



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

## CITY COUNCIL AGENDA ITEM

Date: February 21, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager  
R. Brent Savidant, Community Development Director

Subject: ANNOUNCEMENT OF PUBLIC HEARING – CONDITIONAL REZONING- (CR JPLN2021-001) – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”).

The applicant GFA Development, Inc. seeks a conditional rezoning of the subject parcel from NN (Neighborhood Node “J”) and EP (Environmental Protection) to NN (Neighborhood Node “J”). The applicant provided a complete Preliminary Site Plan application as a condition of approval, along with other conditions listed in the application.

The Planning Commission considered a Preliminary Site Plan application for a by-right 25-unit townhome development at the November 12, 2019 Regular meeting. At that meeting the Planning Commission appeared generally in favor the development. The applicant expressed a desire to use the 40-foot wide EP portion of the site for guest parking and additional landscaping. The Planning Commission discussed the item and postponed the item “to allow the developer ample time to consider all the opinions and ideas expressed by the Commission”.

The applicant submitted a Conditional Rezoning application to rezone the EP area along the north to NN, with a 25-unit townhome development (the same number of units proposed in 2019). The area rezoned from EP to NN would be utilized for guest parking and increased landscape materials. The Planning Commission considered the conditional rezoning application at a public hearing on August 24, 2021. The recommendation of denial received a 4-4 vote. The recommendation of approval also received a 4-4 vote. A City Council public hearing was scheduled for September 27, 2021. On the day of the City Council public hearing, the applicant requested that the application be sent back to Planning Commission for reconsideration.

The Planning Commission considered the conditional rezoning application at a public hearing on October 26, 2021. The Planning Commission recommended approval of the application by a 7-2 vote.

A City Council public hearing has been scheduled for March 14, 2022.

### Attachments:

1. Agenda packet from October 26, 2021 Planning Commission Regular meeting.
2. Minutes from October 26, 2021 Planning Commission Regular meeting.
3. Conditional Rezoning Agreement (draft).



DATE: October 21, 2021

TO: Planning Commission

FROM: R. Brent Savidant, Community Development Director

SUBJECT: CONDITIONAL REZONING- (CR JPLN2021-001) – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”).

The applicant GFA Development, Inc. seeks a conditional rezoning of the subject parcel from NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”). The applicant provided a complete Preliminary Site Plan application as a condition of approval, along with other conditions listed in the application. The Planning Commission is a recommending body for this application.

This item was considered by the Planning Commission on August 24, 2021. At that meeting, the vote on the motion to approve was 4-4. The vote on the motion to deny was 4-4. The item was placed on the September 27, 2021 City Council meeting for consideration. The applicant requested to be removed from the City Council agenda so that he could go back before the Planning Commission for reconsideration. Nothing has changed in the application from August 24, 2021. The applicant confirmed the exact height of the 3-story buildings to be 35’ 4”.

One of the residents who spoke at the public hearing referred to crashes at the entry drive to this site. The entry drive was constructed in 2006. Crash data was provided by the Transportation Improvement Association for the period of January 1, 2000 through December 31, 2006 and the period of January 1, 2007 through August 31, 2021.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City’s Planning Consultant, summarizes the project. 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. Memo prepared by Carlisle/Wortman Associates, Inc., dated October 15, 2021
3. Report prepared by Carlisle/Wortman Associates, Inc., dated October 19, 2021
4. Minutes from November 12, 2019 Planning Commission meeting (excerpt)
5. Minutes from August 24, 2021 Planning Commission meeting (excerpt)
6. Minutes from September 27, 2021 City Council meeting (excerpt)
7. Anticipated Traffic Impacts, Memo prepared by OHM dated September 16, 2021
8. Crash data, 01-01-2000 to 12-31-2006, provided by TIA
9. Crash data, 01-01-2007 to 08-31-2021, provided by TIA
10. Preliminary Site Plan

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## **PROPOSED RESOLUTION RECOMMENDING APPROVAL**

CONDITIONAL REZONING- (CR JPLN2021-001) – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”).

### **Resolution # PC-2021-10-**

Moved by:

Seconded by:

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” conditional rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **GRANTED** for the following reasons:

1. The request complies with the Master Plan.
2. The EP district does not include any significant natural features.
3. The rezoning would permit greater flexibility in use and development of the property.
4. The conditions offered by the applicant reasonably protect the adjacent properties.
5. The rezoning would be compatible with surrounding zoning and land use.
6. 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. Submit photometric plans and fixture details prior to Final approval
2. Address Engineering Department comments related to pedestrian connection prior to Final approval.
3. Provide site landscaping calculation.
4. Indicate siding material.
5. Provide conditional rezoning agreement prior to City Council consideration.

Yes:

No:

**MOTION PASSED / FAILED**



## **PROPOSED RESOLUTION RECOMMENDING DENIAL**

CONDITIONAL REZONING- (CR JPLN2021-001) – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”).

### **Resolution # PC-2021-10-**

Moved by:

Seconded by:

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” conditional rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **DENIED** for the following reasons:

1. The request does not comply with the Master Plan.
2. The conditions offered by the applicant do not reasonably protect the adjacent properties.
3. The rezoning would be incompatible with surrounding zoning and land use.

Yes:

No:

**MOTION PASSED / FAILED**





# 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.





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.





**Carlisle | Wortman**  
ASSOCIATES, INC.

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

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To: Troy Planning Commission  
Brent Savidant, AICP

From: Ben Carlisle, AICP

Date: October 15, 2021

RE: Pineview Conditional Rezoning

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The application for the Pineview conditional rezoning was recently considered by the Planning Commission on August 24, 2021. At that meeting Planning Commission held a public hearing and had a lengthy discussion on:

- EP, Environmental Protection zoning district; uses, zoning tool to separate incompatible land uses.
- Landscaping buffer, amenity to application.
- Maintenance of EP, Environmental Protection zoning district strip of land.
- Height of surrounding residential homes.
- Shared driveway with Taco Bell; as relates to traffic, cross access easement.
- Elevations; garage and interior entrance on same side.
- Property to the north; open space, potential headlight shining on residential.
- Existing concrete wall at Taco Bell; applicant prefer trees and landscape.
- Proposed fence on south side; material and height.
- Guest parking; no requirement to provide, good design consideration, appropriate screening for headlights
- Maintenance responsibility of property to north.
- Pedestrian sidewalk as relates if EP, Environmental Protection zoning district stays in place.
- Density; building height, building form.
- Potential traffic congestion with shared access.
- Intent of applicant with by-right development on southern portion.
- Type of desired housing; results of Master Plan survey.

After the public hearing and discussion, there was a motion to recommend denial of the conditional rezoning. The vote to recommend denial failed 4-4. There was a follow-up motion to recommend approval. The vote to recommend approval failed 4-4.



The failed motions, minutes, and planning report were forwarded to the City Council. However, prior to City Council consideration, the applicant pulled their application from City Council and asked to be reconsidered by the Planning Commission.

The applicant has confirmed the height of the structures at 3 stories or 35'4".

The applicant is requesting to come back to the Planning Commission for further consideration, hopefully before a full Commission.



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**CARLISLE/WORTMAN ASSOC., INC.**  
**Benjamin R. Carlisle, LEED AP, AICP**





**Carlisle | Wortman**  
ASSOCIATES, INC.

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

Date: November 5, 2019  
August 16, 2021  
October 19, 2021

## Conditional Rezoning and Preliminary Site Plan Review For City of Troy, Michigan

<b>Applicant:</b>	GFA Development 3301 Mirage Drive Troy, MI 48083
<b>Project Name:</b>	Pineview
<b>Plan Date:</b>	September 18, 2019
<b>Location:</b>	West side of Dequindre Road between 18 Mile Road and English Drive
<b>Zoning:</b>	EP, Environmental Protection Neighborhood Node (NN) – J
<b>Action Requested:</b>	Conditional Rezoning and Preliminary Site Plan Approval

### SITE DESCRIPTION

The subject site is located on the west side of Dequindre Road between 18 Mile Road and English Drive. The site is 2.39 acres and is vacant, undeveloped property. There is a 40-foot wide strip of EP, Environmental Protection zoned property. The applicant is seeking to conditionally rezone the EP portion of the site to NN, in order to use that strip as landscaping, and provide guest parking.

A site plan application was previously reviewed by the Planning Commission. At that meeting the Planning Commission appeared generally in favor the development but the applicant noted

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Principal*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Associate* Paul Montagno, *Associate*



a desire to use the EP portion of the site for guest parking. It was noted that EP zoning did not allow parking. The item was postponed to allow the applicant to submit a conditional rezoning application to rezone the EP portion of the site.

The applicant proposes to landscape, install underground detention, put a sidewalk, and put guest parking within the currently EP zoned portion of the site. There is already a 60' storm drain and a concrete screenwall within the area zoned EP. These items will remain. The remaining (all of the building area) area of the property is zoned Neighborhood Node (NN).

The applicant proposes two different building types. The buildings in the interior are narrower and provide for a front porch and entrance. The exterior buildings have a front entrance on the garage elevation and an elevated deck on the rear elevation.

**Figure 1: 60-inch drain**

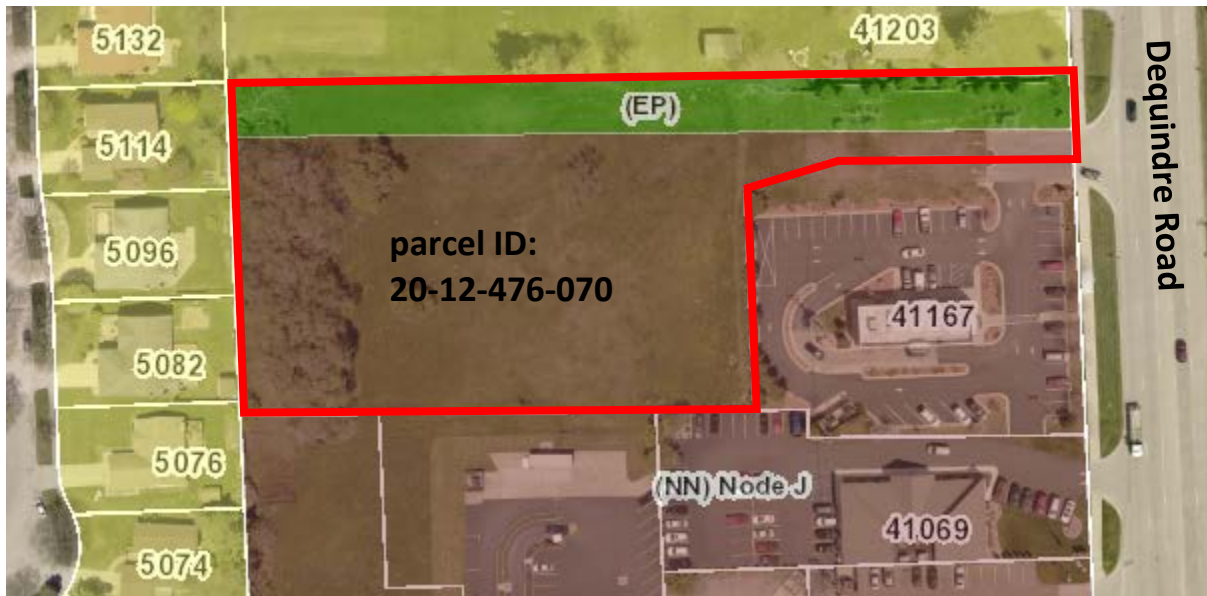


The applicant proposes to develop the site as twenty-five (25) attached townhomes, accessed by an existing shared access drive with Taco Bell off of Dequindre road. The buildings are proposed to have individual, direct unit access from the proposed interior drive. At the center of the development, twelve (12) of the units will have pedestrian access to a pedestrian circulation area and courtyard. All proposed townhomes are two (2) stories, accompanied by a 2-car garage.



Multiple family residential is a permitted use in the NN. An aerial image of the subject site, with a zoning districts overlay, is provided in **Figure 1**.

**Figure 1. Subject Site**



**Size of Subject Property:**

The parcel is 2.389 net acres

**Proposed Uses of Subject Parcel:**

Twenty-five (25) attached townhomes

**Current Use of Subject Property:**

The subject property is currently unimproved and vacant.

**Current Zoning:**

The property is currently zoned NN, Neighborhood Node District

**Surrounding Property Details:**

Direction	Zoning	Use
North	R1-C, Single Family	Single Family Residential
South	NN, Neighborhood Node	Neighborhood Commercial
East	NN, Neighborhood Node	Neighborhood Commercial
West	R1-C, Single Family	Single Family Residential



## VOLUNTARY REZONING CONDITIONS

Voluntary conditions offered by the applicant include:

1. Site Plan as a condition of approval
2. Screen wall and trees adjacent to Taco Bell shall remain.
3. Development shall be limited to a maximum of 7-buildings and 25 total units.
4. Maximum building height shall be 3-story or 35'4" in height.
5. Minimum guaranteed open space shall be 15%
6. Minimum guaranteed landscape area shall be 15%
7. Building material shall be a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance or maintenance free materials
8. Each unit shall have a 2-car garage. A minimum of 10-guest parking spaces shall be provided
9. No exterior refuse containers shall be proposed. Individual waste and recycling containers shall be stored in each unit's garage and placed at the curb on collection days
10. Minor modifications to the site plan shall be permitted and administratively approved by the Planning Director. Minor changes would not adversely or substantially affect the conditions of the rezoning.

**Items to be addressed:** A conditional rezoning agreement between the City and the applicant will be required prior to City Council consideration.

## NATURAL FEATURES

**Topography:** A topographic survey has been provided on sheet C-1.0 and shows that the site has a generally flat landscape.

**Wetlands:** There are no wetlands on site.

**Floodplain:** There are no floodplains onsite.

**Woodlands:** The applicant has identified a total of 23 regulated trees on the site. Of the trees surveyed, 1 is a landmark tree and 22 are woodland trees. The applicant is preserving 21 of the 22 woodland trees.

Replacement Details		
Protected Tree	Inches Removed	Replacement Required
Landmark	22 inches	22 inches
Woodland	6 inches	3 inches



Preservation/Mitigation	Inches Preserved	Credit
Landmark	0 inches	0 inches
Woodland	197 inches	394 inches
Protected Replacement Required	25 Inches	
Preservation Credit	394 Inches	
<b>Total</b>	<b>+ 369-inch credit</b>	
<b>Total Tree Mitigation</b>	Zero. The number of inches preserved and credited exceed the mitigation required.	

**Items to be addressed:** None.

#### BUILDING ARRANGEMENT

The site configuration consists of twenty-five (25) townhomes in five clusters of three homes, one cluster of four homes, and a row of six homes. The clusters are configured around a central courtyard with pedestrian sidewalks connecting to a “meandering” sidewalk, through the currently EP zoned portion of the site, that provides access to the east and Dequindre Road. We find the proposed configuration suitable for the type and size of the development proposed.

**Items to be addressed:** None.

#### AREA, WIDTH, HEIGHT, SETBACKS

Table 5.03.B.3, Building Form C of Section 5.03, Standards Applicable to All Districts of the Zoning Ordinance establishes the dimensional requirements for the NN, Neighborhood Node District. The requirements and proposed dimensions are shown in the following table.

	Required	Provided	Compliance
Front (east property line)	10-foot build-to-line	25 feet (this property is a flag lot, however, and this requirement is not applicable)	Complies
Side (north)	N/A, building may be placed up to property line	40 feet	Complies
Side (south)	N/A, building may be placed up to property line	9 feet	Complies
Rear (west)	30-foot minimum setback	40 feet	Complies.
Building Height	Maximum 4 stories, 55 feet, Minimum 2 stories	3 stories, 35’-4”	Complies



Lot Coverage (Building)	30%	21%	Complies
Minimum Open Space	20%	Over 20%	Complies
Parking Location	Cannot be located in front yard	Within garages	Complies

Please note that the applicant is providing decks that project 2-feet into the required rear yard. Uncovered decks are permitted to encroach up to 15-feet into a rear yard.

**Items to be addressed:** None.

#### **PARKING**

Section 13.06.G of the Zoning Ordinance requires:

	Required	Provided
Residential: 2 spaces per unit	25 Units = 50 spaces	50 garage spaces + 18 guest spaces = 68 spaces
Barrier Free	0	0
Bicycle Parking	1	1
Loading	0	0
<b>Total</b>	<b>50 spaces</b>	<b>50 spaces within garages and 18 guest spaces</b>

The applicant is providing 2-car garages and 10 surface guest spaces.

**Items to be Addressed:** None

#### **SITE ACCESS AND CIRCULATION**

Vehicular access to the site is via Dequindre Road. The Engineering Department and Fire Department have reviewed the vehicular circulation and find it sufficient.

The Engineering Department has reviewed the pedestrian circulation and notes the following comments:

- *Improve pedestrian connectivity within the site, by adding or extending sidewalks to provide a continuous internal pedestrian walkway around the site and to each unit.*
  - *As shown on the preliminary site plan, there are no sidewalks connecting to the (presumed) front entry for Units 1-6 and Units 13-19.*
  - *The existing lone crosswalk is inconvenient for pedestrians traveling to/from the easterly buildings.*
  - *Add crosswalk markings to emphasize pedestrian crossing locations within the site.*

**Items to be addressed:** Incorporate the Engineering Departments pedestrian connectivity comments.



## LANDSCAPING

A landscaping plan has been provided on sheet L-1.0 and are supplemented by tree protection and planting details on sheet L-1.1. The applicant should verify that the plant list provided on sheet L-1.0 corresponds to drawings provided. The following table discusses the development's compliance with the landscape requirements set forth in Section 13.02.

	Required:	Provided:	Compliance:
<b>North Property Line:</b>			
<u>Landscape buffering:</u> Required buffering between two differentiating land uses. Alternative 1 or 2.	1 large evergreen every 10 feet or 1 narrow evergreen every 3 feet. Approx. $370' / 10 = 37$ trees	39 evergreen screening trees	Complies
<b>East Property Line:</b>			
<u>Street Trees:</u> The Ordinance requires that the greenbelt shall be landscaped with a minimum of one (1) deciduous tree for every thirty (30) lineal feet, or fraction thereof, of frontage abutting a public road right-of-way.	60-foot ROW = 2 trees	2 trees	Complies
<b>West Property Line:</b>			
<u>Landscape buffering:</u>	1 large evergreen every 10 feet or 1 narrow evergreen every 3 feet. $240' / 10 = 24$ trees	26 evergreen screening trees	Complies
<b>South Property Line:</b>			
<u>Landscape buffering:</u>	1 large evergreen every 10 feet or 1 narrow evergreen every 3 feet.  Alternative screening method may be considered by the Planning Commission.	Six (6) foot fence along property boundary.	Planning Commission shall consider alternative screening proposed.
<b>Overall:</b>			
<u>Site landscaping:</u> A minimum of twenty percent (20%) of the site area shall be comprised of landscape material. Up to twenty-five percent (25%) of the required landscape area may be brick, stone, pavers, or other public	20%	Figure not provided	Unknown



plaza elements, but shall not include any parking area or required sidewalks.			
<u>Mitigation:</u>	The tree inventory and calculations are in compliance with the requirements of the ordinance.		

**Transformer / Trash Enclosure:**

The applicant has not indicated a central trash enclosure. It is assumed that each unit will have trash bins in the garage to be rolled out for trash pickup.

***Items to be Addressed:*** 1) *Planning Commission to consider the use of a fence in place of required screening at the south edge of the property; and 2). Provide site landscaping calculation.*

**PHOTOMETRICS**

A photometric plan has not been provided. For final site plan a photometric plan and fixture details are required to be submitted.

***Items to be Addressed:*** *Submit photometric plans and fixture details.*

**FLOOR PLAN AND ELEVATIONS**

The applicant has provided floor plans, elevations, and renderings. Materials include brick veneer and siding. Type of siding is not indicated.

***Items to be Addressed:*** *Siding material note indicated.*

**DESIGN STANDARDS and SITE PLAN REVIEW STANDARDS**

The Neighborhood Node design standards as well as Site Plan review standards provide the Planning Commission with direction when reviewing the proposed site plan and design features of this development.

Section 5.06.E. outlines Design Standards:

1. *Building Orientation and Entrance*
2. *Ground Story Activation*
3. *Transitional Features*
4. *Site Access, Parking, and Loading*

Please see Section 5.06.E for standard details.

We find that the design standards have been met.

Section 8.06 outlines Site Plan Review Design Standards.



1. *Development shall ensure compatibility to existing commercial districts and provide a transition between land uses.*
2. *Development shall incorporate the recognized best architectural building design practices.*
3. *Enhance the character, environment and safety for pedestrians and motorists.*

Please see Section 8.06 for standard details

The applicant is providing a medium density multiple family residential project. The project provides a transition from a number of commercial uses and the rear yards of single family residential to the north and east. We find that the site plan standards have been met.

#### REZONING STANDARDS

According to Rezoning Procedures in Section 16.04C, a conditional rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- a. The conditions, proposed development, and/or proposed use of the land are designed or proposed for public health, safety, and welfare purposes.

**CWA:** *The purpose of the rezoning is in significant part to allow for additional guest parking and include a pedestrian sidewalk. These improvements are not possible without the rezoning. The applicant has provided sufficient landscaping along the northern property to mitigate any potential impacts upon the northern property line. These improvements are conditions of rezoning as the site plan documents are conditions of approval.*

- b. The conditions, proposed development and/or proposed use are not in material conflict with the Master Plan, or, if there is material conflict with the Master Plan, such conflict is due to one of the following:
  1. A change in City policy since the Master Plan was adopted.
  2. A change in conditions since the Master Plan was adopted.
  3. An error in the Master Plan.

**CWA:** *The purpose of the rezoning is in significant part to allow for additional guest parking and include a pedestrian sidewalk. These improvements are not possible without the rezoning. The applicant has provided sufficient landscaping along the northern property to mitigate any potential impacts upon the northern property line. Providing additional guest parking, when necessary, and better pedestrian connections, coupled landscaping buffer to protect adjacent properties is consistent with the Master Plan.*

- c. The conditions, proposed development and/or proposed use are in accordance with all terms and provisions of the zoning district to which the land is to be rezoned, except as otherwise allowed in the Conditional Rezoning Agreement.



**CWA:** *The conditions provided by the applicant, including the site plan, are consistent with all terms and provisions of the zoning district.*

- d. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.

**CWA:** *The rezoning will not impact nor affect public services or facilities.*

- e. The conditions, proposed development and/or proposed use shall insure compatibility with adjacent uses of land.

**CWA:** *The conditions provided by the applicant, including the site plan, insure compatibility with adjacent uses of land.*

## RECOMMENDATION

Planning Commission to consider the use of a fence in place of required screening at the south edge of the property. Based on that discussion, we recommend that the Planning Commission recommend to the City Council conditional rezoning and preliminary site plan approval with the following conditions:

1. Submit photometric plans and fixture details
2. Address the Engineering Departments pedestrian connection comments
3. Provide site landscaping calculation.
4. Indicate siding material.
5. A conditional rezoning agreement between the City and the applicant.

Sincerely,



CARLISLE/WORTMAN ASSOC., INC.  
Benjamin R. Carlisle, LEED AP, AICP



6. PRELIMINARY SITE PLAN REVIEW (File Number SP JPLN2019-0032) – Proposed GFA Long Lake Multifamily Development, West side of Dequindre, North of Long Lake (PIN 88-20-12-476-070), Section 12, Currently Zoned NN (Neighborhood Node “J”) and EP (Environmental Protection) Zoning Districts

Mr. Carlisle reviewed the Preliminary Site Plan application for the proposed multifamily development. He addressed the EP-zoned strip of property along the northern property line, shared access with Taco Bell, parking, landscaping and elevations. Mr. Carlisle said the application meets requirements of the NN zoning district and the Site Plan standards. He recommends shifting the development 10 feet to the east to provide a better transition with the residential homes on the west.

Mr. Carlisle recommended Preliminary Site Plan approval with the conditions as identified in his report dated November 5, 2019.

Gary Abitheira addressed the application as relates to the EP-zoned property along the northern property line, shared access and the target market for townhomes.

Chair Faison opened the floor for public comment.

- Avis Landmesser, 568 Ottawa; asked for clarification on general site plan specifics.
- Azhagu Subramanian, 5114 Fedora; addressed buffer transition and privacy.

Chair Faison closed the floor for public comment.

There was discussion on:

- Shared access drive with Taco Bell.
- Design layout as relates to proximity of Taco Bell.
- Courtyard and sidewalk connectivity; opportunity to create additional green space.
- Transition buffer to adjacent residential.
- Property zoned EP; intent of EP zoning district historically.
- Potential to rezone EP-zoned property for better design layout; traditional versus conditional rezoning.
- Building materials in relation to target market; millennials.

**Resolution # PC-2019-11-078**

Moved by: Krent

Support by: Tagle

**RESOLVED**, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed GFA Long Lake Multifamily Development, located on the West side of Dequindre, North of Long Lake (PIN 88-20-12-476-070), Section 12, Currently Zoned NN (Neighborhood Node “J”) and EP (Environmental Protection) Zoning Districts, be postponed for the following reason:



1. To allow the developer ample time to consider all the opinions and ideas expressed by the Commission.

Yes: All present (9)

**MOTION CARRIED**



**CONDITIONAL REZONING**

7. **PUBLIC HEARING - CONDITIONAL REZONING- (CR JPLN2021-001)** – Proposed Pine View Condominiums, West side of Dequindre, north of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J” and EP (Environmental Protection) to NN (Neighborhood Node “J”)

Mr. Carlisle presented a review of the Pine View Condominiums. He addressed the 40-foot wide strip of E-P zoning and referenced the previous action taken by the Planning Commission to postpone the item to allow the applicant to submit a conditional rezoning application to rezone the E-P portion so it could be used for guest parking. Mr. Carlisle said the layout design has not changed and noted the southern portion of the property is a by-right development. He noted of significant importance are the applicant's voluntary conditions numbered 1, 4, 7 and 8. Mr. Carlisle addressed the landscaping, required screening at the south edge of the property, the engineering department pedestrian connection improvements and design and site plan standards. Mr. Carlisle recommended that the Planning Commission recommend to the City Council conditional rezoning and preliminary site plan approval with the conditions as identified in his report dated August 16, 2021.

Gary Abitheira clarified as a voluntary condition to the application, the maximum height would be a 3 story building, noting an error in the Planning Consultant report stating the maximum height of a 2-1/2 story building. He addressed the number of units, landscaping and elevations.

Mr. Savidant addressed the intent of the application dated November 12, 2019 and the recently adopted text amendment limiting the building height of development within the Neighborhood Node zoning district that abuts residential.

There was discussion on:

- E-P zoning district; uses, zoning tool to separate incompatible land uses.
- Landscaping buffer, amenity to application.
- Maintenance of E-P strip of land.
- Height of surrounding residential homes.
- Shared driveway with Taco Bell; as relates to traffic, cross access easement.
- Elevations; garage and interior entrance on same side.
- Property to the north; open space, potential headlight shining on residential.
- Existing concrete wall at Taco Bell; applicant prefer trees and landscape.
- Proposed fence on south side; material and height.
- Guest parking; no requirement to provide, good design consideration, appropriate screening for headlights.



PUBLIC HEARING OPENED

- Pamela Prewitt, 41203 Dequindre; addressed concerns with safety and traffic congestion relating to Taco Bell; traffic back-ups block her driveway, addressed maintenance of E-P strip of land.
- Doug Roach, 5237 Windmill; addressed concerns with safety, congestion, parking, and light pollution.

PUBLIC HEARING CLOSED

Mr. Carlisle and Mr. Savidant acknowledged the traffic concern addressed by the residents would be reported and looked into by the Engineering.

Mr. Savidant encouraged residents who experience light pollution from nearby commercial to contact the Planning Department and any violation of the Zoning Ordinance would be enforced.

Discussion continued on:

- Maintenance responsibility of property to north.
- Pedestrian sidewalk as relates if E-P zoning stays in place.
- Density; building height, building form.
- Potential traffic congestion with shared access.
- Intent of applicant with by-right development on southern portion.
- Type of desired housing; results of Master Plan survey.

**Resolution # PC-2021-08-064**

Moved by: Rauch

Seconded by: Perakis

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” conditional rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **denied**, for the following reasons:

1. The request does not comply with the Master Plan, including but not limited to its definition of transitional density.
2. The conditions offered by the applicant do not reasonably protect the adjacent properties.
3. The rezoning and conditions offered by the applicant would be incompatible with surrounding zoning and land use and do not comply with the Zoning Ordinance, including but not limited to building form.

