



## PLANNING COMMISSION MINUTES

*DRAFT*

CITY OF NOVI

Regular Meeting

**Wednesday, November 10, 2010 | 7 PM**

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

### CALL TO ORDER

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

### ROLL CALL

**Present:** Member Baratta (arrived 7:19), Member Cassis, Member Greco, Member Gutman, Member Larson, Member Lynch, Member Meyer, Chair Pehrson, Member Prince

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Kristin Kolb, City Attorney; Mark Spencer, Planner; Kristen Kapelanski, Planner; Lindon Ivezaj, Engineer; David Beschke, Landscape Architect

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Larson:

### VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LARSON:

Motion to approve the November 10, 2010 Planning Commission Agenda as presented. *Motion carried 8-0.*

### AUDIENCE PARTICIPATION

No one from the audience wished to speak.

### CORRESPONDENCE

There was no correspondence.

### COMMITTEE REPORTS

There were no committee reports.

### COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth stated that the City Council recently approved the first and second readings of the miscellaneous Text Amendment were recommended by the Planning Commission.

### CONSENT AGENDA - REMOVALS AND APPROVAL

#### 1. BECK NORTH CORPORATE PARK UNIT 9, SITE PLAN 07-45

Consideration of the request of Dot Development for a one-year Preliminary Site Plan extension. The subject property is located in Section 4, at the northeast corner of Hudson Drive and DeSoto Court in the Beck North Corporate Park development. The subject property is approximately 2.39 acres and the applicant is proposing to construct a 31,156 square foot speculative industrial building.

Moved by Member Larson, seconded by Member Gutman:

**VOICE VOTE ON THE CONSENT AGENDA APPROVAL MOTION MADE BY MEMBER LARSON AND SECONDED BY MEMBER GUTMAN:**

**Motion to approve the Consent Agenda as presented. *Motion carried 8-0.***

**PUBLIC HEARINGS**

**1. NEHER HOLDINGS, SITE PLAN 10-43**

Public Hearing at the request of RHO Real Estate, Inc., for Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan approval. The subject property is located in Section 14 at 41700 Eleven Mile Road on the north side of Eleven Mile Road between Delwal Drive and Meadowbrook Road in the I-1, Light Industrial District. The subject property is 3.98 acres and the applicant is proposing a 9,296 square foot two story general office building.

Planner Spencer stated that the applicant, RHO Real Estate, working with Neher Holdings, the property owner, seeks preliminary site plan approval to demolish an existing single family home and construct a new 9,296 square foot two-story general office building with accessory parking and drainage facilities on property located on the north side of Eleven Mile Road between Delwal Drive and Meadowbrook Road in Section 14.

The upper floor of the building is proposed as a sales office for the property owner's food brokerage business and the lower floor is proposed as unfinished speculative office space. The site contains an existing 2,758 square foot office/warehouse building that the applicant has indicated would be accessory to the office use and be used for the storage of private vehicles and site maintenance equipment only. Since it is existing and will have little traffic, the City staff is not requiring any changes to the site regarding access to the accessory buildings.

Neighboring uses include vacant property to the east, the Novi Business Park to the south, Pinnacle office park to the west and Novi Gardens Office Park and Walsh College to the north.

On the future land use plan, the subject property and properties to the east, southwest and northwest are planned for Industrial, Research, Development and Technology future land uses. The Walsh College property to the northeast is designated for Educational Facility uses.

The subject property and all of the surrounding properties are in the I-1, Light Industrial district.

The property contains two water courses. It is bisected east to west by Bishop Creek and extending to the north from the creek is the Bassett drain. A pond and small wetland fringe is associated with Bishop Creek. A pond and larger wetland area is associated with Bassett Drain. An extensive amount of floodplain is associated with both water bodies. A small amount of site work is proposed in the wetlands, wetlands setback area and the floodplain. A City minor use wetland permit and State wetland permit will be required. A floodplain permit will also be required. No regulated woodlands exist on the site, but two landmark walnut trees are labeled for removal. A Woodland permit and 8 replacement trees are required to remove these trees.

The Planning Review indicates that the Preliminary Site Plan meets most of the requirements of the Zoning Ordinance and City Code except for a few items. The applicant is asked to make some changes before submitting the final site plan including the removal of the parking space overhang from the 40 foot setback area, correcting the gross leasable floor area calculation, providing one additional parking space, modifying the angle of the dumpster enclosure in relation to the access aisle to provide for straight on access from the east and to address the other minor corrections to be completed on the Final Site Plan submittal. The applicant has indicated that they would make the requested changes on the Final Site Plan.

