



PLANNING COMMISSION MINUTES

Draft

CITY OF NOVI

Regular Meeting

September 7, 2011 | 7 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

Present: Member Anthony, Member Baratta, Member Greco, Member Gutman, Member Lynch, Chair Pehrson, Member Prince

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristin Kolb, City Attorney; Kristen Kapelanski, Planner; Mark Spencer, Planner; Dave Campbell, Planner; David Beschke, Landscape Architect; Nathan Bouvy, Engineer; Doug Necci, Façade Consultant.

PLEDGE OF ALLEGIANCE

Member Anthony led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Anthony, seconded by Member Lynch:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH.

Motion to approve the September 7, 2011 Planning Commission agenda. *Motion carried 7-0.*

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

CORRESPONDENCE

There was no Correspondence.

COMMITTEE REPORTS

There were no Committee Reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth stated that the City Council voted to eliminate the dual member that serves on both the Planning Commission and the Zoning Board of Appeals as has been recommended by the Planning Commission.

Deputy Director McBeth introduced the new temporary planner this evening, Dave Campbell. Mr. Campbell has an undergraduate degree from the University of Michigan in Economics and a Master's Degree from the University of Michigan in Urban Planning. He has worked in the past for a couple of consulting firms. Staff is happy to have him aboard.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

PUBLIC HEARINGS

1. FIAT SP11-19

Public hearing on the request of Suburban Collection for Fiat for Preliminary Site Plan, Stormwater

Management Plan and Special Land Use Permit approval. The subject property is located on the west side of Haggerty Road, south of Grand River Avenue, in Section 24 of the City. The property totals 8.15 acres. The zoning of the parcel is B-3, General Business.

Planner Kapelanski stated that the site is located on the west side of Haggerty Road, south of Grand River Avenue. The applicant is proposing to redevelop the southeastern portion of the existing Chrysler and Infiniti dealership site. The used car dealership currently on that portion of the property will be demolished. The site is bordered by a gas station and various office uses to the north, an auto dealership and medical office to the south, office uses to the east in the City of Farmington Hills and office uses and vacant land to the west.

Planner Kapelanski stated that the zoning of the property is B-3, General Business. The site is bordered by B-3 zoning to the north and south and OS-1 zoning to the west. The property is master planned for community commercial uses and there are no natural features on the site.

The applicant is proposing to demolish the existing used auto dealership to allow construction of a 13,789 square foot Fiat dealership with associated changes to the parking area immediately surrounding the new building footprint. Outdoor space for the sale of cars is a special land use in the B-3 District.

Planner Kapelanski stated that the planning review recommends approval of the preliminary site plan and special land use permit contingent on the applicant receiving a waiver of the required Noise Impact Statement and the required variances from the Zoning Board of Appeals. The applicant has requested a waiver of the Noise Impact Statement from the Planning Commission, which staff supports as the use of the site will not change based on the proposed site plan. The applicant has requested variances for the deficient parking setback in the front yard, the dumpster location in the interior side yard and to allow the service doors to face a major thoroughfare. The Planning Commission should refer to the items in Section 2516.2.c of the Zoning Ordinance regarding the requirements of a special land use permit. There are also minor items highlighted in the planning review letter to be addressed on the final site plan submittal.

The landscape review also recommends approval of the plan noting a Planning Commission waiver is required for the lack of a berm along Haggerty Road and the amount of deficient foundation landscaping shown on the preliminary site plan. Staff supports the berm waiver request as there is currently a retaining wall along the Haggerty Road frontage. Staff recommends the applicant propose additional landscaping on the site to make up for the proposed foundation landscaping deficiency and that the Planning Commission add to the recommended motion that the area of the deficient foundation landscaping is shown on the preliminary site plan. Dave Beschke is here to discuss any landscape issues.

Planner Kapelanski noted the façade review indicates a Section 9 waiver is required for the deficient amount of brick and excess amount of fiber cement panels on the east façade and the color and nature of the proposed red corner elements. The applicant has submitted a revised brick sample that is supported by the City's façade consultant as it complements the other materials proposed for the building. The City's façade consultant, Doug Necci, is here to address any façade issues.

The engineering review, traffic review and fire review all recommend approval of the plan noting items to be addressed on the Final Site Plan.