Yes: Hutson, Malalahalli, Perakis, Rauch

No: Faison, Krent, Lambert, Rahman

Absent: Tagle

**MOTION FAILED**



**Resolution # PC-2021-08-065**

Moved by: Rahman

Seconded by: Lambert

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” conditional rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **granted**, for the following reasons:

1. The request complies with the Master Plan.
2. The EP district does not include any significant natural features.
3. The rezoning would permit greater flexibility in use and development of the property.
4. The conditions offered by the applicant reasonably protect the adjacent properties.
5. The rezoning would be compatible with surrounding zoning and land use.
6. 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. Submit photometric plans and fixture details.
2. Address the Engineering Department pedestrian connection comments.
3. Provide site landscaping calculation.
4. Provide floor plans and elevations.
5. Consider residents’ feedback on headlight glaring and traffic safety.

**Discussion on the motion on the floor.**

Ms. Perakis addressed standards that must be met.

Mr. Rauch addressed primary entrance on interior streets and transitional density. Mr. Rauch stated Section 5.06.E.1.a. requires the primary entrance (to buildings) be on a street; there is no primary entrance on a street. He stated Table 5.03.B.3 Lot Access and Circulation it states Driveways must access garages, if provided, integrated into buildings from the rear, in an alley configuration. The buildings facing east and west, the driveways and the Primary Entrance are accessing an alley. And he was sorry this issue wasn’t raised previously. Transitional issues between four story buildings and single family residential, why aren’t we allowing duplexes, quads, attached residential Bungalow Court.

Ms. Dufrane addressed conditional rezoning applications with respect to conditions offered by applicant.

**Vote on the motion on the floor.**

Yes: Faison, Krent, Lambert, Rahman

No: Hutson, Malalahalli, Perakis, Rauch

Absent: Tagle



**MOTION FAILED**



Development on behalf of the City; a copy shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to record the executed Troy Crossing Planned Unit Development Agreement with the Oakland County Register of Deeds.

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the petitioner to submit the Final Development Plan pursuant to Section 11.08 of Chapter 39.

Yes: All-7

No: None

## **MOTION CARRIED**

**E-2 Conditional Rezoning (CR JPLN2021-001) – Proposed Pine View Condominiums, West Side of Dequindre, North of Long Lake (Parcel 88-20-12-476-070), Section 12, From NN (Neighborhood Node “J”) and EP (Environmental Protection) to NN (Neighborhood Node “J”) (Introduced by: Brent Savidant, Community Development Director)**

Mayor Baker announced that the Petitioner for this item has requested the item be removed from the Agenda and returned to the Planning Commission for reconsideration.

The Mayor opened the Public Hearing. The following individuals offered public comment:

Paul Balas	Commented in opposition to the rezoning
Susan Neely	Commented in opposition to the rezoning.
Daniel Raubinger	Commented in opposition to the rezoning.
Michael Lipinski	Commented in opposition to the rezoning.
Pamela Prewitt	Commented in opposition to the rezoning.

## **F. PUBLIC COMMENT:**

## **G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:**

## **H. POSTPONED ITEMS:**

**H-1 No Postponed Items**

## **I. REGULAR BUSINESS:**

**I-1 Board and Committee Appointments: a) Mayoral Appointments – Downtown Development Authority; b) City Council Appointments – None**



# memorandum



**Date:** September 16, 2021

**To:** Bill Huotari, PE  
**From:** Sara Merrill, PE, PTOE

**Re:** Pine View Condominiums  
Anticipated Traffic Impacts

The purpose of this memorandum is to provide an overview of anticipated traffic impacts resulting from Pine View Condominiums, a proposed site condominium development consisting of 7-attached, 2.5 story single-family buildings with a total of 25 dwelling units. The development will utilize a shared driveway with an existing Taco Bell. The site is located on the east side of Dequindre Road, north of East Long Lake Road. In the immediate vicinity of the site, Dequindre Road is a 5-lane roadway, with two through lanes in each direction plus a center left turn lane.

The Institute of Transportation Engineers (ITE) Trip Generation Manual, 10<sup>th</sup> Edition, provides trip generation rates for numerous land uses, based on thousands of studies throughout the United States and Canada. This data can then be used to estimate the number of vehicle trips generated by a development. For residential housing, traffic impacts are usually most noticeable during the peak hour of adjacent street traffic – that is, during morning and evening “rush hour”, when traffic on the roads is most congested. In most areas, the morning (AM) peak is a one hour period that occurs between 7 am – 9 am, and the evening (PM) peak is a one hour period usually between 4 pm – 6 pm.

The table below provides the calculated number of trips generated for the proposed Pine View Condominiums, based on the ITE Trip Generation Manual for Multi-Family Housing, Low Rise (ITE Land Use Code #220). For comparison, the table also shows trip generation for a theoretical “by-right” project, a 20,000 square foot General Office Building (ITE Land Use Code #710).

Land Use	Number of Site-Generated Trips								
	AM Peak Hour			PM Peak Hour			Daily		
	In	Out	Total	In	Out	Total	In	Out	Total
Multi-Family Housing, Low-Rise (25 Units)	3	10	13	11	6	17	74	74	148
General Office Building (20,000 gross sq. ft.)	39	6	45	4	21	25	111	111	222

During the morning (AM) peak hour, the proposed Pine View Condominiums development is expected to generate 13 new trips: 3 inbound (entering the site), and 10 outbound (exiting the site). During the evening (PM) peak hour, the proposed site is expected to generate 17 new vehicle trips: 11 inbound (entering the site) trips, and 6 outbound (exiting the site). This pattern coincides with residents typically leaving in the morning for work, and returning home in the evening.

Under the NN zoning, office use would also be considered a by-right development. If, instead of a 25-unit multi-family development, this site was instead developed as 20,000 square foot office building, the site would be expected to generate 45 new trips (39 inbound, 6 outbound) during the morning peak hour, and 25 new trips (4 inbound, 21 outbound) during the evening peak hour. An office use would generate more trips than a comparably sized residential development.





As a multi-family land use, the traffic generated by the proposed development would be minimal, adding less than two dozen vehicle trips during the peak ("busiest") hour. The traffic impact of this site on the adjacent road network is negligible and would be imperceptible to the majority of road users.

As a point of comparison Dequindre Road (at East Long Lake Road/ 18 Mile Road) carries over 2,200 vehicles during the PM peak hour, and with an annual average daily traffic count of almost 25,000 vehicles in 2020 (during the pandemic). Even amongst typical weekdays, traffic volumes during the peak hours alone often vary by 10%+ from one day to the next. The day-to-day fluctuations result in peak hour traffic volumes that vary by upwards of a couple hundred vehicles. The proposed Pine View Condominium homes are expected to generate fewer than 20 new vehicle trips during the peak hour.





# Transportation Improvement Association

## Crash Detail Report

Request #: 0057228

Printed By: Chuck Keller

Printed On: 9/10/2021

Dequindre Rd n/o Long Lake, Toco Bell: 01/01/2000 and 12/31/2006

#1 Location: N DEQUINDRE (10.15) 390 feet N of E Long Lake Rd

Crash ID: 4027710

Crash Date: 05/11/2000

Day: Thu

Hour: 9am

Weather: uncoded

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 1

How: ss-same

CVT: Sterling Heights

Area: transition

HBD: N

Drugs: N

Complaint No:

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	N	change lanes	veh in transpt	none	none	none	left of center	pickup	lftfront
2	N	go straight	veh in transpt	none	none	none	none	car	rtfront

UD-10: N/A

#2 Location: DEQUINDRE RD (10.21) 700 feet N of Heritage Pointe Dr

Crash ID: 4357315

Crash Date: 01/26/2001

Day: Fri

Hour: 6pm

Weather: snow

Roadway: snow

Light: dark/unltd

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 4

How: rr-end

CVT: Troy

Area: straight

HBD: N

Drugs: N

Complaint No:

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	go straight	veh in transpt	none	none	none	unable to stop	pickup	ctrfront
2	S	stop on road	veh in transpt	none	none	none	none	car	rtrear

UD-10: N/A

#3 Location: DEQUINDRE (10.17) 500 feet N of E Long Lake Rd

Crash ID: 4372829

Crash Date: 01/31/2001

Day: Wed

Hour: unknown

Weather: cloudy

Roadway: wet

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 2

How: angle

CVT: Sterling Heights

Area: driveway

HBD: N

Drugs: N

Complaint No:

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	NE	left turn	veh in transpt	none	none	none	failed to yield	car	rtfront
2	N	go straight	veh in transpt	none	none	none	none	car	lftside

UD-10: N/A

#4 Location: DEQUINDRE (10.15) 350 feet N of E Long Lake Rd

Crash ID: 4988017

Crash Date: 03/20/2002

Day: Wed

Hour: 7pm

Weather: cloudy

Roadway: dry

Light: dark/ltd

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 3

How: angle

CVT: Sterling Heights

Area: inter driveway

HBD: Y

Drugs: N

Complaint No:

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	enter rdwy	veh in transpt	none	none	none	other	car	ctrfront
2	N	go straight	veh in transpt	none	none	none	none	car	rtside

UD-10: 029269834

#5 Location: DEQUINDRE RD (10.18) 500 feet N of E Long Lake Rd

Crash ID: 5688783

Crash Date: 06/29/2004

Day: Tue

Hour: 1pm

Weather: cloudy

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 1

Inj 0: 1

How: rr-end

CVT: Troy

Area: straight

HBD: N

Drugs: N

Complaint No: 0419288

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	go straight	veh in transpt	none	none	none	unable to stop	car	ctrfront
2	S	stop on road	veh in transpt	none	none	none	none	car	ctrrear

UD-10: 041195150



#6 Location: DEQUINDRE RD (10.18) 528 feet N of E Long Lake Rd

Crash ID: 6275244

Crash Date: 02/13/2006 Day: Mon Hour: 4pm Weather: cloudy Roadway: dry Light: day

Injuries K: 0 Inj A: 0 Inj B: 1 Inj C: 0 Inj 0: 1 How: angle

CVT: Sterling Heights Area: driveway HBD: N Drugs: N Complaint No: 065488

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	leaving parking	veh in transpt	none	none	none	failed to yield	car	lftfront
2	N	go straight	none	none	none	none	none	car	lftfront

UD-10: [061036005](#)

#7 Location: DEQUINDRE RD (10.18) 500 feet N of E Long Lake Rd

Crash ID: 6360419

Crash Date: 06/03/2006 Day: Sat Hour: 10am Weather: clear Roadway: dry Light: day

Injuries K: 0 Inj A: 0 Inj B: 0 Inj C: 0 Inj 0: 3 How: angle

CVT: Sterling Heights Area: driveway HBD: N Drugs: N Complaint No: 0620485

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	left turn	veh in transpt	none	none	none	failed to yield	car	rtfront
2	S	change lanes	veh in transpt	none	none	none	none	motorhome	none

UD-10: [061123194](#)



**Crash Type**

Count	Type
0	uncoded
0	single
0	head-on
0	head-on/lt
4	angle
2	rr-end
0	rr-end/lt
0	rr-end/rt
1	ss-same
0	ss-opp
0	back
0	other
0	unknown
<b>Totals: 7</b>	

**Light Conditions**

Count	Type
0	uncoded
5	day
0	dawn
0	dusk
1	dark/ltd
1	dark/unltd
0	other
0	unknown
<b>Totals: 7</b>	

**Weather**

Count	Type
1	uncoded
1	clear
0	smoke
4	cloudy
0	fog
0	rain
1	snow
0	wind
0	sleet/hail
0	blowing snow
0	blowing sand
0	unknown
<b>Totals: 7</b>	

**Road Condition**

Count	Type
0	uncoded
5	dry
0	oily
1	wet
0	ice
1	snow
0	mud
0	slush
0	debris
0	water
0	sand
0	other
0	unknown
<b>Totals: 7</b>	

**Crashes By Month**

Count	Type
2	January
1	February
1	March
0	April
1	May
2	June
0	July
0	August
0	September
0	October
0	November
0	December
<b>Totals: 7</b>	

**Hazardous Action**

Count	Type
7	none
0	speeding
0	imprp/no signal
0	imprp backing
2	unable to stop
1	other
0	unknown
0	reckls driving
0	carels driving
0	spd too slow
3	failed to yield
0	disrgd traffic cntrl
0	wrong way
1	left of center
0	imprp passing
0	imprp lane use
0	imprp turn
<b>Totals: 14</b>	

**Unit Type**

Count	Type
0	Bicyclist
0	Engineer
12	Vehicle
0	Pedestrian
<b>Totals: 12</b>	

**Crashes By Year**

Count	Type
1	2000
2	2001
1	2002
0	2003
1	2004
0	2005
2	2006
0	2007
0	2008
0	2009
0	2010
0	2011
0	2012
0	2013
0	2014
0	2015
0	2016
0	2017
0	2018
0	2019
0	2020
0	2021
<b>Totals: 7</b>	



**Crash Severity**

	FATAL	A	B	C	No Inj	Total
<b>Persons</b>	0	0	1	1	15	17
<b>Crashes</b>	0	0	1	1	5	7

**Alcohol in Crashes**

	FATAL	PI	PD	Total
<b>Drinking</b>	0	0	1	1
<b>Not Drinking</b>	0	2	4	6
<b>Total</b>	0	2	5	7

**Crashes per Hour by Day**

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Unknown	Total
12a - 1a	0	0	0	0	0	0	0	0	0
1a - 2a	0	0	0	0	0	0	0	0	0
2a - 3a	0	0	0	0	0	0	0	0	0
3a - 4a	0	0	0	0	0	0	0	0	0
4a - 5a	0	0	0	0	0	0	0	0	0
5a - 6a	0	0	0	0	0	0	0	0	0
6a - 7a	0	0	0	0	0	0	0	0	0
7a - 8a	0	0	0	0	0	0	0	0	0
8a - 9a	0	0	0	0	0	0	0	0	0
9a - 10a	0	0	0	0	1	0	0	0	1
10a - 11a	0	0	0	0	0	0	1	0	1
11a - 12p	0	0	0	0	0	0	0	0	0
12p - 1p	0	0	0	0	0	0	0	0	0
1p - 2p	0	0	1	0	0	0	0	0	1
2p - 3p	0	0	0	0	0	0	0	0	0
3p - 4p	0	0	0	0	0	0	0	0	0
4p - 5p	0	1	0	0	0	0	0	0	1
5p - 6p	0	0	0	0	0	0	0	0	0
6p - 7p	0	0	0	0	0	1	0	0	1
7p - 8p	0	0	0	1	0	0	0	0	1
8p - 9p	0	0	0	0	0	0	0	0	0
9p - 10p	0	0	0	0	0	0	0	0	0
10p - 11p	0	0	0	0	0	0	0	0	0
11p - 12a	0	0	0	0	0	0	0	0	0
Unknown Time	0	0	0	1	0	0	0	0	1
<b>Total</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>7</b>





# Transportation Improvement Association

## Crash Detail Report

Request #: 0057229

Printed By: Chuck Keller

Printed On: 9/10/2021

Dequindre Rd n/o Long Lake, Toco Bell: 01/01/2007 and 08/31/2021

#1 Location: DEQUINDRE RD (10.19) 600 feet N of Heritage Pointe Dr

Crash ID: 6687528

Crash Date: 06/05/2007 Day: Tue Hour: 10am Weather: cloudy Roadway: dry Light: day

Injuries K: 0 Inj A: 0 Inj B: 0 Inj C: 0 Inj O: 2 How: ss-same

CVT: Sterling Heights Area: transition HBD: N Drugs: N Complaint No: 0723327

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	N	go straight	cross ctrline	veh in transpt	none	none	other	car	rtrear
2	N	change lanes	veh in transpt	none	none	none	none	car	lftfront

UD-10: 075529322

#2 Location: DEQUINDRE RD (10.18) 500 feet N of E Long Lake Rd

Crash ID: 7119734

Crash Date: 10/20/2008 Day: Mon Hour: 5pm Weather: rain Roadway: wet Light: dusk

Injuries K: 0 Inj A: 0 Inj B: 0 Inj C: 1 Inj O: 1 How: head-on/lt

CVT: Troy Area: driveway HBD: N Drugs: N Complaint No: 0836411

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	E	left turn	veh in transpt	none	none	none	failed to yield	car	rtfront
2	S	go straight	veh in transpt	none	none	none	imprp lane use	car	ctrfront

UD-10: 080497387, 080497387

#3 Location: DEQUINDRE RD (10.19) 600 feet N of 18 MILE RD

Crash ID: 7673296

Crash Date: 07/27/2010 Day: Tue Hour: 7pm Weather: cloudy Roadway: dry Light: day

Injuries K: 0 Inj A: 0 Inj B: 0 Inj C: 0 Inj O: 2 How: rr-end

CVT: Sterling Heights Area: straight HBD: N Drugs: N Complaint No: 1028035

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	N	slow/stop on rd	veh in transpt	none	none	none	unable to stop	car	rtfront
2	N	stop on road	veh in transpt	none	none	none	none	car	lftside

UD-10: 100401970

#4 Location: DEQUINDRE RD (10.19) 554 feet N of E LONG LAKE RD

Crash ID: 7948141

Crash Date: 02/04/2011 Day: Fri Hour: 7pm Weather: clear Roadway: dry Light: dark/unltd

Injuries K: 0 Inj A: 0 Inj B: 0 Inj C: 0 Inj O: 5 How: ss-same

CVT: Troy Area: straight HBD: N Drugs: N Complaint No: 110003552

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	change lanes	veh in transpt	none	none	none	failed to yield	car	lftfront
2	S	go straight	veh in transpt	none	none	none	none	car	rtfront
3	S	stop on road	veh in transpt	none	none	none	none	car	rtfront

UD-10: 110117092



#5 Location: DEQUINDRE RD (10.16) 400 feet N of E LONG LAKE RD

Crash ID: 7985766

Crash Date: 03/05/2011

Day: Sat

Hour: 7pm

Weather: snow

Roadway: snow

Light: dark/unltd

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 3

How: ss-same

CVT: Troy

Area: inter other

HBD: N

Drugs: N

Complaint No: 110006904

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	change lanes	veh in transpt	none	none	none	other	car	lftside
2	S	go straight	veh in transpt	none	none	none	none	car	rtfront

UD-10: [110181773](#)

#6 Location: DEQUINDRE RD (10.18) 500 feet N of 18 MILE RD

Crash ID: 8028371

Crash Date: 05/07/2011

Day: Sat

Hour: 12pm

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 5

How: angle

CVT: Sterling Heights

Area: driveway

HBD: N

Drugs: N

Complaint No: 1117719

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	E	go straight	veh in transpt	none	none	none	failed to yield	car	rtfront
2	N	go straight	veh in transpt	none	none	none	none	car	lftside

UD-10: [110296832](#)

#7 Location: DEQUINDRE RD (10.16) 450 feet N of E LONG LAKE RD

Crash ID: 8109563

Crash Date: 08/24/2011

Day: Wed

Hour: 4pm

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 1

Inj 0: 1

How: angle

CVT: Troy

Area: inter driveway

HBD: N

Drugs: N

Complaint No: 110025043

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	left turn	veh in transpt	none	none	none	failed to yield	car	ctrfront
2	S	go straight	veh in transpt	none	none	none	none	car	lftside

UD-10: [110520088](#)

#8 Location: DEQUINDRE RD (10.18) 500 feet N of E LONG LAKE RD

Crash ID: 8398223

Crash Date: 07/19/2012

Day: Thu

Hour: 10am

Weather: rain

Roadway: wet

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 2

How: ss-same

CVT: Troy

Area: straight

HBD: N

Drugs: N

Complaint No:

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	change lanes	veh in transpt	none	none	none	failed to yield	car	rtfront
2	S	go straight	veh in transpt	none	none	none	none	car	lftside

UD-10: [8398223](#)

#9 Location: DEQUINDRE RD (10.19) 554 feet N of E LONG LAKE RD

Crash ID: 8673085

Crash Date: 06/22/2013

Day: Sat

Hour: 9am

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 1

Inj 0: 3

How: other

CVT: Troy

Area: straight

HBD: N

Drugs: N

Complaint No: 130019432

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	N	left turn	veh in transpt	none	none	none	failed to yield	car	ctrfront
2	S	go straight	veh in transpt	none	none	none	none	car	ctrfront

UD-10: [8673085](#)

#10 Location: DEQUINDRE RD (10.16) 400 feet N of E LONG LAKE RD

Crash ID: 8689141

Crash Date: 07/16/2013

Day: Tue

Hour: 12pm

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 1

Inj 0: 2

How: angle

CVT: Troy

Area: inter driveway

HBD: N

Drugs: N

Complaint No: 130022323

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	left turn	veh in transpt	none	none	none	failed to yield	car	ctrfront
2	S	go straight	veh in transpt	none	none	none	none	car	lftfront

UD-10: [8689141](#)



#11 **Location:** DEQUINDRE RD (10.21) 700 feet N of E LONG LAKE RD**Crash ID:** 8819544**Crash Date:** 12/11/2013 **Day:** Wed **Hour:** 3pm **Weather:** cloudy **Roadway:** dry **Light:** day**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 5 **How:** rr-end**CVT:** Troy **Area:** straight **HBD:** N **Drugs:** N **Complaint No:** 130038928

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	slow/stop on rd	veh in transpt	none	none	none	unable to stop	car	ctrfront
2	S	stop on road	veh in transpt	none	none	none	none	car	ctrrear

**UD-10:** [8819544](#)#12 **Location:** DEQUINDRE RD (10.16) 400 feet N of E LONG LAKE RD**Crash ID:** 9388769**Crash Date:** 09/21/2015 **Day:** Mon **Hour:** 5pm **Weather:** clear **Roadway:** dry **Light:** day**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 2 **How:** angle**CVT:** Troy **Area:** inter driveway **HBD:** N **Drugs:** N **Complaint No:** 150031207

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	left turn	veh in transpt	none	none	none	failed to yield	car	rtside
2	S	go straight	veh in transpt	none	none	none	none	car	ctrfront

**UD-10:** [9388769](#)#13 **Location:** DEQUINDRE RD (10.18) 500 feet N of E LONG LAKE RD**Crash ID:** 9473230**Crash Date:** 12/15/2015 **Day:** Tue **Hour:** 6pm **Weather:** clear **Roadway:** dry **Light:** dark/unltd**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 2 **How:** rr-end**CVT:** Troy **Area:** straight **HBD:** N **Drugs:** N **Complaint No:** 150040871

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	start on rdwy	veh in transpt	none	none	none	unable to stop	car	ctrfront
2	S	slow/stop on rd	veh in transpt	none	none	none	none	car	ctrrear

**UD-10:** [9473230](#)#14 **Location:** DEQUINDRE RD (10.19) 600 feet N of E LONG LAKE RD**Crash ID:** 9989840**Crash Date:** 03/13/2017 **Day:** Mon **Hour:** 7pm **Weather:** cloudy **Roadway:** snow **Light:** dark/ltltd**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 1 **How:** single**CVT:** Troy **Area:** straight **HBD:** Y **Drugs:** N **Complaint No:** 170007770

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	go straight	ran off road/r	mailbox	ditch	none	carels driving	pickup	multiple

**UD-10:** [9989840](#)#15 **Location:** DEQUINDRE RD (10.15) 375 feet N of E LONG LAKE RD**Crash ID:** 1484607**Crash Date:** 09/11/2018 **Day:** Tue **Hour:** 3pm **Weather:** clear **Roadway:** dry **Light:** day**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 1 **Inj 0:** 1 **How:** angle**CVT:** Troy **Area:** driveway **HBD:** N **Drugs:** N **Complaint No:** 180031587

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	left turn	veh in transpt	none	none	none	unable to stop	car	rtside
2	S	go straight	veh in transpt	none	none	none	none	car	ctrfront

**UD-10:** [1484607](#)#16 **Location:** DEQUINDRE RD (10.17) 470 feet N of E LONG LAKE RD**Crash ID:** 1485982**Crash Date:** 09/14/2018 **Day:** Fri **Hour:** 7am **Weather:** fog **Roadway:** dry **Light:** day**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 2 **How:** angle**CVT:** Troy **Area:** driveway **HBD:** N **Drugs:** N **Complaint No:** 180031860

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	go straight	veh in transpt	none	none	none	failed to yield	car	lftfront
2	N	go straight	veh in transpt	none	none	none	none	car	rtfront

**UD-10:** [1485982](#)



#17 Location: DEQUINDRE RD (10.18) 528 feet N of 18 MILE RD

Crash ID: 1518234

Crash Date: 11/01/2018

Day: Thu

Hour: 5pm

Weather: rain

Roadway: wet

Light: dusk

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 2

How: ss-same

CVT: Sterling Heights

Area: driveway

HBD: N

Drugs: N

Complaint No: 1842770

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	NE	enter rdwy	veh in transpt	none	none	none	failed to yield	car	rtside
2	N	go straight	veh in transpt	none	none	none	none	car	lftside

UD-10: 1518234

#18 Location: DEQUINDRE RD (10.16) 400 feet N of E LONG LAKE RD

Crash ID: 1697010

Crash Date: 04/24/2019

Day: Wed

Hour: 2pm

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 2

How: rr-end

CVT: Troy

Area: straight

HBD: N

Drugs: N

Complaint No: 190014244

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	go straight	veh in transpt	none	none	none	unable to stop	car	ctrfront
2	S	stop on road	veh in transpt	none	none	none	none	car	ctrrear

UD-10: 1697010

#19 Location: DEQUINDRE RD (10.19) 600 feet N of E LONG LAKE RD

Crash ID: 1720931

Crash Date: 05/23/2019

Day: Thu

Hour: 7am

Weather: rain

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 2

How: angle

CVT: Troy

Area: driveway

HBD: N

Drugs: N

Complaint No: 190017832

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	go straight	veh in transpt	none	none	none	imprp passing	car	rtside
2	E	enter rdwy	veh in transpt	none	none	none	none	car	ctrfront

UD-10: 1720931

#20 Location: DEQUINDRE RD (10.16) 450 feet N of E LONG LAKE RD

Crash ID: 1772216

Crash Date: 07/24/2019

Day: Wed

Hour: 12pm

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 5

How: rr-end

CVT: Troy

Area: straight

HBD: N

Drugs: N

Complaint No: 190025332

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	S	go straight	veh in transpt	none	none	none	unable to stop	car	ctrfront
2	S	stop on road	veh in transpt	none	none	none	none	car	ctrrear

UD-10: 1772216

#21 Location: DEQUINDRE RD (10.16) 428 feet N of 18 MILE RD

Crash ID: 1766635

Crash Date: 08/02/2019

Day: Fri

Hour: 7am

Weather: clear

Roadway: dry

Light: day

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 4

How: rr-end

CVT: Sterling Heights

Area: driveway

HBD: N

Drugs: N

Complaint No: 1929929

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	N	change lanes	veh in transpt	veh in transpt	none	none	other	pickup	rtfront
2	N	go straight	veh in transpt	none	none	none	none	car	rtrear
3	N	right turn	veh in transpt	none	none	none	none	truck/bus	none

UD-10: 1766635

#22 Location: NB DEQUINDRE RD (10.20) 528 feet S of HERITAGE POINTE DR

Crash ID: 1860574

Crash Date: 10/26/2019

Day: Sat

Hour: 10pm

Weather: clear

Roadway: wet

Light: dark/ltl

Injuries K: 0

Inj A: 0

Inj B: 0

Inj C: 0

Inj 0: 2

How: ss-same

CVT: Sterling Heights

Area: straight

HBD: N

Drugs: N

Complaint No: 1942782

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	N	avoid obj	cross ctrline	veh in transpt	none	none	imprp lane use	car	lftside
2	N	go straight	veh in transpt	none	none	none	none	pickup	rtside



**UD-10: 1860574**#23 **Location:** DEQUINDRE RD (10.19) 600 feet N of W LONG LAKE RD**Crash ID:** 1895811**Crash Date:** 11/26/2019 **Day:** Tue **Hour:** 12pm **Weather:** clear **Roadway:** dry **Light:** day**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 2 **How:** angle**CVT:** Troy **Area:** driveway **HBD:** N **Drugs:** N **Complaint No:** 190041098

