

REGULAR MEETING - PLANNING COMMISSION

CITY OF NOVI

May 24, 2017

Proceedings taken in the matter of the PLANNING COMMISSION, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Wednesday, May 24, 2017.

BOARD MEMBERS

Mark Pehrson, Chairperson

John Avdoulos

Ted Zuchlewski

Robert Giacobetti

Tony Anthony

ALSO PRESENT:

Barbara, McBeth, City Planner

Gary Dovre, City Attorney

Sri Komaragiri, Planner

Kirsten Mellem, Planner

Rick Meader, Landscape Architect

Theresa Bridges, Construction Engineer

Certified Shorthand Reporter, Diane Szach

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Novi, Michigan.  
Wednesday, May 24, 2017  
7:00 p.m.

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CHAIRPERSON PEHRSON: Call to order the  
planning commission regular meeting of May 24th, 2017.

Sri, can you call the role, please.

MS. KOMARAGIRI: Good evening.  
Member Anthony?

MR. ANTHONY: Here.

MS. KOMARAGIRI: Member Avdoulos?

MR. AVDOULOS: Here.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Here.

MS. KOMARAGIRI: Member Greco?

CHAIRPERSON PEHRSON: Absent, excused.

MS. KOMARAGIRI: Member Lynch?

CHAIRPERSON PEHRSON: Absent, excused.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Here.

MS. KOMARAGIRI: Member Zuchlewski?

MR. ZUCHLEWSKI: Here.

CHAIRPERSON PEHRSON: With that, please  
rise for the Pledge of Allegiance. Member Anthony,  
could you lead, please.

1 (Pledge recited.)

2 CHAIRPERSON PEHRSON: With that, we'll look  
3 for a motion to amend or approve the agenda.

4 MR. ANTHONY: I'd like to make a motion to  
5 amend the agenda. I motion to move Item One, the  
6 Eberspaecher parking lot expansion to the regular  
7 agenda for commission action.

8 CHAIRPERSON PEHRSON: So that will go under  
9 a consent agenda, removals for commission action. Any  
10 other changes?

11 (No changes were voiced.)

12 CHAIRPERSON PEHRSON: Do we have a second?

13 MR. AVDOULOS: I'll second.

14 CHAIRPERSON PEHRSON: We have a second.

15 Sri, can you call the role?

16 MS. KOMARAGIRI: Member Anthony?

17 MR. ANTHONY: Yes.

18 MS. KOMARAGIRI: Member Avdoulos?

19 MR. AVDOULOS: Yes.

20 MS. KOMARAGIRI: Member Giacobetti?

21 MR. GIACOPETTI: Yes.

22 MS. KOMARAGIRI: Chair Pehrson?

23 CHAIRPERSON PEHRSON: Yes.

24 MS. KOMARAGIRI: Member Zuchlewski?

25 MR. ZUCHLEWSKI: Yes.

1 MS. KOMARAGIRI: Motion passes five to  
2 zero.

3 CHAIRPERSON PEHRSON: Thank you.

4 We have two public hearings  
5 tonight. If there's anyone in the audience -- we have  
6 our first audience participation. If there is anyone  
7 in the audience that wishes to address the planning  
8 commission at this time on some other subject, please  
9 step forward.

10 Seeing no one, we'll close the  
11 first audience participation.

12 I believe all the correspondence  
13 relates to public hearings?

14 MR. GIACOPETTI: That's correct.

15 CHAIRPERSON PEHRSON: Any committee  
16 reports?

17 City planner report. Ms. McBeth, good  
18 evening.

19 MS. MCBETH: Thank you. Good evening.  
20 Nothing to report this evening.

21 CHAIRPERSON PEHRSON: That was awesome.

22 Consent agenda Item Number Two, which is  
23 Adams North Technology Center JSP 17-40. It's  
24 approval of the request of Northern Equities Group for  
25 Preliminary Site Plan approval and Stormwater

1 Management Plan approval. The subject parcel is  
2 located in Section 1 at the northeast corner of Cabot  
3 Drive and MacKenzie Drive. It is approximately 6.7  
4 acres and zoned OST (Office, Service, Technology).  
5 The applicant is proposing a 53,039 square foot  
6 speculative office building within the Haggerty  
7 Corridor Corporate Park.

8 MR. GIACOPETTI: Motion to approve the  
9 consent agenda.

10 MR. AVDOULOS: Second.

11 CHAIRPERSON PEHRSON: We have a motion by  
12 Member Giacometti, Second by Member Avdoulos.

13 Any other comments?

14 Sri, can you call the role, please.

15 MS. KOMARAGIRI: Member Giacometti?

16 MR. GIACOPETTI: Yes.

17 MS. KOMARAGIRI: Chair Pehrson?

18 CHAIRPERSON PEHRSON: Yes.

19 MS. KOMARAGIRI: Member Zuchlewski?

20 MR. ZUCHLEWSKI: Yes.

21 MS. KOMARAGIRI: Member Anthony?

22 MR. ANTHONY: Yes.

23 MS. KOMARAGIRI: Member Avdoulos?

24 MR. AVDOULOS: Yes.

25 MS. KOMARAGIRI: Motion passes five to

1 zero.

2 CHAIRPERSON PEHRSON: Thank you.

3 We now come to our first public hearing,  
4 and it's Building No. 2 Drive Through at Novi Town  
5 Center, JSP 17-08. This is a public hearing at the  
6 request of Novi Town Center Investors, L.L.C. for  
7 Building No. 2 Drive Through at Novi Town Center,  
8 JSP 17-08 for Planning Commission's recommendation to  
9 the City Council for approval of Special Land Use  
10 Permit, Preliminary Site Plan, and Stormwater  
11 Management Plan. The subject property is zoned in the  
12 TC district and it is located in Novi Town Center in  
13 Section 14, on the northeast corner of Grand River  
14 Avenue and Novi Road. The applicant is proposing to  
15 reconnect the existing parking lot on the southwest  
16 end of Novi Town Center in order to construct a  
17 drive-through lane for a future coffee shop. A 48  
18 square foot addition along with outdoor seating is  
19 also proposed. A Special Land Use Permit is required  
20 in order to permit drive-through restaurants in the TC  
21 Town Center District.

22 Sri?

23 MS. KOMARAGIRI: Thank you. The applicant  
24 is proposing a coffee shop with a drive-through as we  
25 mentioned before in the existing Building Number 2 in

1 the Town Center development which is approximately  
2 about 47 acres. Building Number 2 is located in the  
3 southwest corner of Novi Town Center, indicated in the  
4 blue circle on the map.

5 The site plan proposes removing  
6 23 parking spaces to allow for the drive-thru lane.  
7 Other improvements include relocating the existing  
8 dumpster and proposing a new loading space and  
9 additional improvements required for a drive-thru. On  
10 January 23rd of 2017 City Council approved a text  
11 amendment in order to permit drive-thru restaurants as  
12 a special land use in the Town Center District based  
13 on certain condition. The current site plan complies  
14 with all applicable regulations of the Zoning  
15 Ordinance and including the approved text amendment  
16 except for a couple minor deviations which are  
17 supported by staff.

18 All site plans with site acreage greater  
19 that 5 acres require City Council approval upon  
20 Planning Commission's recommendation. The current  
21 special land use request must be approved by the City  
22 Council after review and recommendation by Planning  
23 Commission in accordance with requirements of Section  
24 6.1.2.C for special land uses and subject to the  
25 public hearing requirements set forth.

1           The applicant requested to postpone the  
2           recommendation to the June 14, 2017 Planning  
3           Commission meeting. The Planning Commission is asked  
4           today to hold the public hearing and postpone the  
5           consideration to June 14.

