



PLANNING COMMISSION

MINUTES

CITY OF NOVI

Regular Meeting

June 24th, 2020 7:00 PM

Remote Meeting

45175 W. Ten Mile (248) 347-0475

In accordance with Executive Order 2020-48, this meeting was held remotely.

CALL TO ORDER

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

ROLL CALL

Present: Member Anthony, Member Gronachan, Member Lynch, Member Maday, Chair Pehrson

Absent: Member Avdoulos, Member Ferrell

Staff: Barbara McBeth, City Planner; Lindsay Bell, Senior Planner; Madeleine Kopko, Planning Assistant; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Elizabeth Saarela, City Attorney; Pete Hill, City Environmental Consultant

PLEDGE OF ALLEGIANCE

Chair Pehrson led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Gronachan and seconded by Member Maday.

VOICE VOTE TO APPROVE THE JUNE 24, 2020 PLANNING COMMISSION AGENDA MOVED BY MEMBER GRONACHAN AND SECONDED BY MEMBER MADAY.

Motion to approve the June 24, 2020 Planning Commission Agenda. *Motion carried 5-0.*

AUDIENCE PARTICIPATION

Seeing no one in the audience who wished to speak, Chair Pehrson closed the first audience participation.

CORRESPONDENCE

Planning Assistant Kopko said there was a letter received from Northern Equities Group and it sounds like they would like to share some of their opinions on the changes to the Landscape Ordinance and Landscape Design Manual as discussed at our last meeting. They have concerns about over-landscaped sites, aesthetic issues, ongoing expenses to maintain the landscaped areas, street

trees, and lines of sight that they believe is not covered in this landscape update. They would like to see some collaboration between the city and the developer to make a plan that works for all projects. They have listed all their concerns in detail in the provided letter.

COMMITTEE REPORTS

There were no committee reports.

CITY PLANNER REPORT

City Planner McBeth said you may have already known this, but tonight is the last evening that Tony Anthony will serve on the Planning Commission as he's decided not to seek another term in order to allow another resident an opportunity to experience serving on the Planning Commission. I just wanted to thank Member Anthony for serving on the Planning Commission since 2011 and all the work that he has done and all the enthusiasm he's had with serving on various committees, we have really appreciated that. We look forward to seeing you at the appreciation dinner this year for the boards and commissions.

Member Anthony said thank you. I really do appreciate being able to serve the community and everything I have learned while being here. It has been ten years. My attendance has been getting spotty because my company is getting a lot busier. I have learned so much being on the Planning Commission and I appreciate working with all of you and the staff. This will give me a little bit of a break to focus on a new granddaughter and growth in our company.

Chair Pehrson said we wish you all the best and it's been a pleasure having you on the Commission, you will be missed. Don't be a stranger.

Member Gronachan said for the short time I've been on the Commission, I have really enjoyed working with you. Member Maday said I'm sad that we have to say goodbye over Zoom.

CONSENT AGENDA - REMOVALS AND APPROVALS

There was nothing on the consent agenda.

PUBLIC HEARINGS

1. GREAT OAKS INDUSTRIAL PARCEL 1, JSP 19-35

Public hearing at the request of Hillside Investments for Preliminary Site Plan, Special Land Use Permit, Wetland Permit, Woodland Permit and Storm Water Management Plan approval for a new 98,650 square foot speculative building for research & development, manufacturing or warehouse uses. The subject property is approximately 20 acres and is located in Section 9, north of Twelve Mile Road and west of West Park Drive. The southern portion of the site is zoned I-1, Light Industrial District and the northern portion is zoned I-2, General Industrial District.

Planner Bell said as you mentioned, the subject property is in Section 9 on the north side of Twelve Mile Road, west of West Park Drive. The parcel is approximately 20 acres. There has been a golf driving range on this property since the 1980's. The southern portion of the parcel is zoned I-1, Light Industrial, while the northern portion is I-2, General Industrial. The properties to the west and east have the same zoning. The properties to the south of 12 Mile Road are zoned Office Service Technology and Residential Acreage. The Future Land Use Map indicates Heavy Industrial for the northern portion of this site and surrounding properties, with Industrial Research Development Technology for the southern portion. South of 12 Mile Road is planned for Office Research Development Technology. There is extensive woodland areas present on the northern portion of the site, and also some small pockets of wetland scattered throughout the site. The Davis Drain skirts

along the eastern side of the site.

