



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

August 14, 2013 7:00 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.

ROLL CALL

Present: Member Baratta, Member Giacobetti, Member Greco, Chair Pehrson, Member Zuchlewski

Absent: Member Lynch, Member Anthony

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Elizabeth Saarela, City Attorney.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Greco, seconded by Member Baratta:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to approve the August 14, 2013 Planning Commission Agenda. Motion carried 5-0.

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 said on the July 22nd City Council meeting the Council approved the second reading of the bicycle parking ordinance. It was slightly modified from the way the Planning Commission saw it. Also, looking ahead to the next Planning Commission meeting, there are two presentations, one short presentation from Jim Newman from the Detroit chapter of the US Green Building Council. He would like to share some of information about the work that the group is doing and how that might serve the interest of various local communities. He's got a brief presentation that he'd like to share and following that he'll have a question and answer session.

The second presentation at the next Planning Commission meeting relates to the work that the City's consultants have been doing related to the Town Center and Main Street area. That land use study is located at the intersection of Grand River and Novi Road on both sides, those four quadrants. So far the consultant has been working mostly to collect information on the study area and has started some interviews of some of the important stakeholders in that area. The consultant will share the process so far and present some information on that at the next Planning Commission meeting. There will also be an open house style information session that the Planning Commission can take part in as well as any interested members of the community and property owners and tenants in the area.

Lastly there is a training session being offered; the Michigan Citizen Planner Classroom Series. That will be

offered at the planning conference this year. These are also being offered at Oakland County, free of charge Monday evenings September 9th through October 21st.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

PUBLIC HEARINGS

1. NOVI WAREHOUSE, JSP13-54

Public Hearing to consider Special Land Use permit approval for the subject property located at 22222 Roethel in Section 35, on the south side of Roethel Drive, east of the railroad tracks and north of Ashbury Drive. The applicant is proposing to occupy the building with a business warehouse use. No exterior site changes are proposed.

Planner Kapelanski said the applicant is proposing to occupy an existing building totaling approximately 38,000 square feet at 22222 Roethel Drive, which is south of Nine Mile Road. The area is generally occupied by office and industrial uses with the City's Rotary Park to the east and residential uses beyond the open space to the south. The property is zoned I-1 Light Industrial with residential zoning to the south and industrial zoning in all other directions.

The applicant is proposing a use that is not readily described in the Zoning Ordinance and would fall under the provision of "Other uses of a similar and no more objectionable character to the above uses" listed in Section 1902.19. That provision would make the proposed use a special land use in this instance and the Planning Commission should consider the provisions listed in Section 2516.2.c of the Zoning Ordinance. It is staff's opinion that the proposed use is similar to a warehouse facility. The applicant has indicated and the provided floor plan shows several warehouse storage spaces to be rented out to individuals for storage of materials and goods associated with a business. The planning review recommends approval noting the applicant has requested and the planning staff supports a waiver of the required Noise Analysis. The applicant has confirmed no noise generating equipment will be added to the site and has provided provisions in their proposed lease agreement to ensure any inside activities will not exceed the City's noise standards.

Mike Powell, owner of Powell and Associates, an engineering company in White Lake Michigan came forward representing the applicant, McKenna Development. Robert Walker is here to answer any questions regarding the use of the building and the intent. Mr. Powell was available to answer any technical questions. They are in full agreement with the staff reports.

Chair Pehrson opened the public hearing. No one from the audience wished to speak and there was no correspondence. Chair Pehrson closed the public hearing.

Member Baratta said he would like the applicant to explain the proposed use.

Mr. Walker said we don't know the exact businesses that will lease the space but it will be rented to business warehouse users. That is the intent. This is not going to be a self-storage use. These units are quite big, so it is most similar to a flex warehouse space. There is a demand for smaller warehouses and this is quite unique in that a user can drive through the building. It's all climate controlled so it would be a good application for many different businesses.

Member Baratta asked if they the users could have employees at their units.

Mr. Walker said no. This would just be for storage of goods.

Member Baratta asked if there would be common bathrooms.

Mr. Walker said there would be one bathroom that would be made available to all the tenants.

Member Baratta ask if there was an office in the building.

Mr. Walker said there will be an office for the management company near the front of the building.

Member Baratta asked what kind of requirements there were for more than one bathroom.

Mr. Powell said the Michigan Uniform Building Code essentially states that if the occupant load is over 25 people, you would need separate bathrooms for men and women. The Michigan Building Code determines the size and occupancy of the bathrooms. It all has to be ADA Accessible. The occupant load will be well under the requirement for separated bathrooms.

Member Baratta ask if it's a fully sprinkled building.

Mr. Walker said it is a fully sprinkled building because the code requires that.

Mr. Powell said that sprinklers are not in but we're intending to put them in because we have water to the building now.