6           Thank you.

7           CHAIRPERSON PEHRSON: Does the applicant  
8           wish to address the Planning Commission?

9           Since this is a public hearing, if there is  
10          anyone in the audience that wishes to address the  
11          Planning Commission on this matter, please step  
12          forward.

13          Seeing no one, I believe we have some  
14          correspondence.

15          MR. GIACOPETTI: Yes. We have one letter  
16          in support of the project from Eric Welch who  
17          represents the Double Tree by Hilton Hotel at 42100  
18          Crescent Boulevard.

19          CHAIRPERSON PEHRSON: Thank you.

20          With that we'll close the public hearing,  
21          and does anyone wish to make a motion to postpone?

22          Member Anthony?

23          MR. ANTHONY: Yes. In the matter of  
24          Building Number Two drive-through at Novi Town Center,  
25          JSP 17-08, motion to postpone the consideration of the

1 special land use permit, preliminary site plan, and  
2 storm water management plan to the meeting on  
3 June 14th, 2017 based on the applicant's request.

4 MR. AVDOULOS: Second.

5 CHAIRPERSON PEHRSON: Thank you. We have a  
6 motion by Member Anthony and second by Member  
7 Avdoulos.

8 Any other comments?

9 Sri, can you call the role, please.

10 MS. KOMARAGIRI: Thank you.

11 Member Zuchlewski?

12 MR. ZUCHLEWSKI: Yes.

13 MS. KOMARAGIRI: Member Anthony?

14 MR. ANTHONY: Yes.

15 MS. KOMARAGIRI: Member Avdoulos?

16 MR. AVDOULOS: Yes.

17 MS. KOMARAGIRI: Member Giacopetti?

18 MR. GIACOPETTI: Yes.

19 MS. KOMARAGIRI: Chair Pehrson?

20 CHAIRPERSON PEHRSON: Yes.

21 MS. KOMARAGIRI: Motion passes five to  
22 zero.

23 CHAIRPERSON PEHRSON: The next item in the  
24 public hearing is Beck North Unit 54 JSP 16-36. It's  
25 a public hearing at the request of Dembs Development,

1 Inc. For Special Land Use, Preliminary Site Plan, and  
2 Stormwater Management Plan approval. The subject  
3 property is located in Section 4, east of Nadlan Drive  
4 and north of West Road. It is approximately 5.02  
5 acres and is zoned L-1, Light Industrial. The  
6 applicant is proposing to build a 67,000 square foot  
7 speculative building in the Beck North Corporate Park  
8 with associated site improvements.

9 Kirsten?

10 MS. MELLEM: Good evening.

11 CHAIRPERSON PEHRSON: Good evening.

12 MS. MELLEM: The applicant is proposing  
13 to construct a 67,000 square foot speculative building  
14 along with associated site improvements. The site is  
15 estimated to be 5.02 acres and located in Section 4,  
16 east of Nadlan Drive and north of West Road.

17 The subject property is currently zoned  
18 I-1, Light Industrial. The properties to the north,  
19 west, and south are also zoned I-1, Light Industrial.  
20 The property to the east is a 50 foot buffer owned by  
21 the City of Novi that is zoned I-1, and the parcels to  
22 the east of this buffer are zoned R-2, One-Family  
23 Residential.

24 The future land use map indicates  
25 industrial, research, development, and technology for

1 the subject property. And for the properties to the  
2 north, west and south the same zoning. The property  
3 to the east are proposed as a private park and  
4 single-family residential.

5 The site contains woodlands along the east  
6 and south parcel lot lines. The proposed site plan  
7 indicates that nine regulated trees will be removed,  
8 one, of which is dead, and 13 replacement tree credits  
9 will be planted on site.

10 The proposed project is within the Beck  
11 North Corporate Park and is proposed to the northeast  
12 of the Nadlan Drive cul-de-sac. The site plan shows a  
13 67,000 square foot speculative building, 180 parking  
14 spaces, 10 bicycle parking spaces, loading and  
15 unloading docks, and dumpster. The applicant made  
16 changes from the pre-application meeting to move the  
17 loading and unloading docks to the northwest corner of  
18 the building and to limit truck traffic on the east  
19 side of the building; moving the activity away from  
20 the residential area. There were some concerns from  
21 engineering on the preliminary site plan review  
22 regarding the two driveways on Nadlan Drive, but after  
23 discussions with the applicant, planning, fire and  
24 traffic, it was determined that two driveways were  
25 necessary for emergency access around the whole

1 building and consideration of site plan constraints by  
2 the limited frontage on the cul-de-sac and low traffic  
3 at the end of the cul-de-sac. Engineering is now in  
4 support of the site plan and in support of the DCS  
5 variance for the two drives.

6 The applicant is seeking five waivers from  
7 the Planning Commission.

8 The first one is a 10 to 15 foot tall  
9 landscape berm waiver, which is supported with  
10 modifications we'll discuss shortly.

11 A landscape waiver for providing only 26 of  
12 the 51 parking lot perimeter trees due to lack of room  
13 for planting of entire requirement, which is  
14 supported, but applicant is asked to provide more  
15 perimeter trees than are shown to reduce waiver  
16 request.

17 The third waiver is a landscape waiver for  
18 providing only 9 of the 16 required subcanopy trees  
19 for industrial subdivision frontage due to lack of  
20 space for all plantings, which is supported.

21 The fourth waiver is for driveway spacing  
22 between the proposed drives and between the west  
23 driveway and the Unit 53 driveway because it is within  
24 105 feet per ordinance requirement, which is  
25 supported.

1           The fifth waiver is the traffic impact  
2           assessment waiver requested by the applicant, which is  
3           not supported.

4           The first waiver, the landscape berm, has  
5           prompted communication with residents and the  
6           applicant. Landscape and Woodland reviewers are in  
7           agreement that the 100 foot buffer area is of high  
8           quality woodlands that would be destroyed if replaced  
9           by the required berm. In order to maintain the  
10          woodlands and to provide additional screening for the  
11          adjacent residents, the motion sheet has been updated  
12          to reflect additional requirements:

13                   The applicant shall provide a 50  
14                   foot conservation easement along the east property  
15                   line of their parcel.

16                   Additional evergreen plantings as  
17                   determined at time of Final Site Plan by staff and  
18                   consultants shall be provided.

19                   And the removal of the five parking  
20                   spaces along the east side of the development from the  
21                   site plan in order to provide additional landscaping  
22                   and to screen headlights shining east.

23                   Staff consultants, and the applicant are  
24                   supporting these modifications to the waiver in order  
25                   to preserve the woodlands.

1           The fifth waiver, which is not supported by  
2           staff and consultants, is a request from the applicant  
3           for a waiver of the traffic impact assessment. The  
4           traffic consultant has two concerns.

5           The traffic study was performed in 2000 and  
6           the consultant was unable to confirm the assumptions  
7           in the study as it was not provided to staff and  
8           consultants.

9           Two, even if it was produced, the study was  
10          completed almost 20 years ago and while the  
11          development within the park may have developed  
12          according to plan, it would not reflect the impacts of  
13          developments outside of the park that have occurred  
14          since 2000.

15          Traffic would like the applicant to provide  
16          a traffic impact assessment update with the Final Site  
17          Plan submittal.

18          The reviewers are all recommending  
19          approval; some with conditions to be met with the next  
20          submittal.

21          The Planning Commission is asked tonight to  
22          hold the required public hearing for the special land  
23          use permit. If the result is favorable, then to  
24          consider the preliminary site plan, woodland permit,  
25          and stormwater management plan. The Planning

1 Commission may also suggest the applicant work with  
2 staff to modify the plans more thoroughly to address  
3 any concerns the Planning Commission may have prior to  
4 a decision on the special land use. The applicant,  
5 staff, and consultants are here to answer any  
6 questions you may have.