The applicant is proposing to construct a building just under 100,000 square feet in floor area. The potential tenant is unknown at this time, but expected to be a Research/Development or Warehouse use with accessory office. These uses require Special Land Use Permit approval in the I-1 District when adjacent to residential districts, which is present to the south. These residential parcels are currently vacant, and have been for over 5 years according to aerial photos. Staff anticipates these parcels would eventually redevelop as Office Service Technology uses as envisioned in the Master Plan.

The site would have one main drive off of Twelve Mile Road with a right turn taper. This drive would be able to be extended to the north to serve the potential future development of the remainder of the parcel. There is a secondary emergency access route on the east side of the parcel to meet Fire Department requirements. The site plan as proposed would require a total of 113 parking spaces. The applicant has proposed 198 spaces. Staff has encouraged the applicant to consider reducing the excess parking, and the applicant has agreed to explore that in the Final Site Plan submittal. Storm water would be collected by a single detention pond north of the building. The plan proposes impacts to several small wetlands and wetland buffers on the site, which requires a wetland permit and an authorization for encroachment into the wetland Setbacks. The total impact area is approximately 0.16 acres, which does not meet the threshold to require mitigation by the City.

The woodland review identified several trees that would be considered regulated under the City's Woodland Protection Ordinance that have not been accounted for in the applicant's counts. It appears a total of 67 city-regulated trees are proposed for removal. This would bring the woodland replacement credits required to 87. The applicant has stated they will provide woodland replacements as required and address the additional comments in the Final Site Plan submittal. Any woodland replacements to be planted on-site would be expected to be placed in a conservation easement to ensure their permanent preservation.

Planner Bell continued to say the Road Commission for Oakland County has been exploring options to improve Twelve Mile Road in the vicinity of the subject property. A final design for a 4-lane boulevard plan has recently been released that shows a break in the boulevard, with a loon or a turning bump-out on both the north and south side, near the subject property. The applicant has modified the layout and site configuration to avoid conflicts with these proposed road improvements.

The applicant has requested a Section 9 waiver for the façade design, which does not meet the minimum brick requirement on all facades. Our façade consultant supports the waiver request as the combined percentages of masonry materials meets or is just under the 30% required. The height of the building will also be brought into conformance with the height limit of the Ordinance, so that may impact material percentages in the Final Site Plan.

Landscape and Planning reviewers identified several deviations from the Ordinance that would require waivers or variances. However the applicant indicates in their response letter that each of the issues identified will be corrected in the Final Site Plan, so the waivers are not requested. The applicant indicates they will comply with all the outstanding comments.

The Planning Commission is asked tonight to hold the public hearing and approve or deny the Special Land Use permit, Preliminary Site Plan, Wetland Permit, Woodland Permit and the storm water management plan. Representing the project tonight are Dave Hardin from Hillside Investments and engineer Jim Butler from PEA. Staff and environmental consultant Pete Hill are

available to answer any questions as well.

Dave Hardin, Hillside Investments, said we're here seeking preliminary site plan approval for this beautiful new facility near the corner of 12 Mile Road and West Park Drive on the north side of 12 Mile Road. As mentioned, the facility is just short of 100,000 square feet in size and sits on approximately 20 acres of property. This time we haven't identified a final user for the building, but we have several proposals already. There are some very wonderful and exciting companies looking to locate themselves in the Novi community. As a result, this building is currently being planned for use as a Spec Building; however, we would likely not construct this building on Spec and wait until we have a user identified to start actual construction. The anticipated potential uses for the facility would be research and development, light industrial, manufacturing, warehousing, and we would anticipate that any of these uses would be accompanied by a significant portion of office space as well. The building is 98,000 square feet in total. There are 28,000 square feet of office total on two floors and about 70,000 square feet of light industrial warehouse or one of the other previously mentioned uses. The front office portions of the building have nice expansive window bands and punched window openings around the perimeter. There are also large upper window bands around areas of the backside of the building as well. We typically like to provide our clients with a vast amount of natural light. Depending on the final user of the building, we will probably look to provide one or two large skylights in each bay of that back portion to really capitalize on natural light within the space.

