

Chair Krent called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on January 11, 2022, in the Council Chamber of the Troy City Hall. Chair Krent presented opening remarks relative to the role of the Planning Commission and procedure of tonight’s meeting.

1. ROLL CALL

Present:

- Carlton M. Faison
- Michael W. Hutson
- Tom Krent
- David Lambert
- Lakshmi Malalahalli
- Marianna Perakis
- Sadek Rahman
- Jerry Rauch
- John J. Tagle

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2022-01-001

Moved by: Faison
Support by: Tagle

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

There was discussion on:

- Proposed revisions to October 26, 2021 draft minutes by Mr. Rauch.
- Proposed revisions to December 14, 2021 draft minutes by Mr. Lambert.
- Conflict of interest; procedure in recusing oneself.

Resolution # PC-2022-01-002

Moved by: Lambert

Support by: Perakis

RESOLVED, To approve the minutes of the October 26, 2021 and December 14, 2021 Regular meetings with corrections.

Yes: All present (9)

MOTION CARRIED

4. **PUBLIC COMMENT** – For Items Not on the Agenda

There was no one present who wished to speak.

SPECIAL USE APPROVAL AND PRELIMINARY SITE PLAN REVIEWS

5. **PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (SU JPLN2021-026)** – Proposed Biggby Coffee Drive-Through Window Addition, North side of Long Lake, east of Rochester (1057 E. Long Lake, Suite A), Section 11, Currently Zoned NN (Neighborhood Node “L”) District

Mr. Tagle recused himself from this item. He stated his firm worked with the petitioner on the project.

Mr. Lambert disclosed his son is a former employee at Biggby Coffee and indicated no conflict of interest on his part. The Board was in consensus.

(Mr. Tagle exited the meeting at 7:08 p.m.)

Mr. Carlisle reviewed the Special Use and Preliminary Site Plan application for the proposed drive-through window addition at Biggby Coffee. He addressed proposed site improvements as relates to parking along the western property line, speed humps for traffic calming and new dumpster screening. Mr. Carlisle said review of the application by the City’s Traffic Consultant OHM addressed the change to angle parking, the addition of bollards along the existing sidewalk at the rear of the retail center and removal of the parking bumper blocks adjacent to the new parallel parking spaces.

Mr. Carlisle clarified the loading space requirement or waiver of such is no longer an issue, contrary to comments in his report. He asked the applicant to provide transparency calculations and to submit a photometric plan should there be new lighting proposed. Mr. Carlisle addressed the Zoning Ordinance Design Standards (Section 5.05) and Special Use Standards (Section 9.02D).

Mr. Carlisle offered support in the reinvestment to the site and recommended approval of the Special Use and Preliminary Site Plan application with conditions as identified in his report dated December 7, 2021, with the exclusion of the condition relating to the loading space.

A brief discussion among Board members and the administration followed, some comments relating to:

- Non/conforming use.
- Traffic pattern and circulation.
- Calming traffic methods; speed bumps, signage.
- Safety concerns for employees, pedestrians.
- Length of drive-through loop; directional flow (one way, two way).

Applicant Sanford (Sandy) Green said he and his daughter-in-law partner purchased Biggy Coffee on July 15, 2021. He said in the last six months they have made improvements to the store and have made a concerted effort to become a stronger part of the community. Mr. Green addressed how the pandemic has affected the business and how a drive-through window would most likely boost business. Mr. Green said they care for the safety of their employees, customers and existing retail tenants and hope that together they and the Commission can come up with a workable plan for a drive-through addition.

Traffic Engineer Julie Kroll of Fleis & VandenBrink addressed the proposed circulation and flow of traffic. She addressed specifics relating to the length of the drive-through loop, directional flow of traffic, the bypass lane, 7-foot sidewalk with bollards, access to the dumpster, loading area and traffic calming measures. Ms. Kroll noted commercial property is to the west of the drive-through window and residential is located only to the north and east of the project. She believes OHM's suggestion to remove the bumper blocks might be to alleviate a potential trip hazard, and she would confer with the landlord who placed the bumper blocks there to protect the existing fence. Ms. Kroll said speed bumps would be placed in accordance with the recommendations of the manufacturer. Ms. Kroll indicated the applicant would be receptive to additional measures of traffic calming, such as signage, striping, etc.

Mr. Green addressed the length of the drive-through loop, directional flow of traffic, the bypass lane, width of the road in the rear of the retail center, communication with existing tenants, and various types of traffic calming measures.

There was discussion on:

- Safety concerns.
- Directional flow of traffic.
- Speed bumps; manufacturer recommendations relating to placement, spacing.
- Posting speed limit signs; striping directional arrows.
- Loading space; access, time of day, maneuverability of trailer.
- Peak store hours (7am to 9:30 pm); number of anticipated customers daily (200).
- Potential use of drive-through loop by other tenants.

PUBLIC HEARING OPENED

There was no one present to speak.

