



PLANNING COMMISSION MINUTES

DRAFT

CITY OF NOVI

Regular Meeting

June 15, 2011 | 7 PM

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

CALL TO ORDER

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

ROLL CALL

Present: Member Baratta, Member Cassis, Member Greco, Member Gutman, Member Larson, Chair Pehrson, Member Prince

Absent: Member Lynch (excused); Member Meyer (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Kristen Kapelanski, Planner; Brian Coburn; Engineer; Nathan Bouvy, Engineer; David Beschke, Landscape Architect; Kristin Kolb, City Attorney; Rod Arroyo, Traffic Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

Motion to approve the June 15, 2011 Planning Commission agenda. *Motion carried 7-0*

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 Planning Commission members have received either paper copies or a disk with a copy of the Non-Motorized Master Plan that was approved earlier in the year. The plan is also available on the City's website. Ms. McBeth said that Engineering Manager Brian Coburn has an introduction to make this evening.

Engineering Manager Brian Coburn stated that staff Engineer Nathan Bouvy had been hired by the City to assist with plan review projects. Nathan is a graduate of Michigan State University and has prior experience working with MDOT.

Chair Pehrson invited Engineer Bouvy to address the Commission.

Engineer Bouvy stated that he was raised in Frankenmuth Michigan and studied Engineering at Michigan State University. He told the Commission that he is happy to be here this evening and looks forward to working with the Commission members.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

PUBLIC HEARINGS

1. KUBICA INVESTMENTS SP11-18

Public hearing on the request of Kubica Corporation dba Prime Technologies for Kubica Investments for approval of the Preliminary Site Plan and Special Land Use Permit. The subject property is located at 22575 Heslip Drive, on the west side of Heslip Drive, north of Nine Mile Road in Section 26 of the City. The property totals 1.1 acres and the applicant is proposing to occupy the existing industrial building for the purpose of designing and building automation systems, industrial controls engineering, software development and control panel assembly.

Planner Kapelanski stated that the applicant is proposing to occupy a vacant industrial building on the west side of Heslip Drive north of Nine Mile Road for a company specializing in designing and building automation systems, industrial controls engineering, software development and control panel assembly.

Planner Kapelanski showed the Zoning Map and said the property is currently zoned I-1, Light Industrial and is surrounded by I-1 zoning to the north, east and south and RM-1, Multiple-Family to the west.

The applicant is before the Planning Commission to obtain the required Special Land Use permit. No changes to the exterior of the site are proposed. The Planning Commission should consider the findings listed in Section 2516.2.c of the Ordinance. The planning review recommends approval of the Special Land Use Permit and Site Plan.

Chair Pehrson invited the applicant to come forward.

Bryan Strickradt from Kubica Investments came forward and indicated that if anyone had any questions he would be happy to answer them.

Chair Pehrson opened the public hearing and invited anyone in the audience wishing to speak to come forward. Seeing no one, Chair Pehrson asked if there is any correspondence.

Member Greco indicated that there is no correspondence.

Chair Pehrson then closed the public hearing and asked the applicant to come forward to describe the proposed operations at this facility.

Mr. Strickradt said they do control engineering for industrial systems for large manufacturing applications, including some automotive for General Motors, Chrysler and Ford as well as Case, U-Haul and John Deere. He said Kubica Investments builds engineered control systems for paint lines and different automation systems. They mainly do engineering and custom software and some packaged software solutions and also build custom control panels. Chair Pehrson clarified with the applicant the specific type of stations that would be used at this facility.

Member Greco indicated that there is a requested waiver of the noise impact statement and asked the applicant about any noise-generating activities and if there were any outside activities associated with the business.

Mr. Strickradt said the work is mostly wiring and engineering activities inside the building. The only noise would be receiving deliveries, which is very infrequent and should generate less noise than trash collection.