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	E	enter rdwy	veh in transpt	none	none	none	failed to yield	car	lftfront
2	S	go straight	veh in transpt	none	none	none	none	car	rtrear

**UD-10: 1895811**#24 **Location:** DEQUINDRE RD (10.21) 454 feet N of E LONG LAKE RD**Crash ID:** 1970997**Crash Date:** 02/17/2020 **Day:** Mon **Hour:** 11pm **Weather:** snow **Roadway:** snow **Light:** dark/unltd**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 2 **How:** head-on/lt**CVT:** Troy **Area:** straight **HBD:** Y **Drugs:** N **Complaint No:** 200005381

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	NW	left turn	veh in transpt	none	none	none	imprp turn	car	ctrfront
2	S	go straight	veh in transpt	none	none	none	none	pickup	lftrear

**UD-10: 1970997**#25 **Location:** DEQUINDRE RD (10.17) 456 feet N of 18 MILE RD**Crash ID:** 2336651**Crash Date:** 08/10/2021 **Day:** Tue **Hour:** 4pm **Weather:** clear **Roadway:** dry **Light:** day**Injuries K:** 0 **Inj A:** 0 **Inj B:** 0 **Inj C:** 0 **Inj 0:** 2 **How:** rr-end**CVT:** Sterling Heights **Area:** driveway **HBD:** N **Drugs:** N **Complaint No:** 2153305

Unit No	Veh Dir	Action Prior	Event 1	Event 2	Event 3	Event 4	Haz Action	Veh Type	Damage
1	W	start on rdwy	veh in transpt	none	none	none	unable to stop	pickup	ctrfront
2	W	stop on road	veh in transpt	none	none	none	none	car	ctrrear

**UD-10: 2336651**



**Crash Type**

Count	Type
0	uncoded
1	single
0	head-on
2	head-on/lt
8	angle
7	rr-end
0	rr-end/lt
0	rr-end/rt
6	ss-same
0	ss-opp
0	back
1	other
0	unknown
<b>Totals: 25</b>	

**Light Conditions**

Count	Type
0	uncoded
17	day
0	dawn
2	dusk
2	dark/ltd
4	dark/unltd
0	other
0	unknown
<b>Totals: 25</b>	

**Weather**

Count	Type
0	uncoded
14	clear
0	smoke
4	cloudy
1	fog
4	rain
2	snow
0	wind
0	sleet/hail
0	blowing snow
0	blowing sand
0	unknown
<b>Totals: 25</b>	

**Road Condition**

Count	Type
0	uncoded
18	dry
0	oily
4	wet
0	ice
3	snow
0	mud
0	slush
0	debris
0	water
0	sand
0	other
0	unknown
<b>Totals: 25</b>	

**Crashes By Month**

Count	Type
0	January
2	February
2	March
1	April
2	May
2	June
4	July
3	August
3	September
2	October
2	November
2	December
<b>Totals: 25</b>	

**Hazardous Action**

Count	Type
25	none
0	speeding
0	imprp/no signal
0	imprp backing
7	unable to stop
3	other
0	unknown
0	reckls driving
1	carels driving
0	spd too slow
11	failed to yield
0	disrgd traffic cntrl
0	wrong way
0	left of center
1	imprp passing
2	imprp lane use
1	imprp turn
<b>Totals: 51</b>	

**Unit Type**

Count	Type
0	Bicyclist
0	Engineer
51	Vehicle
0	Pedestrian
<b>Totals: 51</b>	

**Crashes By Year**

Count	Type
0	2000
0	2001
0	2002
0	2003
0	2004
0	2005
0	2006
1	2007
1	2008
0	2009
1	2010
4	2011
1	2012
3	2013
0	2014
2	2015
0	2016
1	2017
3	2018
6	2019
1	2020
1	2021
<b>Totals: 25</b>	



**Crash Severity**

	FATAL	A	B	C	No Inj	Total
<b>Persons</b>	0	0	0	5	62	67
<b>Crashes</b>	0	0	0	5	20	25

**Alcohol in Crashes**

	FATAL	PI	PD	Total
<b>Drinking</b>	0	0	2	2
<b>Not Drinking</b>	0	5	18	23
<b>Total</b>	0	5	20	25

**Crashes per Hour by Day**

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Unknown	Total
12a - 1a	0	0	0	0	0	0	0	0	0
1a - 2a	0	0	0	0	0	0	0	0	0
2a - 3a	0	0	0	0	0	0	0	0	0
3a - 4a	0	0	0	0	0	0	0	0	0
4a - 5a	0	0	0	0	0	0	0	0	0
5a - 6a	0	0	0	0	0	0	0	0	0
6a - 7a	0	0	0	0	0	0	0	0	0
7a - 8a	0	0	0	0	1	2	0	0	3
8a - 9a	0	0	0	0	0	0	0	0	0
9a - 10a	0	0	0	0	0	0	1	0	1
10a - 11a	0	0	1	0	1	0	0	0	2
11a - 12p	0	0	0	0	0	0	0	0	0
12p - 1p	0	0	2	1	0	0	1	0	4
1p - 2p	0	0	0	0	0	0	0	0	0
2p - 3p	0	0	0	1	0	0	0	0	1
3p - 4p	0	0	1	1	0	0	0	0	2
4p - 5p	0	0	1	1	0	0	0	0	2
5p - 6p	0	2	0	0	1	0	0	0	3
6p - 7p	0	0	1	0	0	0	0	0	1
7p - 8p	0	1	1	0	0	1	1	0	4
8p - 9p	0	0	0	0	0	0	0	0	0
9p - 10p	0	0	0	0	0	0	0	0	0
10p - 11p	0	0	0	0	0	0	1	0	1
11p - 12a	0	1	0	0	0	0	0	0	1
Unknown Time	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>4</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>25</b>



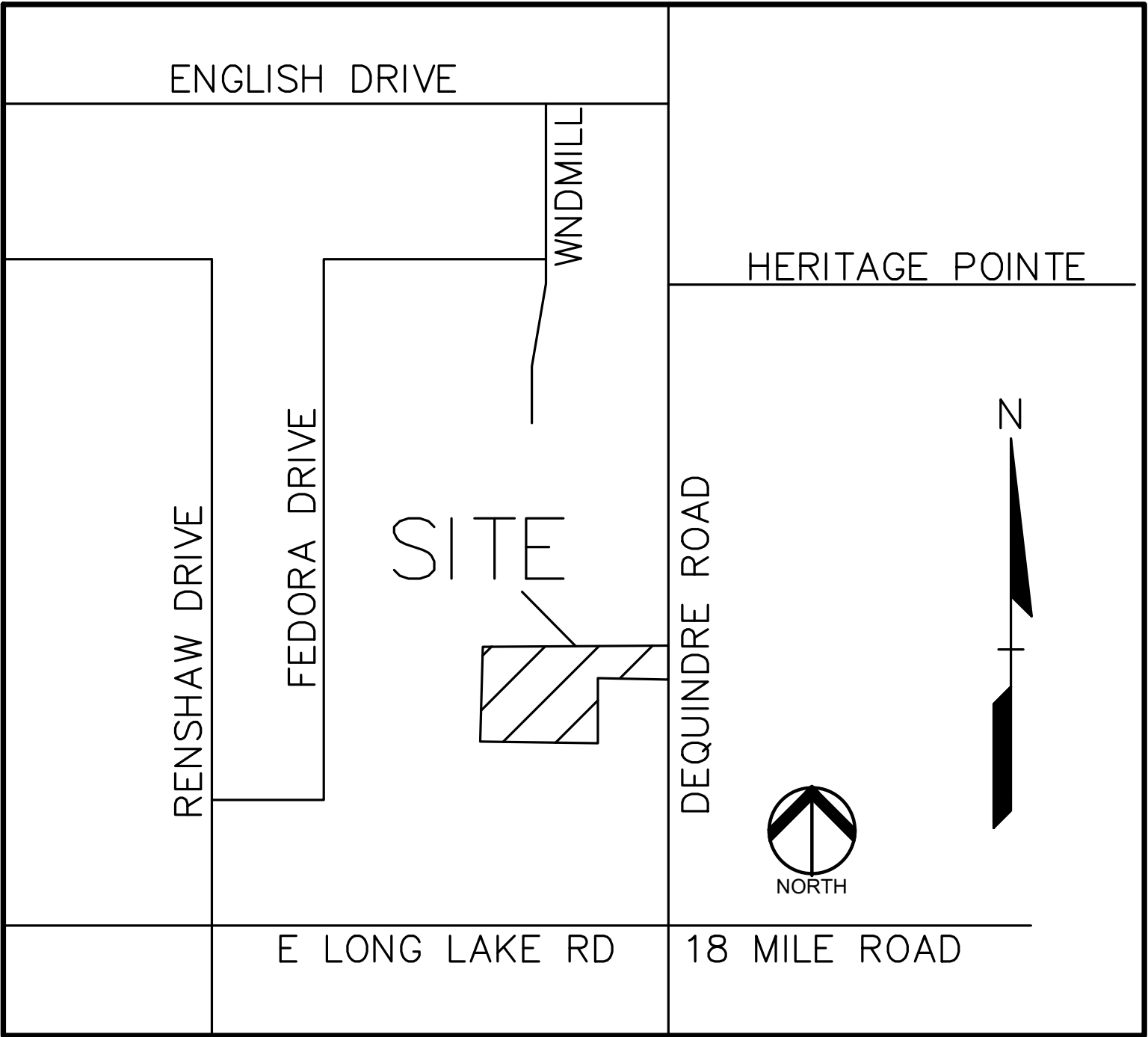
PRELIMINARY SITE PLANS

GFA 18 MILE & DEQUINDRE

PART OF THE SOUTHEAST 1/4 OF SECTION 12, T.02N., R. 11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL

<b>LEGAL DESCRIPTION</b> (Per City of Troy Assessor) <b>PARCEL ID 20-12-476-070</b> Land in the City of Troy, Oakland County, Michigan, described as follows: Part of Lots 10, 11 and 12 of JENNINGS SUBDIVISION, as recorded in Liber 59, Page 8, Oakland County Records, beginning at point distant North 00 degrees 08 minutes 52 West 60 feet and North 89 degrees 32 minutes 26 seconds West 60 feet and North 00 degrees 08 minutes 52 West 493.11 feet from the Southeast section corner; thence North 88 degrees 10 minutes 33 seconds West 170 feet; thence South 75 degrees 18 minutes 21 seconds West 70.21 feet; thence South 00 degrees 08 minutes 52 seconds East 159.88 feet; thence North 88 degrees 11 minutes 10 seconds West 371.57 feet; thence North 00 degrees 08 minutes 43 seconds West 240 feet; thence South 88 degrees 10 minutes 33 seconds East 609.56 feet; thence South 00 degrees 08 minutes 52 seconds East 59.99 feet to beginning.
---



LOCATION MAP  
NO SCALE

INDEX OF DRAWINGS	
NUMBER	TITLE
C-0.0	COVER SHEET
C-1.0	TOPOGRAPHIC SURVEY
C-2.0	PRELIMINARY SITE PLAN
C-3.0	PRELIMINARY GRADING PLAN
C-4.0	PRELIMINARY UTILITY PLAN
L-1.0	PRELIMINARY LANDSCAPE PLAN
T-1.0	PRELIMINARY PRESERVATION PLAN

DESIGN TEAM

OWNER/APPLICANT/DEVELOPER	CIVIL ENGINEER
GFA DEVELOPMENT, INC. 986 ELMSFORD DRIVE TROY, MI 48083 CONTACT: GARY ABITHEIRA PHONE: 248.840.2828 EMAIL: GFAHOMES@GMAIL.COM	PEA GROUP 2430 ROCHESTER COURT, STE. 100 TROY, MI 48083-1872 CONTACT: JOHN B. THOMPSON, PE PHONE: 844.813.2949 EMAIL: JTHOMPSON@PEAGROUP.COM
ARCHITECT	LANDSCAPE ARCHITECT
MGA ARCHITECTS/DESIGNERS MOISEV/GORDON ASSOCIATES, INC. 4351 DELEMERE COURT ROYAL OAK, MI 48073 CONTACT: ANDREW J. MOISEEV, RA PHONE: 248.549.4500 EXT. 221 EMAIL: ANDREWWM@MGA-ARCHITECTS.NET	PEA GROUP 45 W. GRAND RIVER AVE., STE. 501 DETROIT, MI 48226 CONTACT: KIMBERLY DIETZEL, RLA PHONE: 844.813.2949 EMAIL: KDIEZEL@PEAGROUP.COM



REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	9/18/2019
CONDITIONAL REZONE APPLICATION	6/8/2021





**LEGAL DESCRIPTION**  
(Per City of Troy Assessor)

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**FLOODPLAIN NOTE:**  
BY GRAPHICAL PLOTTING, SITE IS WITHIN ZONE 'X'. AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBER 26125C0552F, DATED SEPTEMBER 29, 2006.

**BENCHMARKS**  
(GPS DERIVED - NAVD88)

BM #300  
PUNCH MARK ON ARROW OF A HYDRANT LOCATED ON THE WEST SIDE OF DEQUINDRE ROAD, APPROX. 45'± NORTHEAST OF THE NORTHEAST PROPERTY CORNER.  
ELEV. - 645.78

BM #301  
PUNCH MARK ON THE NORTHWEST BOLT OF A LIGHT POLE LOCATED AT THE NORTH SIDE OF THE ARBY'S PARKING LOT, APPROX. 26'± SOUTH OF THE SOUTH PROPERTY LINE.  
ELEV. - 645.29

**LEGEND**

●

IRON FOUND

⊗

IRON SET

⊗

NAIL FOUND

⊗

NAIL & CAP SET

⊗

BRASS PLUG SET

⊗

MONUMENT FOUND

⊗

MONUMENT SET

⊗

SEC. CORNER FOUND

⊗

RECORDED

⊗

MEASURED

⊗

CALCULATED

—OH-ELEC—

ELEC. PHONE OR CABLE TV O.H. LINE, POLE & GUY WIRE

—UG-CATV—

UNDERGROUND CABLE TV, CATV PEDESTAL

—UG-PHONE—

TELEPHONE U.G. CABLE, PEDESTAL & MANHOLE

—UG-ELEC—

ELECTRIC U.G. CABLE, MANHOLE, METER & HANDHOLE

—GAS—

GAS MAIN, VALVE & GAS LINE WARMER

—WATER—

WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE

—SEWER—

SANITARY SEWER, CLEANOUT & MANHOLE

—STORM—

STORM SEWER, CLEANOUT & MANHOLE

—COMB—

COMBINED SEWER & MANHOLE

—SQUARE—

SQUARE, ROUND & BEEHIVE CATCH BASIN, YARD DRAIN

—POST—

POST INDICATOR VALVE

—WATER—

WATER VALVE BOX/HYDRANT VALVE BOX, SERVICE SHUTOFF

—MBOX—

MARLBX, TRANSFORMER, IRRIGATION CONTROL VALVE

—UNID—

UNIDENTIFIED STRUCTURE

—SPOT—

SPOT ELEVATION

—CONTOUR—

CONTOUR LINE

—FENCE—

FENCE

—RAIL—

GUARD RAIL

—LIGHT—

STREET LIGHT

—SIGN—

SIGN

—CONC—

CONCRETE

—ASPH—

ASPHALT

—GRAVEL—

GRAVEL SHOULDER

—WETLAND—

WETLAND

0

15

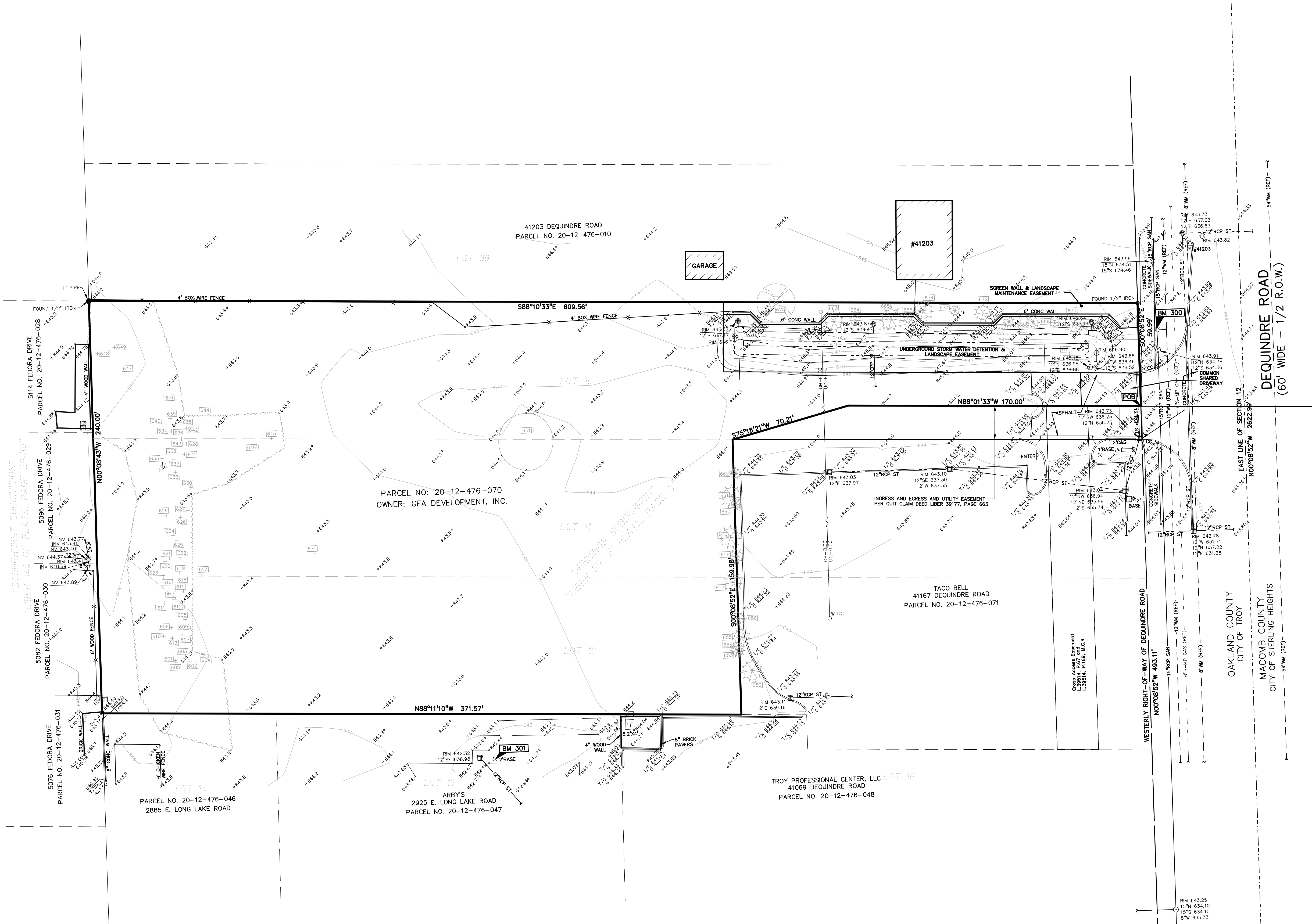
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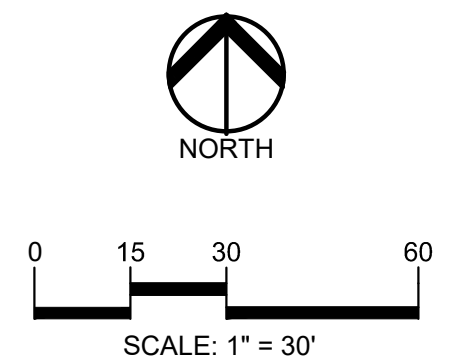
SCALE: 1" = 30'

**REFERENCE DRAWINGS**

GAS - CONSUMERS ENERGY QUARTER SECTION MAP 02-61-12-4, DATED 10-21-05  
CITY OF TROY UTILITY GIS MAP  
TACO BELL GRADING AND UTILITY PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 060UT, DATED 11-07-07  
TACO BELL SITE PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 055SP, DATED 06-27-07



**PEA GROUP**  
t. 844.813.2949  
www.peagroup.com



**811** Know what's below. Call before you dig.

**CAUTION!!**  
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

**CLIENT**  
**GFA DEVELOPMENT, INC.**  
988 ELMFORD DR.  
TROY, MI 48063

**PROJECT TITLE**  
**GFA 18 MILE & DEQUINDRE**  
PART OF THE SE 1/4 OF SECTION 12, T.02N, R.11E, TROY, OAKLAND COUNTY, MI

REVISIONS		
CONDITIONAL REZONE APP.	6/8/21	

**ORIGINAL ISSUE DATE:**  
SEPTEMBER 18, 2019

**DRAWING TITLE**  
**TOPOGRAPHIC SURVEY**

PEA JOB NO.	2016-368
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	

NOT FOR CONSTRUCTION

C-1.0







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BENCHMARKS  
(GPS DERIVED - NAVD88)

BM #300  
PUNCH MARK ON ARROW OF A HYDRANT LOCATED ON THE WEST SIDE OF DEQUINDRE ROAD, APPROX. 45'± NORTHEAST OF THE NORTHEAST PROPERTY CORNER.  
ELEV. - 645.78

BM #301  
PUNCH MARK ON THE NORTHWEST BOLT OF A LIGHT POLE LOCATED AT THE NORTH SIDE OF THE ARBY'S PARKING LOT, APPROX. 28'± SOUTH OF THE SOUTH PROPERTY LINE.  
ELEV. - 645.29

LEGEND

IRON FOUND  
IRON SET  
NAIL FOUND  
NAIL & CAP SET

BRASS PLUG SET  
MONUMENT FOUND  
MONUMENT SET

SEC. CORNER FOUND  
RECORDED  
MEASURED  
CALCULATED

EXISTING

PROPOSED

OH-ELEC  
UG-CATV  
UG-PHONE  
UG-ELEC  
WATERMAN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE  
SANITARY SEWER, CLEANOUT & MANHOLE  
STORM SEWER, CLEANOUT & MANHOLE  
COMBINED SEWER & MANHOLE  
POST INDICATOR VALVE  
WATER VALVE BOX/HYDRANT VALVE BOX, SERVICE SHUTOFF  
MAILBOX, TRANSFORMER, IRRIGATION CONTROL VALVE  
UNIDENTIFIED STRUCTURE  
SPOT ELEVATION  
CONTOUR LINE  
FENCE  
GUARD RAIL  
STREET LIGHT  
SIGN  
CONC.  
ASPH.  
GRAVEL  
WETLAND

ELEC, PHONE OR CABLE TV O.H. LINE, POLE & GUY WIRE  
UNDERGROUND CABLE TV, CATV PEDESTAL  
TELEPHONE U.G. CABLE, PEDESTAL & MANHOLE  
ELECTRIC U.G. CABLE, MANHOLE, METER & HANDHOLE  
GAS MAN. VALVE & GAS LINE WARMER  
SANTARY SEWER, CLEANOUT & MANHOLE  
STORM SEWER, CLEANOUT & MANHOLE  
COMBINED SEWER & MANHOLE  
SQUARE, ROUND & BEEHIVE CATCH BASIN, YARD DRAIN  
POST INDICATOR VALVE  
WATER VALVE BOX/HYDRANT VALVE BOX, SERVICE SHUTOFF  
MAILBOX, TRANSFORMER, IRRIGATION CONTROL VALVE  
UNIDENTIFIED STRUCTURE  
SPOT ELEVATION  
CONTOUR LINE  
FENCE  
GUARD RAIL  
STREET LIGHT  
SIGN  
CONC.  
ASPH.  
GRAVEL  
WETLAND

SEC. CORNER FOUND  
RECORDED  
MEASURED  
CALCULATED

310 HEAVY FLOW DUTY ONLY  
310 HEAVY DEEP DUTY STRENGTH

REFERENCE DRAWINGS

GAS - CONSUMERS ENERGY QUARTER SECTION MAP 02-61-12-4, DATED 10-21-05  
CITY OF TROY UTILITY GIS MAP  
TACO BELL GRADING AND UTILITY PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 080UT, DATED 11-07-07  
TACO BELL SITE PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 055SP, DATED 06-27-07

PEA GROUP

t. 844.813.2949  
www.peagroup.com

NORTH

0 15 30 60  
SCALE: 1" = 30'

811 Know what's below. Call before you dig.

CAUTION!!  
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NOTE:  
ALL WORK IN THE DEQUINDRE ROAD RIGHT-OF-WAY IS UNDER THE JURISDICTION OF THE ROAD COMMISSION FOR OAKLAND COUNTY AND REQUIRES A PERMIT.

CLIENT  
**GFA DEVELOPMENT, INC.**  
988 ELMFORD DR.  
TROY, MI 48063

PROJECT TITLE  
**GFA 18 MILE & DEQUINDRE**  
PART OF THE SE 1/4 OF SECTION 12,  
T.02N., R.11E.  
TROY, OAKLAND COUNTY, MI

REVISIONS  
CONDITIONAL REZONE APP. 6/8/21

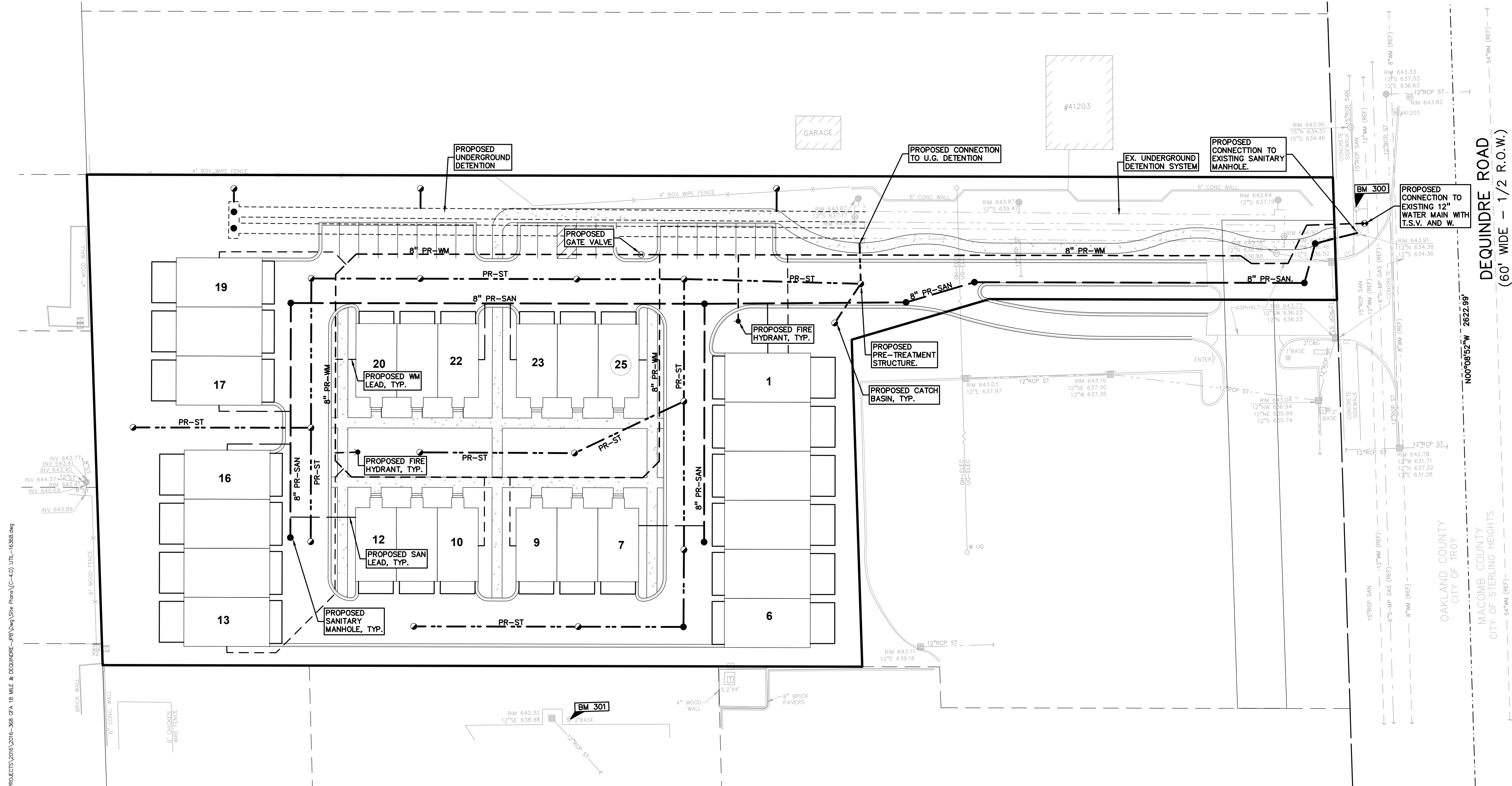
ORIGINAL ISSUE DATE:  
SEPTEMBER 18, 2019  
DRAWING TITLE  
**PRELIMINARY GRADING PLAN**

PEA JOB NO. 2016-368  
P.M. JBT  
DN. TMK  
DES. TMK  
DRAWING NUMBER:

NOT FOR CONSTRUCTION C-3.0



S:\PROJECTS\2016-2018\GFA 18 MILE & DEQUINDRE-JPS Dwg (Site Plans)\C-4.0 UTIL-16066.dwg



Project: GFA 18 MILE & DEQUINDRE  
Location: TROY, MI  
Date: 9/16/2019  
Project No: 2016-368

25 YEAR STORM DETENTION DESIGN (OAKLAND COUNTY DESIGN METHOD)

Contributing Area (A): 2.39 AC.  
Allowable Discharge (Qa): 0.48 C.F.S. (=0.2 CFS/AC)  
Coefficient of Runoff (C): 0.56

Calculation of Required Discharge/Acre

$Q_o = ((Q_a)/(A))(C)$ : 0.36  
 $T = -25 + ((8062.5/Q_o))0.5$ : 125.25

Storage Volume Required:

$V_s = (12900(T))/(T+25) - 40Q_o(T)$ : 8964.29

$V_t = (V_s)(A)(C)$ : 11997.8

PIPE STORAGE:  
L= 612 ft  
SIZE= 60 in.  
C.F./F.T.= 19.625 c.f./ft.  
VOLUME= 12,010.50 c.f.

