional landscaping, to consider moving the retail/restaurant space to the east side of the building and to increase the amount of retail/restaurant space on the ground floor up to 4,000 square feet. The applicant has not submitted revised plans which address these suggestions.

A City Council public hearing has been scheduled for September 27, 2021.

## Attachments:

- 1. Agenda packet from August 24, 2021 Planning Commission meeting.
- 2. Minutes from August 24, 2021 Planning Commission Regular meeting (excerpt).

RBS, G:\PUDs\PUD 018 JPLN2021-0008 Troy Crossing (aka The Phoenix Troy Apts)\CC Memo Announce Public Hearing 09 13 2021.docx

DATE: August 19, 2021

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: PUBLIC HEARING - TROY CROSSING PLANNED UNIT DEVELOPMENT (File

Number PUD JPLN2021-0008) - Proposed Amendment to Troy Crossing PUD, North side of Big Beaver, East of John R (Parcels 88-20-24-352-067 & -068),

Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District.

The applicant Brian Najor of Najor Companies submitted an application to amend Troy Crossing (AKA The Phoenix Troy Apartments) Planned Unit Development (PUD). The PUD was approved in 2017. The approved project featured two retail buildings plus four apartment buildings totaling 96 units. The four apartment buildings are nearing completion. The applicant seeks to replace the two approved retail buildings along Big Beaver with another 25-unit apartment building featuring 2,000 square feet of retail/restaurant on the ground floor.

The Planning Commission is a recommending body for this application.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the project as revised. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and the recommendations included therein.

# Attachments:

- 1. Maps
- 2. Report prepared by Carlisle/Wortman Associates, Inc.

G:\PUD's\PUD 018 JPLN2021-0008 Troy Crossing (aka The Phoenix Troy Apts)\PC Memo 08 24 2021.doc



# **GIS Online**



595 0 297 595 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

# TROY

# GIS Online



595 0 297 595 Feet



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

# For City of Troy, Michigan

Date: August 16, 2021

**Applicant:** Najor Companies

**Project Name:** Big Beaver – Troy Crossing PUD

Plan Date: June 5, 2017

**Location:** North side of Big Beaver, east of John R.

**Zoning:** Planned Unit Development

**Action Requested:** Planned Unit Development Amendment

**Required Information:** Deficiencies noted

# PROJECT AND SITE DESCRIPTION

The Troy Crossing Planned Unit Development received PUD and site plan approval in 2017. The 2017 approval included four (4) 3-story apartment buildings (totaling 108 units), two retail/restaurant facilities (totaling approximately 10,000 sq.ft), and a community center. The retail buildings front Big Beaver Road, with the apartment buildings along the north, east and west sides of the property. Arranged as a plaza style development, the four apartment buildings and retail centers all face the center parking lot and landscaped area.

To date all four (4) 3-story apartment buildings have been constructed. The applicant notes that due to market conditions, they are seeking an PUD amendment to convert the two retail/restaurant facilities, into one building that will include 25 additional residential units and approximately 2,000 sq/ft of restaurant/retail. Parking is sufficient with the change from retail to residential.

The proposed architecture matches the built apartments.

# SUMMARY

Planning Commission is to hold a public hearing and make a recommendation to the City Council.

Yours Truly,

CARLISLE/WORTMAN ASSOC., INC.

Benjamin R. Carlisle, LEED AP, AICP

# Response to Section 6 of the PDP Application:

In September 2019, the City of Troy Council approved the PUD, known as Big Beaver Place, consisting of four apartment buildings totaling 108 units and two retail buildings of up to 12,000 square feet in total. At this time, the apartment buildings are in various stages of development with tenants having moved into building number one in April 2021 and a planned completion of building two in July 2021. The two remaining apartment buildings are scheduled to be completed by early 2022. The demand for these premium quality units at this development has been extremely strong with 67 of the total 108 units having been leased as of the beginning of June 2021. Now that we have tenants moved in and we have received a substantial amount of feedback from prospective residents, we believe that the two retail buildings approved would be a detriment to the surrounding apartment community in the form of additional traffic and noise.