Motion made by Member Gutman and seconded by Member Prince:

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

In the matter of the request of Kubica Corporation dba Prime Technologies for Kubica Investments SP11-18, motion to approve the Special Land Use Permit, subject to the following: a) Planning Commission finding under Section 2516.2.c for the Special Land Use Permit that relative to other uses of the site: The proposed use will not cause any detrimental impact on existing thoroughfares due to the fact that no additional trips beyond those normally associated with an office/accessory manufacturing use are expected; The proposed use is compatible with adjacent uses of land in terms of location, size, character and impact on adjacent property or the surrounding neighborhood due to the fact that the site is contained within an existing office/industrial park; The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use; The proposed use will promote the use of land in a socially and economically desirable manner; and The proposed use is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as noted in the staff review letter; b) Waiver of the required Noise Impact Statement as all work areas are totally enclosed and the applicant is not adding any noise generating equipment to the outside of the building; and c) Compliance with all conditions listed in the staff review letter. 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 7-0.*

Motion made by Member Gutman and seconded by Member Prince:

ROLL CALL VOTE ON SITE PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER PRINCE:

In the matter of the request of Kubica Corporation dba Prime Technologies for Kubica Investments SP11-18, motion to approve the Preliminary Site Plan subject to compliance with all conditions and requirements listed in the staff review letter. 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 7-0.*

2. ZONING MAP AMENDMENT 18.698 KALUZY TRUST, CHAPPEL AND GANNON

Public hearing on the request of Kaluzny Trust, Jerome G. and Barbara C. Chappel and Robert L. and Barbara J. Gannon for recommendation to City Council for rezoning of property in Section 20, located on the south side of Eleven Mile Road, west of Beck Road from the RA, Residential Acreage District to the R-4, One-Family Residential District. The subject property is 38.86 acres.

Planner Kapelanski said that the applicant is proposing to rezone three parcels on the south side of Eleven Mile Road, west of Beck Road from RA, Residential Acreage to R-4, One-Family Residential. The applicant has indicated the rezoning has been requested in order to bring the parcels into compliance with the recommended Future Land Use and Residential Density standards in the Master Plan for Land Use. These properties were previously part of a rezoning with Planned Rezoning Overlay that has since expired and the zoning has reverted back to the original RA zoning.

Planner Kapelanski indicated that the subject parcels are currently zoned RA, Residential Acreage and proposed to be rezoned to R-4, One-Family Residential.

The Future Land Use map indicates Single-Family Residential zoning for the subject property and the Residential Density Map indicates 3.3 units per acre for the subject property, which is consistent with the R-4 zoning district requested. Staff recommends approval of the proposed rezoning as the requested zoning is in

compliance with the Future Land Use map and the proposed residential zoning is consistent with the residential zoning throughout the surrounding area.

Chair Pehrson asked if the applicant was present and had anything to add.

Clif Sieber came forward on behalf of the applicant and said they are requesting the rezoning primarily because it brings the property into conformance with the Master Plan for Land Use and also it would make the property useful for single family homes that would attract young families who would be able to make use of the adjoining school just to the west of the property.

Chair Pehrson opened the public hearing and invited anyone in the audience wishing to speak to come forward. Seeing no one, Chair Pehrson asked if there is any correspondence.

Member Greco indicated that there is no correspondence.

Chair Pehrson then closed the public hearing.

Member Gutman indicated that everything seems to be in order.

Motion made by Member Gutman and seconded by Member Greco:

ROLL CALL VOTE ON APPROVAL RECOMMENDATION MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER GRECO:

In the matter of the request of Kaluzny Trust, Jerome G. and Barbara C. Chappel and Robert L. and Barbara J. Gannon for Zoning Map Amendment 18.698, motion to recommend approval to the City Council to rezone the subject property from RA, Residential Acreage District to R-4, One-Family Residential District for the following reasons: 1) As the highest density one-family residential district, the proposed R-4 District is consistent with the single-family residential use designation in the Master for Land Use 2010; 2) Eleven Mile Road is largely residential in character in this area and residential zoning is appropriate for this location; and 3) Adequate infrastructure exists to support the proposed density. *Motion carried 7-0.*

3. ZONING ORDINANCE TEXT AMENDMENT 18.250

Public hearing for Planning Commission's recommendation to the City Council to amend Zoning Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance at Article 9, NCC Non-Center Commercial District, Section 902 Principal Uses Permitted Subject to Special Conditions, at Article 13 B-1 Local Business District, Section 1302 Principal Uses Permitted Subject to Special Conditions, at Article 14 B-2 Community Business District, Section 1402 Principal Uses Permitted Subject to Special Conditions and at Article 16 TC and TC-1 Town Center Districts, Section 1602 Principal Uses Permitted Subject to Special Conditions; in order to add veterinary clinics as a Special Land Use.

Planner Kapelanski stated that this text amendment is being presented by staff in response to recent inquiries from area property owners. The amendment proposes adding veterinary clinics as a special land use in the NCC (Non-Center Commercial District), B-1 (Local Business District), B-2 (Community Business District) and TC and TC-1 (Town Center Districts). All clinics would be required to be setback at least 200 feet from an abutting residential district, and a noise impact statement would be required.