Chair Pehrson asked if the applicant would like to address the Planning Commission.

Stanley Tkacz from Studio Design representing the applicant came forward and indicated they have been working with the staff to resolve any outstanding issues for some time and are seeking the approval of the Planning Commission at this time.

Chair Pehrson asked if there was anyone in the audience who wishes to address the Planning Commission. No

one from the audience wished to speak. Chair Pehrson asked if there was any correspondence.

Member Greco read the correspondence into the record: Mohamed Sobh of 39723 Grand River Avenue approves saying it will add to the area business situation and Charles Alawan of 39723 Grand River Avenue representing Pheasant Run Plaza has no objections.

Chair Pehrson closed the public hearing.

Member Lynch stated that he reviewed this and thought it fit very nicely into the area but did have some concerns with the landscape waivers.

Landscape Architect Beschke stated the original plan, which the Planning Commission received, accurately represented the numbers required for foundation landscape. The ordinance allows that the applicant start counting some of the other areas or adding some other areas to make up for that deficiency. For instance, they have more than they need in the landscape islands and that can be counted. The applicant did write a response and recalculated the numbers they thought were required and those calculations are not correct. So, essentially, staff and the applicant need to work together to make up for the deficient foundation landscaping and ensure the landscape calculations are correct.

Member Lynch asked if the applicant had any objection with working with the landscape architect to resolve those issues and the applicant confirmed they would work with staff.

Member Lynch noted there are two different brick samples displayed and asked which one was the one currently proposed.

Planner Kapelanski stated that the brick sample that is in the center is the latest proposal and that is the one staff is recommending approval of. The brick sample shown on the right was the original proposal.

Member Lynch stated that he knows Fiat has a brand image they would like to maintain and he is in support of this proposal.

Member Anthony asked Chair Pehrson if he could direct his questions to the applicant.

Member Anthony stated that he was glad to see Fiat coming to Novi. Member Anthony asked Mr. Tkacz if they saw a problem with being able to comply with the City's stormwater ordinance.

Mr. Tkacz answered no; he talked with Engineer Mike Petersen of Nowak & Fraus and he agrees there was a slip-up on stormwater calculations. He has no problem adjusting those figures.

Member Anthony noted the lighting at the property boundary exceeded ordinance standards.

Mr. Tkacz stated that in talking with Planner Kapelanski the lights that are in question are existing lights that have been there for a number of years. What we have looked at doing is putting shields on the existing lights to push the light back onto the property rather than let it bleed over. It is just a very old fixture along the south property line that does shine on the Jaguar property that we should be able to adjust. The Fiat program is taking down 6 poles, but putting up only 2 new poles. We will adjust the lighting as necessary.

Member Anthony asked if the majority of the light poles that are there are going to be reused.

Mr. Tkacz answered every light on the site is being reused except for the 6 coming down and the 2 new poles that are going up.

Member Anthony asked if the City has an ordinance on down lighting.

Planner Kapelanski answered that the City does have a requirement that all fixtures must be a 90 degree cut-off if they are adjacent to residential property. The lighting ordinance in general does not promote or allow light to spill over onto adjacent properties. In the case of a redevelopment site like this, staff looks for them to meet the ordinance standards on the redeveloped portion of the site. The existing site lighting that might or might not meet current ordinance standards would remain and staff asks that they just provide the information for the records.

Member Anthony asked if down lighting standards do not apply to commercial areas that don't border residential.

Planner Kapelanski answered that it does, in essence. An applicant can only have the one foot candle of light at the property line and per the intent of the lighting ordinance, light that isn't necessary cannot be transmitted into the night sky.

Member Anthony then stated that it sounds like Fiat will be able to comply with the City ordinance.