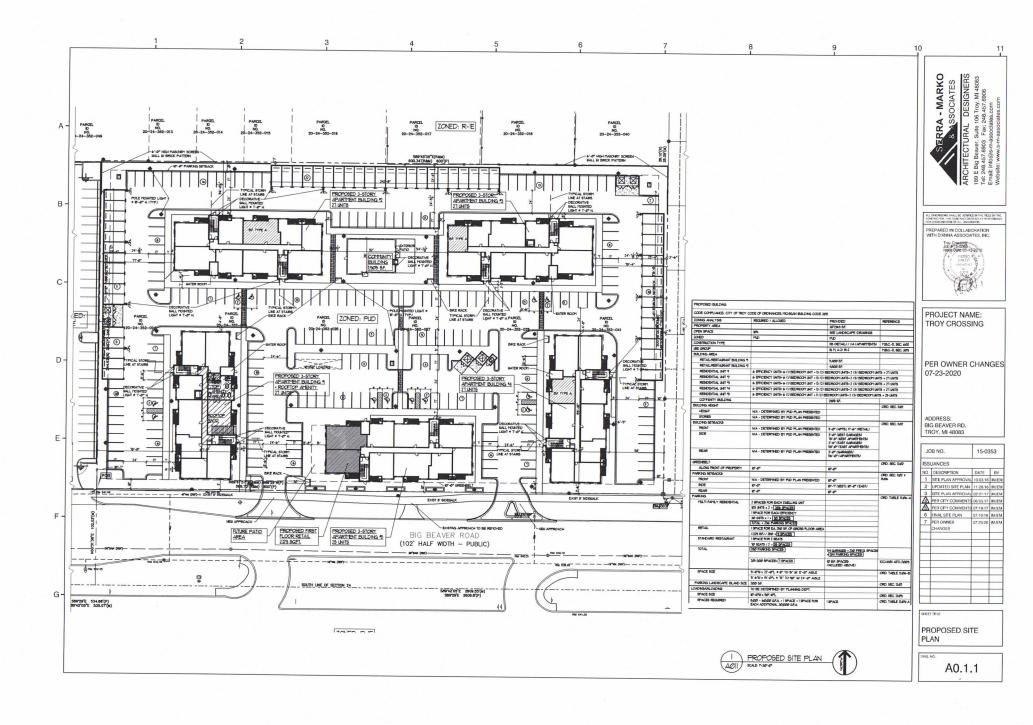
In lieu of the two retail buildings, we are proposing to construct a single three-story building consisting of 2,129 square feet of retail and/or restaurant use on the west end of the ground floor and 25 additional apartment units. The retail/restaurant uses will maintain the mixed-use component of the PUD while at a scale that is more appropriate for this principally residential community. The uses envisioned for this retail component would be complimentary to the apartment residents and include such offerings as a coffee shop, small restaurant and/or personal service uses. The elevations of the proposed building would be consistent with the other buildings in the development. The building will be situated in the same area as the previously approved retail building and will retain many of the landscape and hardscape elements such as planter boxes and pavers.