Member Baratta asked if it will be a normal wet sprinkler?

Mr. Walker said it will be a wet sprinkler.

Member Baratta asked if there were any limitations on what can be stored in this building.

Mr. Walker said there will be restrictions in the lease agreement against any hazardous types of materials and also as it was mentioned earlier, there will be restrictions in the lease so that allowable noise is not over 55 decibels.

Member Baratta asked if vehicles are intended to drive into the building. Is that what the overhead doors are for?

Mr. Walker said that is the intention and the doors are already in place so no changes to the exterior are required.

Member Baratta asked if there will be fans to eliminate vehicle exhaust.

Mr. Walker said there will be fans and carbon monoxide detectors.

Chair Pehrson asked how the bays will be divided.

Mr. Walker said they'll have a steel galvanized panel that will be removable so if a tenant wants a larger or smaller space it can be adjusted accordingly. But there'll be nothing of any structural nature. They would go 10 feet high and the ceiling is 20 foot high.

Chair Pehrson ask if the fire marshal has looked at this.

Planner Kapelanski said this is in the Building Division for their review right now too. So I believe they are examining all those issues as part of their review.

Member Zuchlewski said since the units are not to the ceiling it would be treated as one open floor space with sprinklers based on that spacing.

Member Giacometti asked what type of exhaust fans would be required.

Mr. Powell said code requirements are very specific and they've been working with the Building Division on the HVAC system. The HVAC units still have to be put in. The automatic detectors for carbon dioxide and carbon monoxide will be placed in and they will be automatically operating the fans when they reach a certain level both high and low. Those are all required to be put in before a C of O can be issued on the building.

Member Giacometti said his only concern would be the noise generated by those exhaust fans since a waiver of the noise study has been requested.

Mr. Powell said certainty these will be interiorly mounted fans that will still be under the noise requirement guidelines for the City.

Member Zuchlewski suggested the use of electric high-lows could help with the exhaust issues.

Mr. Powell said there are so many different occupants that they would have to have a high-low just for their own unit. There isn't going to be a high-low provided for the entire building.

Moved by Member Greco and seconded by Member Baratta:

ROLL CALL VOTE ON THE SPECIAL LAND USE PERMIT APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

In the matter of Novi Warehouse, JSP13-54, motion to approve the Special Land Use permit based on the following findings:

a. Relative to other feasible uses of the site:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares as indicated in the traffic review letter;
- b. Subject to satisfying the requirements in the Engineering Review the proposed use will not cause any detrimental impact on the capabilities of public services and facilities because there are existing water and sanitary sewer connections and stormwater management facilities;
- c. The proposed use is compatible with the natural features and characteristics of the land because the plan does not impact any natural features;
- d. The proposed use is compatible with adjacent uses of the land as indicated in the staff review letter;
- e. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
- f. The proposed use will promote the use of land in a socially and economically desirable manner;
- g. The proposed use is listed among the provisions of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located; and

b. Planning Commission waiver of the required Noise Analysis, which is hereby granted.

This motion is made because the plan is otherwise in compliance with Article 19, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

2. ZONING ORDINANCE TEXT AMENDMENT 18.268

Public hearing to consider recommendation to City Council for an Ordinance to amend ordinance no. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, I-1 Light Industrial District, Section 1903, Principal uses permitted in locations not abutting a Residential District and subject to special conditions, in order to permit car rental facilities in the I-1 District.

Planner Kristen Kapelanski said this is an ordinance amendment that's submitted by Hertz Car Rental. It would make car rental facilities a permitted Special Land Use on properties not abutting residential zoning in the Light Industrial District. Staff has completed a review of the amendment and recommends approval with some suggested modifications. The Planning Commission set the public hearing for the proposed amendment on July 10th. Since that time, the City Attorney's office has reviewed the amendment and made some additional modifications. It is staffs understanding that the applicant does not object to any of staffs' conditions or those of the City Attorney's office. The Planning Commission is asked to hold a Public Hearing and forward a recommendation onto the City Council this evening.

Justin Britski, General Manager for the State of Michigan for Hertz Car Rental came forward. Hertz wishes to move into Omni Auto Center and wish to abide by all the recommendations made via the staff and proceed with a car rental facility.

Chair Pehrson opened the public hearing. No one from the audience wished to speak and there was no correspondence. Chair Pehrson closed the public hearing.

Chair Pehrson ask if there were provisions within the amendment related to car sales.

Planner Kapelanski said there are sections of the Zoning Ordinance that would allow car sales. Staff is proposing for that not to be included in this instance. It's really only for the rental of motor vehicles.

Chair Pehrson asked the applicant if that was agreeable.

Mr. Britski said yes.

Member Greco asked what the market for rentals is in this area.

Mr. Britski said the market here is for insurance replacement, body shop replacement and dealership replacement needs.