Motion made by Member Gutman, seconded by Member Lynch:

ROLL CALL VOTE ON THE SPECIAL LAND USE APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of the request of Suburban Collection for Fiat SP 11-19, motion to approve the Special Land Use permit, subject to the following (a) Planning Commission finding under Section 2516.2.c for the Special Land Use permit that, relative to other feasible uses of the site the proposed use will not cause any detrimental impact on existing thoroughfares, due to the fact that the new peak hour, peak direction trips will likely not exceed 22 trips; The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood, due to the fact that no changes in the use of the site are proposed; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; and The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff and consultant's review letters; and (b) Compliance with all conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 15, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 7-0.*

Motion made by Member Gutman, seconded by Member Lynch:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of the request of Suburban Collection for Fiat SP 11-19, motion to approve the Preliminary Site Plan, subject to the following: (a) Waiver of the required Noise Impact Statement due to the fact that no changes in the use of the site are proposed; (b) Applicant obtaining a variance from the Zoning Board of Appeals for the deficient front yard parking setback (20 feet required, 18.5 feet provided), due to the fact that there is an existing retaining wall within the front yard setback; (c) Applicant obtaining a variance from the Zoning Board of Appeals to allow service doors to face a major thoroughfare due to the fact that the development is proposed on a small portion of an already developed site; (d) Applicant obtaining a variance from the Zoning Board of Appeals to allow the dumpster location in the side yard due to the fact that the dumpster is adequately screened and the proposed location provides for safe internal circulation

within the already developed site; (e) Landscape waiver for the lack of a berm along Haggerty Road; (f) Landscape waiver for the deficient foundation landscaping, the area of which is indicated on the preliminary site plan, provided additional landscaping is located elsewhere on site in place of the foundation plantings; (g) Section 9 façade waiver for the deficient amount of brick and excess amount of fiber cement panels on the east façade provided the revised brick indicated in the applicant's response letter is used in place of the previously proposed brick and to allow the proposed corner elements; and (h) Compliance with all the conditions and requirements listed in the staff and consultant review letters. This motion is made because the plan is otherwise in compliance with Article 15, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 7-0.*

Motion made by Member Gutman, seconded by Member Lynch:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:

In the matter of Suburban Collection for Fiat, SP 11-19, motion to approve the Stormwater Management Plan, subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan submittal. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

2. ZONING ORDINANCE TEXT AMENDMENT 18.252

Public hearing for Planning Commission's recommendation to the City Council to amend Zoning Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance, at Article 25, General Provisions, Section 2516, Site Plan Review (All Districts); in order to update the existing City of Novi Site Plan Manual.

Planner Kristen Kapelanski said the Site Plan Manual gives a general overview of the site plan review process and some of the other more usual types of reviews that take place within the Community Development Department, such as Special Land Use reviews and Woodland and Wetland Permits.

This version would replace the current Site Plan Manual (published in 1999). The entire manual has been updated but the most significant revisions include the following. The chapter detailing the Subdivision Review Process has been eliminated. Most residential developers now propose site condominiums as opposed to platted subdivisions, where lot creation can be more cumbersome. The Zoning Ordinance still details how a platted subdivision is reviewed and approved but the updated Site Plan Manual, which is intended to provide an overview of the most commonly used processes, does not describe this procedure. Similar concepts previously detailed in "sections" have been logically combined into chapters, for example, Woodland and Wetland Permits are now discussed in a Natural Features Chapter. All applications have been updated to reflect current processes. Chapter 5: Additional Studies, Section 1: Traffic Impact Studies has been updated per the most current trip generation manual. Also, hyperlinks appear throughout the document and that is for ease of electronic navigation and staff sees this as posted on the website and as a document that most people would mostly access electronically.

Planner Kapelanski continued noting the Site Plan Manual is part of the Zoning Ordinance and applicants are required to follow any procedures and policies detailed in the Site Plan Manual or seek a variance or waiver of those procedures just as they would do for deviations from the Zoning Ordinance. Therefore, any revisions to the Site Plan Manual must follow the usual course for revisions to the Zoning Ordinance and be approved by the City Council following the public hearing and a recommendation from the Planning Commission.

The Planning Commission is asked to hold the Public Hearing and forward a recommendation to the City Council, for reading and adoption.

Chair Pehrson stated that this is a public hearing and if there is anyone in the audience that wishes to address the Commission at this time, they should step forward. No one from the audience wished to speak. Noting that there was no correspondence, Chair Pehrson closed the public hearing.

Member Lynch asked if this makes it more streamlined for the developer and community. It's important to protect the character of the City and at the same time to encourage development and make the process as streamlined as possible. This seems like a win, win for everyone. It protects the City and maintains a lot of the key elements of the Zoning Ordinance and at the same time it makes it easier and less onerous for the developer coming to Novi to develop something.