7 CHAIRPERSON PEHRSON: Thank you.

8 Does the applicant wish to the address the  
9 Planning Commission at this time?

10 MR. JONES: Yes, sir.

11 Good evening. My name is Glenn Jones. I'm  
12 the development director from Dembs Development.  
13 We're here tonight to present our latest speculative  
14 building in the Beck North Industrial Park.

15 We've leased up our most recent  
16 development, lot 56 of the park, so we'd like to have  
17 some new product on the market. We've already got  
18 some interest in this particular building as well as  
19 our Twelve Mile facility that was recently developed  
20 and constructed on Twelve Mile and West Park. So  
21 hence the need for some additional development in the  
22 park and bring in some additional commercial users and  
23 increase the tax base for the City of Novi.

24 In discussions with Planning about the  
25 woodland buffer and the concerns from the residential,

1 we'd be more than happy to provide some additional  
2 spruce or evergreen trees, which I think Rick Meader  
3 from Landscape has supported. So we would be more  
4 than happy to put as many trees in there as we see  
5 need to help increase the buffer for the residential,  
6 upwards of 10 to 12 foot spruces, which we feel will  
7 probably grow at least a foot, foot and a half per  
8 year and add to the already good buffer that's there.

9 So with us tonight I've brought my  
10 consultant, Tom Gizoni from Alpine Engineering, and  
11 Chip Faudie from Faudie Architecture to answer any  
12 questions you might have.

13 CHAIRPERSON PEHRSON: Thank you, sir. I  
14 appreciate it.

15 This is a public hearing, so if there is  
16 anyone in the audience that wishes to address the  
17 planning commission on this particular matter, please  
18 step forward.

19 MS. ROBERTS: Should we make a line? I  
20 think everybody is here.

21 CHAIRPERSON PEHRSON: Come to the podium  
22 and state your name and address, please.

23 MS. ROBERTS: I'm Linda Roberts. I live at  
24 30377 Balfour Drive. I'm not directly facing it, but  
25 I'm like two doors down.

1 I can't understand why you would consider  
2 putting a building that large so close to us. It's  
3 like enormous. 67,000 square feet is an enormous  
4 building. Our houses are 3,000 square feet.

5 We're already looking at that industrial  
6 park, and when it was first built, they said they were  
7 farming, and they threw down some winter wheat and cut  
8 down a ton of trees, and then all of the runoff that's  
9 come from that industrial park has killed so many  
10 trees in that protected wetlands. And so in the  
11 winter you look straight through and we see all the  
12 buildings and all the street lights. And now this one  
13 is going to be so much closer and taller than what you  
14 would allow normally I think.

15 And you want to have parking only 100 feet  
16 or whatever it is, 150 feet from our house. So in the  
17 summer you might walk out there and think, oh, this is  
18 fine, but in the winter there is really no protection  
19 at all from all of that. And you know, kids go back  
20 there and race around, and it will be that much  
21 closer, you know, teenagers, partying whatever. It's  
22 very, very close to our houses.

23 And I think it's going to lower our  
24 property values for sure. We have paid so much extra  
25 money to get these lots that were supposed to be

1 wooded and that were supposed to be protected, and we  
2 really trust you as our city people to protect us  
3 because we were there first, and we spent all that  
4 money and made the investment in these homes, and  
5 eventually we might want to sell them, and I think  
6 it's going to be way harder once that's there.

7 So did everybody get my letter, too, or  
8 should I read it?

9 CHAIRPERSON PEHRSON: I'm sure we did.

10 MR. GIACOPETTI: We have it.

11 MS. ROBERTS: So am I done. Is there time?  
12 How does this work?

13 CHAIRPERSON PEHRSON: You have one more  
14 minute.

15 MS. ROBERTS: So I would beg you and plead  
16 with you to please consider making it a smaller  
17 building. It's a spec I think. That's what I heard  
18 that it's a spec. So why in the world would you  
19 decide to put something so huge right next to us when  
20 you don't have to. Why not make it a smaller building  
21 there. Why not if you're going do a berm, put it on  
22 that property instead of taking down more trees.  
23 We're so, so disappointed that we're going through  
24 this all over again when we fought and fought to save  
25 that protected wetlands the first time, and it went

1 down anyway with no farming. They said they farmed,  
2 but there was no farming going on.

3 So thank you for listening, I appreciate  
4 it.

5 CHAIRPERSON PEHRSON: Thank you.

6 Anyone else?

7 MR. DAMAN: Good evening. I'm Laith Daman.  
8 I reside at 30369 Balfour Drive. Linda Roberts is my  
9 next door neighbor, and I'm more closer to that area  
10 than Ms. Roberts.

11 Again, you know, in addition to what  
12 Ms. Roberts indicated, we bought into the area  
13 thinking that this is a wetland area and woodland area  
14 and it's protected. And I already right now as is  
15 every Monday morning at 6:30 -- I'm sorry, at 5:30 to  
16 6:00 I hear loud noises from hauling the dumpsters  
17 that the current building that they do. I mean, every  
18 Monday at 5:30 I'm already automatically awake for  
19 that particular reason.

20 In addition to during the summer -- I mean,  
21 during the winter, the street lights are so -- I mean,  
22 the luminosity is so high it actually comes in through  
23 my curtain and into my bedroom, you know, and I can  
24 see that staring at the ceiling your street lights.

25 And I'm not sure if you know this, there is

1 another building, I forgot the company name, they do  
2 some kind of race car street, and every weekend you  
3 can hear the tires screeching over and over. And one  
4 day I went there and I took pictures, I don't have  
5 them with me right now, of the, you know, the parking  
6 lot, and you can see the tire marks and the smoke that  
7 comes in. In addition, that's actually killing a lot  
8 of the wetlands in that area.

9 Again, I mean, I plead with your, you know,  
10 power that you guys have to stop this thing. My kids  
11 go there and I spend a lot of time with my kids  
12 cleaning that area. And I see a lot of bottles of  
13 Mohawk liquor and all that. And along with my kids I  
14 go in there and we put it all in the garbage.

15 Having such an activity, big activity next  
16 to it will only increase the noise, the garbage, and  
17 the lights that, you know, pretty much we'll be in  
18 our -- we'd be in prison in our own like houses  
19 because we have a lot of windows facing that area, and  
20 now we're going to be looking at street lights and big  
21 protector lights and a lot of cars and a lot of noise.

22 So I plead with you with your power to stop  
23 or make it a smaller size building so at least we have  
24 some kind of privacy in our own homes. Thank you.

25 CHAIRPERSON PEHRSON: Thank you, sir.

1                   Anyone else?

2                   MS. HALLORAN: Can I show you pictures on  
3 my phone?

4                   CHAIRPERSON PEHRSON: No.

5                   MS. HALLORAN: Did you get my e-mails,  
6 Kelly Halloran, 30361 Balfour Drive?

7                   MR. GIACOPETTI: Yes.

8                   MS. HALLORAN: Okay. You did get some of  
9 those?

10                  MR. GIACOPETTI: Yes, we did.

11                  MS. HALLORAN: So, again, the same thing.  
12 I'm so glad that my neighbors brought up the same kind  
13 of issues that I have dealt with. And I didn't even  
14 my daughter was hearing the 5:00 Monday through Friday  
15 dropping of some steel at the south end of the whole  
16 corporate park, and we're at the middle part. I have  
17 complained about it. I was told I'm sending everybody  
18 on a wild goose chase. These are ordinances that are  
19 supposed to be upheld and protecting us, but the  
20 people I've called in the city are saying that there's  
21 nothing going on back there because when they go over  
22 there, they can't find it. They've even told me that  
23 I'm supposed to get up at 5:00 in the morning and go  
24 find out what's happening, which I find is totally  
25 insane. This is not our responsibility. We're to be

1 protected by these ordinances.