LEGAL DESCRIPTION:
(Per Piet American Title Insurance Co. (Title Connect, LLC) commitment number TC13-80740, commitment date 40-40-41. WATTLES ROAD PANCEL A
Londs in the Southwest 1/4 of Section 24, Town 2 North, Range 11 East, City of
Troy, Oedland County, Michigan, being part of Lots 15 through 20, "Big Beaver Poultry
Forms" Subdivision, as recorded in Liber 23, Page 14, Oekland County Records, more
particularly described as: SCHEDULE B—SECTION II EXCEPTIONS
(Per First American Title Insurance Co. (Title Connect, LLC) commitment number TC13—80740, commitment data 04–04–19. SURVEYORS NOTES: Commencing of the Southwest Corner of sold Section 24; thence along the South line of sold Section 24, 589\*42"05", 335.07 feet (picted as 589\*29", 53.6.86 feet); thence NOV3136"2", 102.03 feet to be North line of Big Bleaver Root (102 foot 1, 102 feet); the North Line of Section 24, 589\*42"05", 335.07 feet (picted as 345 feet); picted as 345 f At the time of survey there was no evidence observed of any tanks, drainage fields, or use as a solid waste dump or sanitary landfill. items 1-6 and 8-12 are not plottable survey items 7 Subject to the ecsements, restrictions and reservations contained in the Big Beaver Poultry Forms Plot recorded at Liber 23, Page(s) 14, Oddland County Records. [DOES NOT AFFECT THE SUBJECT PROPERTY] The site is currently under construction, the survey shows conditions as of January 23, 2017. No evidence of potential wetlands were observed on the subject property at the time the survey was conducted, nor have we received any documentation of any wetlands being located on the subject property. 13 Terms and Conditions contained in Right of Way in favor of Michigan Ball Telephone Company as disclosed by instrument recorded in Liber 7219, page 708. [DOES NOT AFFECT THE SUBJECT PROPERTY] BIG BEAVER ROAD The sewers and water lines are based on record maps provided by the City of Dearborn Engineering Department and visual abservation. 14 Terms and Conditions contained in Development Agreement as disclosed by instrument recorded in Liber 39785, page 864 as armeded by First Amendment recorded in Liber page [AFFECTS ALL OF THE SUBJECT PROPERTY] LOCATION MAP - NOT TO SCALE E. The existing conditions as shown hereon, are as of the "last day of field work" noted in the certification. TATE OF MICK FANCEL B
Londs in the Southwest 1/4 of Section 24, Town 2 North, Range 11 East, City of
Troy, Oddrand County, Michigan, being part of Lots 16 through 19, "Big Beaver Paultry
Forms" Subdivision, as recorded in Liber 23, Page 14, Oddland County Records, more
particularly described as: 15 Covenants, conditions and restrictions and other provisions but omitting restrictions, if any, based on roce, color, religion, ser, handloop, familial status or national origin as continued in Instrument recorded in Liber 1007, Page 374, Oddand County Records, (DOES NOT AFFECT THE SUBLECT PROPERTY). TODD D. SHELLY PROFESSIONAL SURVEYOR NO. 41111 Commencing at the Southwest Corner of sold Section 24; thence along the South like of sold Section 14, 589\*200°T, 535.07 feet (pictude as 589\*20°T, 534.86 feet); thence NOVI31 527-102.03 feet to the North line of Big Beaver Root (102 foot the North line 559\*415°T, 1803, 259\*415°T, 1803, 259\*415 GRAPHIC SCALE 20 40 80 ( IN FEET ) 1 Inch = 40 ft. LEGEND M MASS PLUC SET NO. 20-24-352-042 PARCEL ID NO. 20-24-352-016 PARCEL ID NO. 20-24-352-017 PARCEL ID NO. 20-24-352-018 PARCEL ID NO. 20-24-352-062 LOT 15 LOT 35 LOT SE LOT 38 PMO 1/2" FND 1/2" IRON CAP #LLEGBLE ON-LINE OF ALEGELE WALL ON 4' CHAIN LINK FENCE CROSSES PROPERTY LINE 3 FULL WORKING DAYS BEFORE YOU DIG CALL Know what's below 4' CHAIN LINK FENCE 0.3' CLEAR OF PROPERTY LINE "BIG BEAVER POULTRY FARMS" SUBDIVISION L23, P.14, O.C.R. CONC. J CONCRET S of System, Inc. PARCEL A 3 721+ AC \_ ASPIL - ASPINI PARCEL ID 20-24-352-067 COLUCT COURT MOTHER UNDER CONSTRUCTION REFERENCE DRAWINGS BATTO BANK
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EXCEPT SOURMANDS AS OF 77 ARY NO TOPOGRAPHIC SURVEY BIG BEAVER PLACE", FAZAL PEA, Inc. UNDER CONSTRUCTION PARCEL ID NO. 20-24-352-058 OT 21 LOT 10 LOT W LOT N 12'ND DRAM EASDMENT t 248,689,9090 f 248,689,1044 NO EASEMENT PROVIDED FNO 1/2" IRON ON-LINE 5 SURVEYOR'S CERTIFICATE: PARCEL B DRIVE VUBLIC) SURV To: Troy Crossing, LLC Title Connect, LLC First American Title Insurance Company Bank of Ann Arbor i 1.049+ AC NO BUILDINGS DOMINIQUE (60' WDE - P PARCEL ID 20-24-352-068 S LAND TITLE S BIG BEAVER I This is to certify that this map or plot and the survey on which it is based were made in accordance with the "Minimum Standard Detail and the survey of the survey survey does not exceed that which is specified therein. The last day of field work was completed on Jessey 22, 2217. FND 1/2" IRON CAP #LLEGBLE POB PARCEL POB PARCEL B 7 12"CMP no 1/2" not 200'(P) 200.23'(M) NAJOR LA/NSPS I BIG BEAVER ROAD Todd D. Shelly, PS Michigan Professional Surveyor-No. 41111 Agent for PEA, Inc. (102' HALF WIDTH - PUBLIC) ---ALI \$89"29"E 534.86"(P) 'S 589"42"05"E 535.07"(M)