Planner Kapelanski answered Member Lynch in saying that his description is fairly accurate. The City does have a Site Plan Manual currently and a lot of the provisions are very similar to what is shown in this updated version. The updates did not add anything to the development process in terms of hurdles to jump over or additional regulations. It really provides for developers an easy to read guide to some of the things they might have to do and it is intended to be used as a tool mainly. Most of the City's provisions are in the Zoning Ordinance. There are a couple of things in the Site Plan Manual that aren't necessarily included in the ordinance that would be some additional processes, but those have been in place previously.

Member Lynch explained how he opened the site plan manual up to page 25 and saw a flowchart detailing how a developer starts from the concept meeting and gets to the site plan review. Is this better than the old process?

Planner Kapelanski answered that page 25 is a unique situation and is a new section that staff added for the planned rezoning overlay. Previously that was not in the manual because it was not part of the Zoning Ordinance at that time. The flowcharts are mainly just meant to illustrate the process and they're not really adding any steps.

Member Lynch then asked if this Site Plan Manual is more user-friendly for developers.

Planner Kapelanski answered this Site Plan Manual is more user-friendly since it reflects the current standards of the Zoning Ordinance.

Member Baratta asked why an applicant needs to submit 13 copies of the plan for Planning Commission packets.

Planner Kapelanski answered saying that is a number will be revised before this goes to City Council now that there are only 7 Planning Commission members. Distribution of these hard copies goes to Planning Commission members, the staff planner, the Community Development Deputy Director, the City Attorney and the Library.

Member Baratta asked if there was any way to provide packets electronically to streamline the process.

Planner Kapelanski answered in saying that electronic packets have always been contemplated but unfortunately the Planning Commission would not have a way to access those. It is something staff definitely has in mind.

Member Anthony stated that he appreciated the printed plans because electronic plans can be harder to read. By not having the benefit of looking at the original one and looking at this, Member Anthony thought the manual was helpful in aiding him in understanding the processes that the City does go through in approving a site plan.

Member Anthony questioned if this plan now favors or encourages site condominiums over platted subdivisions.

Planner Kapelanski answered that she did not think it encouraged that and the City still has regulations and standards and processes for approval in the ordinance to deal with platted subdivisions. The manual does not cover every process or option that is presented in the Zoning Ordinance. It is really meant to cover the most common things that most people would have questions about. For more specific things, like platted subdivisions or special development options, staff would encourage them to come in and to discuss specific questions.

Member Anthony stated he would not want the City to lose the option of both or give the impression that the City is encouraging one option over the other.

Chair Pehrson stated that he thought the staff did a wonderful job in going through this and he did have the occasion to ask somebody who's in the business and they did like the process maps and were appreciative of the electronic media. With all the links in the document it definitely cuts down on what the City would have provided paper wise and it is positive all the way around.

Motion made by Member Lynch and seconded by Member Gutman:

ROLL CALL VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL OF TEXT AMENDMENT 18.252 MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:

Motion to recommend approval to the City Council of Text Amendment 18.252, to update the Site Plan Manual. *Motion carried 7-0.*

MATTERS FOR CONSIDERATION

1. SET PUBLIC HEARING FOR OCTOBER 5, 2011 FOR THE TEXT AMENDMENT FOR THE PLANNED SUBURBAN LOW-RISE OVERLAY DISTRICT

Planner Spencer said the planning staff is asking the Planning Commission to consider setting a public hearing for an exciting set of changes to the City's Zoning Ordinance and Zoning Map that were contemplated in the 2010 City of Novi Master Plan for Land Use. This Plan included a new Suburban Low-Rise future land use category and a set of goals, objectives and implementation strategies to promote the creation of a Planned Suburban Low-Rise Overlay zoning district. The Plan proposed that the District would permit attached single family and low-density multiple family residential, community service, human care, civic, and office facilities and prohibit detached single family residential, retail and personal service uses while maintaining a single-family residential character to provide a transition between the nearby detached single-family residential and higher density uses.

