



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

OCTOBER 8, 2014 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 Giacometti, Member Greco, Member Lynch, Member Zuchlewski

Absent: Member Anthony (excused), Chair Pehrson (excused)

Also Present: Kristen Kapelanski, Planner; Sri Komaragiri, Planner; David Beschke, Landscape Architect; Gary Dovre, City Attorney

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Baratta:

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

Motion to approve the October 8, 2014 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

Planner Kapelanski said the City Council approved the first and second readings of the text amendment regarding the regulation of above ground storage tanks that were in the I-1 and OST districts. Also, since the last Planning Commission meeting, the City Council has welcomed our new City Manager, Pete Auger. So everyone was invited to meet him at the welcome reception that was held a week or so ago. But if you didn't get the chance, feel free to introduce yourself at the next opportunity. Also, I'd like to introduce our new planner Sri Komaragiri. She has an undergraduate degree in architect. She also has a master's degree in City and Regional Planning from Ohio State University. She has more than five years of

experience as a planner and site designer with a private firm in Virginia. She now lives in Northville with her family and we're excited to have her here.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no Consent Agenda items.

PUBLIC HEARINGS

1. DI-COAT ROETHEL DRIVE EXPANSION JSP14-50

Public hearing at the request of Di-Coat Corporation for Special Land Use permit and Preliminary Site Plan approval. The subject property is located in Section 35, at 22213 Roethel Drive, on the south side of Roethel Drive, west of Ashbury Drive in the I-1, Light Industrial District. The subject property is approximately 1.69 acres and the applicant is proposing to occupy an approximately 23,955 square foot space.

Planner Kapelanski said the applicant is proposing to occupy an approximately 24,000 square foot existing building on Roethel Drive. The property is located on the south side of Roethel Drive, west of Ashbury Drive. The property is zoned I-1 Light Industrial with I-1 zoning to the north, east and west and R-4, One-Family Residential zoning to the south. The applicant intends to use about half of the space for light manufacturing work as described in their letter and may lease the remaining space for warehouse use at some point in the future. Both uses are special land uses in the I-1 District on sites adjacent to residential zoning. No exterior site work is proposed and the applicant has generally met the conditions of the district as outlined in the planning review letter and staff is recommending approval of the Special Land Use Permit and Preliminary Site Plan. The applicant is requesting and staff is recommending a waiver of the required Noise Analysis as no noise generating equipment is being added to the site. Additionally, existing residential buildings are over 450 feet from the existing industrial building. The Planning Commission should consider the factors listed in Section 2516.2.c of the Zoning Ordinance regarding the special land use request.

Member Baratta said I reviewed the package and what the proposed use is and I really don't see anything that is objectionable. Also, I don't see where providing a waiver for the noise study would be objectionable, particularly given the distance that was described and that there is no additional equipment that's going to be installed that will create any noise issues.

Moved by Member Lynch and seconded by Member Giacopetti:

ROLL CALL VOTE ON THE SPECIAL LAND USE PERMIT AND PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:

In the matter of Di-Coat Roethel Drive Expansion, JSP14-50, motion to approve the Special Land Use permit and Preliminary Site Plan based on the following findings:

- a. Relative to other feasible uses of the site:
 - The proposed use will not cause any detrimental impact on existing thoroughfares since no additional square footage is proposed;
 - The proposed use will not cause any detrimental impact on the capabilities of public services and facilities since no additional square footage is proposed;
 - The proposed use is compatible with the natural features and characteristics of the land because the plan does not impact any natural features;
 - The proposed use is compatible with adjacent uses of land because the proposed use is located far from the any residential uses;

- 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;
- 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;
- Waiver of the required Noise Analysis, which is hereby granted, as the proposed use will not add any noise generating equipment to the site; and
- The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed.

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. ATI HEADQUARTERS JSP14-40

Public hearing at the request of ATI Land Holdings LLC for approval of the Preliminary Site Plan, Wetland Permit and Stormwater Management Plan. The subject property is 12.56 acres in Section 14 of the City of Novi and located on the west side of Meadowbrook Road between Twelve Mile Road and Eleven Mile Road, in the OST, Planned Office, Service, Technology District. The applicant is proposing a 107,400 square foot research and office facility.

Planner Kapelanski said the applicant is proposing to develop a 107,000 square foot research and office building on the west side of Meadowbrook Road, north of I-96. The proposed parcel is adjacent to existing offices on the north and east and vacant land and a single-family home on the south and west. The subject property is currently zoned Office Service Technology. The site is bordered by OST zoning in all directions. The future land use map indicates Office, Research, Development and Technology uses for the subject property and the surrounding properties. There are significant woodland and wetland areas on the site that cover a majority of the rear portion of the property. The applicant is proposing wetland impacts as part of the project.