2 So after looking at my e-mails, when you  
3 get a chance, I am the house directly behind Nadlan  
4 Drive. Even now, and we planted after all of these  
5 trees were cut down that Linda mentioned for farming,  
6 we planted -- we didn't plant, we spaded in five huge  
7 pine trees that are now probably about 40 feet high,  
8 so they're nice to -- for that little amount of area  
9 behind Nadlan when Nadlan got thrown in there, we  
10 planted and put those in. It cost us \$5,000 to do  
11 this, because again we weren't being protected. They  
12 are now two of them dead. So that's what is going to  
13 happen with these other pine trees that are proposed.  
14 Plus it has taken those 14 years to grow to be to  
15 40 feet high. Our houses are about 30 feet high.  
16 This building is way too big as Linda mentioned.

17 We do get noise right now. I'm highly  
18 concerned about that parking lot that is going to be  
19 right up to our lots, which will be -- we have I think  
20 30 feet of Bristol Corners property and 50 feet of  
21 city. So we're looking at 80 feet away without a  
22 berm. People can just walk right into our backyards  
23 and we'll have no protection. People are going to see  
24 our houses now that all this traffic is going to come  
25 into that building.

1           So I'm asking for a lot of things, which is  
2 we need a berm first of all. The trees are not  
3 protecting us, and that's why I wanted to show you the  
4 pictures. I'll try to send them again tomorrow. The  
5 trees are not protecting us now. I get a little bit  
6 of protection only because we spent \$5,000 to spade in  
7 25 feet or higher trees to give us a little protection  
8 from our back window.

9           We are not ground level. I don't think any  
10 of our houses are in Bristol Corners, we're all raised  
11 up. My deck is 6 or 7 feet above ground level. So  
12 already I'm up seeing things. At night when I'm in my  
13 kitchen in front of the window, I see the cars that  
14 come up once in a while up Nadlan Drive and do that  
15 little circle around. So I see those, I hear the  
16 noise. So we need a berm.

17           We need that parking lot not by our houses.  
18 It needs to be on the other side. And we don't need  
19 those lights by us, and we need some more protection  
20 against the noise, the lights, and even the noises  
21 down at the southern end.

22           So again I'm going to plead like my  
23 neighbors, please consider our quality of life there.  
24 We did spend a lot of money to get that protection.  
25 We did go through this again in 2003. We had a lot of

1 people supporting, you know, that we want to protect  
2 our subdivision, our quality of life, and we have  
3 ordinances that are trying to be waived which  
4 shouldn't be. They were put in place back then and  
5 prior. I think back then they were actually put in  
6 place business of the residences to protect us. So  
7 please protect us.

8 CHAIRPERSON PEHRSON: Thank you.

9 Anyone else?

10 Seeing no one in the audience, I believe we  
11 have some correspondence?

12 MR. GIACOPETTI: We do. We have a letter  
13 of objection from Linda Roberts of Balfour Drive who  
14 spoke to us earlier tonight, and the letter -- I think  
15 she eloquently summarized her letter in her comments.

16 We have a letter from a Alyssa DeLeon. She  
17 also objects, actually strongly objects for --  
18 concerned about pollution, noise, noise pollution,  
19 bright street lights shining in the backyards.  
20 Concerns for deforestation of the protected woodlands.

21 We have another letter of objection from  
22 Laith Daman also of Balfour Drive. Concerned about  
23 excessive light from the parking area and excessive  
24 noise. He's awakened every Monday by the hauling of  
25 dumpsters dropping off in the nearby buildings.

1                   And lastly we have an e-mail from Kelly  
2                   Halloran who just spoke to us, and I believe you have  
3                   copies of that. Again the e-mail summarizes her  
4                   comments tonight.

5                   CHAIRPERSON PEHRSON: Those will all go in  
6                   the record.

7                   MR. GIACOPETTI: Wait, I have one more.  
8                   This is actually a letter of -- from Glen Jones of  
9                   Dembs Development Corporation in support of the  
10                  project and in support of a waiver for the traffic  
11                  impact assessment.

12                  CHAIRPERSON PEHRSON: Thank you.

13                  With that we'll close this part of the  
14                  audience participation and turn it over to the  
15                  Planning Commission for their consideration. Who  
16                  would like to start?

17                  Member Anthony?

18                  MR. ANTHONY: I'll start. First I want to  
19                  start with staff. So before we even heard public  
20                  comment, when I looked at the aerial photo, the aerial  
21                  photos taken during the winter, and the concern that I  
22                  always have is during the winter when the leaves fall,  
23                  you really do see all the way through that wood  
24                  canopy.

25                  First, I am really proud of Novi for

1 protecting their woodland and preserving that 50 foot  
2 of woodlands. So that's, you know, one of the nice  
3 things about our community.

4 Now, with the requirement of the berm, I  
5 can understand the want of the berm, and then also of  
6 evergreens to create a visual buffer for -- it's tough  
7 when you're transitioning right from industrial to  
8 residential. That is tough without anything else in  
9 between there.

10 Rick, can you tell me about the berm? What  
11 was the thought process behind eliminating the berm?

12 MR. MEADER: Sure. The ordinance calls  
13 for -- between non-residential and residential a berm  
14 between 10 and 15 foot high with a maximum slope of 1  
15 on 3 and a 5 foot crest. So basically to build a  
16 10 foot berm would be 65 feet in space in to build it.

17 The other requirement of the ordinance is  
18 this it's built at the property edge. So it's not  
19 that it's setback in the property, it's supposed to be  
20 right at the property edge. So in my way of thinking,  
21 it's valuable to save that natural woodland, which is  
22 actually a pretty nice woodland, rather than to build  
23 a berm which grant it would have better sound blockage  
24 and probably visual blockage between the two uses, but  
25 there would be a real cost, environmental cost in

1           losing that to build that berm.

2                       MR. ANTHONY: Sure, I understand. So but  
3           in putting the berm in, the berm wouldn't encroach at  
4           all on the city's 50 foot woodland easement, would it?

5                       MR. MEADER: I think that it could, isn't  
6           that right? It was built -- go ahead, please.

7                       MS. McBETH: I believe the intention was  
8           that the berm would go on the property that is within  
9           that corporate park and not encroach into the adjacent  
10          city-owned property, although I'm not entirely sure of  
11          that. That could be something that we would look at.

12                      MR. ANTHONY: That's my understanding.  
13          Because I happen to have a home that has a woodland  
14          area easement as well. So my understanding was that  
15          they couldn't encroach on that. So that the berm  
16          would -- though there would be some trees left, the  
17          50 foot woodland berm or woodland preserve, because of  
18          it being the city's would be preserved. That berm  
19          really does help when you're going from industrial to  
20          residential. I live in a neighborhood that does that  
21          in sections of it. It knocks down sound, it helps the  
22          visual barrier. I really am reluctant to let that go  
23          unless, you know, you can -- what else is available?

24                      MR. MEADER: Well, if you look at the  
25          aerial, you're going to lose more than half of the

1 woods between the city property line and the edge of  
2 the woods if you built that berm right up to the city  
3 property line.

4 MR. ANTHONY: I was looking at the diagram,  
5 though, that -- let's see if I can find it again --  
6 that showed the landscaping. So when I look at the  
7 actual site plan that shows the planned -- yes, thank  
8 you for putting that up. So when I look at this, and  
9 I'm looking straight with, you know, the proposed  
10 building reading correctly. So now I look at the  
11 right side of the building. The initial space to the  
12 immediate right, that's a driveway, okay, where  
13 vehicles can move through, and then right after that  
14 comes in the landscaping.