The applicant was also asked to increase the width of all end islands to at least 8 feet. The applicant's response letter indicates that they did not have room to do this on the east side of the building because a parking space would encroach into the front yard setback. But after further discussion with the applicant's engineer it was determined that there is enough room to increase the width of the island and maintain the 40 foot front yard setback.

This site plan proposes a one-way drive around the site. It includes two driveway cuts on Eleven Mile Road. The western driveway is 67 feet from the neighboring drive to the west and does not meet the City's same side driveway spacing requirement of 150 feet for a 35 mph collector road. The City's traffic consultant recommends a Planning Commission waiver of this requirement due to the shallowness of the buildable portion of the site and the need for a one-way drive system.

The applicant's proposed building does not meet the façade requirements for façade Region 3. Façade region 3 is the least restrictive region. It permits the façade to include up to 50% asphalt shingles. The applicant is proposing 60% asphalt shingles on the south elevation facing Eleven Mile Road. The applicant is requesting a Section 9 waiver to permit 60% asphalt shingles on the south elevation. The City's reviewing architect recommends the waiver because "the asphalt shingle roof is articulated by gables and hipped rooflines that are consistent with and enhance the overall design of the building."

The applicant has agreed to make all of the recommended changes on the Final Site Plan with the exception of a couple of technical issues that the applicant's engineer said they would work out with the City's engineer before submitting a Final Site Plan. The City's traffic consultant, landscape architect, woodland and wetland consultant, engineer and Fire Marshal all recommend approval of the Preliminary Site Plan subject to the applicant making the minor corrections listed in their review letters at the time of Final Site Plan submittal.

At this time, the Planning Staff also recommends approval of the Preliminary Site Plan subject to the items listed in the suggested motion sheet and in the planning review letter being corrected on the Final Site Plan submittal.

Chair Pehrson thanked Planner Spencer for his report and asked the applicant if there were any additional comments.

The applicant responded that there were no additional comments at this time.

Chair Pehrson opened the public hearing. No one from the audience wished to speak, and there were no public hearing responses or letters regarding this matter. Chair Pehrson closed the public hearing and asked for comments or a motion from the Commission.

Member Meyer described his familiarity with the property and the previous owners of the home on the property, the McSweeney family who had operated an electrical contracting company in Novi for many years. Member Meyer stated that the architectural designs will complement the architectural facades of the existing Bishop Creek office building and the Pinnacle office building.

Member Cassis asked the applicant to come forward and describe the nature of the proposed business.

Applicant Bob Olson introduced Mr. Neher as the owner of the property and future tenant of the building. Mr. Neher indicated that the business is a food brokerage business, with a small area dedicated to demonstration of food products. The business is to sell food products from various manufacturers to grocery stores and restaurants.

Member Cassis stated that the property is zoned light industrial, and asked if any products would be sold over the counter from the building.

Mr. Neher confirmed that products will not be sold over the counter from this establishment.

Chair Pehrson asked if there were any other comments.

Moved by Member Lynch, seconded by Member Gutman:

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

In the matter of Neher Sales, SP10-43, motion to approve the Preliminary Site Plan subject to the following: (a) Removing the parking space overhang from the required 40 foot front yard setback; (b) Providing one additional parking space; (c) Increasing the width of all end islands to 8 feet or more; (d) Planning Commission waiver of same side driveway spacing requirement from 150 feet to 67 feet for the west driveway due to the shallowness of the site and the need for a one-way driveway system; (e) Planning Commission granting a Section 9 waiver to permit 60% asphalt shingles on the south elevation because the design is consistent with the intent and purpose of the Zoning Ordinance; and (f) The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Article 19, Section 2400 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 8-0.*

Moved by Member Lynch, seconded by Member Gutman:

In the matter of Neher Sales, SP10-43, motion to approve the Wetland Permit subject to the conditions and items listed in the staff and consultant review letter being addressed on the Final Site Plan. This motion is made because the plan is in compliance with Chapter 12 of the Code of Ordinances and all other applicable provisions of the Ordinance.

Chair Pehrson asked, given the configuration of the site, if there is anyway the two large walnut trees slated for removal can be preserved.

City Landscape Architect Beschke stated that unfortunately the trees are dead center on the property and they would have to be removed in order to reasonable develop the property. The applicant is compensating for the trees to be removed by planting 8 trees that are native Michigan species and other landscaping on the site to dress it back up.

**ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:**

In the matter of Neher Sales, SP10-43, motion to approve the Wetland Permit subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is in compliance with Chapter 12 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 8-0.*

Moved by Member Lynch, seconded by Member Gutman:

**ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER LYNCH AND**

**SECONDED BY MEMBER GUTMAN:**

**In the matter of Neher Sales, SP10-43, motion to approve the Woodland Permit subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 8-0.***

Moved by Member Lynch, seconded by Member Gutman:

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

**In the matter of Neher Sales, SP10-43, motion to approve the Stormwater Management Plan subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. 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 8-0.***

**MATTERS FOR CONSIDERATION**

**1. KISTLER INSTRUMENTS, SITE PLAN 10-44**

Consideration the request of Amson Dembs Development for Kistler Instruments for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located in Section 4, at the southeast corner of Hudson Drive and Cartier Drive, in the I-1, Light Industrial District. The subject property is approximately 2.1 acres and the applicant is proposing a 21,989 square foot office and light manufacturing building.

Planner Kapelanski displayed the location map and stated that the applicant is proposing to construct an approximately 22,000 square foot office and light manufacturing building at the southeast corner of Hudson Drive and Cartier Drive.

The property is currently zoned I-1, Light Industrial and is surrounded by I-1 zoning. Office, warehouse space and light manufacturing uses are principal permitted uses in the I-1 District. The future land use map indicates Industrial, Research, Development and Technology uses for the subject property. There are no natural features on the site.

As shown on the site plan, parking is proposed in the front yard along Hudson Drive. This is permitted provided the Planning Commission makes a finding that the front yard parking is compatible with the surrounding development. Staff has no concerns regarding the proposed front yard parking. The planning review also noted other minor issues to be addressed at the time of Final Site Plan submittal. The traffic review, landscape review, engineering review, façade review and fire review all recommended approval with minor issues to be addressed on the Final Site Plan submittal.

Chair Pehrson asked the applicant if he had anything to add.

Ryan Dembs, of Amson Dembs Development came forward and indicated that the representative from Kistler is in the audience. Mr. Dembs expressed that he is very pleased that Kistler is choosing to move to this location in Novi at this time.

Member Gutman indicated that the Planning Commission also sees reason for optimism that two new developments are on the agenda this evening. Member Gutman asked the representatives from Kistler Instruments to describe their business.

Mr. Chad Ivan from Kistler Instruments described Kistler as a multi-national firm based in Switzerland but started in the United States in 1965. Mr. Ivan provided an overview of the various functional departments of Kistler, including engines, crash testing, valve seating, and a development division. The US manufacturing facility is in Buffalo, New York. This proposed facility will bring together the three operations, including Farmington Hills and Flint, into the new Novi Headquarters and make it our North American Headquarters. Approximately 22 jobs will be brought to Novi, with possible future growth to 40-45 jobs.

When asked what attracted Kistler Instruments to Novi, Mr. Ivan indicated that Novi has people with the right knowledge, and it is centrally located. Mr. Ivan believes that the new building will be a high-quality facility to match the equipment the company sells.

Moved by Member Gutman, seconded by Member Lynch:

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

In the matter of Kistler Instruments, SP10-44, motion to approve the Preliminary Site Plan, subject to the following: (a) Planning Commission finding that the parking area is compatible with the surrounding development; and (b) Items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Article 19, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 9-0.*

Moved by Member Gutman, seconded by Member Lynch:

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

In the matter of Kistler Instruments, SP10-44, motion to approve the Stormwater Management Plan subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. 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 9-0.*

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There was no Consent Agenda.

**MATTERS FOR CONSIDERATION**

**1. APPROVAL OF JULY 28, 2010 PLANNING COMMISSION MINUTES**

Moved by Member Lynch, seconded by Member Baratta:

**VOICE VOTE ON JULY 28, 2010 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:**

Motion to approve the July 28, 2010 Planning Commission minutes. *Motion carried 9-0.*

**2. APPROVAL OF SEPTEMBER 8, 2010 PLANNING COMMISSION MINUTES**

Moved by Member Lynch, seconded by Member Baratta:

**VOICE VOTE ON SEPTEMBER 8, 2010 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY**

**MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:**

Motion to approve the September 8, 2010 Planning Commission minutes. *Motion carried 9-0.*

**SUPPLEMENTAL ISSUES**

There were no supplemental issues.

**AUDIENCE PARTICIPATION**

No one from the audience wished to speak.

**ADJOURNMENT**

Moved by Member Gutman, seconded by Member Baratta:

**VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER BARATTA.**

Motion to adjourn the August 11, 2010 Planning Commission meeting. *Motion carried 9-0.*

The meeting was adjourned at 7:28 PM.

Transcribed by Juanita Freeman

November, 2010

Date Approved:

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Richelle Leskun, Planning Assistant