PUBLIC HEARING CLOSED

The administration suggested that the item could be sent back to the traffic consultant for review to address safety concerns expressed by some members.

Mr. Rauch made a motion that was supported by Mr. Lambert. A lengthy discussion followed with respect to the conditions cited. The recording secretary respectfully requested if the motion could be stated again for clarification on the conditions.

Resolution # PC-2022-01-003

Moved by: Rauch
Support by: Lambert

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Biggby Coffee Drive-Through Window Addition, North side of Long Lake, East of Rochester (1057 E. Long Lake, Suite A), Section 11, Currently Zoned NN (Neighborhood Node “L”) District, be granted, subject to the following conditions:

1. That the Traffic Consultant and planning staff will review and satisfy themselves with the placement of the bumper blocks that are being removed.
2. That the Traffic Consultant and planning staff will look at potentially a third speed bump in the traffic flow to the drive-up window.
3. That the applicant will provide the transparency calculations.
4. If new lighting is proposed, the applicant shall submit a photometric plan.
5. That the plan will provide ultimately for signage at the store in the form of a monument sign at the west end and in the form of a street-type sign at the east end of the property that clearly designates direction to the drive-through.
6. That speed limit signs will be provided in conformance with the manufacturer’s recommendation of the speed bumps.
7. That the driveways will be clearly marked with one-way and two-way.
8. That there will be a yellow striped lane divider on the north side.

Discussion on the motion on the floor.

There was clarification that the conditions relating to the parking bumper blocks and speed bumps are to be reviewed by the Traffic Consultant and planning staff and the remaining conditions would be required.

Vote on the motion on the floor.

Yes: Faison, Hutson, Krent, Lambert, Malalahalli, Perakis, Rahman, Rauch
Recused: Tagle

MOTION CARRIED

Mr. Tagle returned to the meeting at 8:36 p.m. Ms. Dufrane exited the meeting at 8:34 p.m.; returned at 8:38 p.m.

The meeting resumed at 8:38 p.m.

6. PUBLIC HEARING - SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (SU JPLN2021-024) – Proposed Red Wagon Fuel Station, West side of Livernois, North of Maple (1613 and 1631 Livernois), Section 28, Currently Zoned MR (Maple Road) District

Mr. Carlisle reviewed the Special Use and Preliminary Site Plan application for the proposed Red Wagon Fuel Station to add six islands, 12 gas pumps, a canopy to the existing Red Wagon store and the combination of two sites. He specifically addressed the canopy in relation to the Zoning Ordinance requirement (Section 6.28.B) and the applicant's rationale for not connecting the canopy to the store building. Mr. Carlisle addressed the applicant's request to seek a deviation in the parking requirement and a waiver from the loading space requirement. He reported the applicant is providing significant landscaping to both sites and particularly to the north site, but as well is seeking a deviation in the location of street trees and parking lot trees.

Mr. Carlisle addressed the Special Use Standards (Section 9.02.D.). He asked the Board to consider in its deliberation the applicant's rationale for not connecting the canopy to the building and the applicant's request to seek deviations from the requirements for parking, loading space and location of street trees and parking lot trees.

Mr. Carlisle recommended approval of the Special Use and Preliminary Site Plan application subject to addressing the canopy material and color and any design changes as directed by the Board prior to Final Site Plan approval.

A brief discussion among Board members and the administration followed, some comments relating to:

- Combination of two sites; demolition of existing building (Troy Tile).
- Complimentary material and color for canopy to Red Wagon building.
- Deviation of parking requirement; no setback requirements, potential to add parking to north.

Present were applicant Ken Koza of RW Troy LLC and James Butler of Professional Engineering Associates.

Mr. Butler clarified the application would not meet the 20% required landscaping requirement should parking spaces be added to the north. He assured the Board there is sufficient parking for the site. Mr. Butler showed the Board where an existing space near an overhead door located in the far northwest corner of the property is being used for loading/unloading.

Mr. Koza said connecting the canopy to the Red Wagon building would be challenging with respect to the building height differences, alignment and the need for structural columns. He said the yellow and red colors of the Shell brand would complement and tie together the brick and limestone color of the convenience store. He said a separation between the canopy and the convenience store would be aesthetically more pleasing and retain the Red Wagon building identity. Mr. Koza shared their forward thinking in replacing some pumps to accommodate charge stations for electric vehicles in the near future.

There was discussion on:

- Material and color of the canopy; no color changes to convenience store.
- Market viability for service stations.
- Accommodation of charge stations for future use.
- Sufficiency of parking.

PUBLIC HEARING OPENED

Prithipal Singh and Sukhnoor Kaur, owners of the Citgo service station at 1654 Livernois Road, voiced opposition. Ms. Kaur expressed concerns with competition among several service stations in the area.

PUBLIC HEARING CLOSED

In response to Mr. Rauch's question asking if there is background information on the potential of saturation of service stations in the City, Mr. Savidant said the City does not track statistics on service stations.