The applicant is proposing a 107,000 square foot building with associated landscaping, parking and stormwater management features. A majority of the natural features would be preserved. The planning review recommends approval of the plan as it generally meets the requirements of the ordinance. The traffic review recommends approval of the plan and the required opposite-side driveway spacing waiver. The landscape review recommends approval noting a waiver is required for the use of evergreen trees as perimeter trees. Staff supports this waiver. The wetland review recommends approval of the plan stating a City of Novi Non-Minor Use Wetland Permit and an Authorization to Encroach into the 25 Foot Natural Features Setback will be required. An MDEQ permit may be required as well. It is the applicant's responsibility to work with the MDEQ to determine if a permit is required. Impacts do not appear to require mitigation. The façade review notes deficiencies in the façade including an underage of brick and an overage of cast stone on the north and west facades. The façade consultant has recommended the requested waiver as the design meets the intent of the façade ordinance. The engineering, woodlands and fire reviews all recommend approval of the plan noting items to be addressed on the final site plan submittal. The Planning Commission is asked to hold the public hearing and approve or deny the preliminary site plan, wetland permit and stormwater management plan.

Jason Salizar said I'm with Oliver Hatcher Construction and appearing on behalf of the owner of

ATI Accurate Technologies. With me, there are also representatives from JCK the civil engineers and Ghafari Associates the architect. I don't have anything to add unless there are any specific questions you may have.

Member Lynch said it looks like they've done their homework and everything is in line with what the planners recommended so I don't see any issues with this. The façade we typically have provided waivers for in the past so I'm okay with that.

Member Baratta said I do have one question. You're proposing evergreens in the perimeter. Evergreens have, in my opinion, and maybe Landscape Architect Beschke can confirm this, but I suspect evergreens don't do well in Novi, given that I've replaced all mine already.

Landscape Architect Beschke said evergreens within Novi and Michigan as a whole, have had some issues lately. One was with Dupont when they came out with a new chemical for lawn care; it damaged a lot of evergreens. But for the most part they are hardy trees; they come back. You can pick a lot of varieties. We continue to use them especially in a situation like this where they've got company vehicles stored to the rear of the proposed site and it's just a good screen. There is no better screen than a wall of evergreens for people living adjacent or working adjacent.

Member Baratta said you don't have any problem with them. They are not going to die in a year?

Landscape Architect Beschke said no. We've got our fall planting coming up right now, we're doing 340 trees and a lot of them are evergreens and sometimes you just go with the flow and use what is hardiest and showing the best survivability right now. But we'll continue to use them.

Member Giacometti said I really appreciate the applicant's response letter to the staffs' review. It is very thorough and answered most of my questions.

Moved by Member Baratta and seconded by Member Lynch:

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

In the matter of ATI Headquarters, JSP14-40, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. **Opposite-side driveway spacing waiver, which is hereby granted (86.5 feet proposed, 150 feet required);**
- b. **Landscape waiver to permit the use of evergreen trees as perimeter trees (deciduous trees required), which is hereby granted;**
- c. **Section 9 Waiver for underage of brick and overage of cast stone on the north and west facades, which is hereby granted; and**
- d. **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 23A, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Baratta and seconded by Member Lynch:

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

In the matter of ATI Headquarters, JSP14-40, motion to approve the Wetlands Permit based on and subject to the following:

- a. It is the applicant's responsibility to obtain a final determination as to the regulatory status of each of the on-site wetlands with the MDEQ; and
- 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 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Baratta and seconded by Member Lynch:

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

In the matter of ATI Headquarters, JSP14-40, 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. OUTDOOR ACCENTS JC14-120

Consideration of the request of Outdoor Accents, Inc. for Preliminary Site Plan and Section 9 Façade Waiver approval. The applicant is proposing to occupy the former Timberlane Hardware building at 42780 Ten Mile Road in Section 23 on the north side of Ten Mile Road, east of Novi Road in the I-2, General Industrial District. A change in roof materials is also proposed for the Main Building and Warehouse A.

Planner Kapelanski said he applicant is proposing to occupy the former Timberlane Hardware building on the north side of Ten Mile Road west of the railroad tracks. The property would be used by Outdoor Accents, a landscape company, for office space and indoor and outdoor storage of landscape materials. It is surrounded by vacant land and industrial uses. The property is zoned I-2, General Industrial and it is surrounded by industrial zoning. The proposed use of the site and the majority of the minor exterior modifications comply with the requirements of the ordinance and qualify for administrative approval by staff. The proposed façade modifications include the addition of a metal roof on the main building and warehouse A, both of which would be enhancements to the existing façade. A Section 9 waiver is required and recommended for the overage of standing seam metal as the proposed alterations would represent a significant improvement to the existing façade. The Planning Commission is asked to approve or deny the Preliminary Site Plan and façade waiver.