The building will range from about 31 feet in height to 32 feet in height. As Lindsay had mentioned, the packet had previously stated that we were looking to do a taller building up to 45-feet because of the potential tenant that was interested in the building, but we are no longer pursuing that tenant so the variance request for the additional height is no longer necessary. The building color scheme is in the natural brown/beige earth tone range and you can see the different material selections on the material board that we submitted. We are requesting the Section 9 Waiver for the underage of brick. Although, with the combination of brick and c-brick the lowest percentage we have on any façade of the building is about 42 percent so the intent of that 30 percent minimum masonry brick requirement on any façade is kind of what we had designed in the plan and the building to meet. As also mentioned, there were a couple landscaping waivers and other dimensional variances mentioned in the review packet, but as Lindsay had mentioned we are not going to seek any of those at this time. We are going to make sure the building complies with all of the Ordinance Requirements. With that I have my civil engineer, Jim Butler with PEA, and we welcome the opportunity to answer any questions you may have.

Chair Pehrson said this is a public hearing, if anyone in the audience wishes to address the Planning Commission at this time please come forward now.

Lori Kinjorski said I'm here with Carl and Jane Follmer and we represent address 46695 West 12 Mile Road, that is south of 12 Mile Road. We would like to go on record to say that is not a vacant residential property. There are people living in both homes there. The concerns that Carl and Jane have are in regards to the water drainage situation south of 12 Mile Road. The concerns they have are related to how this property would impact that and I know that there's talk about the storm drains and some other things but maybe we can have the civil engineer review the plans again and look at the actual site plan that you had up just a moment ago and sort of help us understand how this construction will not impact and hopefully help the water situation that is present south of 12 Mile Road.

Carl Follmer said I would like to add that it would help a lot if they didn't have the landscape company there because the clearing of the snow at Twelve Oaks gets dumped on the property and of course that snow turns to water and it migrates south.

Chair Pehrson asked for the correspondence.

Planning Assistant Kopko said there was one letter from Carl Follmer and it sounds like he summed up his comments just now.

Seeing no one else wished to speak, Chair Pehrson closed the audience participation and turned it over to the Planning Commission for comments.

Member Lynch said let's understand the topography and the drainage. If the civil engineer would like to speak to that, that would be helpful.

Jim Butler, PEA, said the drainage for this site goes into what's called the Davis Drain. The Davis Drain was a pipe connection under 12 Mile Road. It takes water from the south side of 12 Mile Road onto this site, it goes through the site and exits at the northeast corner through twin 48-inch culverts and continues across and goes to the east into a wetland area, possibly a regional basin. So drainage comes from the south side of 12 Mile Road through the site and exits the site. What we're proposing is construction of a storm water detention basin on the north end of our site that will be detained and discharged into the Davis Drain so all water will flow to the north and not to the south.

Member Lynch said so the properties south of 12 Mile Road are not affected because everything flows from south to north, is that what you are stating?

Jim Butler, PEA, said correct, south to north.

Member Gronachan said I reviewed the packet pretty thoroughly and I think that the petitioner has addressed most of the concerns. I see that the staff has given their approval. My only question was about the traffic and the effect on 12 Mile Road and I really think that that's a little premature until we find out exactly what's going to be in the building so preliminarily I'm in support of this.

Member Maday said I'm in support of the project, but I want to reiterate a couple of things. I just want to encourage the developer to save as many trees as possible. The trees that you do have to remove, if you could replant as many as possible on site as that's always important for the people of Novi. I also wanted to thank the developer for working with the city and our experts in allowing the trees that aren't technically questionable. Thank you for working out the landscaping and waivers and not having issues with that. With regards to the wetlands, it looks like the wetland does not need mitigation on site, which is great. They are going to need an EGLE permit and a wetland permit because of the 25-foot setback that will be impacted. I'd ask the developer to try to mitigate as much as they can to minimize impact to wetlands, that's always helpful. Those were the things I looked at. With the land use, we will deal with that when the time comes to figure out what's going to be there, but it looks like they're willing to comply with everything that the city's asking so thank you again for that.