Resolution # PC-2022-01-

Moved by: Faison
Support by: Malalahalli

RESOLVED, The Planning Commission hereby approves a reduction in the total number of required parking spaces for the proposed Red Wagon Fuel Station to 44 when a total of 48 spaces are required on the site based on the off-street parking space requirements for convenience store and gas stations. This 4-space reduction maintains 36 parking spaces for the 4,455 square foot convenience store and is sufficient to meet parking demands based on existing activity; and,

RESOLVED, The Planning Commission hereby waives the loading space requirement; and,

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Red Wagon Fuel Station, West side of Livernois, North of Maple (1613 and 1631 Livernois), Section 28, Currently Zoned MR (Maple Road) District, be granted.

Discussion on the motion on the floor.

In response to Mr. Lambert’s question, Mr. Carlisle said he would like a detailed or colored rendering of the canopy to confirm it matches the elevation and aesthetics of the existing Red Wagon.

The administration confirmed that all service stations require Special Use approval.

Vote on the motion on the floor as amended.

Moved by: Faison
Support by: Malalahalli

Resolution # PC-2022-01-004

Moved by: Faison
Support by: Malalahalli

RESOLVED, The Planning Commission hereby approves a reduction in the total number of required parking spaces for the proposed Red Wagon Fuel Station to 44 when a total of 48 spaces are required on the site based on the off-street parking space requirements for convenience store and gas stations. This 4-space reduction maintains 36 parking spaces for the 4,455 square foot convenience store and is sufficient to meet parking demands based on existing activity; and,

RESOLVED, The Planning Commission hereby waives the loading space requirement; and,

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Red Wagon Fuel Station, West side of Livernois, North of Maple (1613 and 1631 Livernois), Section 28, Currently Zoned MR (Maple Road) District, be granted subject to:

- 1. The applicant submitting a colored rendering of the canopy and canopy support.

Yes: All present (9)

MOTION CARRIED

OTHER ITEMS

7. **POTENTIAL PLANNED UNIT DEVELOPMENT (PUD) APPLICATION**

Mr. Carlisle gave a brief review of the proposed Village of Troy Planned Unit Development concept plan, noting the item is for discussion only to give feedback to the developer and no action would be taken this evening. He addressed the proposed residential products, surrounding zoning, how the plan relates to the Master Plan, proposed public benefit and flexibility in using the PUD option.

Tim Loughrin, Director of Land Acquisition and Development for Robertson Brothers Homes, conducted a PowerPoint presentation. His presentation covered:

- Project summary and highlights.
- Site Concept Plan, Connectivity and Context.
- Parallel Plan under Existing RT Zoning.
- PUD qualifications.
- Housing products: townhomes, attached and detached single family lots and condominiums.

Discussion followed, some comments relating to:

- Public amenity; safety, liability, maintenance of sledding hill.
- Consideration to an alternate amenity, possibly all-season use.
- Regional pond/stormwater connection.
- Housing options; townhomes not preferred.
- Sustainable elements of housing material.
- Transition to adjacent industrial use.
- Apply *village* concept to the project.

8. ELECTION OF OFFICERS

Chair Krent opened the floor for nominations for Chair.

Chair Krent nominated David Lambert.

Acknowledging there were no further nominations, Chair Krent closed the floor to nominations.

Roll Call vote on the nomination for **David Lambert as Chair.**

Yes: All present (9)

Chair Krent opened the floor for nominations for Vice Chair.

Chair Krent nominated Marianna Perakis.

Mr. Faison nominated Sadek Rahman.

Acknowledging there were no further nominations, Chair Krent closed the floor to nominations.

Roll Call vote on the nomination on the floor for **Marianna Perakis as Vice Chair.**

Yes: Hutson, Krent, Lambert, Malalahalli, Rahman, Rauch, Tagle
 No: Faison
 Abstain: Perakis

Several members expressed the value in the liaison position on the Zoning Board of Appeals.

Ms. Malalahalli offered to be considered for the appointment.

Roll Call vote on the recommendation of appointment for **Lakshmi Malalahalli as ZBA Representative.**

Yes: Faison, Hutson, Krent, Lambert, Perakis, Rahman, Rauch, Tagle
 Abstain: Malalahalli

9. PLANNING COMMISSION ANNUAL REPORT FOR 2021

Mr. Savidant introduced the 2021 Planning Commission Annual Report. There was no discussion on the item.

10. PUBLIC COMMENTS – For Items on the Agenda

There was no one present to speak.

11. PLANNING COMMISSION COMMENT

Ms. Perakis thanked the Board for their support and confidence in the Vice Chair role.

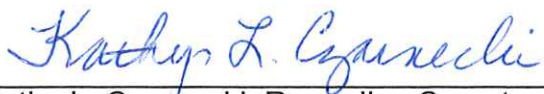
12. ADJOURN

The Regular meeting of the Planning Commission adjourned at 10:29 p.m.

Respectfully submitted,



Tom Krent, Chair



Kathy L. Czarniecki, Recording Secretary