CALCULATIONS OF EXISTING U.G. DETENTION:  
PER TACO BALL AS-BUILT DRAWINGS DATED 11-09-07.

EXISTING UNDERGROUND 25 YEAR STORM DETENTION DESIGN

Contributing Area (A): 1.35 AC.  
Allowable Discharge (Qa): 0.27 C.F.S. (=0.2 CFS/AC)  
Coefficient of Runoff (C): 0.59

Calculation of Required Discharge/Acre

$Q_o = ((Q_a)/(A))(C)$ : 0.34  
 $T = -25 + ((8062.5/Q_o))0.5$ : 129

Storage Volume Required:

$V_s = (12900(T))/(T+25) - 40Q_o(T)$ : 9057

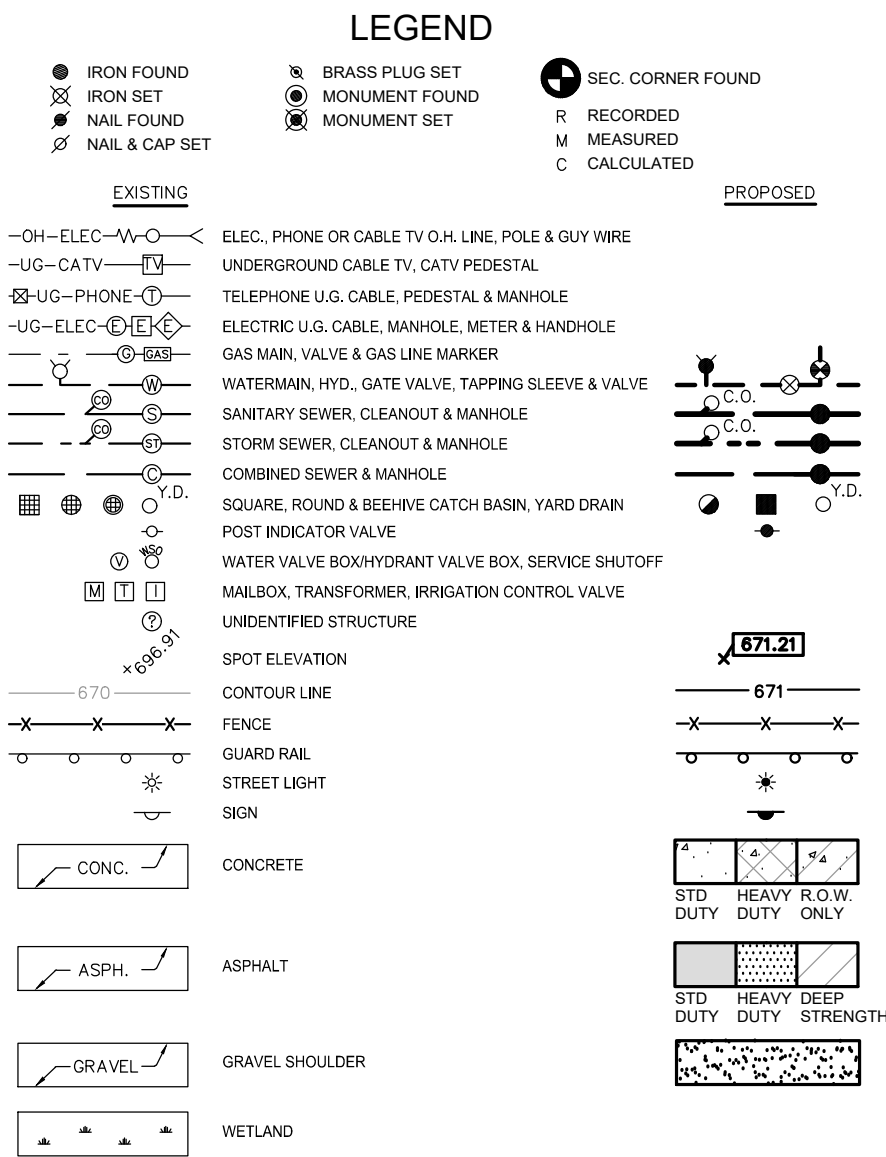
$V_t = (V_s)(A)(C)$ : 7214

PROVIDED STORAGE IN UNDERGROUND DETENTION

DETENTION SYSTEM PROVIDED: 80' SLOPP PIPE  
STORAGE PER LINEAR FOOT OF PIPE: 19.63 C.F.  
NUMBER OF ROWS PROVIDED: 2  
LENGTH OF ROWS PROVIDED: 200 L.F.  
TOTAL STORAGE VOLUME PROVIDED (2 X 200 X 19.63): 7852 C.F.

NOTE:

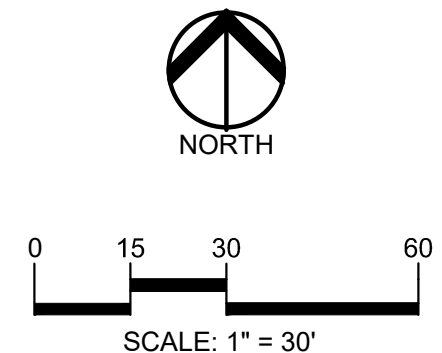
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REFERENCE DRAWINGS

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PEA GROUP  
t: 844.813.2949  
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PROJECT TITLE  
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PART OF THE SE 1/4 OF SECTION 12,  
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TROY, OAKLAND COUNTY, MI

REVISIONS  
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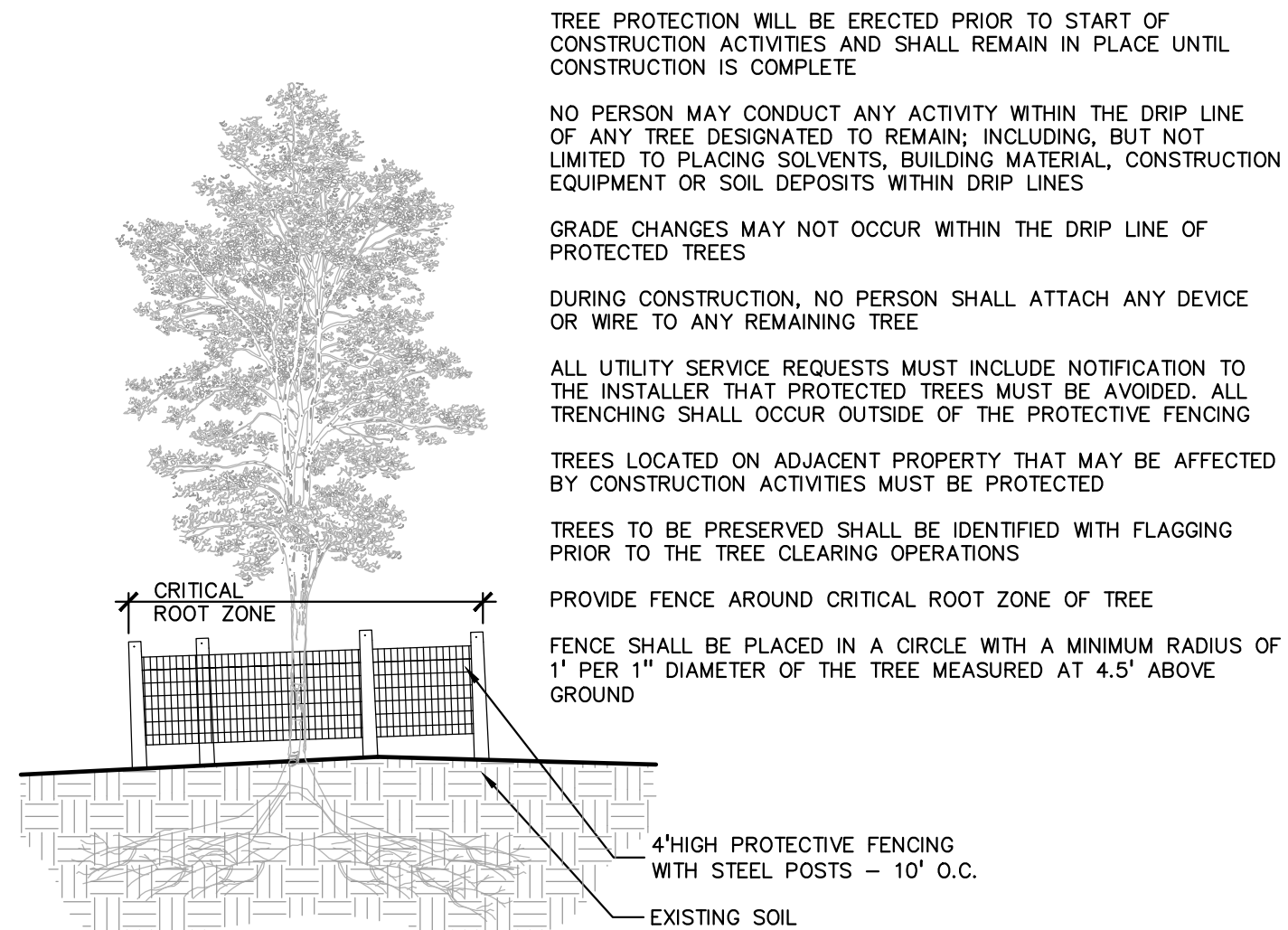
ORIGINAL ISSUE DATE:  
SEPTEMBER 18, 2019  
DRAWING TITLE  
**PRELIMINARY UTILITY PLAN**

PEA JOB NO. 2016-368  
P.M. JBT  
DN. TMK  
DES. TMK  
DRAWING NUMBER:

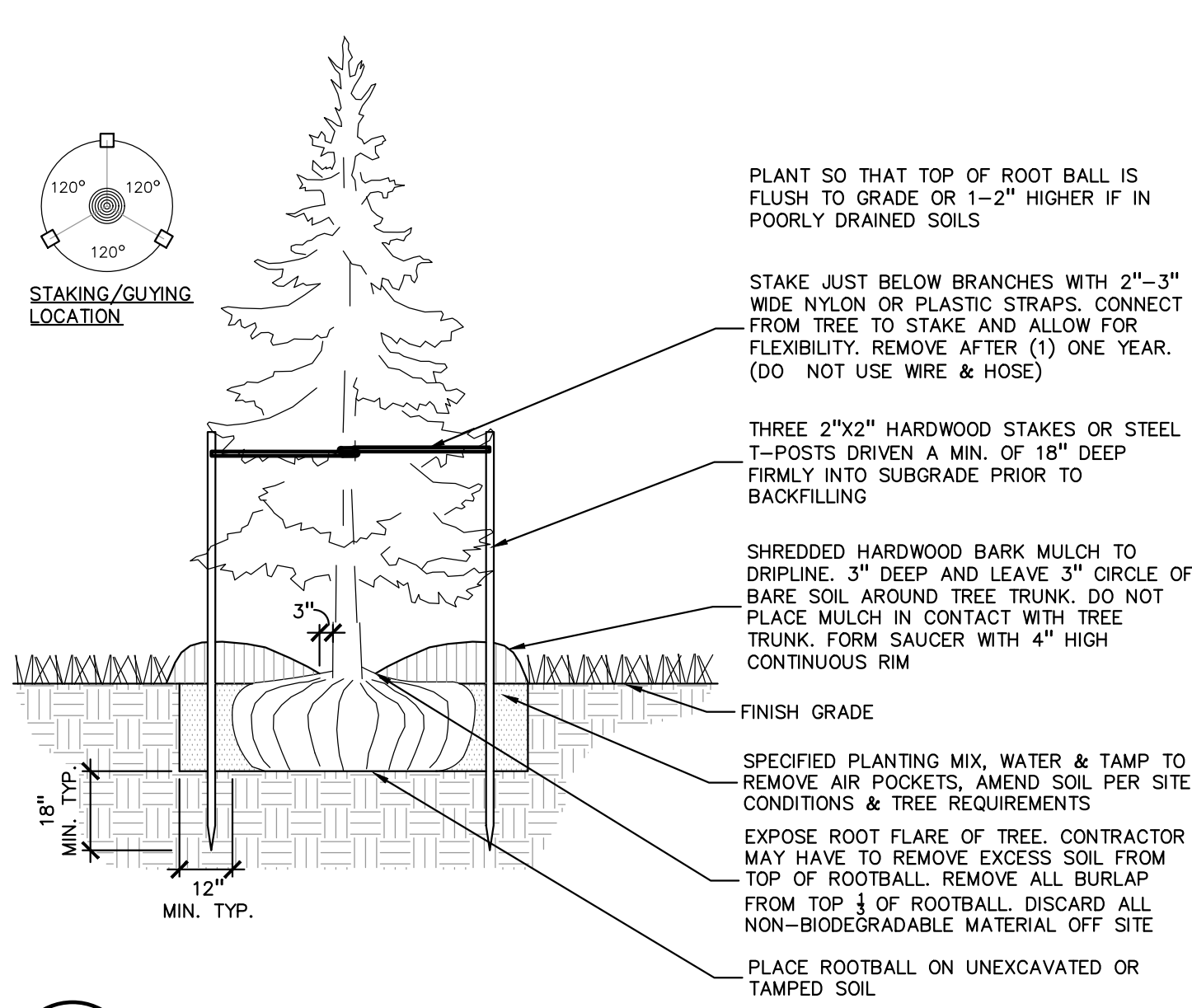
NOT FOR CONSTRUCTION C-4.0



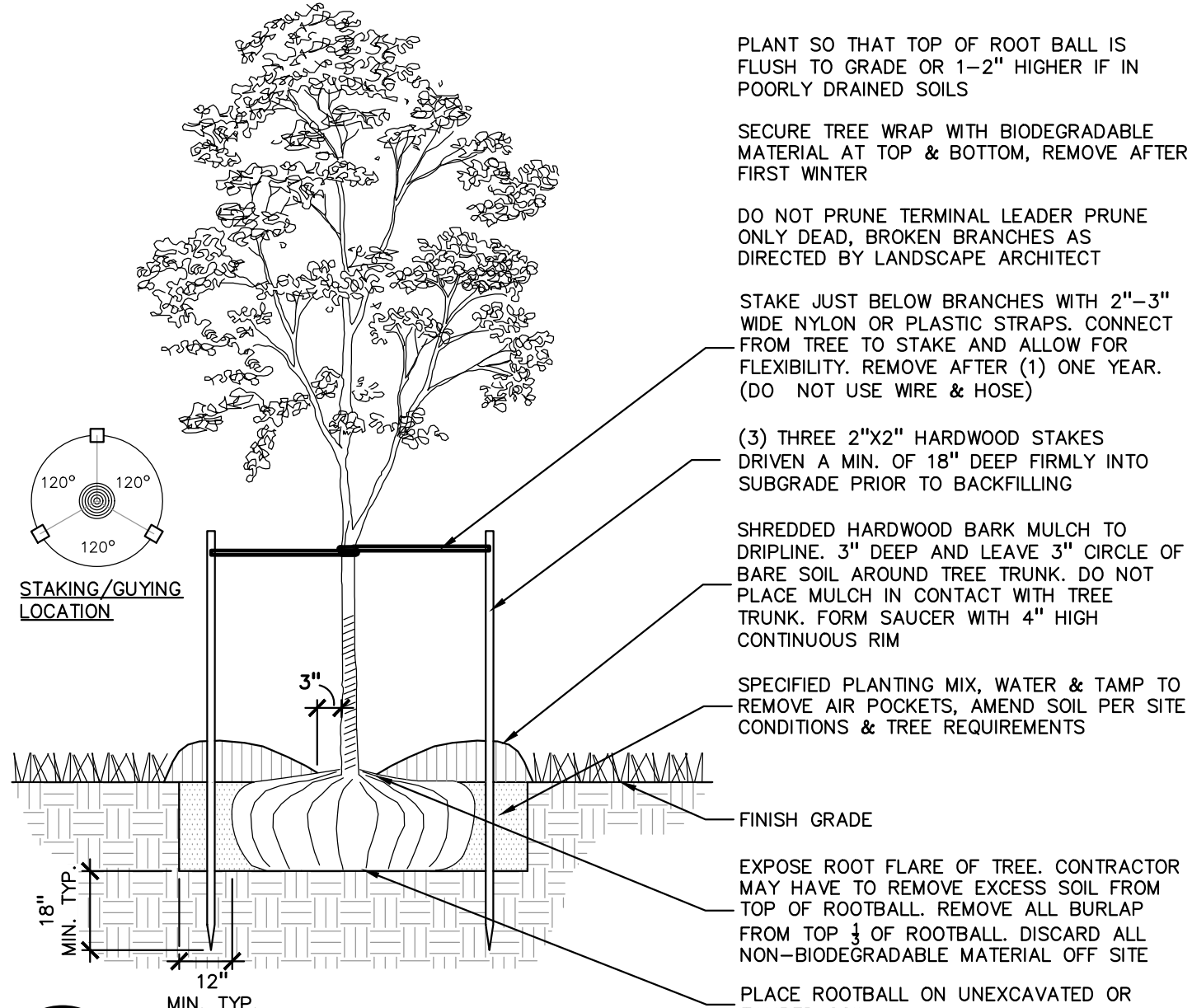
DECIDUOUS TREE PLANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE SPEC
3	AS2.5	Sugar Maple	<i>Acer saccharum</i> 'Green Mountain'	2.5" Cal. B&B
2	QR2.5	Red Oak	<i>Quercus rubra</i>	2.5" Cal. B&B
5	TOTAL DEC.			
EVERGREEN TREE PLANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE SPEC
7	AC8	Concolor Fir	<i>Abies concolor</i>	8' Ht. B&B
7	PA8	Norway Spruce	<i>Picea abies</i>	8' Ht. B&B
8	PC8	Columnar Norway Spruce	<i>Picea abies</i> 'Cupressina'	8' Ht. B&B
14	PG8	Black Hills Spruce	<i>Picea glauca</i> 'Densata'	8' Ht. B&B
5	PO8	Serbian Spruce	<i>Picea omorika</i>	8' Ht. B&B
6	PB8	Lacebark Pine	<i>Pinus bungeana</i>	8' Ht. B&B
11	PN8	Austrian Pine	<i>Pinus nigra</i>	8' Ht. B&B
7	PS8	Eastern White pine	<i>Pinus strobus</i>	8' Ht. B&B
65	TOTAL EVG.			



3 TREE PROTECTION DETAIL  
SCALE: 1" = 3'-0"



2 EVERGREEN TREE PLANTING DETAIL  
SCALE: 1" = 3'-0"



1 DECIDUOUS TREE PLANTING DETAIL  
SCALE: 1" = 3'-0"

KEY

- = EVERGREEN SCREENING TREES
- = PARKING LOT TREES
- = GREENBELT TREES
- = IRRIGATED SEED LAWN
- = EXISTING TREES W/ TREE PROTECTION FENCING

**LANDSCAPE CALCULATIONS:**  
PER CITY OF TROY ZONING ORDINANCE; NN

**GREENBELT TREES:**  
REQUIRED: 1 DEC TREE / 30 LF OF STREET FRONTAGE. 60' OF RIGHT OF WAY/ 30 = 2 DEC TREES REQUIRED.  
PROVIDED: 2 PROPOSED TREES

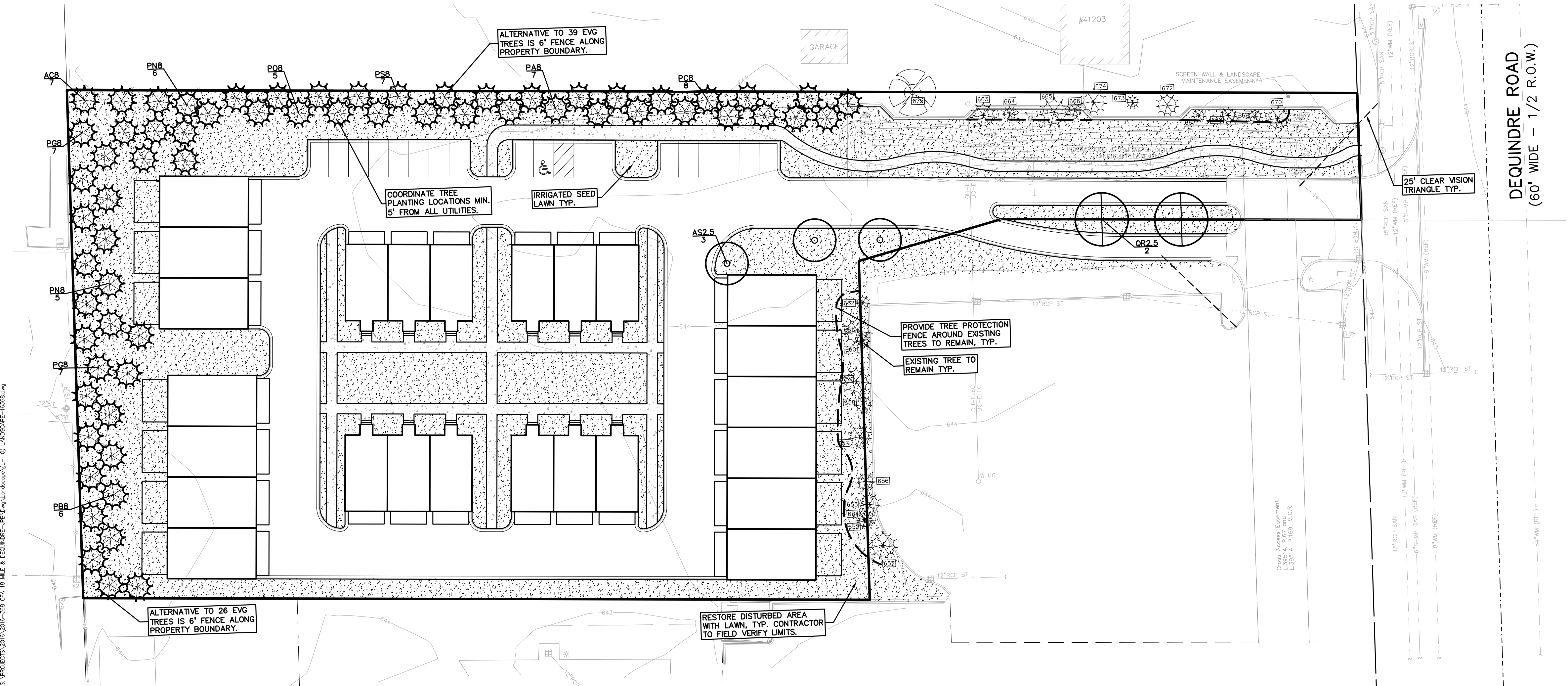
**PARKING LOT TREES:**  
REQUIRED: 1 TREE / 8 PARKING SPACES. 18 SPACES / 8 = 3 TREES  
PROVIDED: 3 TREES

**REPLACEMENT TREES:**  
REQUIRED: REPLACE 50% OF REMOVED DBH OF WOODLAND TREES, AND 100% OF REMOVED LANDMARK TREES DBH. 1 WOODLAND AND 1 LANDMARK TREES REMOVED, SEE CALCULATIONS THIS SHEET. 384" DBH CREDIT SAVED, 0 REPLACEMENT TREES REQUIRED.  
PROVIDED: 27 EXISTING TREES SAVED, NO REPLACEMENT REQUIRED.

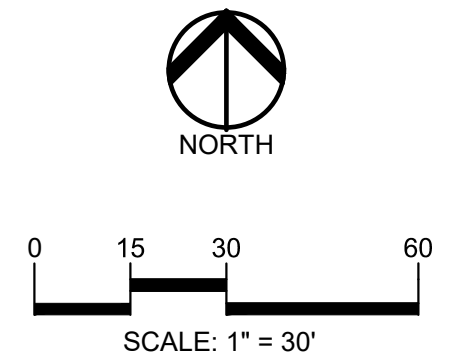
**SCREENING TREES:**  
REQUIRED: 1 LARGE EVG TREE / 10 LF (USE ALT 2: MULTIFAMILY ADJACENT TO SINGLE FAMILY RESIDENTIAL -NORTH & WEST).  
- NORTH: 370 LF/10 = 37 LG EVG (6' FENCE ALONG REMAINING PROPERTY BOUNDARY.)  
- WEST: 240 LF /10 = 24 LG EVG  
PROVIDED: 65 TREES (NORTH- 39 LG EVG; WEST- 26 LG EVG)

**GENERAL PLANTING NOTES:**

- LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
- CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
- ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1. GRADE.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
- THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
- ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
- ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
- ALL MULTI STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL NOT BE ACCEPTED.
- ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
- ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.
- NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN THE DRIP LINE OF EXISTING TREES.
- ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
- IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS.
- ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH WITH PRE EMERGENT, SEE SPECIFICATIONS. SHREDDED PALETTE AND DYED MULCH WILL NOT BE ACCEPTED.
- ALL LANDSCAPED AREAS SHALL RECEIVE 3" COMPACTED TOPSOIL.
- SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.
- FOR NON-LAWN SEED MIX AREAS, AS NOTED ON PLAN, BRUSH MOW ONCE SEASONALLY FOR INVASIVE SPECIES CONTROL.