Currently, veterinary clinics are permitted as a special land use in the B-3 (General Business) District, as a special land use (when adjacent to residential) in the I-1 (Light Industrial) District and as a principal permitted use in the I-2 (General Industrial) District. The Planning Commission is asked to hold a public hearing and forward a recommendation to the City Council on this text amendment.

Chair Pehrson opened the public hearing and invited anyone in the audience wishing to speak to come forward. Seeing no one, Chair Pehrson asked if there was any correspondence.

Member Greco indicated that there was no correspondence.

Chair Pehrson then closed the public hearing.

Member Cassis indicated that he had previously provided his thoughts on this in an email, as he was absent from the meeting when the matter was first discussed. He is not in support of expanding the districts where this use is permitted, but suggests that it is appropriate in the Light Industrial District.

Member Baratta asked if this amendment is in response to pet stores that have a vet clinic or boarding component. Member Baratta was concerned about the boarding of animals.

Chair Pehrson suggested that the amendment should be revised to indicate that this is not intended to expand the kennel or boarding facilities to these districts.

Motion made by Member Gutman and seconded by Member Baratta:

ROLL CALL VOTE ON APPROVAL RECOMMENDATION MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER BARATTA:

In the matter of Zoning Ordinance Text Amendment 18.250, motion to recommend approval to the City Council, taking into account the Commission's discussion regarding the removal of extended care facilities. *Motion carried 7-0.*

4. ZONING ORDINANCE TEXT AMENDMENT 18.248

Public hearing for Planning Commission's recommendation to the City Council to amend Zoning Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2515 Fences (Residential and Non-Residential); in order to add regulations regarding maintenance and materials with certain exemptions.

Planner Kapelanski stated that this ordinance amendment was prepared by the City Attorney's Office in response to the Ordinance Review Committee's concerns regarding the maintenance, composition and uniformity of fences. The amendment proposes a new subsection addressing prohibited materials, maintenance, uniformity and orientation of the finished face and appropriate exemptions. These new regulations would apply to both residential and non-residential properties.

Planner Kapelanski said that implementation of a permit application or approval process is not included or recommended. These amendments would not prevent application and enforcement of more stringent standards under neighborhood association bylaws and deed restrictions, but are intended to raise the minimum standard.

The Planning Commission is asked to hold a public hearing and forward a recommendation to the City Council for the proposed ordinance amendments.

Chair Pehrson opened the public hearing and invited anyone in the audience wishing to speak to come forward. Seeing no one, Chair Pehrson asked if there was any correspondence.

Member Greco indicated that there was no correspondence.

Chair Pehrson then closed the public hearing.

Member Baratta noted that the ordinance provides for uniform materials, but wondered how this would be applied if the fence did not extend all the way to the ground, and wire or some other material is used to bridge the gap. Member Baratta suggested additional language to indicate that wire, or other non-standard material should not be visible from the street-side or outside of the property.

Motion made by Member Gutman and seconded by Member Baratta:

ROLL CALL VOTE ON APPROVAL RECOMMENDATION MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER BARATTA:

In the matter of Zoning Ordinance Text Amendment 18.248, motion to recommend approval to the City Council with the addition of language to include the intent that any use of interior-facing fence material will not be visible from the outside of the property. *Motion carried 7-0.*

MATTERS FOR CONSIDERATION

1. 1. TOGNUM AMERICA HEADQUARTERS SP11-22

Consideration of the request of Northern Equities Group for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located at 39525 Mackenzie Drive, at the southwest corner of Mackenzie Drive and Haggerty Road, north of Thirteen Mile Road, in Section 1 of the City. The property totals 7.02 acres and the applicant is proposing a 68,475 square foot building with associated parking and landscaping.

Planner Kapelanski showed the location map for the property and said that the applicant is proposing to construct a 68,475 square foot one-story office building at the southwest corner of Mackenzie Drive and Haggerty Road, north of 13 Mile Road for Tognum America Headquarters. An approximately 50,000 square foot speculative general office building was previously approved for the majority of this site. This plan proposes a similar building footprint with a larger building and additional parking on greater acreage.

The property is currently zoned OST, Planned Office Service Technology and is surrounded by OST zoning to the north, west and south and residential zoning on the east side of Haggerty Road in the City of Farmington Hills. The subject property and the surrounding properties in the City of Novi are master planned for Office Research Development Technology uses.