15 MR. MEADER: Mm-hmm.

16 MR. ANTHONY: Okay. Then immediately  
17 following that is woodland?

18 MR. MEADER: Yes.

19 MR. ANTHONY: And that is before it gets to  
20 the city's 50 feet protected woodland?

21 MR. MEADER: Correct. That right line is  
22 the edge of the city property line. Where the hand  
23 is, that's the city property line.

24 MR. ANTHONY: So because my eyes are bad,  
25 and I'm looking at these contour lines, are the

1 contour lines an elevation going up or an elevation  
2 going down?

3 MR. MEADER: Going up to the building, up  
4 to the driveway.

5 MR. ANTHONY: So the building is even at a  
6 higher elevation to begin with than the actual homes  
7 themselves?

8 MR. MEADER: I can't speak about the homes,  
9 but it's higher than that adjacent land.

10 MR. ANTHONY: Okay. There is no creek or  
11 waterway that moves in there?

12 MR. MEADER: Not that I saw.

13 MR. ANTHONY: The aerial photo doesn't  
14 necessarily show an increase coming back up.

15 So really we're talking about when we look  
16 at where the residential homes are, we're really  
17 looking at the south -- the southeast corner of the  
18 property.

19 MR. MEADER: Yes.

20 MR. ANTHONY: Is there a way -- so that the  
21 berm in a sense not when we look at the northern  
22 two-thirds of that landscaping -- and again I'm on the  
23 right side or the eastern side of the property. So  
24 from the southern line of the building and then moving  
25 south, so you can see where that tree line and that

1 parking line is, so it would seem that even a berm in  
2 that section -- wait, go back to that dashed line. I  
3 like that. See this dashed line that cuts the corner  
4 right in there? That -- you know, not necessarily  
5 intruding that far in the parking lot, especially down  
6 at the very southern end, but a line parallel to that  
7 dashed line into that corner cutting the corner with a  
8 berm would really help provide a barrier for where we  
9 do have the residential property, because it's a  
10 dramatic change industrial to residential. That's  
11 rough.

12 So I'm looking for something that we can  
13 put in there, and my look at this is that that may end  
14 up reducing some parking spaces. So I'm not sure how  
15 that would be with the ordinance. But I would really  
16 want to look strongly at berming that southwestern  
17 corner.

18 Okay. Now with that --

19 MR. GIACOPETTI: Can I ask a question on  
20 the same vein if I may eat into your time?

21 MR. ANTHONY: You know what, I yield my  
22 time.

23 MR. GIACOPETTI: Rick, could you -- could a  
24 berm be -- I know it would cut into the footprint of  
25 the building and that driveway behind the building,

1 but could a berm be constructed in front of the  
2 woodland easement so that -- so it's not -- you're  
3 adding a berm in front of the woodland so that you're  
4 not destroying the woodland?

5 MR. MEADER: Well, physically I don't know  
6 in terms of -- I know the ordinance calls for the  
7 line -- the berm at the property line. I don't know  
8 what kind of -- legally I don't know.

9 MR. GIACOPETTI: Oh, okay.

10 MS. McBETH: Well, this is a special land  
11 use, so the Planning Commission can review items like  
12 this and request certain conditions be placed on it.  
13 I think we're all taking careful notes and listening  
14 to what you're saying, so we're interested in what  
15 your conclusion is.

16 MR. GIACOPETTI: That would be -- that  
17 would add both. It would add to preserve the wetlands  
18 and it would build the berm. And so it seems like  
19 that could be done and that could be considered or  
20 recommended.

21 MS. McBETH: And I think our attorneys  
22 would advise us it has to be proportional, you know,  
23 it can't be excessive or beyond what you might  
24 typically expect in exchange for --

25 MR. GIACOPETTI: Thank you. Back to you.

1 MR. ANTHONY: Thank you for the time back.

2 So also there is another photo that is an  
3 aerial photo again, the one that showed that the  
4 trees, you know, that it was taken in the winter, and  
5 you can see that there is the natural -- not that one.  
6 Yes, you can see in the southwestern corner there  
7 seems to be -- you can see that natural cut through  
8 there with the woodland. When you look at the parking  
9 lot coming in, a good chunk of that would be removed  
10 for the parking lot, so they would lose that anyways.

11 But something parallel to that along that  
12 southwestern corner, what angle you work with, you  
13 know, I would leave that up to your judgment, but I  
14 think it's important that when we have a hard  
15 transition from industrial to residential, that we  
16 really focus on doing whatever we can within our  
17 ordinances and zoning for creating a strong buffer  
18 zone barrier for the residential homes there.

19 So that's on the berm side. The other part  
20 is on the lighting, and generally I believe, because  
21 this might have been a year ago, we actually updated  
22 our parking lot lighting with some down lighting  
23 requirements in order to minimize the type of glare  
24 that they may be experiencing from an older parking  
25 lot. Is my memory correct?

1 MS. MELLEM: Yes.

2 MR. ANTHONY: Okay. And in submitting  
3 these site plans, they would also be submitting their  
4 lighting plan, which would comply with our new  
5 downlighting requirements which would then minimize  
6 the glare that they would then receive. Good. Okay.

7 Then maybe the last thing that isn't  
8 necessarily something that's within our authority or  
9 your authority, but we could make a note and carry  
10 through to our ordinance officers on at least the  
11 timing that truck activity is allowed to begin,  
12 whether it's 5:00 in the morning or whether it's 7:00  
13 in morning, that that be reviewed and the property  
14 owners just be reminded of what that time frame is.

15 So at this point I'm going to turn the rest  
16 of the discussion over to other members.

17 CHAIRPERSON PEHRSON: Thank you Member  
18 Anthony.

19 Member Zuchlewski?

20 MR. ZUCHLEWSKI: I would like to add a few  
21 things. On the berm itself, does the berm have to be  
22 a landscape berm, or can it be a combination of  
23 landscape berm and maybe a precast, prefab retaining  
24 wall in this corner like they have on the expressway  
25 for noise?

1 MR. MEADER: I think the Planning  
2 Commission has the ability to allow a substitution --  
3 a substitute solution as laws provide because it's  
4 similar noise attenuation and physical blockage.

5 MR. ZUCHLEWSKI: So we could do that.  
6 That's the first thing I would like to look at. That  
7 would get rid of your angles to maintain and what have  
8 you. So that would narrow down this considerably.

9 The second thing I would like to question  
10 is, it was touched on, but the parking lot lighting  
11 and the lighting on the building. For many, many  
12 years it's been zero lot line on lighting. So why  
13 this is an issue I don't know, but I think as part of  
14 this, if there is existing lighting that's been there,  
15 then that lighting needs to be updated to zero lot  
16 line, too. Same poles can be used, just different  
17 fixtures and some shades on the fixtures. So I think  
18 that would take care of the lighting. I think this  
19 would take care of the noise, and those are my only  
20 comments.

21 But I think between the combination  
22 wall/berm, between redoing the existing lighting, the  
23 heads on those lights so they're not getting lights  
24 all day or all night. And I think ordinances about  
25 trash pickup early in the morning like that, I know

1 they exist, they're out there, and these trash  
2 companies can come and pick up trash any time. So if  
3 they want the business, they'll do that.

4 Those are my only comments. I think we can  
5 address a lot of this.

6 CHAIRPERSON PEHRSON: Thank you, sir.

7 Member Avdoulos.

8 MR AVDOULOS: Thank you.

9 This is an I-1 light-industrial zoned area,  
10 so I can understand the residents concerns. However,  
11 you know, because of the zoning, there's requirements  
12 that the applicant has to meet, but at the same time I  
13 think we need to look at being good stewards of the  
14 site and of being good neighbors.