S:\PROJECTS\2016-2018\016-368 GFA 18 MILE & DEQUINDRE-1810 Landscape\1810-10 LANDSCAPE-18106.dwg



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988 ELMSFORD DR.  
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**REVISIONS**

CONDITIONAL REZONE APP.	6/8/21

ORIGINAL ISSUE DATE:  
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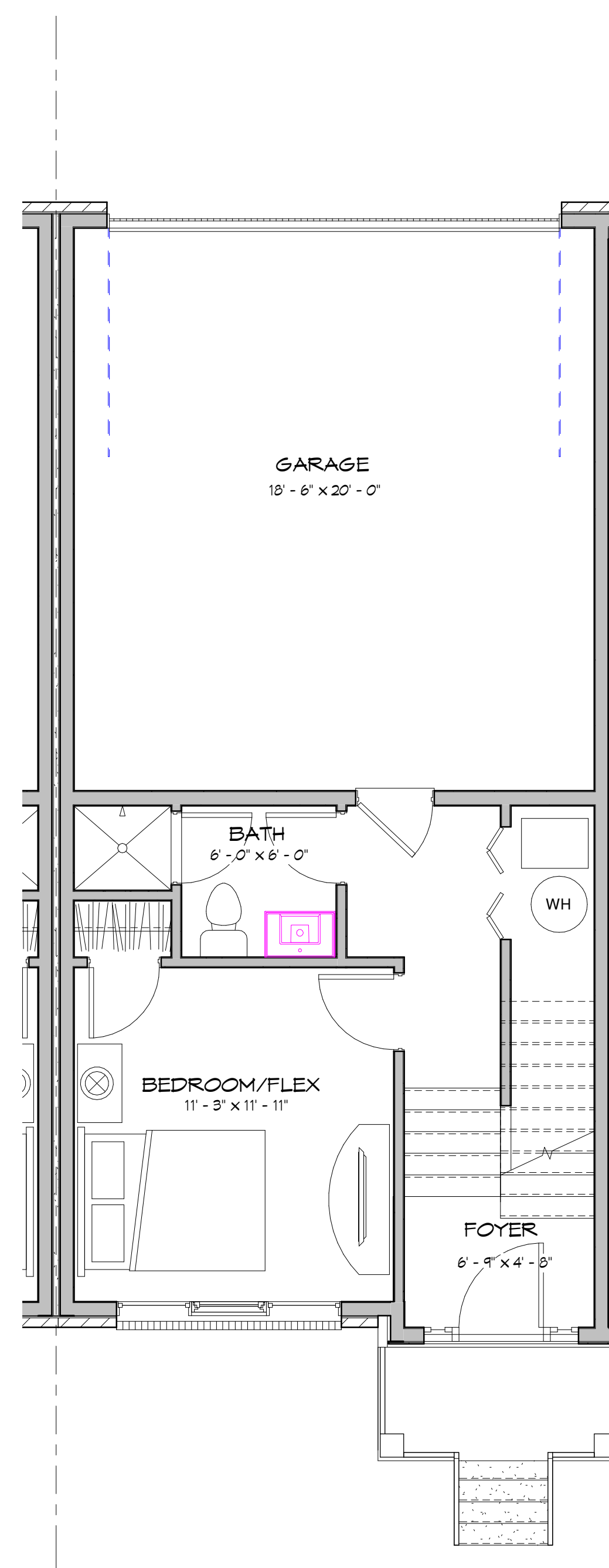
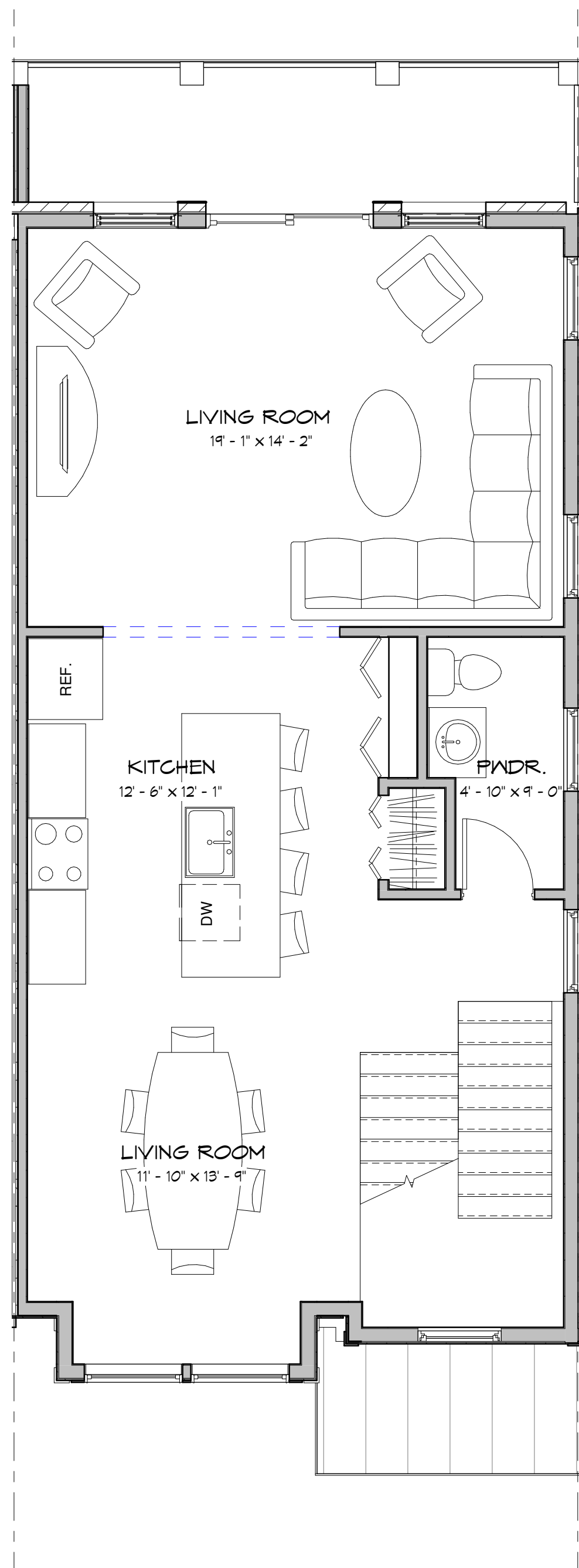
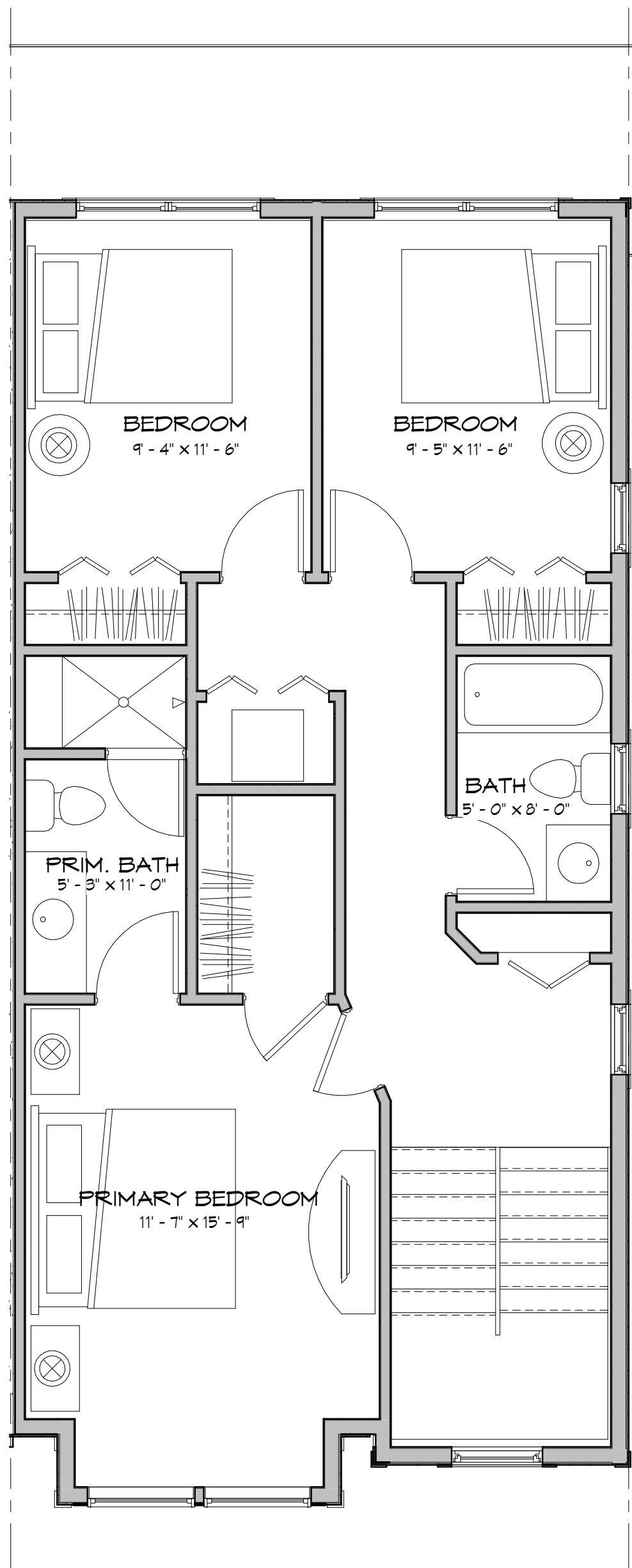
DRAWING TITLE  
**PRELIMINARY LANDSCAPE PLAN**

PEA JOB NO.	2016-368
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	













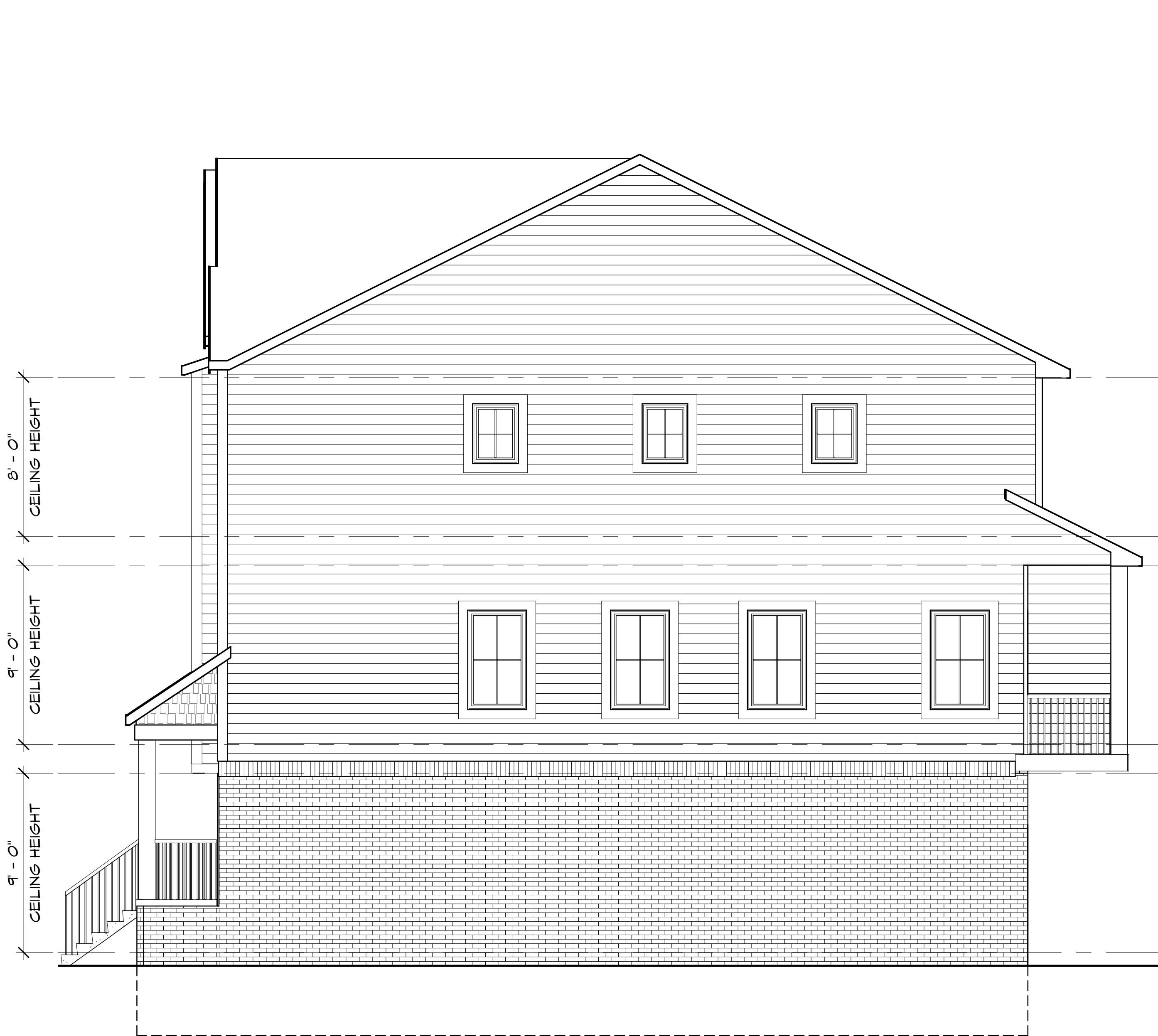
Left Elevation

Scale: 1/4" = 1'-0"

Front Elevation

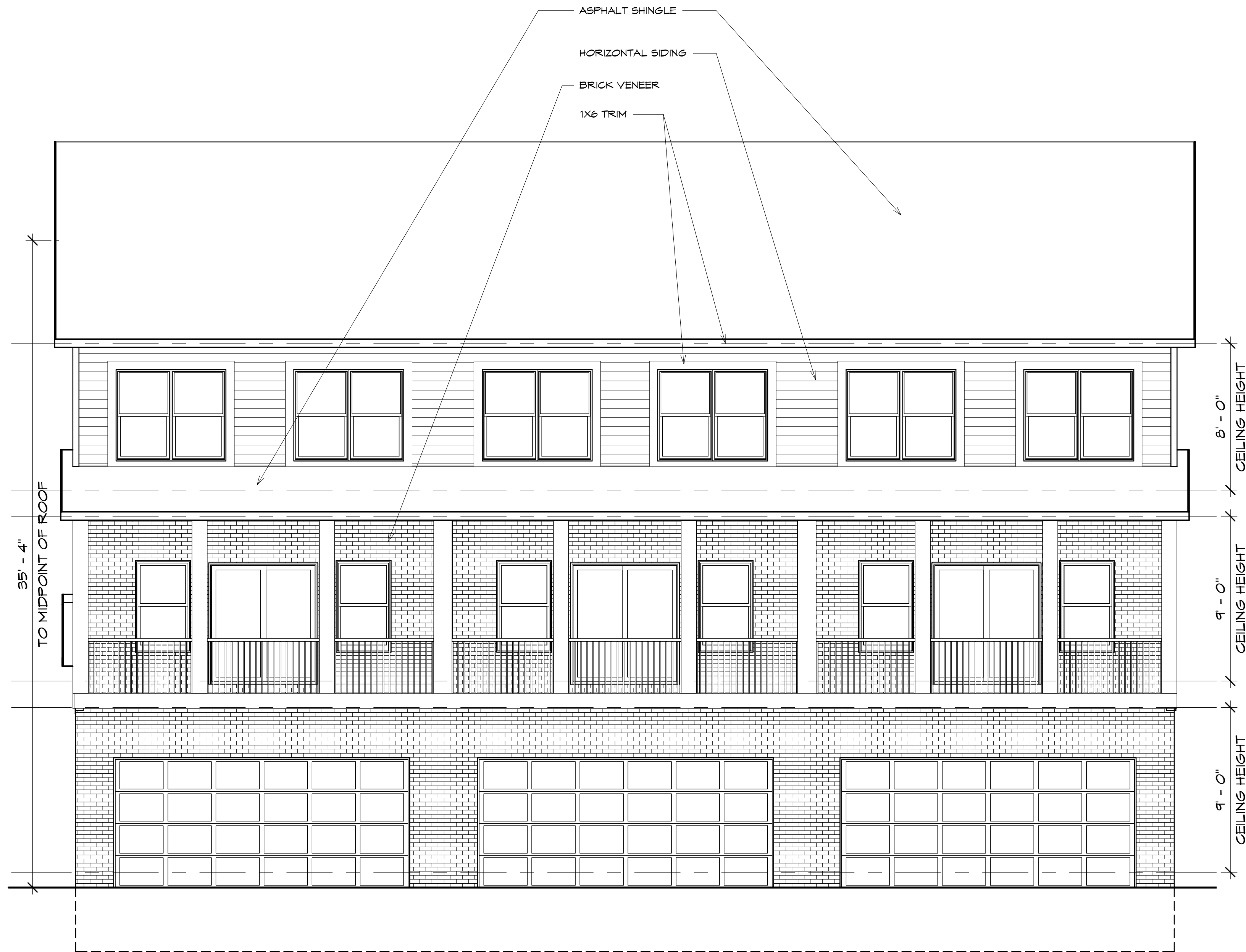
Scale: 1/4" = 1'-0"





Right Elevation

Scale: 1/4" = 1'-0"



Rear Elevation

Scale: 1/4" = 1'-0"





3D VIEW





2430 Rochester Court, Suite 100  
Troy, MI 48083

844.813.2949  
peagroup.com

October 21, 2021  
PEA Project No: 2016-368

Mr. Brent Savidant  
Community Development Director  
City of Troy Planning Department  
500 W. Big Beaver  
Troy, MI 48084

**RE: Conditional Rezoning Application  
Parcel # 20-12-476-070  
Dequindre Road, north of E. Long Lake Road  
City of Troy, Oakland County, Michigan**

Dear Mr. Savidant:

On behalf of **GFA Development, Inc**, we respectfully request a change in the zoning for Parcel # 20-12-476-070.

Pursuant to the provisions of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, and pursuant to all applicable provisions of law, we are requesting the Zoning Map of the City of Troy be amended to conditionally rezone Parcel Number 20-12-476-070, from Neighborhood Node J and EP to Neighborhood Node J, in order to construct 7-attached single-family dwelling buildings totally 25-units.

**Location & Existing Conditions:**

The property is located on the east side of Dequindre Road just north of the East Long Lake Road intersection (behind Taco Bell). The parcel is 2.389 acres in size and is currently undeveloped. Surrounding uses include single-family dwellings to the north and west. To the east and south are commercial businesses.

A shared drive exists for the subject parcel and Taco Bell. A landscaped berm, mature trees and 6' high concrete screen wall separate the adjacent residential home and Taco Bell. Underground detention for the Taco Bell is located under the berm.

**Existing Zoning & Future Land Use:**

Most of the site is zoned NN (Neighborhood Node). The northerly 40-feet of the property is zoned EP (Environmental Protection), to provide a buffer to the adjacent R-1C zoning (One Family Residential District). **(See Exhibit A)**



Prior to 2006, the City of Troy Zoning Ordinance did not have a zoning mechanism to provide open space buffers. Even though there may not be environmentally sensitive issues, the EP (Environmental Protection) zoning district was commonly used to provide a buffer between two different zoning classifications.

According to the Master Plan, The Future Land Use for the subject parcel is Neighborhood Node.

### **Proposed Use & Site Plan:**

Under the proposed rezoning (**see Exhibit B**), the entire site would become a part of the Neighborhood Node J. The existing screen wall and trees would remain adjacent to Taco Bell and new Landscape screening would be provided along the northerly and westerly property lines (residential zoned areas).

With exception to the proposed guest parking, the area currently designated EP will remain an open space buffer.

The existing underground detention area will be expanded to the west to provide the required storm water detention for this development.

The proposed development (**see Site Plan Sheets C-0.0, C-1.0, C-2.0, C-3.1, C-4.0, L-1.0, T-1.0**), shall be limited to 7-buildings and 25 total units. Each unit is an attached three-story single-family residential unit. Each unit will be 1,400 to 1,700-SF and include an attached 2-car garage. The buildings materials shall consist of a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance or maintenance free materials.

### **Voluntary Conditions:**

Under Section 405 of the Zoning Enabling Act, the petitioner voluntarily offers uses and restrictions of the property as a condition to rezoning the land. These conditions result in recognizable and material benefits to the city that would unlikely be achieved otherwise under the site's existing zoning.

The following conditions are provided voluntarily as conditions of rezoning approval:

1. The Site Plan is a condition of approval.
2. Screen wall and trees adjacent to Taco Bell shall remain.
3. Development shall be limited to a maximum of 7-buildings with 25 total units.
4. Maximum Building Height shall not exceed 3 story or 35'4" in height.
5. Minimum guaranteed Open Space shall be 15%.
6. Minimum guaranteed Landscape Area shall be 15%
7. Building Materials shall be a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance or maintenance free materials.
8. Each Unit shall have a 2-car garage. A minimum of 10-guest parking space shall be provided.
9. No exterior refuse containers shall be proposed. Individual waste and recycling containers shall be stored in each unit's garage and placed at the curb on collection days.
10. Minor modifications to the site plan shall be permitted and administratively approved by the Community Development Director. Minor changes would not adversely or substantially affect the conditions of the rezoning.



### **Rezoning Standards:**

As set forth in Section 16.03.C, the Planning Commission shall consider the following:

*1. The proposed rezoning is consistent with the Master Plan. If the current zoning is in the material conflict with the Master Plan, such conflict is does to one of the following:*

- a. A change in City policy since the Master Plan was adopted.*
- b. A change in conditions since the Master Plan was adopted.*
- c. An error in the Master Plan.*

- The City of Troy Master Plan designates the subject parcel as Neighborhood Node J.
- Node J is defined as predominantly commercial, catering to both local needs and regional traffic, new development and redevelopment should be mostly commercial, identifying opportunities for small office mixed-use and variations in floor area to allow for a wide range of commercial types. Pedestrian access to the adjoining area and effective screening should be primary areas of focus during the site design process.
- The proposed townhouse development is a less intense use than a commercial or small office mixed-use.
- Landscape screening will be provided along residential zoning districts.

*2. The proposed rezoning will not cause nor increase any non-conformity.*

- There are no natural features to protect on this parcel, as per the definition of EP. The EP zoned area was provided to create an open space buffer from the commercial businesses to the single-family residence.
- Rezoning the EP area to Neighborhood Node will not provide any noticeable visual difference to what is currently provided. The proposed screening satisfies the intent to provide a buffer as was intended by the then Planning Commission. Additional landscape screening will be provided along the northerly property line.

*3. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.*

- The proposed number of multiple-family dwelling units is compatible with surrounding uses and zoning in terms of:
  - Environment
  - Density
  - Traffic volumes
  - Aesthetics
  - Infrastructure
  - Potential influence on property values
- All public utilities are available at the property and sized to accommodate the develop.
- Dequindre Road is capable of safely and efficiently accommodating expected traffic volumes generated by the proposed number of multiple-family dwelling units.

*4. The rezoning will not impact public health, safety, or welfare.*

- The capacity of public utilities and services is sufficient to accommodate the proposed number of multiple-family dwelling units without compromising the city's health, safety and welfare.

*5. The rezoning will ensure compatibility with adjacent uses of land.*



- Rezoning to NN is constant with the Future Land Use Map.
- The proposed number of multiple-family dwelling units is consistent with the characteristics of surrounding buildings and uses.
- Rezoning would create a uniform district that could not be provided prior to the Michigan Zoning Enabling Act.
- The Townhouse development will provide a transition between the Commercial Businesses and the Single-Family District.

**Rezoning Standards / Reasons of Recommendation:**

- A. Creates a uniform Zoning district that could not be provided prior to the Michigan Zoning Enabling Act.
- B. The site's physical and other environmental features are compatible with the proposed number of multiple-family dwelling units.
- C. The proposed number of multiple-family dwelling units is compatible with surrounding uses and zoning in terms of the environment, density, traffic volumes, aesthetics, infrastructure, and potential influence on property values.
- D. The street system is capable of safely and efficiently accommodating expected traffic volumes generated by the proposed number of multiple-family dwelling units.
- E. The capacity of public utilities and services is sufficient to accommodate the proposed number of multiple-family dwelling units without compromising the city's health, safety and welfare.
- F. There is an apparent demand in the City for multiple-family dwelling units in relation to the amount of land in the city currently zoned and available to accommodate the demand.
- G. The rezoning of the property does not unreasonably impact the adjacent properties.

The proposed rezoning will allow the site to be developed in a manner consistent with the City of Troy's Master Plan and maintain the intended open space buffer between proposed condominium and the existing single-family homes.

Thank you for your consideration,

**PEA Group, Inc.**

John B. Thompson, PE  
Senior Project Manager

Cc: Gary Abitheira, GFA Development, Inc.

Attachment: Application

Exhibit A – Existing Zoning  
Exhibit B – Proposed Zoning  
Exhibit C – Site Plan



Chair Krent called the Regular meeting of the Troy City Planning Commission to order at 7:01 p.m. on October 26, 2021, 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  
Allan Motzny, Assistant City Attorney  
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

**Resolution # PC-2021-10-074**

Moved by: Faison  
Support by: Rauch

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

Yes: All present (9)

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2021-10-075**

Moved by: Lambert  
Support by: Tagle

**RESOLVED**, To approve the minutes of the October 12, 2021, Regular meeting as submitted with one typographical error that has been corrected.

Yes: All present (9)

**MOTION CARRIED**



4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

**ZONING ORDINANCE TEXT AMENDMENT**

5. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 256)  
– Residential Uses in BB Zoning District

Mr. Savidant said the intent of the proposed Zoning Ordinance Text Amendment is to provide flexibility for developers when renovating existing multi-story buildings and constructing new multi-story buildings in the Big Beaver zoning district. He said the amendment would permit some residential use in appropriate locations on the first floor for sites located on Big Beaver and arterials, which presently residential uses are permitted only on upper floors.

PUBLIC HEARING OPENED

There was no one present to speak.

PUBLIC HEARING CLOSED

Ms. Perakis expressed opposition to the proposed text amendment. She said it is clearly a contradiction to the Master Plan, that she sees no unique circumstances that would warrant a rezoning, that we are not permitted to rezone property simply to make a more valuable use, and we are not permitted to rezone property to reassure a developer is able to maximize their profits. Ms. Perakis said she had hoped the developer who initiated the email message was present to address the Board.

Mr. Rauch said he supports the proposed text amendment with a Special Use requirement. He does not think one solution fits all. Mr. Rauch asked what would happen to parking lots if residential is developed. He addressed office vacancy, walkability in downtown area and potential opportunity for developers.

Mr. Savidant said it would be a simple change to the proposed text amendment to change the first floor lodging to a Special Use requirement. He said a Special Use application would add an additional layer to the application process and Special Use standards would apply. He said it could be a better step in direction for the developer. Mr. Savidant said approval of a Special Use by the Planning Commission would be subjective.

There was discussion on:

- Potential of residential development attracting more commercial development.
- Viable walkability throughout City.
- Existing buildings with residential on first floor; relationship to Big Beaver.
- Consensus to revise amendment to require Special Use application.



**Resolution # PC-2021-10-076**

Moved by: Lambert

Support by: Hutson

**RESOLVED**, To recommend that Chapter 39 of the Code of the City of Troy be amended to revise Table 5.04.C-1, Line 2 for Residential Lodging, to amend that “P” be changed to “S” for the items that are listed on the line and the footnote to be revised as well.

Yes: All present (9)

**MOTION CARRIED****PRELIMINARY SITE PLAN REVIEWS**

6. PRELIMINARY SITE PLAN REVIEW - (SP JPLN2021-019) – Proposed Motor City Church, East side of Livernois, North of Big Beaver (3668 Livernois), Section 22, Currently Zoned R-1C (One Family Residential) District

Mr. Tagle asked to recuse himself from this item because his architectural firm is involved in the project.

(Mr. Tagle exited meeting at 7:25 p.m.)

Mr. Carlisle gave a review of the Preliminary Site Plan application for Motor City Church. He identified the “dome” area and “school” area, noting the school would turn into the church. He identified the site and building changes proposed, noting there are no significant changes to the site and building arrangement. Mr. Carlisle addressed the proposed demolition of the “dome” church and Special Use that applies to the entire site. He said the landscaping is compliant apart from the required number of interior trees within the parking lot. He reported the applicant is asking the Planning Commission to consider a parking lot landscaping deviation. Mr. Carlisle recommended approval of the application with the condition to provide required bicycle parking.

Discussion among Board and administration:

- Proposed split of properties as relates to parking.
- Condition approval on property split.
- Current use of “dome” church.
- Explanation of Special Use as relates to proposed and future development.
- Condition approval on existing “dome” church does not function as church.
- Height and width of Livernois elevation.

Present were Rachel Pisani, representative of Motor City Church, and Project Architect Michele Sargeant of John Tagle Associates.



Ms. Pisani said the property was acquired from Zion Christian Church in October 2019. She gave a brief history of the Motor City Church since its launch on March 15, 2020. She addressed its online services through the pandemic, its involvement in community projects and its commitment to the community. Ms. Pisani said Motor City Church wants to update the building to make it more attractive and inviting. She addressed the use of the chapel, growth in congregation, offering of multiple services and parking sufficiency. Ms. Pisani said their intent is to sell the property to the north for future development. She said Motor City Church would open other campuses should the congregation grow beyond its current capacity to keep the small community church feel. Ms. Pisani addressed present uses of the buildings, the new playground and demolition of the “dome” church building.

There was discussion on:

- Ownership of property.
- Size of congregation; growth potential.
- Vision of property to north for future development.
- Current and future uses of buildings.
- Parking lot improvements.
- Size of property; 22 acres total, 8 acres for proposed development.
- Potential change of use in future; review by Planning Commission.

Mr. Carlisle explained how the underlining zoning and Special Use for a place of worship relates to the entire property, the proposed development before the Board and future development or redevelopment of the remaining property.