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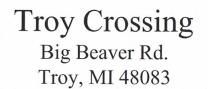
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2012500553, DATED JANUARY 16, 2003.

CALE: 1° = 40'
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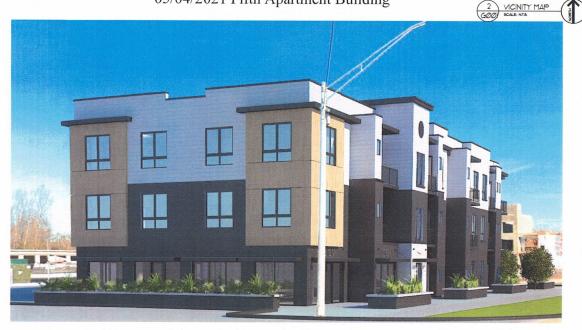








05/04/2021 Fifth Apartment Building



NAJOR COMPANIES

600 N. OLD WOODWARD AVE., SUITE 100, BIRMINGHAM, MI 48009 PH: (248)433-7000

SERRA-MARKO AND ASSOCIATES INC.

189 E. BIG BEAVER, SUITE 106, TROY, MI 48083 PH: (248)457-6903

**PEA** 

В

2430 ROCHESTER COURT, SUITE 100, TROY, MI 48083 PH: (248)689-9090

PEA

2430 ROCHESTER COURT, SUITE 100, TROY, MI 48083 PH: (248)689-9090

**OWNER** 

**ARCHITECT** 

**CIVIL ENGINEER** 

LANDSCAPE CONSULTANT

DRAWING LIST:

GENERAL:
GOOJ ZONING ANALYSIS

ARCHITECTURAL:
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PREPARED IN COLLABORATION WITH D'ANNA ASSOCIATES, INC.