15 One of the concerns, and we've been getting  
16 this a lot lately where we're asked for a lot of  
17 waivers because there is not enough room or there are  
18 requirements that cannot be met. I have the same  
19 concerns related to the berming, and I understand  
20 we're trying to preserve the woodlands, and so I think  
21 that is appropriate. If we can do something with  
22 berming next to the woodlands and maybe work out  
23 something where it's -- because I know with the  
24 heights and stuff like that, you lose a lot of land,  
25 but at the same time I want to make sure that the berm

1 is appropriate so that we're not shedding a lot of  
2 water into the woodlands and then back onto the site.

3 I'd like to see that corner area personally  
4 preserved since we've got a woodland limit there in  
5 that particular area. And then, you know, when it  
6 comes into landscaping, there is the question of  
7 reduction of required parking lot perimeter trees due  
8 to lack of space, reduction of required canopy trees  
9 for industrial subdivision frontage due to lack of  
10 space. So that to me means that the building has been  
11 maxed out on the site, and I'm concerned that -- and I  
12 was wondering. I didn't see a table there, Barb, if  
13 we're -- if there are any requirements to square  
14 footage, if there's a maximum or any minimums.

15 And then I didn't see -- you know, usually  
16 there is a table that indicates the square footage of  
17 the building as it relates to its size, and if it's  
18 sprinkled or not, there is allowances for area -- more  
19 area, and then there is also allowances for height and  
20 stuff like that. I just don't know -- I know this is  
21 going for Planning Commission review, so I don't know  
22 if it's gone through building at all yet.

23 MS. MCBETH: No, typically the building  
24 review would come after the Planning Commission has  
25 reviewed the plan.

1 MR. AVDOULOS: So I think a lot of the  
2 issues that come up with the request for some of these  
3 waivers is because sometimes the -- for maximum  
4 effect, the buildings are designed in such a fashion  
5 as to get the biggest, you know, bang for their buck,  
6 but that also starts creating other issues.

7 The last thing is the study -- the traffic  
8 study waiver that is being requested to be waived, and  
9 that is one that, you know, I'm not in support of. I  
10 think it's been a while, and we had this last Planning  
11 Commission meeting. So I think we need to do that.

12 The one thing that I saw from engineering,  
13 approval not recommended, and what is that in relation  
14 to?

15 MS. MELLEM: So originally engineering did  
16 not approve the site plan because of the two driveways  
17 and the spacing requirements for the driveway.

18 MR. AVDOULOS: Right.

19 MS. MELLEM: But after further discussion  
20 with the applicant and fire being very adamant that  
21 there are two access points to get around the whole  
22 building, we kind of were brainstorming different  
23 ideas of how to maybe combine it or something, but  
24 just with that size of building, they can't really  
25 just have one entrance.

1 MR. AVDOULOS: Okay. So, you know, again  
2 it's the size that, you know, comes to into play that  
3 I think at times these are sort of self-inflicted  
4 issues that come up, and I think, you know, we can  
5 work together to address them, and at least provide  
6 the developer the opportunity to put in an appropriate  
7 size building onto the property, but at the same time  
8 look at the concerns of the neighbors and make sure  
9 that we're taking care of the issues that are brought  
10 forth and looking at the environmental issues and  
11 making sure the woodlands are preserved. I think the  
12 city does a good job with that.

13 And then I'd like to, you know, look at  
14 trying to limit the amount of waivers that come in  
15 based on size of building. There are certain times  
16 where we can't avoid that, but there's other times  
17 where I think we can do a better job and make sure  
18 that things fit on the site as they should.

19 Thank you.

20 CHAIRPERSON PEHRSON: Thank you.

21 Member Giacobetti?

22 MR. GIACOPETTI: I have a couple questions  
23 for Mr. Jones, the applicant.

24 MR. JONES: Yes.

25 MR. GIACOPETTI: A question if I may ask

1 concerning the speculative nature, you don't have a  
2 tenant yet, but you said you had some interest in this  
3 site?

4 MR. JONES: Yes, we do.

5 MR. GIACOPETTI: Are you able to share any  
6 information about --

7 MR. JONES: I'm really not at liberty to  
8 divulge anybody right now. It's kind of a  
9 confidential situation, so I can't.

10 MR. GIACOPETTI: Sure. I totally  
11 understand that. I think my concern is not knowing  
12 who is going to reside here doesn't ease I think any  
13 of the anxiety as to what the hours of operation or  
14 the lighting or the noise or other concerns that have  
15 been expressed and that I had when I first read the  
16 plan myself. You know, I think knowing who was moving  
17 in there might make me more inclined to support some  
18 of these waivers or, you know, agree that the building  
19 is necessary to be this size and this much parking is  
20 required or not required. So that was my only  
21 question if you were able to --

22 MR. JONES: I can tell you this, that it is  
23 conducive with the other users that are within the  
24 park right now. I think all the users that are there  
25 in the are park are high-end research and development,

1 which is the typical niche for this market in this  
2 area in Novi. That I can tell you.

3 MR. GIACOPETTI: If the building footprint  
4 was smaller, would you not be able to market it to  
5 this customer base?

6 MR. JONES: I think it would have to be  
7 severely reduced. I understand the concerns and need  
8 for the berm, but I do have some concerns which some  
9 of the members here have already voiced with a berm  
10 about potential water runoff being a detriment to the  
11 existing trees and the woodlands that are there. I do  
12 have some concerns with building a berm that we're  
13 going to probably have to remove upwards of maybe  
14 another 50 trees that we don't want to do, we'd like  
15 to preserve the trees.

16 One of the members I believe mentioned a  
17 screen wall as well as landscape. That's a great  
18 idea. I mean, we've already offered up some  
19 additional landscaping and spruce trees.

20 Mrs. Halloran's concern about her trees, I  
21 probably know what happened to her trees. If they're  
22 pine trees, they have pine blight. I'm sure Rick can  
23 probably attest to that if it's a pine tree. Pine  
24 blight is pretty prevalent in Michigan right now  
25 killing all of the pine trees. So maybe that's what

1           happened to her trees which is unfortunate that it did  
2           happen. But we'd like to plant some trees, spruce that  
3           would not be affected by the pine blight and would act  
4           as a good buffer in addition to maybe some screen  
5           walls, rather than trying to build a big berm that I  
6           don't think is going to do justice to what the  
7           concerns are.

8                   MR. GIACOPETTI: That was my only question.  
9           Thanks for --

10                   MR. JONES: Thank you.

11                   CHAIRPERSON PEHRSON: Thank you.

12                   I guess I agree with most of the comments  
13           that have been made. I guess I don't know that I'm in  
14           a position yet though to support what is being  
15           suggested in the motion sheet, and I think I'd rather  
16           we see a postponement and let Rick and the planning  
17           group, Ms. McBeth, go back with Mr. Jones.

18                   I like the idea of the wall in lieu of or  
19           in portion of the berm to knock down some of the  
20           noise. I think the berm serves its purpose, but we've  
21           talked about also some of the ills of the berm as far  
22           as the water runoff and some of those things. Then I  
23           think it would behoove Mr. Jones to go back and kind  
24           of take a peak at the building size to see what he can  
25           do relative to the size of the building to see what

1 else could be added for protection to the residential.

2 And all of the other spots to the west and  
3 north of this, we probably never had that  
4 consideration because we were a mile and a half away  
5 theoretically from residential. Now that we're  
6 abutting the residential, I think the requirements  
7 have to be even more scrutinized so that we protect  
8 the residents.