Mr. Savidant stated the sanctuary area of the “dome” cannot be used as a church, but a classroom can be used as an ancillary use.

Ms. Sargeant clarified Motor City Church is currently using the “dome” building until the proposed new building is built out. She gave dimensions of the proposed entry addition as 24 feet in height and an estimated 30 feet in width, and confirmed the rendering is a view from Livernois. Ms. Sargeant addressed landscaping of the existing parking lot. She said the intent is for a tree-lined entrance, a landscaped area in the front and in the center with sidewalks and walkways throughout an improved parking lot.

After a lengthy discussion on landscaping the parking lot, there was consensus by the Planning Commission and the applicant to break up the parking lot into six islands and provide 12 additional trees within the parking lot.

**Resolution # PC-2021-10-077**

Moved by: Rauch  
Support by: Lambert

**RESOLVED**, The Planning Commission recommends that Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Motor City Church, East side of Livernois, North of Big Beaver (3668 Livernois), Section



22, Currently Zoned R-1C (One Family Residential) District, be **GRANTED**, subject to the following conditions:

1. Provide two (2) bicycle racks.
2. Six islands with 12 trees be provided in the parking lot.
3. That the present use of the sanctuary be discontinued at the time of completion of the new building and the new building takes over that use as a sanctuary.

Discussion on the motion on the floor.

Mr. Lambert acknowledged that adding trees in the interior parking lot not only improves safety but also helps to dissipate heat from the asphalt.

Vote on the motion on the floor.

Yes: Faison, Hutson, Krent, Lambert, Malalahalli, Perakis, Rahman, Rauch  
(Tagle recused)

**MOTION CARRIED**

(Mr. Tagle returned to meeting at 8:15 p.m.)

7. PRELIMINARY SITE PLAN REVIEW (JPLN 2021-0013) – Proposed Center Court at Butterfield 48-unit Townhome Development, North side of Butterfield, South of Big Beaver, West of Crooks (Parcels 88-20-29-226-021, -022, -023), Section 29, Currently Zoned MF (Multiple Family Residential) District

Mr. Carlisle reviewed the changes to the Preliminary Site Plan application for Center Court at Butterfield since last reviewed by the Planning Commission at their October 12, 2021 meeting. He indicated the changes relate to an overall net loss of four (4) units, a larger recreational area in the center of the site, an increase in recreation space and decrease in building coverage. Mr. Carlisle said the applicant added windows to both the side elevation and the front door entrance based on Planning Commission comments. He indicated no changes were made to the guest parking spaces initially addressed in his report. Mr. Carlisle said the application meets all requirements of the multiple family residential district and recommended approval with conditions to revise guest parking spaces and to address elevations and materials as directed by the Planning Commission.

Discussion among Board and administration:

- Pedestrian crosswalk at entrance; layout in angle and termination.
- Non-symmetry of buildings to accommodate fire apparatus.
- Open space / recreation space.
  - Definitions.
  - Interpretation / intent of Zoning Ordinance.
- Various municipality calculations on open space, occupancy, price points.
- Sidewalks; location, conflict with seating areas and material.



Mr. Carlisle read the definition of open space noting that sidewalks would be counted as open space. He said the proposed sidewalk/pathway constitutes recreation space but there is no definition of recreation space.

Erion Nikolla of Eureka Building Company addressed reducing the units by four (4) to provide for more recreation space, a bigger playground and additional family activities. Mr. Nikolla indicated he is open to making a sidewalk track on the perimeter of the property and of a different material such as black tar or pavers. He said glass was added to the center door of the entrances and windows to the side elevations.

There was discussion on:

- Side elevations; prominence of windows.
- Landscaping; push back landscaping in middle.
- Location of sidewalks.
  - Jogging/walking path around property perimeter.
  - Material of path.
- Guest parking.
  - No requirement to provide.
  - Elimination of some spaces to ease reversing out.
  - Adding landscaping along side of building.
- Widening sidewalk to seven (7) feet.
- Entrance doors; provide overhang for protection from inclement weather.

**Resolution # PC-2021-10-078**

Moved by: Lambert

Support by: Faison

**RESOLVED**, The Planning Commission recommends that Preliminary Site Plan approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Center Court at Butterfield 48-unit Townhome Development, North side of Butterfield, South of Big Beaver, West of Crooks (Parcels 88-20-29-226-021, -022, -023), Section 29, Currently Zoned MF (Multiple Family Residential) District, be **GRANTED**, subject to the following:

1. Revise the guest parking spaces to reduce the number of spaces to allow landscape buffers between the vehicles and those guest parking spaces.
2. Revise the perimeter walkway so that it would be extended out farther to avoid the seating areas around the corners of the site and to use enhanced concrete.
3. Widen the sidewalk to seven (7) feet.
4. Push back landscaping to expand the open space.
5. Revise pedestrian crosswalk layout at the front of the building to make it more logical and safer.

Yes: All present (9)

**MOTION CARRIED**



**CONDITIONAL REZONING**

8. **CONDITIONAL REZONING - (CR JPLN2021-001)** – Proposed Pine View Condominiums, West side of Dequindre, North of Long Lake (88-20-12-476-070), Section 12, From NN (Neighborhood Node “J”) and EP (Environmental Protection) to NN (Neighborhood Node “J”)

Chair Krent announced the applicant has requested to give a statement prior to the presentation of the application by staff.

Applicant Gary Abitheira asked that Commissioner Rauch recuse himself from this item due to a conflict of interest. Mr. Abitheira acknowledged a letter from his attorney that Commissioner Rauch has entered into a lawsuit against developer Sam Stafa relating to a Neighborhood Node development near the home of Commissioner Rauch. Mr. Abitheira believes that Commissioner Rauch has a conflict of interest with all Neighborhood Node developments.

Mr. Rauch said he does not understand how he could have a conflict of interest on the application before the Board this evening. He said the lawsuit to which the applicant is referring relates to potential flooding on his property as a result of a Neighborhood Node development near his home.

Mr. Motzny referenced material he researched on conflicts of interest from the Troy Board and Committee Appointee Code of Ethics, State Law with regard to Public Officers, Planning Commission Bylaws, Parliamentary Procedure and the Michigan Planning Enabling Act.

Mr. Motzny concluded that a Board member himself/herself must disclose a potential conflict of interest. If the member does not believe there is a conflict, the Board cannot compel that member not to vote. If the member discloses a potential conflict of interest, the remaining members can conduct a vote whether the member should be disqualified.

Mr. Rauch said the lawsuit to which the applicant refers relates to the Neighborhood Node located at Crooks and Wattles and the potential flooding onto his property. Mr. Rauch said any decision on the application before the Commission this evening would have no impact on his property. He declared no conflict of interest on the application before the Board this evening.

After a brief discussion, it was the consensus of the Board to move forward because there was no conflict of interest disclosed by Mr. Rauch.

Mr. Savidant reported there are no changes to the Conditional Rezoning application since it was last reviewed by the Planning Commission at its August 24, 2021 meeting, with exception of clarification on the height of the 3-story building at 35 feet, 4 inches. Mr. Savidant reminded the Board of the two failed Resolutions with a 4-4 vote, one for approval and one for denial. He said the application and public hearing was scheduled at the September 27, 2021 City Council meeting but the applicant pulled the item prior



to City Council consideration and asked to come back to the Planning Commission for reconsideration.

Mr. Tagle asked the Planning Consultant to give a brief review of the application because he was absent from the August meeting.

Mr. Carlisle addressed the 40-foot wide strip of EP zoning and referenced the action taken by the Planning Commission at their November 19, 2020 meeting to postpone the item to allow the applicant to submit a conditional rezoning application to rezone the EP portion so it could be used for guest parking.

Mr. Carlisle said the southern portion of the property is a by-right development. He noted of significant importance are the applicant's voluntary conditions numbered 1, 4, 7 and 8. Mr. Carlisle addressed the landscaping, required screening at the southern edge of the property, the engineering department pedestrian connection improvements, shared access to the site with Taco Bell, maximum height not to exceed 35 feet, and design and site plan standards.

Mr. Carlisle referenced the failed Resolutions at the August 24, 2021 Planning Commission meeting and the applicant's request to be considered again by Planning Commission.

Mr. Carlisle recommended that the Planning Commission recommend to the City Council to grant the Conditional Rezoning and Preliminary Site Plan application with the conditions as identified in his most recent report dated October 19, 2021. He asked the Planning Commission to consider the applicant's request to use a fence in lieu of the required landscape screening.

There was discussion on:

- Crash data provided in the agenda packet.
- Anticipated traffic impact, as relates to office and residential.
- Traffic backup mentioned during public comment.
  - No information to support.
  - Queuing for drive through resulting in backup; no issues reported to police.
- Building orientation as relates to design standards.
  - Memorandum prepared and provided by Zoning Administrator relating to building orientation.
  - Role of Zoning Administrator to interpret the Zoning Ordinance.
  - Site Type B, Building Form C, permitted use.
- Confirmation that application meets open space requirement (15%).
- Master Plan survey results with respect to desirable residential.
- Transition and compatibility of development.
- Ownership of access (easement).



Mr. Abitheira addressed previous actions taken by Planning Commission on the shared entrance with Taco Bell. He addressed Taco Bell hours of operation, timing of accidents, curb cuts, queuing of drive-through traffic, housing that attracts young professionals and the initial request by a former Planning Commission member to eliminate the EP zoning district. Mr. Abitheira distributed to the Board a map/site plan of the Taco Bell property and his property in 2007, at which time the subject property was zoned O-1. He addressed ingress/egress of the properties and traffic.

Mr. Savidant addressed his memorandum and interpretation of the Zoning Ordinance on building orientation.

Chair Krent opened the floor for public comment.

There was no one present who wished to speak.

Chair Krent closed the floor for public comment.

An email message from Laura and Mike Lipinski, 4233 Carson, Troy, in opposition of the proposed application was provided to the Board prior to the beginning of tonight's meeting.

Mr. Tagle brought it to the attention of the Board and audience that the Lipinski's do not live near the proposed application and the development would have no impact on their property.

Mr. Carlisle said clearly there is a disagreement with the interpretation of the Zoning Ordinance by the Zoning Administrator and him on the issue of building entrance frontage. He addressed transition, urban characteristics and compatibility on the subject site and its surrounding properties, noting it could be determined more urban than not. Mr. Carlisle said townhomes or lower-scaled density multi-family residential has been traditionally an appropriate transition buffer from single family to commercial, one story or multi-story commercial.

Mr. Carlisle said the proposed use is an appropriate transitional use from adjacent single family and commercial that fronts on Dequindre and Long Lake. He said based on the intent of the Neighborhood Node, this Neighborhood Node might not be the vision the City wants to achieve there so it is difficult to compare with what is there now. The intent was for multi-family and other mixed use types of products.

Mr. Carlisle said results from the Master Plan survey indicated residents do not want more townhomes but he would like to make it clear to the Planning Commission that townhomes are a permitted and by-right building form in this district; and the application meets the standards of a Neighborhood Node for a by-right development. He said discussion this evening is whether to conditionally rezone the EP part of the site plan to Neighborhood Node. He said if the applicant removed the EP request from the application and came in with a by-right development where there is no proposed development on the EP portion, the recommendation would be for approval because it



is a transitional land use and product supported by the Zoning Ordinance for that particular site.

Mr. Rauch said he does not think townhomes in this instance are transitional versus single family. He says when the Planning Consultant states that a development is a by-right development, it feels like he is being bullied to do whatever the recommendation is from the Planning Consultant.

Mr. Savidant again addressed traffic data provided and the approval in 2006 of the relationship between the subject property and Taco Bell. He said office would be another transitional use and stated office would generate more traffic than multiple family residential. Mr. Savidant addressed the development rights of the property owner and said he does not think it is fair or proper to deny an application based on traffic or existing conditions that have been in place for the past 15 years.

Mr. Savidant stated there is a wide range of different uses that are permitted by right in Neighborhood Nodes, including townhomes and other forms of residential, office and commercial.

Mr. Abitheira requested to construct a 6-foot high decorative fence on the south side of the property in lieu of the required landscaping. He shared that the property is very tight and it would be somewhat of a challenge to landscape.

Mr. Abitheira said he owns the cross access easement property at the Taco Bell entrance up to Dequindre Road and the title work process will verify that.

**Resolution # PC-2021-10-079**

Moved by: Tagle  
Support by: Faison

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the NN “J” and EP to NN “J” Conditional Rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Dequindre, north of Long Lake, within Section 12, being approximately 2.389 acres in size, be **GRANTED**, for the following reasons:

1. The request complies with the Master Plan.
2. The EP district does not include any significant natural features.
3. The rezoning would permit greater flexibility in use and development of the property.
4. The conditions offered by the applicant reasonably protect the adjacent properties.
5. The rezoning would be compatible with surrounding zoning and land use.
6. 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. Submit photometric plans and fixture details prior to Final approval.
2. Address Engineering Department comments related to pedestrian connection prior to Final approval.
3. Provide site landscaping calculation.
4. Indicate siding material.
5. Provide conditional rezoning agreement prior to City Council consideration.
6. That the barrier on the south property line be a fence in lieu of landscaping.

Yes: Faison, Hutson, Krent, Lambert, Malalahalli, Rahman, Tagle

No: Perakis, Rauch

**MOTION CARRIED**

**OTHER ITEMS**

9. **PUBLIC COMMENTS** – For Items on the Agenda

There was no one present who wished to speak.

10. **PLANNING COMMISSION COMMENT**

Mr. Tagle stated for the record in all his years on the Commission he has never felt bullied by the Planning Consultant, and he thought the comment inappropriate.

Mr. Faison said the conversation about transition was interesting. He said he accepted both the applicant's comments about the ranch being able to redevelop into something taller and Mr. Carlisle's comments about the projects on the corner not necessarily being what the Board would like the node to be and what the node could be. He said he thinks it might be more appropriate to look at what could be there.

Mr. Faison addressed the issue of the entrances on the street. He said he has read the language several times and the memorandum prepared by staff. He said he sees the logic of the approach taken in the interpretation of the Zoning Ordinance by the administration. Mr. Faison questioned if the matter should be discussed during a meeting or if each member individually should decide.

Mr. Lambert informed the Board that at last evening's meeting, City Council voted to name the park next to the skate park the *Jeanne Stine Community Park*.

Ms. Perakis said she appreciated Mr. Faison's comments on transition. Ms. Perakis shared favorable comments on the Citizens Planner course she is taking and looks forward to getting her certification in a week.



Mr. Rauch formally requested his communication on the Zoning Ordinance interpretation for primary building entrances in Neighborhood Nodes and the proposed text amendment be placed on an agenda for discussion.

Mr. Rauch addressed his comment on bullying. He said it appears that if there are objections to an application, the members often hear from the staff or the consultant that the application is a by-right development. He wished that Ms. Dufrane were in attendance this evening to provide an explanation on the subjectivity of the Zoning Ordinance relating to transition, compatibility, open space and recreation space. He considers those items to be subjective. Mr. Rauch said some of the answers to questions have been along the lines that an application is allowed within the form based district and the Board should approve. He said it completely takes the subjectivity out of a determination. Mr. Rauch addressed changes in the density of residential developments within the last five years, noting the survey shows that residents are not happy.

Ms. Malalahalli asked that the Board be provided a clear understanding of the open space requirements and how open space is defined.

Chair Krent asked that the Board be advised of a better definition of recreation space.

Mr. Savidant asked that there be a formal resolution to place Mr. Rauch's communication on an agenda. Mr. Savidant said he does not think it is appropriate that the Zoning Administrator, which he serves as and as a representative of the City Manager, is put in a position to debate or defend an interpretation of the Zoning Ordinance. He said he is not sure if that was the intent of Mr. Rauch but that he hesitates to go down that path. Mr. Savidant asked to confer with the City Attorney prior to placing the item on an agenda for discussion.

Chair Krent stated he never felt bullied by Mr. Carlisle, he appreciates Mr. Carlisle's excellent perspective on the Zoning Ordinance and Master Plan and that he conducts himself in a professional manner to get things done. Chair Krent addressed the upcoming Michigan Association of Planners Conference that again is a virtual event this year. He encouraged Board members to participate.

Mr. Savidant said the beauty of remote sessions at the Michigan Association of Planners Conference is that one can view all the sessions offered.

Mr. Rauch said he would hold off on a formal resolution so that the administration can confer with the City Attorney.



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11. ADJOURN

The Regular meeting of the Planning Commission adjourned at 10:45 p.m.

Respectfully submitted,



Tom Krent, Chair



Kathy L. Czarnecki, Recording Secretary



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**CONDITIONAL REZONING AGREEMENT**

THIS **CONDITIONAL REZONING AGREEMENT** is hereby entered into and among **GFA DEVELOPMENT INC.**, a Michigan Corporation ("Developer" and "Owner"), whose address is 985 Elmsford, Troy, Michigan 48083, and the **CITY OF TROY**, a Michigan Municipal Corporation ("City"), on 500 W Big Beaver, Troy Michigan, 48084.

**RECITALS:**

A. The Owner is currently the fee owner of real property located of vacant property the west side of Dequindre, north of Long Lake Road, Troy, Michigan, more specifically described on Exhibit A attached hereto ("Development Parcel").

B. The Owner/Developer has purchased the Development Parcel and intends to improve the Development Parcel as an attached multi-family residential townhouse development.

C. In order to facilitate the sale of the development, the Developer desires to have the Development Parcel be re-zoned from Neighborhood Node ("NN") and Environmental Protection ("EP") to NN per section 16.04 of the Neighborhood Node "J" under the Troy



Zoning Ordinance.

D. The Developer has voluntarily offered to enter into the Conditional Rezoning Agreement consistent with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

E. This Conditional Rezoning Agreement is made by the City pursuant to authority granted to the City under MCLA §125.3405, as amended.

F. The City, by action of its City Council at its meeting of \_\_\_\_\_, 202\_, has accepted the offer of the Owner/Developer to enter into this Conditional Rezoning Agreement.

## **ARTICLE 1**

### **DEFINITIONS AND COVENANTS**

1.1 "Effective Date" means the date of \_\_\_\_\_, 202\_, which is ten (10) days after the execution of this Conditional Rezoning Agreement by the City.

1.2 "Improvements" means (a) acquisition of building permits; or (b) submission of required site bonds to the City; or (c) on-site improvements such as site grading, in-ground utility changes, and building staking.

1.3 "Troy Zoning Ordinance" means Chapter 39 of the Code of the City of Troy.

1.4 "Zoning Enabling Act" means the State of Michigan's Act 110 of the Public Acts of 2006, as amended (MCLA §125.3101, et. seq., as amended).

1.5 "Zoning Parcel" means parcel number 88-20-12-476-070 with approximately 2.38 acres, legally described in Section 12 from NN Neighborhood Node "J" and EP (Environmental Protection) to NN Neighborhood Node "J" in Exhibit A attached hereto.



## **ARTICLE 2**

### **DESCRIPTION OF DEVELOPMENT**

2.1 Development Description. The development involves the construction of an attached multi-family townhome with attached buildings community on the Development Parcel as referenced in Exhibit B attached hereto.

2.2 Zoning Parcel. The Development Parcel is described in Exhibit B attached hereto.

2.3 Current Ownership of Development Parcel. The Development Parcel is currently owned by the Owner/Developer and has fee title to the development Parcel, as the Owner, which does not require a further act or deed. The Owner/Developer shall have the subsequent right, if it desires, to assign or transfer the fee title of the Development parcel to another entity or an entity to be formed, and this Conditional Rezoning Agreement shall be assigned to that entity.

2.4 Site Plan. The documents, drawings and submittals for the Development Parcel which constitute the Preliminary Site Plan are identified on PEA Group Sheet Nos. C.0.0 Cover Sheet, C.1.0 Topographic Land Survey, C.2.0 Preliminary Site Plan, C.3.0 Preliminary Grading Plan, C.4.0 Preliminary Utility Plan, L-1.0 Preliminary Landscape Plan; T-1.0 Preliminary Preservation Plan and described and attached as Exhibit B.

## **ARTICLE 3**

### **REZONING AND CONDITIONS**

Pursuant to the provisions of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, and pursuant to all applicable provisions of law, Developer is requesting the Zoning Map of the City of Troy be amended to conditionally rezone Parcel Number 20-12-476-070,



from Neighborhood Node J and EP to Neighborhood Node J, in order to construct 7-attached single-family townhouse dwelling buildings totaling 25-units.

3.1 **Location & Existing Conditions.** The property is located on the west side of Dequindre Road just north of the East Long Lake Road intersection (behind Taco Bell). The parcel is 2.389 acres in size and is currently undeveloped. Surrounding uses include single-family dwellings to the north and west. To the east and south are commercial businesses.

A shared drive exists for the subject parcel and Taco Bell. A landscaped berm, mature trees and 6' high concrete screen wall separate the adjacent residential home and Taco Bell. Underground detention for the Taco Bell is located under the berm.

3.2 **Existing Zoning & Future Land Use.** Most of the site is zoned NN (Neighborhood Node). The northerly 40-feet of the property is zoned EP (Environmental Protection), to provide a buffer to the adjacent R-1C zoning (One Family Residential District). (*See Exhibit A*). Prior to 2006, the EP zoning district was commonly used to provide a buffer between two different zoning classifications.

According to the Master Plan of 2008 and as Amended in 2016, The Future Land Use for the subject parcel is Neighborhood Node.

3.3 **Proposed Use & Site Plan.** Under the proposed rezoning (*see Exhibit B*), the entire site would be zoned Neighborhood Node J. The existing screen wall and trees would remain adjacent to Taco Bell and new Landscape screening would be provided along the northerly and westerly property lines (residential zoned areas).

With the exception of the proposed guest parking, the area currently designated EP will remain an open space buffer, including the addition of landscape materials to screen the site from the northern adjacent properties.



The existing underground detention area on the subject property will be expanded to the west to provide the required storm water detention for this development.

The proposed development (*see Site Plan Sheets C-0.0, C-1.0, C-2.0, C-3.1, C-4.0, L-1.0, T-1.0*), Exhibit B, which shall be limited to seven (7) total buildings and twenty-five (25) total units. Each unit is an attached three-story single-family residential unit. Each unit will be 1,400 to 1,700 square feet and each will include an attached 2-car garage. The building materials shall consist of a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance materials.

3.4 **Voluntary Conditions.** Under Section 405 of the Zoning Enabling Act (MCL 125.3405), the petitioner voluntarily offers uses and restrictions of the property as a condition to rezoning the land.

The following conditions are provided voluntarily as conditions of rezoning approval:

1. Screen wall and existing mature trees adjacent to Taco Bell shall remain along the northern property line, north of the side entrance.
2. Development shall be limited to a maximum of 7-buildings with 25 total units.
3. Maximum Building Height shall not exceed 3 stories or 35'4" in height.
4. Minimum guaranteed Open Space shall be fifteen percent (15%).
5. Building Materials shall be a mix of brick, asphalt shingles, plank siding, with variety of color palates and durable low-maintenance materials.
6. Each Unit shall have an attached two (2) car garage on the first level of each unit.

A minimum of ten (10) guest parking spaces shall provide additional parking for the entire development.



7. No exterior refuse containers shall be used. Individual waste and recycling containers shall be stored in each unit's garage and placed at the curb on collection days in accordance with the City's ordinances.
8. Minor modifications to the site plan shall be reviewed, and if appropriate, administratively approved by the Community Development Director. Any such minor changes are those that in the City's discretion would not adversely or substantially affect the conditions of the rezoning or the site plan.

#### **ARTICLE 4**

#### **REZONING AND CONDITIONS SUBSEQUENT TO REZONING**

4.1 **Rezoning.** The City hereby agrees to rezone a portion of the Zoning Parcel from EP to Neighborhood Node NN-J, making the entire parcel zoned NN-J. This rezoning allows the developer to construct attached single-family townhouse dwellings, as that term is identified in Article 5, Section 5.06, Neighborhood Nodes District, of the Troy Zoning Ordinance, and allows the uses permitted by right and identified as "Permitted Uses" under that section, which permits the use of a maximum of 25 attached residential units. The maximum building height permitted is three (3) stories with a maximum height of thirty-five feet, four inches (35'4") to the midpoint of the highest roof peak, as measured from the average of the front and rear walls of the building, as set forth in Article 3 above.

4.2 **Conditions Subsequent to Rezoning.** If any of the following events occur, then this conditional Rezoning Agreement shall be null and void and the zoning of the Development Parcel shall revert to the EP zoning classification. The Developer's failure to commence physical improvements, as that term is defined above in section 1.2, to the Development Parcel within 36 months of the effective date. Simply pulling permits to begin the construction phase is insufficient to satisfy this provision.



4.3 Changes in Market Conditions. The parties agree and acknowledge that the approved plans represent the current intent of the Developer to develop the Development Parcel, with the knowledge and market condition information possessed by the Developer as of the present date. The parties acknowledge that housing market conditions may change over time, which could cause the Developer to change its plans or timing with respect to the development of the Development Parcel. The parties further acknowledge that the buildings and improvements as shown on the approved plans may be constructed, if at all, at different dates in the future, and that the Developer may elect to develop such improvements in the order and at such times as it determines necessary and appropriate in its discretion, if at all. Site improvements reasonably necessary or reasonably related to any particular building, including without limitation road improvements, storm drainage facilities, sidewalks and landscaping, will be made at the time of construction of such particular building, as determined through the site plan process. Provided that the Developer is proceeding in good faith and with due diligence to develop the Development Parcel in light of existing economic conditions, and subject to acts of force majeure, shortage of available materials, supplies and labor including any pandemic or event for which Developer has not created, and is otherwise in compliance with this Agreement and City ordinances, the City will not unreasonably refuse to extend any time periods for completion for a reasonable time to enable the Developer to complete the Development Parcel. The Developer shall provide City Staff with a written report of the status of the development of the Development Parcel on an annual basis commencing one year from the date of this Agreement until project development is completed. Time is of the essence to this Conditional Rezoning. The Site Plan shall be in effect for a period of three (3) years, during which time Developer shall obtain final site plan approval in accordance with Section 8.03 of Troy's Zoning



Ordinance.

4.4 Force Majeure. Notwithstanding anything to the contrary contained in Section 4.2 or 4.3 above, if any failure or inability of the Developer to meet the conditions set forth in Sections 4.2 or 4.3 is caused by delay beyond the reasonable control of the Developer, such as war, pandemic, civil insurrection, strike, inclement weather, inability to procure material or labor, and the like, then the Developer shall be given an extension in accordance with Troy's Zoning Ordinance.

## **ARTICLE 5**

### **GENERAL PROVISIONS**

5.1 Site Plan Approval. The City hereby approves the Developer's Preliminary Site Plan as attached as Exhibit B. Minor modifications to the site plan may be required during the course of final site plan review based on factors discovered during the course of civil or architectural drawing preparation or in the field during the construction of the improvements, or upon subsequent request of the Developer. For purposes of expediency, minor changes to the site plan that are necessary or appropriate shall be reviewed and, if reasonable, administratively approved by the city staff, provided that such changes comply with the Troy Zoning Ordinance and the intent of this agreement. A minor modification is defined as any change that does not significantly or substantively alter the site plan or the conditions set forth in this Agreement. The determination of whether a change is a minor modification is at the discretion of the City staff. Any minor modifications to the site plan must be approved in writing. If a modification is more than minor, then a revised plan shall be submitted to the Planning Commission for review and proposed recommendation to City Council. The Troy City Council shall have final approval authority over a revised site plan with more than minor modifications.



5.2 City's Representations and Warranties.

A. Authority. The City has the authority to enter into this Conditional Rezoning Agreement under Section 16.04 of Article 16 of Troy' Zoning Ordinance and to perform and carry out all obligations, covenants and provisions hereof. The City's authority shall be evidenced by appropriate resolutions of the Troy City Council.

B. Transfer of Ownership. The transfer of title of the Development Parcel to an entity in which the principals of the Developer have a significant ownership interest, if such transfer is made prior to substantial completion of the Improvements, shall not constitute an event of default under this Conditional Rezoning Agreement.

C. Compliance. The Conditional Rezoning Agreement complies with the requirements of City Ordinances, including the Troy Zoning Ordinance.

D. Sole Authority. The City Council is the sole and appropriate municipal body to enter into the Conditional Rezoning Agreement with the Developer and the Owner.