Planner Kapelanski showed the proposed site plan and said that the applicant is proposing to construct a 68,475 square foot one-story office building with associated landscaping, parking and accessory features.

The planning review recommends approval of the Preliminary Site Plan and notes the applicant will need to submit a revised Final Site Plan or at a minimum work with City staff to resolve deficiencies in the plan prior to Stamping Set submittal as there are several outstanding issues to be addressed. The applicant has been working with the Planning Division to resolve these issues.

The engineering review recommends approval of the Preliminary Site Plan only noting that the applicant will again, at a minimum, need to coordinate with staff on resolutions to the outstanding issues prior to Stamping Set submittal. The applicant has been in contact with the City engineers and they are working towards solutions for outstanding issues.

The traffic review did not recommend approval of the Preliminary Site Plan citing concerns with the circulation patterns in the rear of the site and access concerns off of Mackenzie Drive. The applicant has been coordinating with the City's traffic consultant and following the submission of revised plans via email, Birchler Arroyo is able to recommend approval of the Preliminary Site Plan contingent on certain revisions to the plan. The City's traffic consultant, Rod Arroyo is here this evening should any questions regarding the traffic review arise.

A revised Site Plan was submitted and provided at the table for the Planning Commission members to see. The most recent revisions to the plan address the circulation concerns on the rear of the site and include the required parking lot end islands.

The fire review recommended approval of the Preliminary Site Plan only noting concerns with the proposed patio and hydrant locations. The applicant has been working with the Fire Marshal on revisions to the proposed hydrant locations and circulation around the patio.

Planned Kapelanski concluded noting the façade and landscape reviews recommended approval of both the Preliminary and Final Site Plans. The applicant has submitted the required facade material samples.

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

Matt Sosin of Northern Equities came forward to address the Planning Commission. Mr. Sosin said it has been awhile since they have built a building in the park. They hope this will kick off a new phase of building and it is for a great client who will be a great member of the community: Tognum America. They are very excited to be here and are excited to move their headquarters to Novi. This will be a large investment for Novi and the State of Michigan and everyone should be very happy to have them as a part of the community.

Member Gutman asked Traffic Consultant Rod Arroyo to come forward and speak about the traffic engineering review for the project.

Traffic Consultant Rod Arroyo said the information before the Commission tonight is greatly improved from the original package. Minor issues remain that need to be resolved with the next round of plan submittals. Mr. Arroyo said that they have come a long way and appreciate everyone's cooperation. Birchler Arroyo is recommending approval.

Mr. Sosin expressed his appreciation for the work of the staff and consultants on this project.

Motion made by Member Gutman and seconded by Member Larson:

ROLL CALL VOTE ON SITE PLAN APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LARSON:

In the matter of the request of Northern Equities for Tognum America Headquarters SP11-22, motion to approve the Preliminary Site Plan subject to the following: a) Applicant incorporating the proposed resolutions for the traffic, fire and engineering issues as noted in the applicant's response letter in the subsequent plan submittals, including the statements by the applicant that the entrance drive island median will be eliminated on this site plan, a cross-access drive will be provided on the west property line when a site plan for the adjacent property is submitted with appropriate easements drawn up and recorded at that time, and additional modifications to the site plan as shown as items three and four in the June 15, 2011 memo from Birchler Arroyo; b) Applicant providing required end islands in the rear portion of the parking lot, as provided in the revised sketch; and c) Compliance with all the conditions and requirements listed in the staff and consultant review letters because the plan is otherwise in compliance

with Article 23A, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance.
Motion carried 7-0.

Motion made by Member Gutman and seconded by Member Larson:

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

In the matter of the request of Northern Equities Group for Tognum America Headquarters SP11-22, motion to approve the Stormwater Management Plan subject to the following: a) Applicant incorporating the proposed resolutions for the engineering issues as noted in the applicant's response letter in subsequent plan submittals; and b) Compliance with all the conditions and requirements listed in the staff and consultant review letters because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

There was no one wishing to speak at Audience Participation.

ADJOURNMENT

Moved by Member Gutman, seconded by Member Cassis:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER CASSIS:

Motion to adjourn the June 15, 2011 Planning Commission meeting. *Motion carried 7-0.*

The meeting adjourned at 7:39 PM.

Transcribed by:

Claudia Earl, Account Clerk, June, 2011

Date Approved:

Richelle Leskun, Planning Assistant