PROJECT NAME: TROY CROSSING

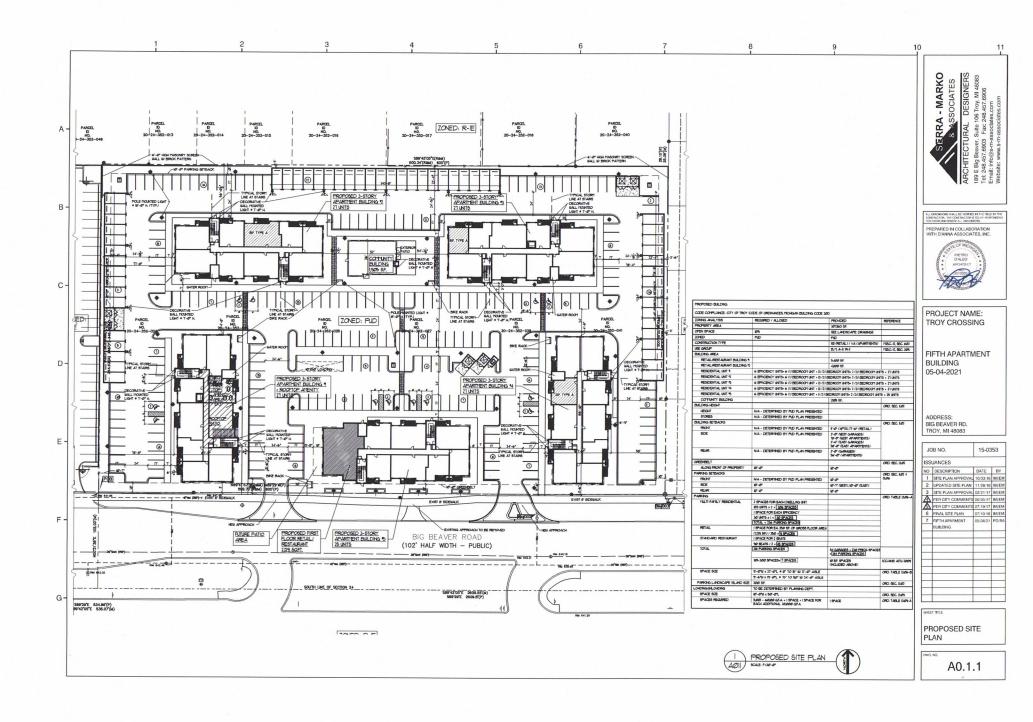
FIFTH APARTMENT BUILDING 05-04-2021

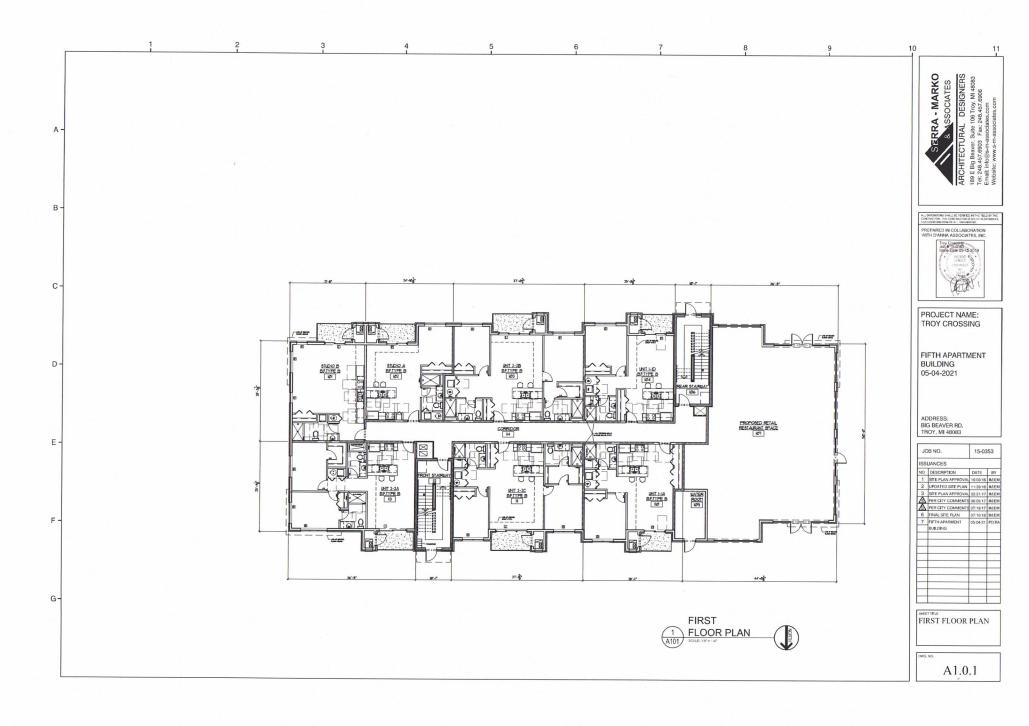
ADDRESS: BIG BEAVER RD. TROY, MI 48083

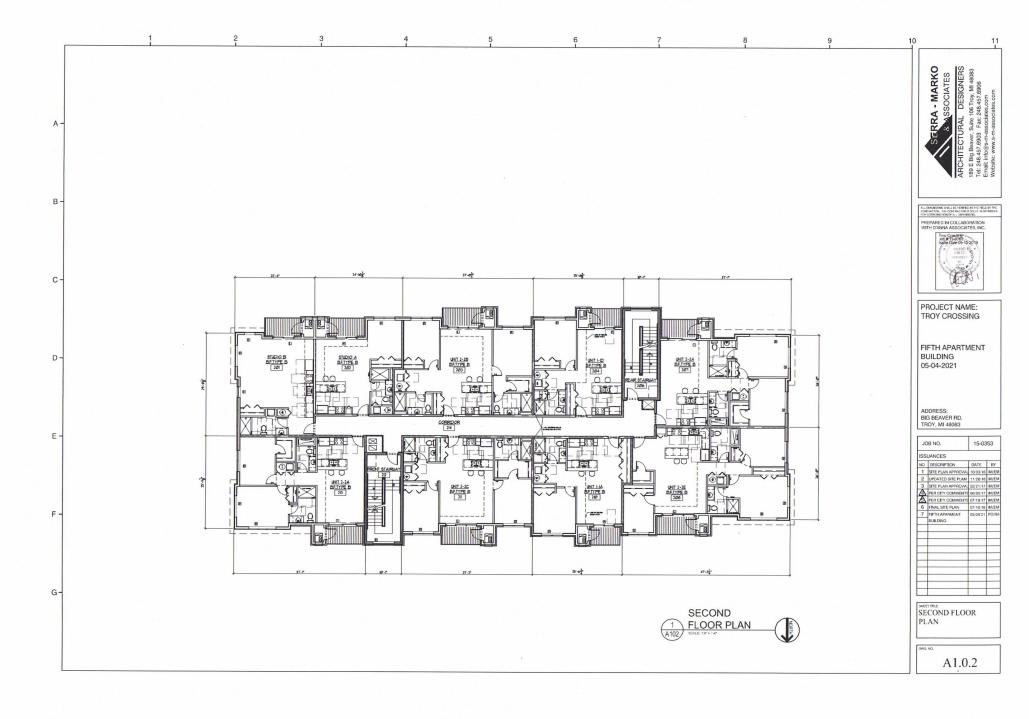
JOB NO.		15-0353		
ISSUANCES				
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2	UPDATED SITE PLAN	11/28/16	IM/8	