E. Plan Review. The City will review within a reasonable time period not to exceed sixty days the plans and documents submitted for building permits, public utilities and signage, and all proposed amendments submitted by the Developer.

F. Uses. The intended land uses for the Development Parcel are permitted uses under § 39-5.06, Neighborhood Nodes District "NN-J" of the Troy Zoning Ordinance.

G. Validity of Uses. In the event that the Troy Zoning Code is amended such that the uses provided for in this Conditional Rezoning Agreement for the Development Parcel are no longer permitted uses of right in a Neighborhood Node zone, NN-J the Improvements completed in accordance with this Conditional Rezoning Agreement shall be considered legally nonconforming and continuation of those uses shall be governed by Chapter 39, Article



14, Nonconforming Lots, Uses, and Structures, of the Troy Zoning Ordinance.

H. Restraints. Neither the execution nor delivery of this Conditional Rezoning Agreement nor the consummation of the transaction contemplated hereby is in violation of any provision of any existing law or regulation, order or decree of any court or governmental entity, the City's Charter, or any agreement to which the City is a party or by which it is bound.

I. Disclosure. No representation of warranty by the City, or any statement or certificate furnished to the Developer pursuant hereto or in connection with the transactions contemplated hereby, contains or will contain any untrue statement of a material fact or will omit to state any fact necessary to make the statements contained herein or therein not misleading.

J. Litigation. The City has no notice of and there is no known pending or threatened litigation, administrative action, claim or demand before any court or any federal, state or municipal governmental department, commission, board, bureau, agency or instrumentality thereof which would affect the City or its principals from carrying out the covenants and promises made herein.

### 5.3 Developer's Representations and Warranties.

A. Organization. The Developer is duly organized and validly existing, in good standing under the laws of the State of Michigan, and has all requisite power and authority to own and operate its assets and properties, to carry on its business as now being conducted, and to enter into and perform the terms of the Conditional Rezoning Agreement.

B. Authorization. The execution and delivery of this Conditional Rezoning Agreement and consummation of the transactions contemplated hereby have been duly authorized by the Developer and Owner, who has the authority to enter into a binding agreement

C. Restraints. Neither the execution nor delivery of this Conditional Rezoning



Agreement nor the consummation of the transaction contemplated hereby is in violation of any provision of any existing law or regulation, order or decree of any court or governmental entity, the Developer's organizational documents, or any agreement to which the Developer is a party or by which it is bound.

D. Disclosure. No representation of warranty by the Developer, or any statement or certificate furnished to the City pursuant hereto or in connection with the transactions contemplated hereby, contains or will contain any untrue statement of a material fact or will omit to state any fact necessary to make the statements contained herein or therein misleading.

E. Litigation. The Developer has no notice of and there is no known pending or threatened litigation, administrative action, claim or demand before any court or any federal, state or municipal governmental department, commission, board, bureau, agency or instrumentality thereof which would affect the Developer or its principals from carrying out the covenants and promises made herein.

F. Financial. The Developer is financially able to develop the Development Parcel as depicted in the Preliminary Site Plan and as outlined in this Agreement.

G. Compliance with Laws. The Developer shall comply with all laws and all City ordinances applicable to the construction, ownership, maintenance, operation and use of the Development Parcel.

H. Taxes and Assessments. After the effective date of this Conditional Rezoning Agreement, the owner of the Development Parcel shall pay on or before the date by which penalties are assessed, all real estate taxes and special assessments levied against the Development Parcel.

## **ARTICLE 6** **NOTICES**



All notices, consents, approvals, requests and other communications, herein collectively called "Notices," required or permitted under this Conditional Rezoning Agreement shall be given in writing, signed by an authorized representative of the City or the Developer and mailed by certified or registered mail, return receipt requested or personally delivered, sent by overnight courier or sent by electronic transmission to a party as follows:

To City: Community Development Director  
City of Troy  
500 W Big Beaver  
Troy, Michigan 48084  
Telephone: (248) 524-3364  
[SavidantB@troymi.gov](mailto:SavidantB@troymi.gov)

With a Copy To: City Attorney  
City of Troy  
500 W Big Beaver  
Troy, Michigan 48084  
Telephone: (248) 524-3320  
[BluhmLG@troymi.gov](mailto:BluhmLG@troymi.gov)

To Developer/  
Owner: GFA Development Inc.  
985 Elmsford Drive  
Troy, Michigan 48083  
Telephone: (248) 840-2828  
[Garyabitheira@wideopenwest.com](mailto:Garyabitheira@wideopenwest.com)

With a copy to: Robert A. Jacobs, Esq.  
Robert A. Jacobs, PLC  
121 West Long Lake Road,  
Suite 200  
Bloomfield Hills, Michigan 48304  
[Jacobs@rjacobsplc.com](mailto:Jacobs@rjacobsplc.com)



All such notices, certificates or other communications shall be deemed served upon the date of personal delivery, the day after delivery to a recognized overnight courier, the date of the transmission by any electronic means is verified or two days after mailing by register or certified mail. Any party may by written notice given under this Conditional Rezoning Agreement modify the designees or addresses to which subsequent notices, certificates or communications hereunder shall be sent.

## **ARTICLE 7** **MISCELLANEOUS**

7.1 Non-Liability of City, Officials, and Employees. No City official, officer, employee, board member, City Council member, elected or appointed official, attorney, consultant, advisor, agent and representative, shall be personally liable to the Developer for any default or breach by the City of any obligation under this Conditional Rezoning Agreement or in any manner arising out of the performance of this Conditional Rezoning Agreement by any party.

7.2 Successors/Provisions Running With the Land. This Conditional Rezoning Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, heirs, assigns and transferees. The provisions of Sections 3.1 and 3.2 and 4.1 and 4.2 of this Conditional Rezoning Agreement shall be deemed benefits and burdens which shall run with the Development Parcel.

7.3 Recording. This Conditional Rezoning Agreement in its entirety shall constitute deed restrictions on the Development Parcel. The Developer shall record this Agreement with the Oakland County Register of Deeds at its own expense within 30 days of its approval by City Council, and it shall provide the Troy City Clerk with a certified copy of the agreement as recorded.



7.4 Complete Agreement. This Conditional Rezoning Agreement constitutes the entire agreement between the parties with respect to the subject of this Conditional Rezoning Agreement and it may not be amended or its terms varied except in writing and signed by the required parties, except for the Owner pursuant to Section 2.3 above.

7.5 Conflicts. In the event of conflict between the provisions of this Conditional Rezoning Agreement and the provisions of the Troy Zoning Ordinance, the provisions of this Conditional Rezoning Agreement shall prevail.

7.6 Default Remedies of Developer. The City shall not be in default in any term or condition of this Agreement unless and until the Developer has provided the City with written notice that the City has failed to comply with an obligation under this Agreement, and the City has failed to cure such failure within thirty (30) days of the written notice, unless the nature of the noncompliance is such that it cannot be cured with due diligence within such period, in which case the City has failed to commence the cure within such period and thereafter diligently pursued the cure. In the event of a default, the Developer's sole remedy at law or in equity shall be the right to seek specific performance as to the issuance of approvals, consents, or the issuance of building permits required by the City pursuant to this Conditional Rezoning Agreement.

7.7 Default Remedies of City. The Developer shall not be in default in any term or condition of this Agreement unless and until the City has provided the Developer with written notice that the Developer has failed to comply with an obligation under this Agreement, and the Developer has failed to cure such failure within thirty (30) days of the written notice, unless the nature of the noncompliance is such that it cannot be cured with due diligence within such period, in which case the Developer has failed to commence the cure



within such period and thereafter diligently pursued the cure. In the event of a default, the City's sole remedy at law or in equity shall be the right to seek specific performance of the obligations of the Developer pursuant to this Conditional Rezoning Agreement.

7.8 Third-Party Benefits. No term or provision of this Conditional Rezoning Agreement is intended to be, or shall be, for the benefit of any person not a party to the Agreement, and no such person shall have any right or cause of action hereunder.

7.9 Severability. The invalidity of any article, section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining articles, sections, subsections, clauses, or provisions hereof, which shall remain valid and enforceable to the fullest extent permitted by law.

7.10 Waiver of Breach. A party to this Agreement does not waive any default, condition, promise, obligation, or requirement applicable to any other party hereunder, unless such waiver is in writing, signed by an authorized representative of that party, and expressly stated to constitute such waiver. Such waiver shall only apply to the extent given and shall not be deemed or construed to waive any such or other default, condition, promise, obligation, or requirement in any past or future instance. A failure of a party to insist upon strict performance of any covenant, agreement, term or condition of this Conditional Rezoning Agreement or to the exercise of any right or remedy in the event of a default shall not constitute a waiver of any such default in such covenant, agreement, term or condition.

7.11 Governing Law. This Conditional Rezoning Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Michigan. The Developer agrees, consents and submits to the personal jurisdiction of any competent court of jurisdiction in Oakland County, Michigan, for any action brought against it arising out of this Conditional



Rezoning Agreement. The Developer also agrees that it will not commence any action against the City because of any matter whatsoever arising out of, or relating to, the validity, construction, interpretation and enforcement of this Agreement in any courts other than those within Oakland County, Michigan. Nothing in this Agreement shall be construed to limit or prohibit the Developer to petition or submit land use or zoning requests to the City after the Effective Date as permitted under this Agreement.

7.12 Joint Drafting. This Conditional Rezoning Agreement, except for the voluntarily offered conditions in section 3.4 above, has been negotiated by the parties and each party has joined in and contributed to its drafting. Accordingly, there shall be no presumption favoring or burdening any of the parties based upon draftsmanship.

GFA DEVELOPMENT INC.  
a Michigan corporation

By: \_\_\_\_\_  
Its: Gary Abitheira  
President

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

The foregoing CONDITIONAL REZONING AGREEMENT was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 202\_, by Gary Abitheira, President of GFA Development Inc., on behalf of the Company.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County, Michigan  
Acting in Oakland County  
My Commission Expires: \_\_\_\_\_



CITY OF TROY, MICHIGAN  
a Michigan municipality

By: \_\_\_\_\_  
Its: Ethan Baker  
Mayor

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

Subscribed and sworn before me the \_\_\_\_ day of \_\_\_\_\_, 202\_, by Ethan Baker, Mayor of City of Troy on behalf of the City of Troy, a Michigan municipality.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
Acting in Oakland County  
My Commission Expires: \_\_\_\_\_

CITY OF TROY, MICHIGAN  
a Michigan municipality

By: \_\_\_\_\_  
Its: M. Aileen Dickson  
Clerk

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

Subscribed and sworn before me the \_\_\_\_ day of \_\_\_\_\_, 202\_, by M. Aileen Dickson, Clerk of City of Troy on behalf of the City of Troy, a Michigan municipality.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
Acting in Oakland County  
My Commission Expires: \_\_\_\_\_



When recorded return to:

City of Troy Clerk's Office  
500 West Big Beaver Road  
Troy, MI 48084  
Attn: M.Aileen Dickson, City Clerk

DRAFT



**EXHIBIT A**  
**DEVELOPMENT PARCEL**

(Per City of Troy Assessor)

PARCEL ID 20-12-476-070

Land in the City of Troy, Oakland County, Michigan, described as follows:

Part of Lots 10, 11 and 12 of JENNINGS SUBDIVISION, as recorded in Liber 59, Page 8, Oakland County Records, beginning at point distant North 00 degrees 08 minutes 52 West 60 feet and North 89 degrees 32 minutes 26 seconds West 60 feet and North 00 degrees 08 minutes 52 West 493.11 feet from the Southeast section corner; thence North 88 degrees 10 minutes 33 seconds West 170 feet; thence South 75 degrees 18 minutes 21 seconds West 70.21 feet; thence South 00 degrees 08 minutes 52 seconds East 159.98 feet; thence North 88 degrees 11 minutes 10 seconds West 371.57 feet; thence North 00 degrees 08 minutes 43 seconds West 240 feet; thence South 88 degrees 10 minutes 33 seconds East 609.56 feet; thence South 00 degrees 08 minutes 52 seconds East 59.99 feet to beginning.



## **EXHIBIT B**

### **SITE PLAN**

The original Site Plan and related plans referenced in Section 2.4 of the Conditional Rezoning Agreement are maintained in the records of the City of Troy, Michigan and are identified as follows:

C.0.0 - Cover Sheet

C.1.0 - Topographic Survey, prepared by PEA Group Engineers

C.3.0 – Preliminary Grading Plan, prepared by PEA Group Engineers

C.4.0 – Preliminary Utility Plan, prepared by PEA Group Engineers

L.1.0 – Preliminary Landscape Plan, prepared by PEA Group Engineers

T.1.0 – Preliminary Reservation Plan



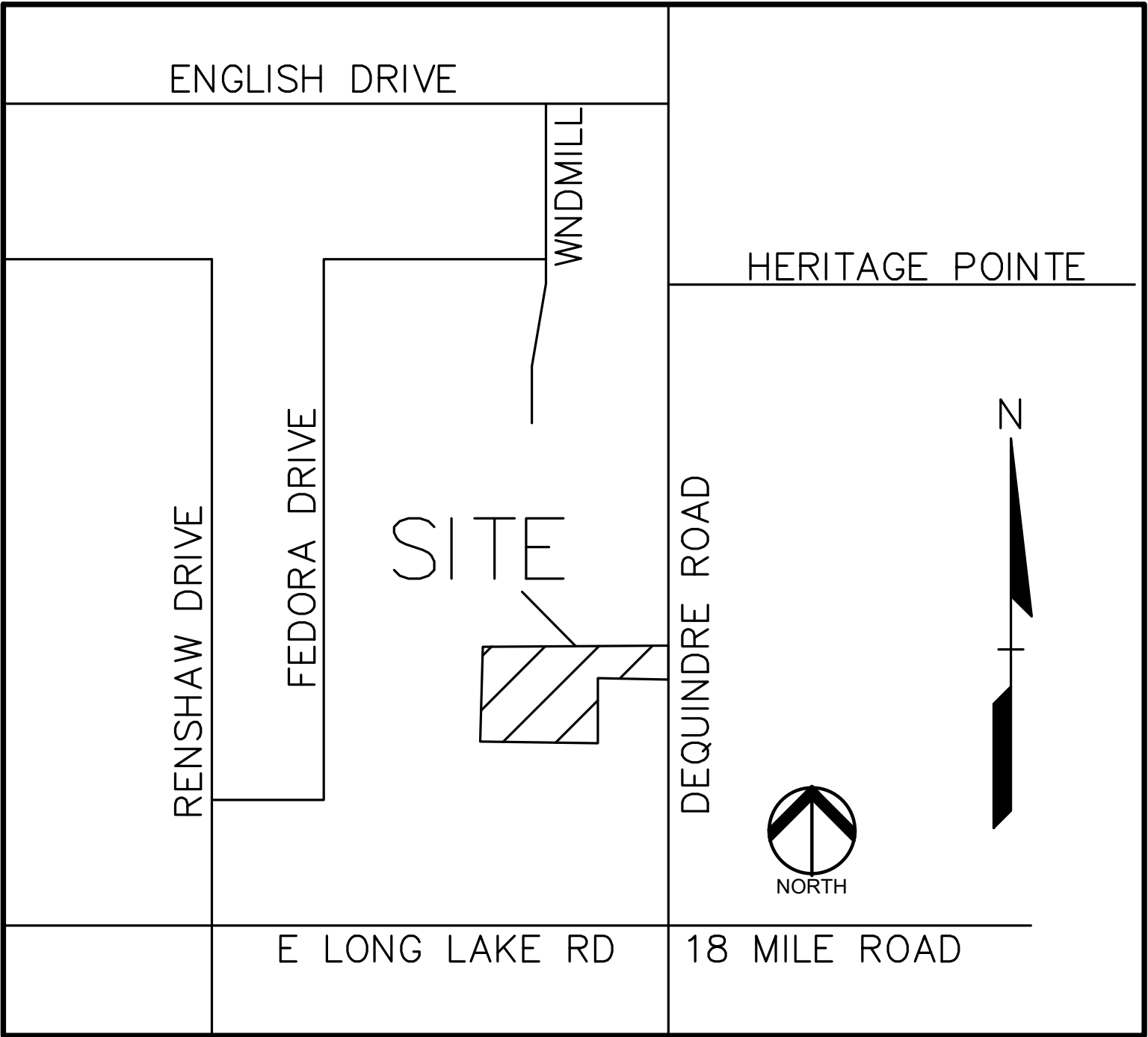
PRELIMINARY SITE PLANS

GFA 18 MILE & DEQUINDRE

PART OF THE SOUTHEAST 1/4 OF SECTION 12, T.02N., R. 11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL

<b>LEGAL DESCRIPTION</b> (Per City of Troy Assessor) <b>PARCEL ID 20-12-476-070</b> Land in the City of Troy, Oakland County, Michigan, described as follows: Part of Lots 10, 11 and 12 of JENNINGS SUBDIVISION, as recorded in Liber 59, Page 8, Oakland County Records, beginning at point distant North 00 degrees 08 minutes 52 West 60 feet and North 89 degrees 32 minutes 26 seconds West 60 feet and North 00 degrees 08 minutes 52 West 493.11 feet from the Southeast section corner; thence North 88 degrees 10 minutes 33 seconds West 170 feet; thence South 75 degrees 18 minutes 21 seconds West 70.21 feet; thence South 00 degrees 08 minutes 52 seconds East 159.88 feet; thence North 88 degrees 11 minutes 10 seconds West 371.57 feet; thence North 00 degrees 08 minutes 43 seconds West 240 feet; thence South 88 degrees 10 minutes 33 seconds East 609.56 feet; thence South 00 degrees 08 minutes 52 seconds East 59.99 feet to beginning.
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LOCATION MAP  
NO SCALE

INDEX OF DRAWINGS	
NUMBER	TITLE
C-0.0	COVER SHEET
C-1.0	TOPOGRAPHIC SURVEY
C-2.0	PRELIMINARY SITE PLAN
C-3.0	PRELIMINARY GRADING PLAN
C-4.0	PRELIMINARY UTILITY PLAN
L-1.0	PRELIMINARY LANDSCAPE PLAN
T-1.0	PRELIMINARY PRESERVATION PLAN

DESIGN TEAM

OWNER/APPLICANT/DEVELOPER	CIVIL ENGINEER
GFA DEVELOPMENT, INC. 986 ELMSFORD DRIVE TROY, MI 48083 CONTACT: GARY ABITHEIRA PHONE: 248.840.2828 EMAIL: GFAHOMES@GMAIL.COM	PEA GROUP 2430 ROCHESTER COURT, STE. 100 TROY, MI 48083-1872 CONTACT: JOHN B. THOMPSON, PE PHONE: 844.813.2949 EMAIL: JTHOMPSON@PEAGROUP.COM
ARCHITECT	LANDSCAPE ARCHITECT
MGA ARCHITECTS/DESIGNERS MOISEV/GORDON ASSOCIATES, INC. 4351 DELEMERE COURT ROYAL OAK, MI 48073 CONTACT: ANDREW J. MOISEEV, RA PHONE: 248.549.4500 EXT. 221 EMAIL: ANDREWWM@MGA-ARCHITECTS.NET	PEA GROUP 45 W. GRAND RIVER AVE., STE. 501 DETROIT, MI 48226 CONTACT: KIMBERLY DIETZEL, RLA PHONE: 844.813.2949 EMAIL: KDIEZEL@PEAGROUP.COM



REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	9/18/2019
CONDITIONAL REZONE APPLICATION	6/8/2021





(Per City of Troy Assessor)

PARCEL ID 20-12-476-070

Land in the City of Troy, Oakland County, Michigan, described as follows:

Park Lots 10, 11 and 12 of JENNINGS SUBDIVISION, as recorded in Liber 59, Page 8,  
Oakland County Records, beginning at point distant North 00 degrees 08 minutes 52 West  
60 feet and North 89 degrees 32 minutes 26 seconds South 70 feet and North 00 degrees 08 minutes 52 West 60 feet; thence East 70 feet; thence South 70 feet; thence West  
degrees 10 minutes 33 seconds South 170 feet; thence South 75 degrees 18 minutes 21  
seconds West 70.21 feet; thence South 00 degrees 08 minutes 52 seconds East 159.98  
feet; thence North 88 degrees 11 minutes 10 seconds West 371.57 feet; thence North 00  
degrees 08 minutes 52 seconds East 240 feet; thence South 88 degrees 10 minutes  
33 seconds East 609.56 feet; thence South 00 degrees 08 minutes 52 seconds East 59.99  
feet to beginning.

**FLOODPLAIN NOTE:**

BY GRAPHICAL PLOTTING, SITE IS WITHIN ZONE 'X', AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBER 26125C0552F, DATED SEPTEMBER 29, 2006.

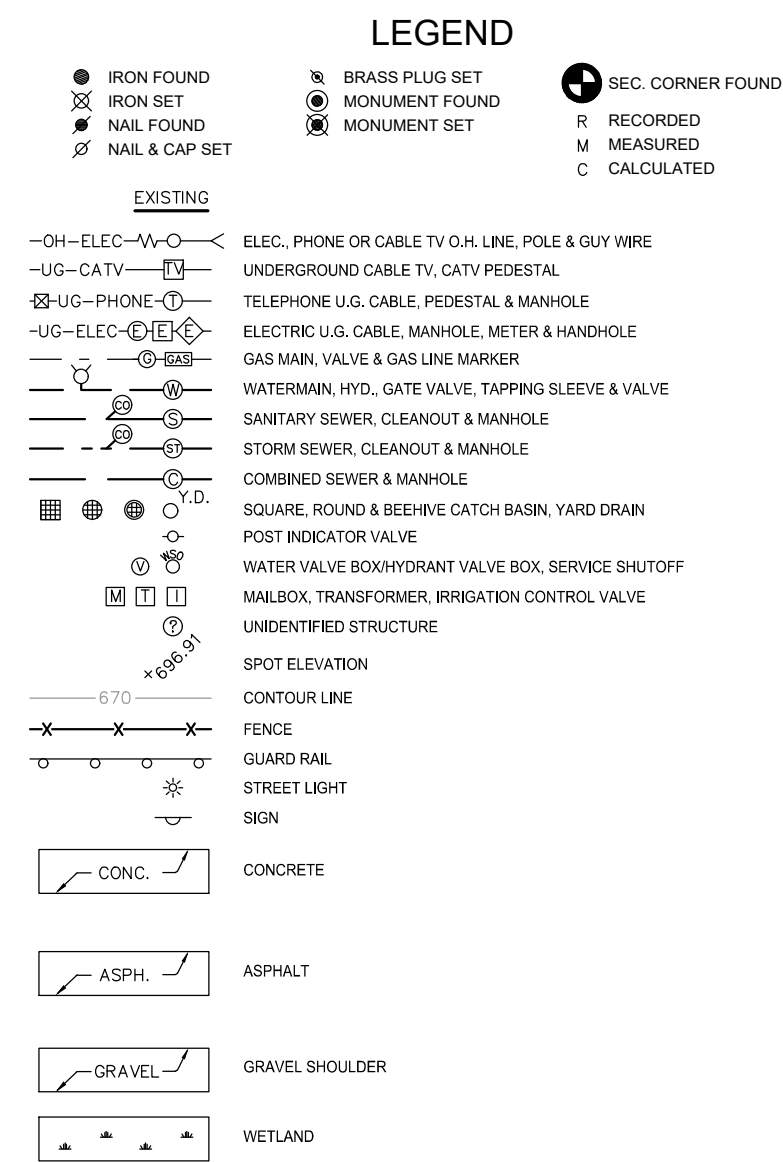
## BENCHMARKS

(GPS DERIVED - NAVD88)

BM #300

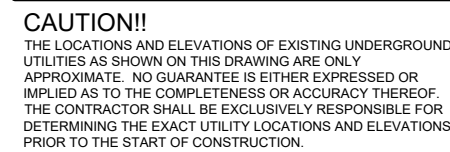
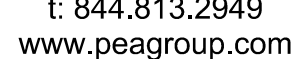
PUNCH MARK ON ARROW OF A HYDRANT LOCATED ON THE WEST SIDE OF DEQUINDE ROAD, APPROX. 45'± NORTHEAST OF THE NORTHEAST PROPERTY CORNER.  
ELEV. - 645.78

BM #301  
PUNCH MARK ON THE NORTHWEST BOLT OF A LIGHT POLE LOCATED AT THE NORTH SIDE OF THE ARBY'S PARKING LOT, APPROX. 26'± SOUTH OF THE SOUTH PROPERTY LINE.  
ELEV. - 645.29



## REFERENCE DRAWINGS

GAS - CONSUMERS ENERGY QUARTER SECTION MAP 02-81-12-4, DATED 10-21-05  
CITY OF TROY UTILITY GIS MAP  
TACO BELL GRADING AND UTILITY PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 055UT, DATED 11-07-07  
TACO BELL SITE PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 055SP, DATED 06-27-07



CLIENT

**GFA  
DEVELOPMENT,  
INC.**  
986 ELMSFORD DR.  
TROY, MI 48063

PROJECT TITLE

## GFA 18 MILE & DEQUINDRE

PART OF THE SE 1/4 OF SECTION 12  
T.02N., R.11E.  
TROY, OAKLAND COUNTY, MI

## REVISIONS

CONDITIONAL REZONE APP. 6/8/21

ORIGINAL ISSUE DATE:  
SEPTEMBER 18, 2019

DRAWING TITLE

**TOPOGRAPHIC  
SURVEY**

PEA JOB NO 2016-368

RM	IRT
----	-----

DN	TMK
----	-----

[illegible]

DES.

C-1.0







BM #301  
PUNCH MARK ON THE NORTHWEST BOLT OF A LIGHT POLE  
LOCATED AT THE NORTH SIDE OF THE ARBY'S PARKING  
LOT, APPROX. 26'± SOUTH OF THE SOUTH PROPERTY LINE  
ELEV. - 645.29



S:\PROJECTS\2016-2018\GFA 18 MILE & DEQUINDRE-JPS Dwg (Site Plans)\C-4.0 UTIL-16066.dwg

Project: GFA 18 MILE & DEQUINDRE  
Location: TROY, MI  
Date: 3/16/2019  
Project No: 2016-368

25 YEAR STORM DETENTION DESIGN (OAKLAND COUNTY DESIGN METHOD)

Contributing Area (A): 2.39 AC.  
Allowable Discharge (Qa): 0.48 C.F.S. (=0.2 CFS/AC)  
Coefficient of Runoff (C): 0.56

Calculation of Required Discharge/Acre

$Q_o = ((Q_a)/(A))(C)$ : 0.36  
 $T = -25 + ((8062.5/Q_o))0.5$ : 125.25

Storage Volume Required:

$V_s = (12900(T))/(T+25) - 40Q_o(T)$ : 8964.29

$V_t = (V_s)(A)(C)$ : 11997.8

PIPE STORAGE:	
L=	612 ft
SIZE=	60 in.
C.F./F.T.=	19.625 c.f./ft.
VOLUME=	12,010.50 c.f.

CALCULATIONS OF EXISTING U.G. DETENTION:  
PER TACO BALL AS-BUILT DRAWINGS DATED 11-09-07.