Moved by Member Greco and seconded by Member Baratta:

ROLL CALL VOTE ON THE ZONING ORDINANCE TEXT AMENDMENT APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to recommend approval of Zoning Ordinance Text Amendment 18.268 to include car rental facilities as a special land use in locations not abutting a residential district in the I-1 District. *Motion carried 5-0.*

MATTERS FOR CONSIDERATION

1. FAÇADE WAIVER LOT 38 BECK NORTH, CREFORM (aka BECK NOTH LOT 38), JSP13-61

Approval of the request of Amson Dembs Development for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 4 at 29795 Hudson Drive, west of Hudson Drive and north of Peary Court in the I-1, Light Industrial District. The applicant is proposing to alter the approved façade.

Planner Kristen Kapelanski said the applicant is proposing to modify the existing façade of a building to be located at 29795 Hudson Drive just north of Peary Court in the Beck North office and industrial park. The property is zoned I-1, Light Industrial. The proposed façade modifications require a Section 9 façade waiver to permit the overage of combined types of CMU. This project was originally approved by the Planning Commission in 2007. Since that time, a modification to the façade chart was made and the ordinance no longer permits more than 75% of a façade to be made up of any type of CMU. The proposed modifications, which are mainly slight revisions to the east and south elevations that result in only nominal changes to the façade percentages have resulted in a review of the entire façade under the new ordinance standards. Staff supports the requested façade waiver.

Jason Cooper from Amson Dembs said he represented the owners and developers of the project and was available to answer any questions.

Member Baratta asked what has changed from what was originally approved.

Mr. Cooper said what's changed really is the amount of the block that is being used verses glass. The tenant who's going to be occupying this space in the building is going to be occupying the second floor. With the ability to do the proposed change it's going to be able to let in more natural light to their second floor.

Planner Kapelanski said the applicant is correct. The new façade would include a lot more glass, particularly on the front portion of the building. If the old façade were reviewed under the ordinance standards that are currently listed on the façade chart, it would not meet the standards. Our façade consultant is recommending approval of the change. We think the new look is an improvement. It's just that those combined percentages of the two different kinds of block exceed what's allowed by the ordinance.

Moved by Member Zuchlewski and seconded by Member Greco:

ROLL CALL VOTE ON THE REVISED PRELIMINAY SITE PLAN APPROVAL MOTION MADE BY MEMBER ZUCHLEWSKI AND SECONDED BY MEMBER GRECO:

In the matter of Creform (aka Beck North Lot 38), JSP13-61, motion to approve the revised Preliminary Site Plan based on and subject to the Section 9 waiver to allow an overage of CMU on all facades which is hereby granted. This motion is made because the plan is otherwise in compliance with Article 19, Article 24, and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

2. PLANNING COMMISSION CALENDAR 2014

Deputy Director McBeth said this time of year the Community Relations Division approaches all the departments that have commissions and committees that would like to schedule meetings for the upcoming year. Staff has proposed a calendar for 2014 for mostly the second and fourth Wednesday of each month for the Planning Commission meetings; two meetings per month typically. For 2014 staff is suggesting only one meeting in September, November and December.

Member Giacobetti asked for the month of April, did staff consider an alternate date for the second meeting given the proximity to the City holiday?

Deputy Director McBeth asked if Member Giacobetti was referencing Easter on the 20th?

Member Giacobetti said yes.

Deputy Director McBeth said staff could potentially move that meeting to the 30th if that would be the preference. The Library Board likes to meet on the third Wednesday of the month. There are five Wednesdays that month and staff could move that to the 30th.

Chair Pehrson asked staff to look into that and make that change to the 30th then.

Moved by Member Greco and seconded by Member Baratta:

ROLL CALL VOTE ON THE PLANNING COMMISSION CALENDAR APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to approve the 2014 Planning Commission Calendar with staff looking into moving the Second meeting in April to April 30th. *Motion carried 5-0.*

3. APPROVAL OF THE JUNE 26, 2013 PLANNING COMMISSION MINUTES

Moved by Member Baratta and seconded by Member Greco:

VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

Motion to approve the June 26, 2013 Planning Commission Minutes. *Motion carried 5-0.*

4. APPROVAL OF THE JULY 10, 2013 PLANNING COMMISSION MINUTES

Moved by Member Baratta and seconded by Member Greco:

VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO:

Motion to approve the July 10, 2013 Planning Commission Minutes. *Motion carried 5-0.*

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 to discuss.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Greco and seconded by Member Baratta:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA:

Motion to adjourn the August 14, 2013 Planning Commission meeting. *Motion carried 5-0.*

The meeting was adjourned at 7:31 PM.

Transcribed by Valentina Nuculaj
August, 2013
Date Approved: August 24, 2013

Signature on File

Richelle Leskun, Planning Assistant