3	SITE PLAN APPROVAL	02/21/17	IM/E	
◬	PER CITY COMMENTS	06/05/17	IM/8	
◬	PER CITY COMMENTS	07/19/17	IM/E	
6	FINAL SITE PLAN	07/10/18	BA/E	
7	FIFTH APARMENT BUILDING	05/04/21	PDI	
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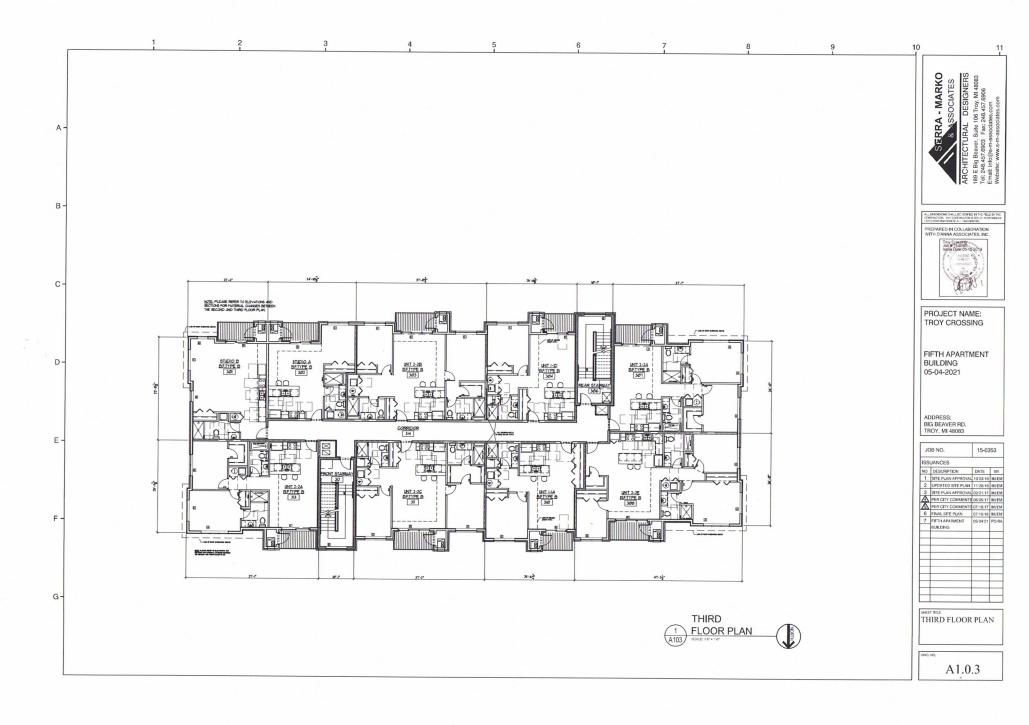
ZONING ANALYSIS