EXISTING UNDERGROUND 25 YEAR STORM DETENTION DESIGN

Contributing Area (A): 1.35 AC.  
Allowable Discharge (Qa): 0.27 C.F.S. (=0.2 CFS/AC)  
Coefficient of Runoff (C): 0.59

Calculation of Required Discharge/Acre

$Q_o = ((Q_a)/(A))(C)$ : 0.34  
 $T = -25 + ((8062.5/Q_o))0.5$ : 129

Storage Volume Required:

$V_s = (12900(T))/(T+25) - 40Q_o(T)$ : 9057

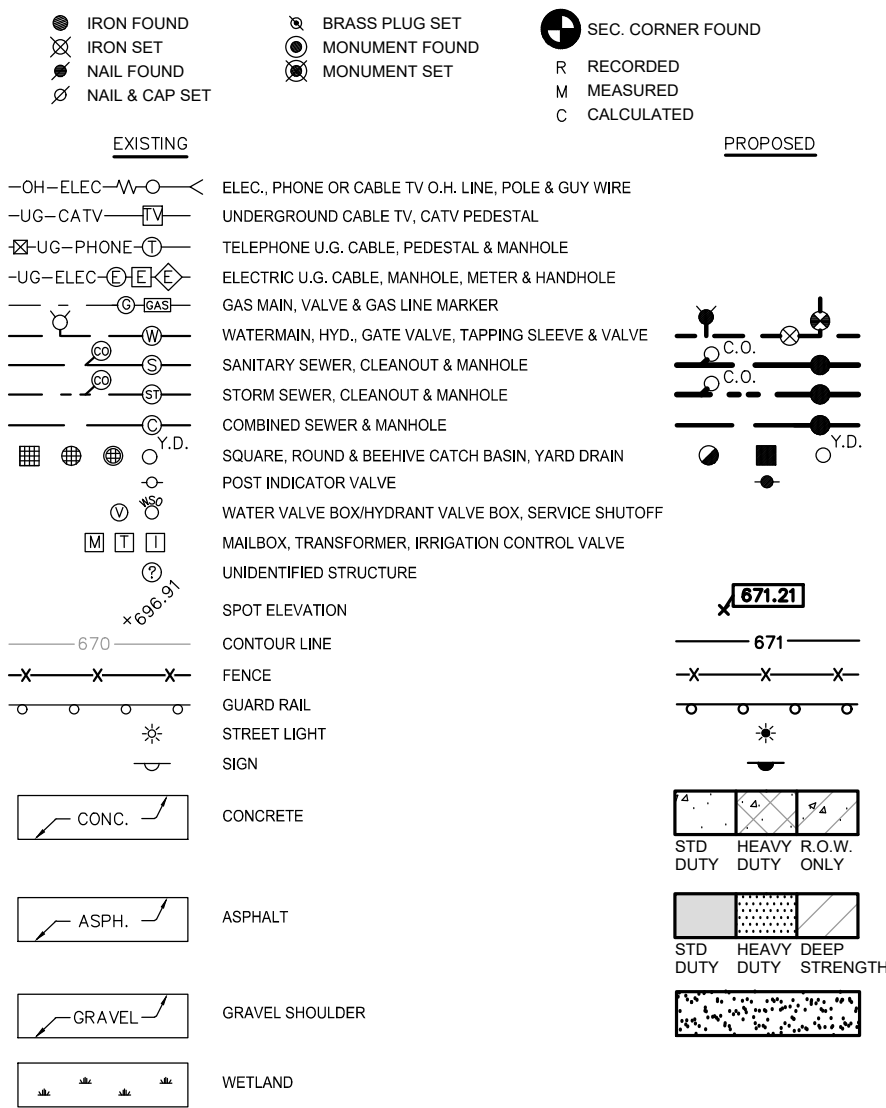
$V_t = (V_s)(A)(C)$ : 7214

PROVIDED STORAGE IN UNDERGROUND DETENTION  
DETENTION SYSTEM PROVIDED: 80' SLOPP PIPE  
STORAGE PER LINEAR FOOT OF PIPE: 19.63 C.F.  
NUMBER OF ROWS PROVIDED: 2  
LENGTH OF ROWS PROVIDED: 200 L.F.  
TOTAL STORAGE VOLUME PROVIDED (2 X 200 X 19.63): 7852 C.F.

NOTE:

ALL WORK IN THE DEQUINDRE ROAD RIGHT-OF-WAY IS UNDER THE JURISDICTION OF THE ROAD COMMISSION FOR OAKLAND COUNTY AND REQUIRES A PERMIT.

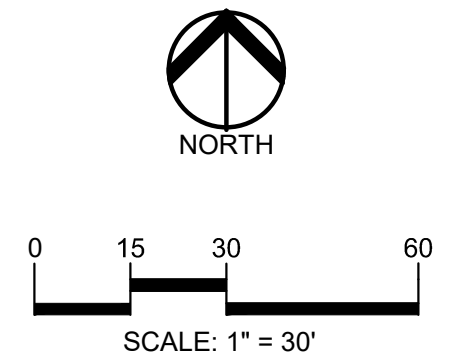
LEGEND



REFERENCE DRAWINGS

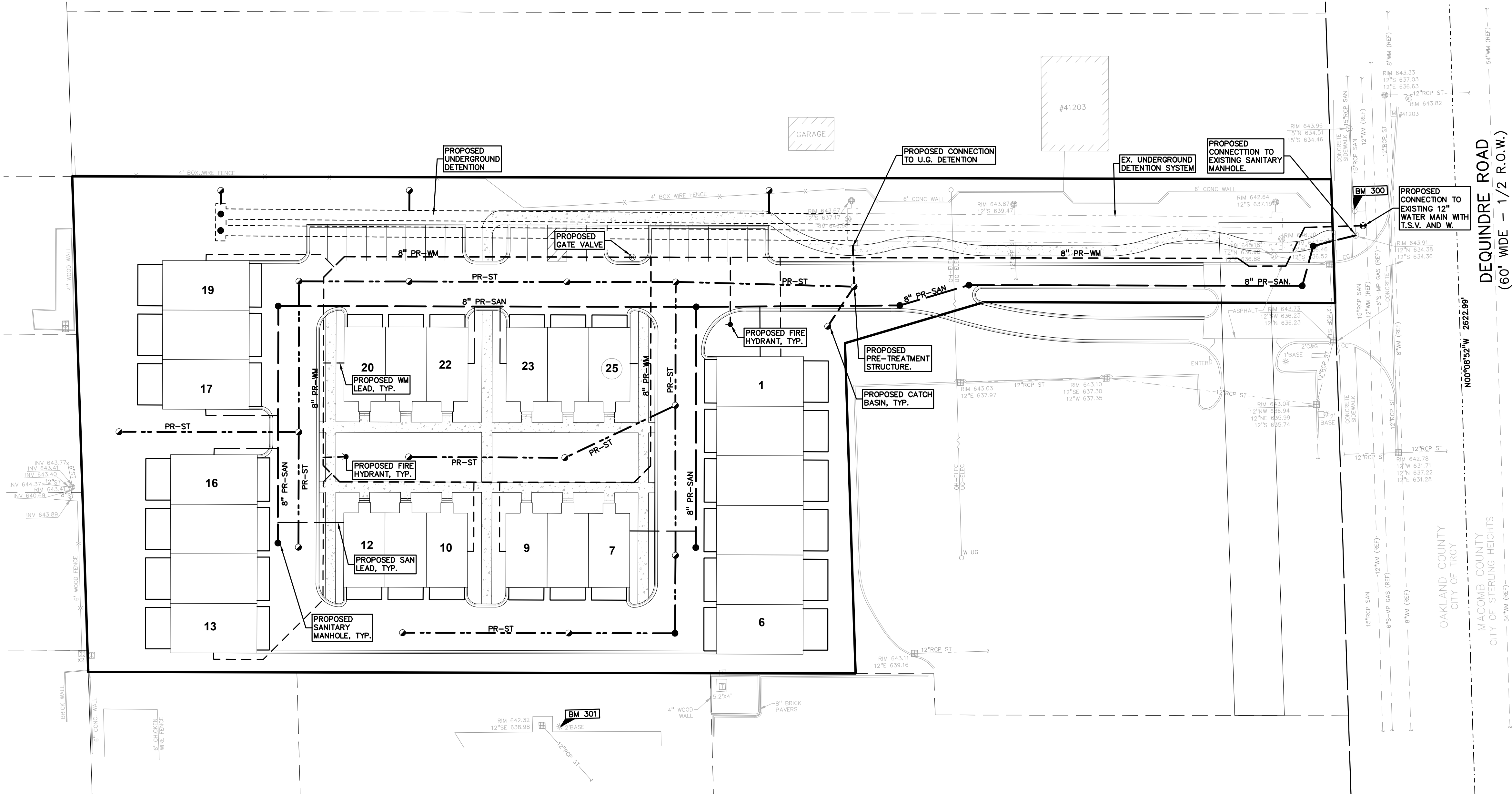
GAS - CONSUMERS ENERGY QUARTER SECTION MAP 02-61-12-4, DATED 10-21-05  
CITY OF TROY UTILITY GIS MAP  
TACO BELL GRADING AND UTILITY PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 060UT, DATED 11-07-07  
TACO BELL SITE PLAN, DESIGN, INC. PROJECT NO. 61055, DWG. NAME 055SP, DATED 06-27-07

PEA GROUP  
t: 844.813.2949  
www.peagroup.com



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CLIENT

GFA DEVELOPMENT, INC.  
988 ELMSFORD DR.  
TROY, MI 48063

PROJECT TITLE

GFA 18 MILE & DEQUINDRE  
PART OF THE SE 1/4 OF SECTION 12,  
T.02N., R.11E.  
TROY, OAKLAND COUNTY, MI

REVISIONS

CONDITIONAL REZONE APP. 6/8/21

ORIGINAL ISSUE DATE:  
SEPTEMBER 18, 2019

DRAWING TITLE

PRELIMINARY  
UTILITY PLAN

PEA JOB NO. 2016-368

P.M. JBT

DN. TMK

DES. TMK

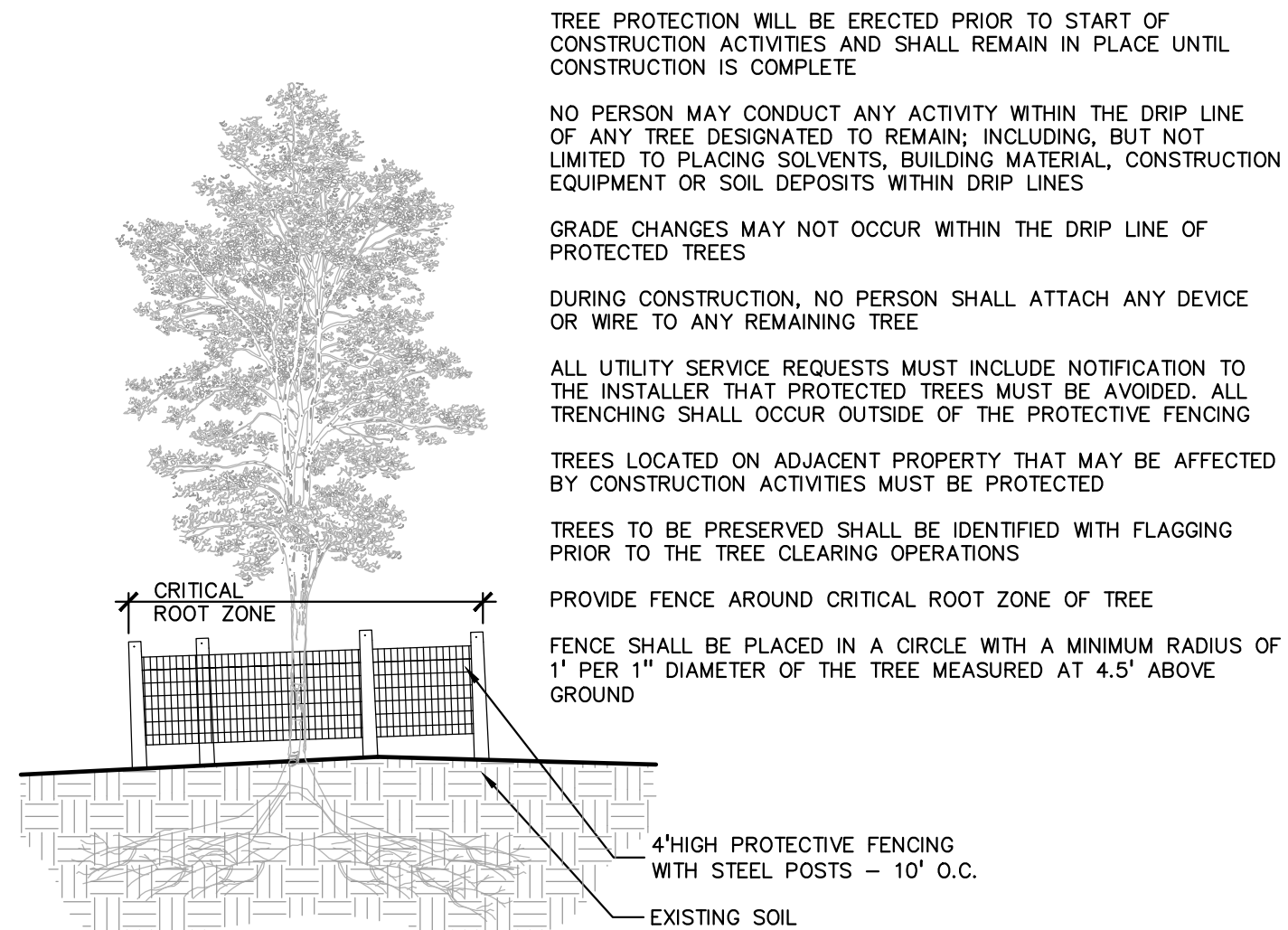
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C-4.0

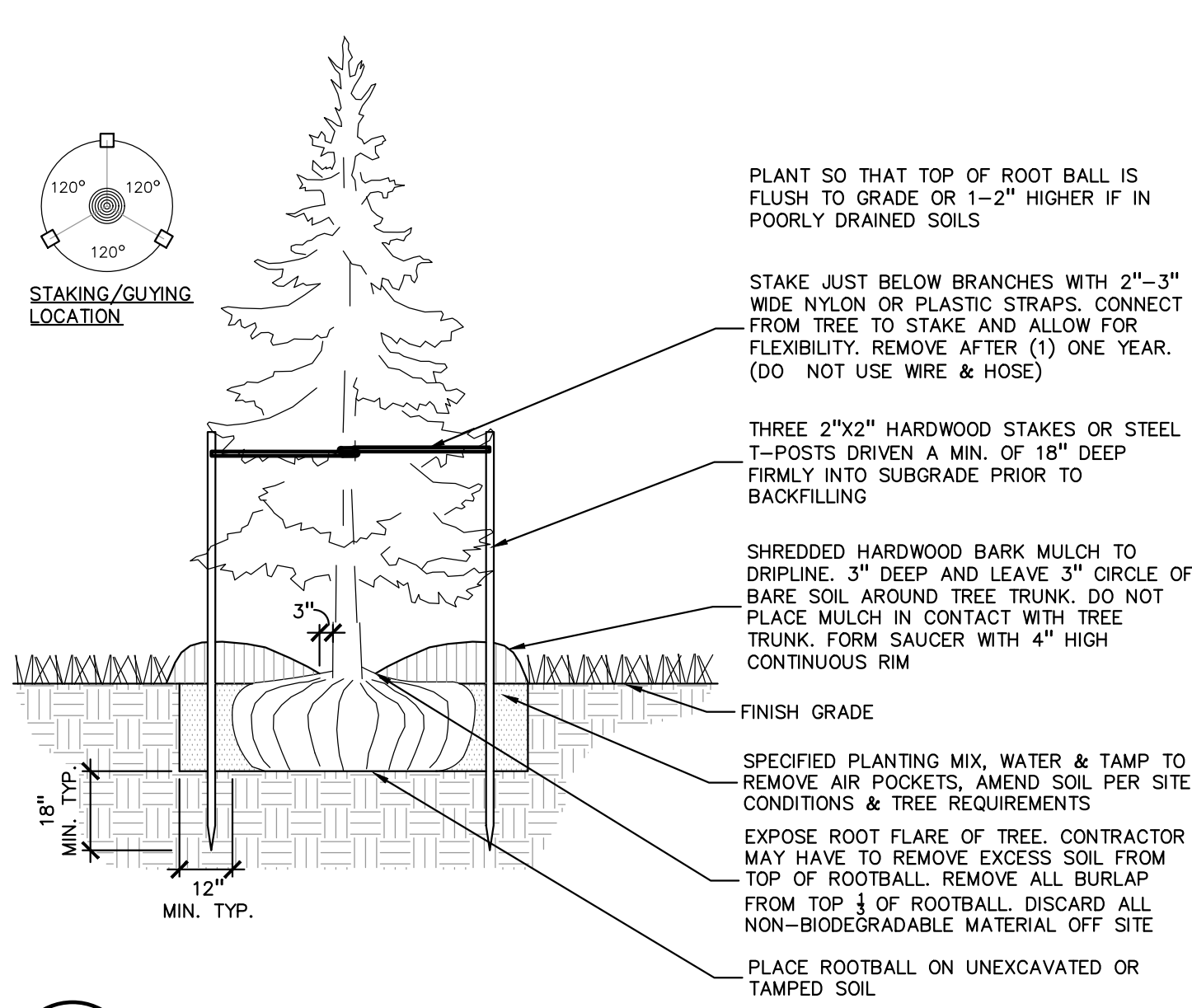
NOT FOR CONSTRUCTION



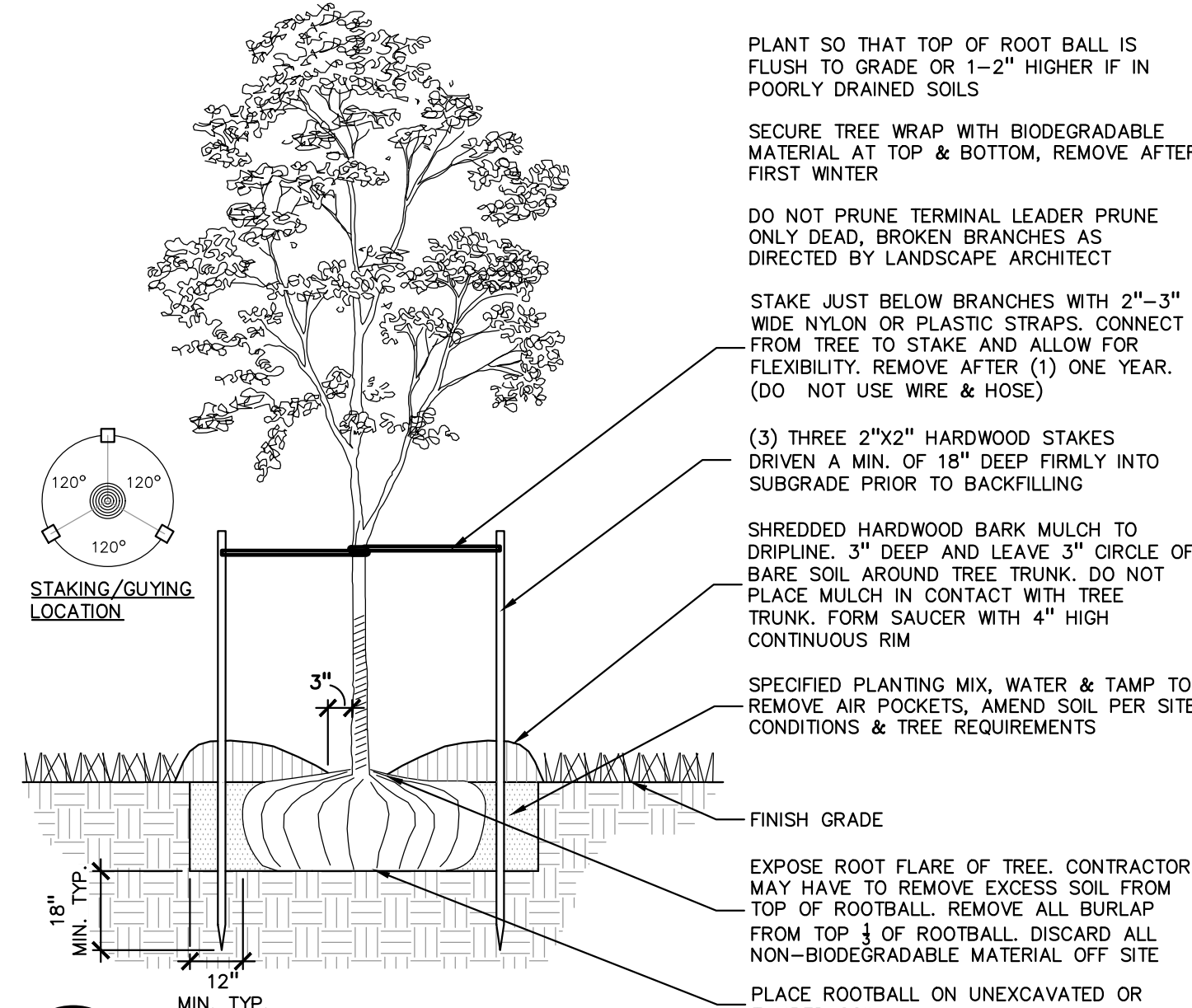
DECIDUOUS TREE PLANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE SPEC
3	AS2.5	Sugar Maple	<i>Acer saccharum</i> 'Green Mountain'	2.5" Cal. B&B
2	QR2.5	Red Oak	<i>Quercus rubra</i>	2.5" Cal. B&B
5	TOTAL DEC.			
EVERGREEN TREE PLANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE SPEC
7	AC8	Concolor Fir	<i>Abies concolor</i>	8' Ht. B&B
7	PA8	Norway Spruce	<i>Picea abies</i>	8' Ht. B&B
8	PC8	Columnar Norway Spruce	<i>Picea abies</i> 'Cupressina'	8' Ht. B&B
14	PG8	Black Hills Spruce	<i>Picea glauca</i> 'Densata'	8' Ht. B&B
5	PO8	Serbian Spruce	<i>Picea omorika</i>	8' Ht. B&B
6	PB8	Lacebark Pine	<i>Pinus bungeana</i>	8' Ht. B&B
11	PN8	Austrian Pine	<i>Pinus nigra</i>	8' Ht. B&B
7	PS8	Eastern White pine	<i>Pinus strobus</i>	8' Ht. B&B
65	TOTAL EVG.			



3 TREE PROTECTION DETAIL  
SCALE: 1" = 3'-0"



2 EVERGREEN TREE PLANTING DETAIL  
SCALE: 1" = 3'-0"



1 DECIDUOUS TREE PLANTING DETAIL  
SCALE: 1" = 3'-0"

KEY

- = EVERGREEN SCREENING TREES
- = PARKING LOT TREES
- = GREENBELT TREES
- = IRRIGATED SEED LAWN
- = EXISTING TREES W/ TREE PROTECTION FENCING

**LANDSCAPE CALCULATIONS:**  
PER CITY OF TROY ZONING ORDINANCE; NN

**GREENBELT TREES:**  
REQUIRED: 1 DEC TREE / 30 LF OF STREET FRONTAGE. 60' OF RIGHT OF WAY/ 30 = 2 DEC TREES REQUIRED.  
PROVIDED: 2 PROPOSED TREES

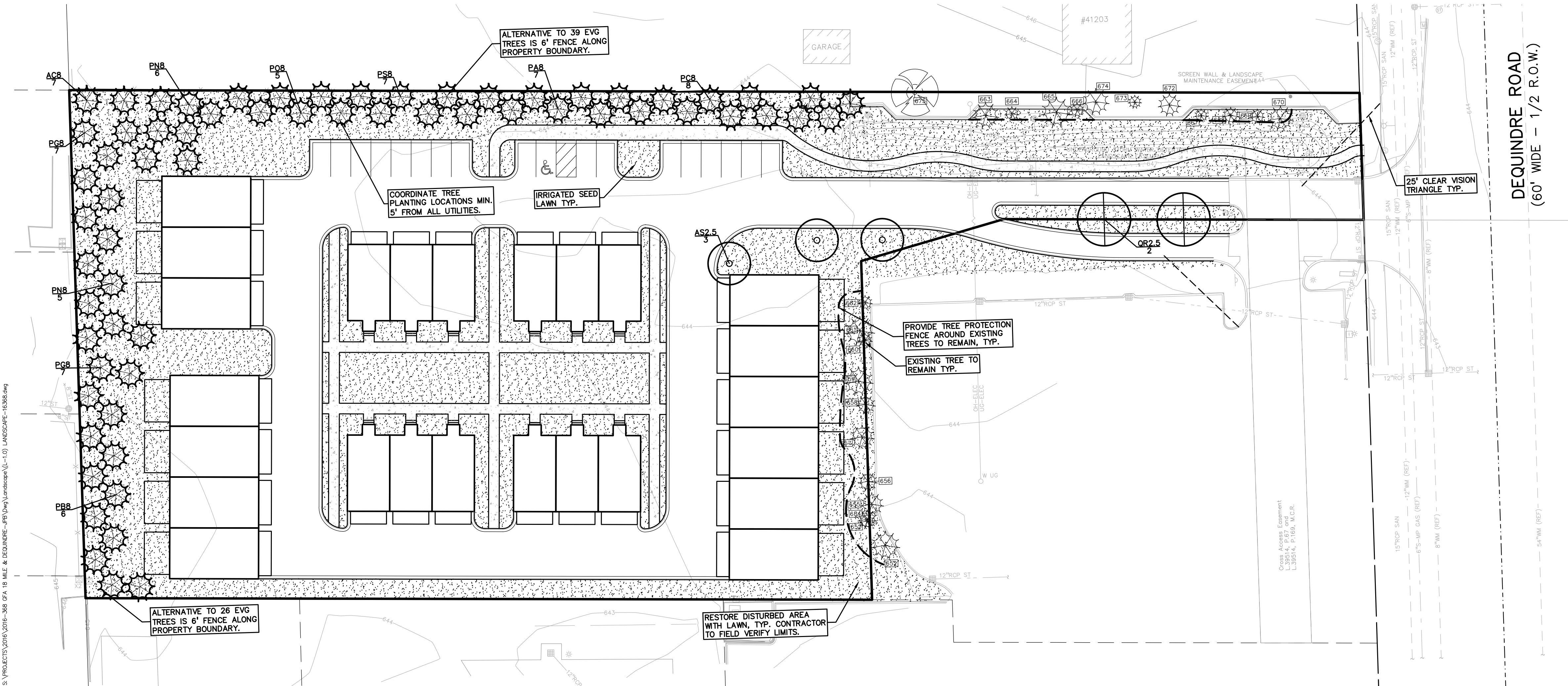
**PARKING LOT TREES:**  
REQUIRED: 1 TREE / 8 PARKING SPACES. 18 SPACES / 8 = 3 TREES  
PROVIDED: 3 TREES

**REPLACEMENT TREES:**  
REQUIRED: REPLACE 50% OF REMOVED DBH OF WOODLAND TREES, AND 100% OF REMOVED LANDMARK TREES DBH. 1 WOODLAND AND 1 LANDMARK TREES REMOVED, SEE CALCULATIONS THIS SHEET. 384" DBH CREDIT SAVED, 0 REPLACEMENT TREES REQUIRED.  
PROVIDED: 27 EXISTING TREES SAVED, NO REPLACEMENT REQUIRED.

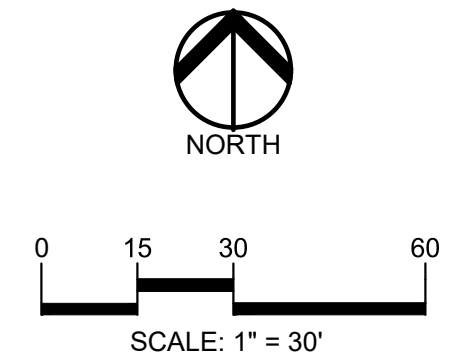
**SCREENING TREES:**  
REQUIRED: 1 LARGE EVG TREE / 10 LF (USE ALT 2: MULTIFAMILY ADJACENT TO SINGLE FAMILY RESIDENTIAL -NORTH & WEST).  
- NORTH: 370 LF/10 = 37 LG EVG (6' FENCE ALONG REMAINING PROPERTY BOUNDARY.)  
- WEST: 240 LF /10 = 24 LG EVG  
PROVIDED: 65 TREES (NORTH- 39 LG EVG; WEST- 26 LG EVG)

**GENERAL PLANTING NOTES:**

- LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
- CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
- ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1. GRADE.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
- THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
- ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
- ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
- ALL MULTI STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL NOT BE ACCEPTED.
- ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
- ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.
- NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN THE DRIP LINE OF EXISTING TREES.
- ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
- IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS.
- ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH WITH PRE EMERGENT, SEE SPECIFICATIONS. SHREDDED PALETTE AND DYED MULCH WILL NOT BE ACCEPTED.
- ALL LANDSCAPED AREAS SHALL RECEIVE 3" COMPACTED TOPSOIL.
- SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.
- FOR NON-LAWN SEED MIX AREAS, AS NOTED ON PLAN, BRUSH MOW ONCE SEASONALLY FOR INVASIVE SPECIES CONTROL.



S:\PROJECTS\2016-206 GFA 18 MILE & DEQUINDRE- JPS (Jps) Landscape\1-10 LANDSCAPE-10306.dwg



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DRAWING TITLE  
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PEA JOB NO.	2016-368
P.M.	JBT
DN.	TMK
DES.	TMK
DRAWING NUMBER:	