9 And all of the other things that we don't  
10 have purview over relative to ordinance, I know Barb  
11 takes good notes and I'm sure she'll be talking to  
12 folks that will handle that going forward as well.

13 Those are my comments. Anyone want to make  
14 a motion?

15 MR. ANTHONY: I'd like to make motion to  
16 postpone.

17 MR. AVDOULOS: Second.

18 MR. DOVRE: To a date or an event?

19 MR. ANTHONY: Well --

20 MR. DOVRE: Or for things to happen?

21 MR. ANTHONY: Right. What I would like is  
22 I would like the developer to be able to work with the  
23 city so that you can work together to resolve the  
24 issue of the barrier between the residential  
25 neighborhood and the building.

1 MR. JONES: Can I make one more comment?

2 MR. ANTHONY: Yes.

3 MR. JONES: It's somewhat related to  
4 lighting. We have put together a photometric plan and  
5 it's been submitting as part of the requirements of  
6 the City of Novi. It does meet Novi standards. There  
7 is zero light at the lot line. The lighting that is  
8 provided for this facility is far superior to what's  
9 been put into some of other developments throughout  
10 the park. It is LED lighting, which is state of the  
11 art. They do have shields on all the fixtures. So I  
12 wouldn't see any concern. But the light poles  
13 themselves have been lowered. These are I believe  
14 25 foot in height.

15 CHAIRPERSON PEHRSON: As long as you're  
16 meeting the standard of zero at lot line, it could be  
17 candles for all I care. I appreciate the --

18 MR. JONES: I just wanted to mention that  
19 they are state of the art lighting and it's meeting  
20 the standards.

21 MR. ANTHONY: Thank you.

22 MR. ZUCHLEWSKI: And to that, if you can go  
23 back and take a look at the lights that are now  
24 objectionable --

25 CHAIRPERSON PEHRSON: That's not part of

1 this process. You're talking about things that are --  
2 that were already built. That's not anything to do  
3 with this particular development.

4 MR. ZUCHLEWSKI: Well, I see it is, because  
5 these people are still -- that's an issue with them,  
6 and we're not resolving their issue.

7 CHAIRPERSON PEHRSON: Counselor, is that  
8 part of our purview at this point?

9 MR. DOVRE: The enforcement?

10 MR. ZUCHLEWSKI: Not the enforcement. To  
11 go back as part of this, and we're putting in new,  
12 and to go back to the existing lighting that's on the  
13 site and make it the same as this so it meets the same  
14 criteria and it's not blinding them in their bedrooms.

15 CHAIRPERSON PEHRSON: We're not talking  
16 about this -- we're talking about this site. What the  
17 residents are talking about are the sites that are  
18 already built that are providing light.

19 MR. ZUCHLEWSKI: I understand that.

20 MR. DOVRE: That's not proper for this  
21 motion, especially for a simple postponement motion.

22 CHAIRPERSON PEHRSON: It's not part of our  
23 purview for this particular --

24 MR. JONES: I can make mention that are  
25 most recent development that's being recently

1 finished, which is Lot 56, which is right down Hudson  
2 Drive from this, we have upgraded that to LED. It was  
3 originally approved as metal halide, and it's being  
4 upgraded and being installed right now, and it will be  
5 operational within the next month as LED. So we have  
6 made some provisions.

7 MR. GIACOPETTI: We can add this to other  
8 matters for consideration at the end of --

9 MR. ZUCHLEWSKI: I just think it's a time  
10 to take care of some issues here.

11 CHAIRPERSON PEHRSON: It's not part of this  
12 particular plan that we can address. We can't force  
13 them to go back in time.

14 MR. ZUCHLEWSKI: No, I didn't force them.  
15 I just suggested it would be an opportunity.

16 MR. ANTHONY: So if I can continue my  
17 motion to postpone. My motion to postpone would be to  
18 postpone to give time for the developer and to the  
19 city staff to work together to resolve the issue of  
20 screening both in -- whether it's wall, berm,  
21 vegetation, trees or some combination, between the  
22 closest point of the industrial property and the  
23 residential homes as well as the other issues that  
24 were brought up today.

25 MR. DOVRE: Is the staff to put this back

1 on the agenda when that's been completed?

2 CHAIRPERSON PEHRSON: Correct.

3 MR. ANTHONY: And once that's completed to  
4 come back onto the agenda.

5 CHAIRPERSON PEHRSON: Do we have a second?

6 MR. ZUCHLEWSKI: Second.

7 CHAIRPERSON PEHRSON: We have a motion by  
8 Member Anthony, second by Member Zuchlewski.

9 Any other comments?

10 Kirsten, please call roll.

11 MS. MELLEM: Member Avdoulos?

12 MR. AVDOULOS: Yes.

13 MS. MELLEM: Member Giacopetti?

14 MR. GIACOPETTI: Yes.

15 MS. MELLEM: Chair Pehrson?

16 CHAIRPERSON PEHRSON: Yes.

17 MS. MELLEM: Member Zuchlewski?

18 MR. ZUCHLEWSKI: Yes.

19 MS. MELLEM: Member Anthony?

20 MR. ANTHONY: Yes.

21 MS. MELLEM: Motion passes five to zero.

22 CHAIRPERSON PEHRSON: Thank you.

23 I don't think there's any matters for  
24 consideration or discussion. We've come to the  
25 consent agenda that I believe was delayed, which is

1 Item Number 2, Adams North Technology Center, JSP  
2 17-40.

3 MS. McBETH: Item Number 1.

4 CHAIRPERSON PEHRSON: I'm sorry,  
5 Eberspaecher, Parking Expansion, JSP 17-18. It's  
6 approval of the request of Nowak & Fraus Engineering  
7 on behalf of Eberspaecher America for Preliminary Site  
8 Plan and Stormwater Management Plan approval. The  
9 subject parcel is located in Section 12, west of  
10 Haggerty Road and south of Thirteen Mile Road. It is  
11 approximately 8.21 acres and zoned OST, Office Service  
12 Technology. The applicant is proposing an additional  
13 parking 66 parking spaces as part of reconfiguration  
14 of the existing parking lot and converting existing  
15 vacant land into parking spaces.

16 Kirsten.

17 MS. MELLEEM: The applicant is proposing  
18 to construct an additional 66 parking spaces on vacant  
19 land behind the building. The site is estimated to be  
20 8.21 acres and located in Section 12, west of Haggerty  
21 Road and south of Thirteen Mile Road.

22 The subject property is currently zoned  
23 OST, Office Service Technology. The property to the  
24 north, west, and south are also zoned OST. The  
25 property to the east is residential in Farmington

1 Hills.

2 The Future Land Use Map indicates Office,  
3 Research, Development and Technology for the subject  
4 property, and for the properties to the north, west,  
5 and south. The properties to the east are  
6 residential in Farmington Hills.

7 The site contains wetlands on the west side  
8 of the property along the ITC corridor. The applicant  
9 is not proposing any impact to the wetlands.

10 The proposed project is at the Eberspaecher  
11 North America site on Haggerty Road. The applicant is  
12 proposing an additional 66 parking spaces at the rear  
13 of the building for additional employee parking. The  
14 current site accommodates 90 parking spaces and  
15 additional spaces have been leased from the neighbor  
16 since there are 127 employees at one time. The  
17 additional 66 spaces would provide 150 regular spaces  
18 and 6 barrier-free spaces for a total of 156 parking  
19 spaces. The landscape waiver is for parking lot  
20 landscaping that cannot be provided due to site  
21 constraints and the applicant has agreed to replace  
22 the missing tree in the northern end island and to  
23 remove invasive phragmites from the pond edge later  
24 this year.