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# **PLANNED UNIT DEVELOPMENT (PUD)**

6. <u>PUBLIC HEARING - TROY CROSSING PLANNED UNIT DEVELOPMENT (File Number PUD JPLN2021-0008)</u> — Proposed Amendment to Troy Crossing PUD, North side of Big Beaver, East of John R (Parcels 88-20-24-352-067 and -068), Section 24, Currently Zoned PUD 8 (Planned Unit Development 8) District

Mr. Carlisle presented a review of the proposed Amendment to Troy Crossing Planned Unit Development. He compared the differences of the 2017 approved plan and proposed amendment as relates to the residential and commercial facilities. Mr. Carlisle reported parking is sufficient with the change from retail to residential and the proposed architecture matches the apartments that have been constructed and/or currently under construction. Mr. Carlisle said if the amendment to the PUD is approved, the applicant would be required to submit a revised landscape plan and photometrics plan for Building 5. He said a public hearing is scheduled this evening and the Planning Commission role is to make a recommendation to City Council.

Mr. Carlisle provided a brief explanation of a PUD application.

Mr. Savidant provided a brief history of the original Planned Unit Development as relates to the public benefit and mix of retail and residential uses.

Applicant Bryan Najor and General Contractor Richard Atto were present.

Mr. Najor addressed the development with respect to the changing market. He said residential is a highly sought after component now and commercial is shrinking. Mr. Najor said the proposed amendment would accommodate the market for additional residential. His focus on a retail/restaurant component is a less intense use that would be harmonious with existing apartment residents.