Member Anthony said overall I do support this. What I like about it is that the site fits the Future Land Use Plan. We do have the two residential properties to the south, those sites are older, but it is at least consistent with the Future Land Use Plan, which helps and takes away some of the more problems that we've had in the past. The majority of the wetland is preserved, I like to see that. It seems that some of the woodlands are an issue. Rick, if you could comment on that. When I looked at what they had proposed there, it looked as though they had filled the site with trees where they could. The only place where it looked like there could be extra trees was on the western property line. I didn't know if that had to do with the slope or the berm. Why are there no trees in that area?

Landscape Architect Meader said I can't say what's going to happen, but I think the idea there was that they are going to leave it open for future development. As long as they can get all the trees on the site, we can't really tell them where they have to go; we just ask that they try to get it mostly on site.

Member Anthony said I'm puzzled about the future development. That site doesn't strike me as having enough room for future development.

Landscape Architect Meader said technically the concrete business to the west could be developed for something else. I can't speak to what the developer is thinking, but that's my best guess. They did connect a lot of trees around the detention pond and we could ask them to see if they can do more. We don't want to have trees on top of each other, but we can see what we can do. They seem to be willing to work with us.

Member Anthony said other than that you hit the concept. So to Jim Butler, do you know from what you're planning on what might be intended down in that area?

Jim Butler, PEA, said that's a slope down to the site. Like it was mentioned by Rick, potentially if you acquire the piece to the west you could use that for development.

Dave Hardin, Hillside Investments, said I would just like to add to that too, there is a slope there and one of the landscape waivers that we aren't going to seek anymore was the street trees along that edge so we are going to put those back in that area. Novi Crushed Concrete and Copeland Paving directly to the west of our site is the last property in Novi and then it turns to Wixom. That property is very narrow for how long it is so it's a tough site to develop so we purposely pushed that drive as far east as possible. We've talked about potentially doing something with that site one day so were trying to preserve as much space as possible to make that narrow lot a little bit more useful.

Member Anthony said I understand now. It's the adjoining property that is too narrow for development on its own, but if combined with the subject property, then it provides you with more land in order to redevelop. As far as the drainage, Jim, obviously when you calculated the size of that detention basin, you're calculating the amount of runoff that will happen from all the paved surfaces and calculating that the volume of that drainage basin will hold that water. What is the relationship between the bottom of that drainage basin and your ground water measurements?

Jim Butler, PEA, said that drain is significantly deep. It falls fairly significantly from 12 Mile Road to where it crosses at West Park Drive. Mr. Butler asked the developer about the ground water level and or the soil borings.

Dave Hardin, Hillside Investments said I don't think there were any high ground water conditions.

Member Anthony said this is what I wanted to illustrate for the neighbors that are to the south of 12 Mile Road. This property is designed to handle the runoff from that property. If you follow the Davis Drain further north along there, it's then going to turn to the east and then it goes up into West Park Drive and then it comes across up to the railroad. The water that's coming through that drain really is from up stream of that subject property. Though, this development may help with the water load that was contributed by the snow melt from Twelve Oaks Mall. If there does remain a problem, if it's beyond what that snow melt was, that does appear like that's coming from further upstream than the subject property. There's really not much more that the engineers can do there to resolve that so you may want to keep that in mind. Overall looking at this, the woodland issue is minor, the wetland preserve I like, future land use is right on. The façade I really like, on the side I saw vertical

metal siding and metal coping. Is that area where you need the waiver for facade materials?

Dave Hardin, Hillside Investments, said yes, it would be the east and west and north sides of the building. So the back three sides of the building.

Member Anthony said as long as staff is comfortable with that I don't have objections. I would support this project.

Motion made by Member Anthony and seconded by Member Maday.

ROLL CALL VOTE TO APPROVE SPECIAL LAND USE PERMIT FOR PROJECT JSP19-35 GREAT OAKS INDUSTRIAL PARCEL 1 MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER MADAY.