The Planning Commission packets contain the proposed text to create a Planned Suburban Low Rise Overlay District and a map showing the location of the proposed overlay district. The proposed Overlay District would permit an expanded set of moderate intensity development opportunities that could benefit the City as a whole while at the same time protect the values of the neighboring detached single-family home neighborhoods by limiting the scale of development and maintaining a residential character. Moderate intensity development could increase City tax revenues beyond that which would occur if the properties were developed as currently zoned for detached single-family and general industrial uses. Moderate density residential development could also increase the demand for retail, office and industrial floor space in the City and increase housing options that could help attract more young families and seniors to the City.

Planner Spencer said staff has reviewed the proposed Planned Suburban Low Rise concepts with property

owners in the area and the Planning Commission's Implementation Committee and made modifications to the proposed text based on the comments they received.

The proposed district provides an additional set of uses that can only be permitted if the property owner elects to petition the City Council for approval of a Planned Suburban Low Rise Concept Plan and a Planned Suburban Low Rise Development Agreement. The Agreement would set the uses and terms of the rezoning and incorporate the Concept Plan. The Agreement could limit or eliminate any of the underlying district uses, including detached single-family residential. Approval of a Concept Plan would at a minimum, establish the location of utilities, drainage facilities, new streets, and pedestrian and bicycle facilities. The Plan could also include the location of open space, parking, buildings, and propose landscaping and façade elements. The Plan could depict proposed deviations from ordinance regulations and phased construction. Since the proposed district includes many parcels, the proposed text includes discretionary City Council approval of the concept plan and development agreement in order to help insure that any proposed infrastructure will be coordinated with the district as a whole.

Planner Spencer noted the proposed zoning map change would place the proposed Planned Suburban Low-Rise Overlay District on properties depicted in the Master Plan for Suburban Low-Rise uses. A set of proposed sign ordinance amendments to address signage requirements in the Planned Suburban Low-Rise Overlay District will follow at a later date.

Planner Spencer said planning staff recommends that the Planning Commission set a public hearing for October 5, 2011 to consider and make a recommendation to City Council on the proposed text amendment to create the Planned Suburban Low-Rise Overlay District and the proposed Zoning Map amendment to create the boundaries of the Planned Suburban Low-Rise Overlay District.

Chair Pehrson asked if there were any comments from the Planning Commission at this time.

Member Lynch stated that Planner Spencer and the other Planning staff have done a phenomenal job with these areas and identified properties.

Motion made by Member Lynch and seconded by Member Gutman:

VOICE VOTE ON MOTION TO SET A PUBLIC HEARING FOR OCTOBER 5, 2011 FOR THE PROPOSED TEXT AMENDMENT MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:

Motion to set a public hearing for October 5, 2011 for the proposed Text Amendment for the Planned Suburban Low-Rise Overlay District. *Motion carried 7-0.*

2. PLANNING COMMISSION CALENDAR 2012

Deputy Director McBeth stated that the Planning Commission has the suggested calendar for 2012. The dates for regular meetings are generally shown the second and fourth Wednesday of each month. One meeting is provided for September, November and December. Another alternative is to have two meetings in each of those months and if the meetings are not needed, they could be canceled. At this point, staff is recommending just one meeting for those three months.

Chair Pehrson asked if a special meeting could be called if needed.

Deputy Director McBeth answered in saying yes, a special meeting could be called if necessary.

Motion made by Member Gutman and seconded by Member Lynch:

VOICE VOTE ON PLANNING COMMISSION CALENDAR ADOPTION MOTION MADE BY MEMBER GUTMAN AND

SECONDED BY MEMBER LYNCH.

Motion to adopt the 2012 Planning Commission Calendar. *Motion carried 7-0.*

3. APPROVAL OF THE AUGUST 10, 2011 PLANNING COMMISSION MINUTES

Motion made by Member Gutman and seconded by Member Lynch:

VOICE VOTE ON AUGUST 10, 2011 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH.

Motion to approve the August 10, 2011 Planning Commission minutes. *Motion carried 7-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

ADJOURNMENT

Moved by Member Lynch and seconded by Member Gutman:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN.

Motion to adjourn the September 7, 2011 Planning Commission meeting. *Motion carried 7-0.*

The meeting adjourned at 7:37 PM

Transcribed by Juanita Freeman
September 29, 2011

Date Approved:

Richelle Leskun, Planning Assistant