25 The reviewers are all recommending

1 approval; some with conditions to be met with the next  
2 submittal.

3 The Planning Commission is asked tonight to  
4 consider the preliminary site plan and stormwater  
5 management plan and to have a discussion on the reason  
6 the item was pulled from consent. The applicant,  
7 staff, and consultants are here to answer any  
8 questions you may have.

9 CHAIRPERSON PEHRSON: Member Giacopetti.

10 MR. GIACOPEZZI: I have questions for  
11 staff. I'm not sure if Kirsten or Rick is the best to  
12 answer this. I think we're seeing a trend here of  
13 plans coming in requesting waivers due to lack of  
14 space for landscaping, and I'm excited to know that  
15 the applicants business is growing here in Novi and  
16 that they need more space from employees. That's  
17 fantastic news. My question was how many -- do you  
18 have an estimate of how many spaces would need to be  
19 removed in order for them to be able to meet the  
20 landscape requirements?

21 MR. MEADER: I don't have the answer right  
22 now. What I can tell you is that this is what  
23 prompted the recent proposal we have to reduce the  
24 number or the landscape ordinance changes. This  
25 configuration as it is would require 25 interior trees

1 plus the perimeter trees on the outside, which to me  
2 is pretty hard to do. They would have to basically  
3 have a long central island to fit them all. If you go  
4 with the new ordinance proposal, they would need ten  
5 trees for this interior area, and that's about what  
6 they're proposing. So it's really a matter of the  
7 ordinance requires more than I think is probably  
8 reasonable for this kind of parking lot.

9 MR. GIACOPETTI: That answers my question.

10 MR. MEADER: That's my judgment.

11 MR. GIACOPETTI: And where is the -- if you  
12 don't mind me asking, where is the ordinance in  
13 process?

14 MS. MCBETH: On the landscape ordinance?

15 MR. GIACOPETTI: Yes.

16 MS. MCBETH: It is expected to go back for  
17 a second reading at the City Council with a couple of  
18 minor amendments that Rick has been working on. So  
19 we're thinking the next council meeting is what we're  
20 expecting. So once that is in place, it usually takes  
21 effect 15 days after it's approved.

22 MR. GIACOPETTI: I'm not proposing a  
23 postponement, but if this had come to us in let's say  
24 a month, it would require a much, much smaller waiver,  
25 correct?

1 MR. MEADER: Yes.

2 MR. GIACOPETTI: That's all the questions I  
3 had.

4 CHAIRPERSON PEHRSON: Shall we make a  
5 motion?

6 MR. GIACOPETTI: Yeah, I'll make a motion.  
7 I'll make a motion in the matter of JSP 17-18,  
8 approval of the preliminary site plan. The motion is  
9 to approve the preliminary site plan based on and  
10 subject to the following:

11 A, landscape waiver from Section 5.5.3.C  
12 for reduction of required parking lot landscaping due  
13 to a lack of space on site, 25 required, 12 provided,  
14 which has hereby been granted.

15 B, applicant shall replace missing tree in  
16 the northern island of the excessing parking lot.

17 C, applicant shall remove invasive  
18 phragmites from the pond edges in late summer/early  
19 fall.

20 D, the findings of compliance with  
21 ordinance standards in the staff and consultant review  
22 letters and the conditions and items listed in those  
23 letters being addressed on the final site plan.

24 This motion is made because the plan is  
25 otherwise in compliance with Article 3, Article 4, and

1 Article 5 of the zoning ordinance, and all other  
2 applicable provisions of the ordinance.

3 MR. ANTHONY: Second.

4 CHAIRPERSON PEHRSON: Motion by Member  
5 Giacometti, second by Member Anthony.

6 Any other comments?

7 Kirsten, please.

8 MS. MELLEM: Member Avdoulos?

9 MR. AVDOULOS: Yes.

10 MS. MELLEM: Chair Pehrson?

11 CHAIRPERSON PEHRSON: Yes.

12 MS. MELLEM: Member Zuchlewski?

13 MR. ZUCHLEWSKI: Yes.

14 MS. MELLEM: Member Anthony?

15 MR. ANTHONY: Yes.

16 MS. MELLEM: Member Giacometti?

17 MR. GIACOPETTI: Yes.

18 MS. MELLEM: Motion passes five to zero.

19 MR. GIACOPETTI: I'd like to make a second

20 motion. In the matter of Eberspaecher Parking  
21 Expansion, JSP 17-18, motion to approve the stormwater  
22 management plan based on and subject to the following:

23 A, the findings of compliance with  
24 ordinance standards in the staff and consultant review  
25 letters, and the conditions and items listed in those

1 letters being addressed on the Final Site Plan.

2 This motion is made because the plan is  
3 otherwise in compliance with Chapter 11 of the Code of  
4 Ordinances and all other applicable provisions of the  
5 ordinance.

6 MR. ANTHONY: Second.

7 CHAIRPERSON PEHRSON: Motion by Member  
8 Giacometti, second by Member Anthony.

9 Any other comments?

10 Kirsten, please.

11 MS. MELLEM: Chair Pehrson?

12 CHAIRPERSON PEHRSON: Yes.

13 MS. MELLEM: Member Zuchlewski?

14 MR. ZUCHLEWSKI: Yes.

15 MS. MELLEM: Member Avdoulos?

16 MR. AVDOULOS: Yes.

17 MS. MELLEM: Member Anthony?

18 MR. ANTHONY: Yes.

19 MS. MELLEM: Member Giacometti?

20 MR. GIACOPETTI: Yes.

21 MS. MELLEM: Motion passes five to zero.

22 CHAIRPERSON PEHRSON: Thank you.

23 That brings us to supplemental issues.

24 Anybody?

25 MR. GIACOPETTI: Can we address this issue

1 of -- I mean, it's a supplemental issue.

2 CHAIRPERSON PEHRSON: I'll go back to my  
3 original statement. It's a supplemental issue that  
4 you might want to have discussions about yourselves,  
5 but there is nothing in our purview that we can do  
6 anything about. If the developer of that corporate  
7 park wants to be so nice as to go in and change all  
8 his lights from incandescent to LED, he's more than  
9 willing to do such, but they at the time followed  
10 direction of the engineering and the requirements.

11 MR. GIACOPETTI: How about just an anecdote  
12 from personal experience?

13 CHAIRPERSON PEHRSON: Go right ahead.

14 MR. GIACOPETTI: I just want to thank the  
15 city. I had a problem with a neighboring development  
16 that had lighting that crossed over to the footpath,  
17 and by calling the building department, they came out  
18 and tested and indeed found that there was a problem.  
19 So I do appreciate the city's building staff for doing  
20 that.

21 I think anyone who has a concern about a  
22 neighbors -- a bad neighbor whose light is out of  
23 code, I highly recommend contacting them and they'll  
24 probably come out and take care of the sad situation.

25 That's all, Chair.

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CHAIRPERSON PEHRSON: Okay. That brings us to our last audience participation. Does anyone in the audience who hasn't had a chance to address the planning commission at this time, please step forward.

Seeing no one, we'll close the audience participation and look for a motion to adjourn.

MR. ZUCHLEWSKI: Motion to adjourn.

MR. AVDOULOS: And second.

CHAIRPERSON PEHRSON: All those in favor?

THE BOARD: Aye.

(The meeting was adjourned at 8:00 p.m.)

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C E R T I F I C A T E

I, Diane L. Szach, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (56) pages, is a true and correct transcript of my said stenograph notes.

*Diane L. Szach*

Diane L. Szach, CSR-3170  
Oakland County, Michigan  
My Commission Expires: 3/9/18

June 6, 2017.