In the matter of Great Oaks Industrial Parcel 1 JSP19-35, motion to approve the Special Land Use permit based on the following findings:

- a. The applicant states possible uses could include research and development, manufacturing, or warehouse, which are special land uses in the I-1 Light Industrial district when they abut a residential district.
- b. If a manufacturing or warehouse tenant is to occupy the site, a noise analysis subject to the standards of Section 5.14.10.B. shall be submitted to the Community Development Department for evaluation prior to occupancy. Research and development tenants shall submit a noise impact statement to the Community Development Department for evaluation prior to occupancy.
- c. Relative to other feasible uses of the site:
 1. The proposed use will not cause any detrimental impact on existing thoroughfares (*Traffic impacts will be similar to other uses that could be developed by-right in the I-1 District. A right turn taper is proposed*);
 2. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*because there is adequate capacity in the public services and this area is planned for Industrial use.*);
 3. The proposed use is compatible with the natural features and characteristics of the land (*because the proposed building will mostly be constructed on an area formerly used as a golf range, the impacts on existing regulated woodlands or wetlands are minimized.*);
 4. The proposed use is compatible with adjacent uses of land (*because the existing adjacent uses are also industrial and the residentially zoned properties to the south have been vacant for several years.*);
 5. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use (*It complies with the goal that recommends supporting growth of new businesses in the city*);
 6. The proposed use will promote the use of land in a socially and economically desirable manner (*Future tenants will be able to expand operations and offer employment to a greater number of people.*); and
 7. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located. (*Both statements are true when considering the applicant has agreed to make changes to bring several deviations into conformance as described in their response letter.*)

This motion is made because the plan is otherwise in compliance with Article 3.1.5, Article 4, Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Anthony and seconded by Member Maday.

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN FOR PROJECT JSP19-35 GREAT OAKS INDUSTRIAL PARCEL 1 MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER MADAY.

In the matter of Great Oaks Industrial Parcel 1 JSP19-35, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. A section 9 waiver is requested for the underage of brick (30% minimum required, 29% on South, 19% on West, 22% on East and 24% on North façade proposed) *because the combination of other masonry materials proposed will bring the percentage to approximately 30%, which is hereby granted;* and
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Anthony and seconded by Member Maday.

ROLL CALL VOTE TO APPROVE THE WETLAND PERMIT FOR PROJECT JSP19-35 GREAT OAKS INDUSTRIAL PARCEL 1 MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER MADAY.

In the matter of Great Oaks Industrial Parcel 1 JSP19-35, motion to approve the Wetland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Anthony and seconded by Member Maday.

ROLL CALL VOTE TO APPROVE THE WOODLAND PERMIT FOR PROJECT JSP19-35 GREAT OAKS INDUSTRIAL PARCEL 1 MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER MADAY.

In the matter of Great Oaks Industrial Parcel 1 JSP19-35, motion to approve the Woodland Permit based on and subject to the following:

- a. The regulated tree count shall be updated to reflect all trees determined to be subject to regulation under the Woodland Protection Ordinance by the City's environmental consultant as indicated in the applicant's response letter;
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Motion made by Member Anthony and seconded by Member Maday.

ROLL CALL VOTE TO APPROVE THE WOODLAND PERMIT FOR PROJECT JSP19-35 GREAT OAKS INDUSTRIAL PARCEL 1 MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER MADAY.

In the matter of Great Oaks Industrial Parcel 1 JSP19-35, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. 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 5-0.*

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE JUNE 10, 2020 PLANNING COMMISSION MINUTES.

Motion made by Member Gronachan and seconded by Member Lynch.

ROLL CALL VOTE TO APPROVE THE JUNE 10, 2020 PLANNING COMMISSION MINUTES MADE BY MEMBER GRONACHAN AND SECONDED BY MEMBER LYNCH.

Motion to approve the June 10, 2020 Planning Commission Meeting minutes. *Motion carried 5-0.*

SUPPLEMENTAL ISSUES

AUDIENCE PARTICIPATION

Seeing no one in the audience wished to speak, Chair Pehrson closed the audience participation.

ADJOURNMENT

Motion to adjourn made by Member Lynch and seconded by Member Gronachan.

Motion to adjourn the June 24, 2020 Planning Commission meeting. *Motion carried 5-0.*

The meeting was adjourned at 7:37 PM.