#### There was discussion on:

- Building height; initially 4 story.
- Success of development; compliments to property owner/applicant.
- Square footage of retail component; reduction, retail options.
- Community Center on site; fitness center and kitchen planned in future.
- Public benefit for City as a whole, not only apartment residents.
- Standards for Approval; how they relate to application at time of approval and currently with proposed amendment.
- Location of retail component; west or east elevations.
- Landscaping/screening; administration to work with applicant on landscape/hardscape.
- Preserving integrity of original PUD agreement.
- Demographics of apartment residents; fully occupied; on-going list of potential new residents.

Mr. Atto addressed the marketing strategy and flexibility in the location of the retail component.

## PUBLIC HEARING OPENED

There was no one present who wished to speak.

## PUBLIC HEARING CLOSED

Mr. Savidant suggested a non-binding Resolution to encourage the developer to consider additional square footage for retail provided there is sufficient parking and allow flexibility in amending the PUD agreement.

# Resolution # PC-2021-08-xxx (withdrawn)

Moved by: Rahman Support by: Perakis

**WHEREAS,** The applicant Najor Companies submitted an application to amend Troy Crossing Planned Unit Development (PUD), aka The Phoenix Troy Apartments, located on the north side of Big Beaver, east of John R, in Section 24, approximately 4.77 acres in area; and

**WHEREAS,** Troy Crossing PUD was approved as a mixed use development including four 3-story apartment buildings and two retail/restaurant facilities; and

**WHEREAS,** The applicant has proposed to replace the two approved 1-story retail/restaurant facilities with one 3-story building featuring whatever possible apartments the applicant can make and 4,000 square feet of retail/restaurant on the ground floor on both the east and west sides; and

**WHEREAS**, The proposed 3-story building is similar in design to the four buildings on site which are nearing completion; and

**WHEREAS,** The proposed revision to the PUD meets the Standards for Approval set forth in Section 11.03.

**BE IT RESOLVED,** That the Planning Commission recommends to City Council that Concept Development Plan Approval and Preliminary Development Plan Approval for the proposed amendment to Troy Crossing PUD, aka The Phoenix Troy Apartments, be **granted**.

# Discussion on the motion on the floor.

Ms. Dufrane said better direction is needed on the Resolution so that she and the applicant's attorney have something that is workable and feasible to amend the PUD agreement. She said also that it appears the applicant is not in support of 4,000 square feet of retail.

Mr. Savidant stated he understands the intent of the Resolution on the floor. He suggested it might read to encourage additional landscaping, encourage the retail

space along the east side versus the west side and encourage additional retail square footage, noting this can be accomplished under design considerations.

Mr. Rahman withdrew the Resolution on the floor. Ms. Perakis was in support.

## Resolution # PC-2021-08-063

Moved by: Lambert Support by: Rauch

**WHEREAS,** The applicant Najor Companies submitted an application to amend the Troy Crossing Planned Unit Development (PUD), aka The Phoenix Troy Apartments, located on the north side of Big Beaver, east of John R, in Section 24, approximately 4.77 acres in area; and

**WHEREAS,** the Troy Crossing PUD was approved as a mixed use development including four 3-story apartment buildings and two retail/restaurant facilities; and

**WHEREAS,** The applicant has proposed to replace the two approved 1-story retail/restaurant facilities with one 3-story building featuring 25 apartment units and 2,000 square feet of retail/restaurant on the ground floor; and

**WHEREAS**, The proposed 3-story building is similar in design to the four buildings on site which are nearing completion; and

**WHEREAS,** The proposed revision to the PUD meets the Standards for Approval set forth in Section 11.03.

**WHEREAS**, We encourage the applicant to enhance the landscaping, to consider moving the retail/restaurant space to the east side of the building and to encourage the applicant to increase the amount of retail/restaurant space on the ground floor up to 4,000 square feet.

**BE IT FURTHER RESOLVED,** That the Planning Commission recommends to City Council that Concept Development Plan Approval and Preliminary Development Plan Approval for the proposed amendment to Troy Crossing PUD, aka The Phoenix Troy Apartments, be **granted**.

Yes: All present (8)

Absent: Tagle

# **MOTION CARRIED**