Moved by Member Lynch and seconded by Member Baratta:

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

In the matter of Outdoor Accents, JC14-120, motion to approve the Preliminary Site Plan and Section 9 façade waiver, which is hereby granted to allow an overage of standing seam metal on the basis that the proposed alteration represents an improvement in the existing façade that is compatible with the existing façade and with adjacent buildings, and is generally in keeping with the intent and purpose of Section 2520 and 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. *Motion carried 5-0.*

2. SET PUBLIC HEARING FOR NOVEMBER 12, 2014 FOR TEXT AMENDMENT 18.273, BUILDING HEIGHT STANDARDS FOR PLACES OF WORSHIP

Planner Kapelanski said the City has received a proposed text amendment to allow for additional building height of up to 65 feet for places of worship. Staff is generally in support of the proposed amendment with some minor revisions to the conditions noted in the suggested text. Suggested conditions include the following: The site must exceed 30 acres and the minimum front, side and rear yard building setbacks shall be increased by 1.5 feet for every one foot of building height in excess of 35 feet. These requirements are generally consistent with those listed in other local ordinances. The Planning Commission is asked to schedule the public hearing for November 12th. Should the Planning Commission so choose this matter could be sent to the Implementation Committee for further review.

Member Baratta asked if the ordinance modification asked if the modification is proposed to accommodate a building feature.

Planner Kapelanski said she believed the applicant that proposed the text amendment has in mind a specific feature but the way that the ordinance is written it would allow a building and the entire building to be up to 65 feet tall provided that they have 30 acres and can provide that additional setback.

Member Baratta said well I guess the question is do we want to go that far and allow for a two story building in potentially a residential area as opposed to a feature that is at that height.

Planner Kapelanski said I think that was a concern of the staff and that's why we're recommending the 30 acres. It really only applies to the very large sites. Currently the uses that are not residential and residential districts have to be setback 75 feet on all sides. So it would be setback considerably from every property line if that additional height was sought.

Member Baratta said I like the feature idea better than putting a full two story building there. I don't know what the rest of the commission thinks, but if it were a steeple or a feature they were going to building then I wouldn't have an objection to that. But if I was a residential home and I've got somebody that's 75 feet away that's a two story building used for whatever the purpose is, I would be looking at my backyard or wherever. So in my opinion, if it were related to a feature that's not occupied, I would be in favor of it. If it's something that's a two story building, I'm not sure I'd be in favor of that.

Member Zuchlewski said I had the same questions, rather or not it was a feature, be it a bell tower or steeple. But this seems so broad that it would allow for just a very tall building in a residential district and I'm not sure if I'd support it, regardless of the setback. I actually did some

homework on this to look at the permissible use of religious buildings and places of worship in residential neighborhoods and really it's a permissible use for the ability for folks to walk to church. That's why they are in residential neighborhoods. How large of a building is acceptable before it's too large? I don't know how many folks in Novi walk to church that we would need buildings that are so large. I'm surprised because St. James, which is just down the road, isn't that higher than 65 feet?

Planner Kapelanski said it may be. It seems like it exceeds 35 feet certainly but I don't know whether it got a variance or how that was handled when it was originally built. We'd have to research that.

Member Zuchlewski said so I would support a feature without the setback, I think the setback is perfectly adequate but it might be nice to clarify that in the ordinance but in terms of multiple story building, I don't see that working out.

Planner Kapelanski said we could investigate that a little bit further and see if there are instances in other ordinances. If there's an example out there of an ordinance that just includes additional height provisions for features or something like that.

Member Zuchlewski said I think you should go to that implementation committee or the staff can review, based on the comments here, as far as alternates for this. This clearly is what the Planning Commission is looking for.

Planner Kapelanski said we could do that and I would suggest too, I think we have another meeting coming up on the 22nd of October so potentially the public hearing could be set for November but we could bring you some additional information on the 22nd.

Member Zuchlewski said I think that sounds like what we're looking for. Do we need a motion for that?

Planner Kapelanski said if you're willing to set the public hearing for November pending additional staff information to be provided on the 22nd.

Member Baratta said is there a reason we have to set the public hearing?

Planner Kapelanski said no we could address the matter again on the 22nd and look to set it for the December meeting.

Member Baratta said ok so would the move be to table it for now?

Planner Kapelanski said yes.

Moved by Member Baratta and seconded by Member Zuchlewski:

ROLL CALL VOTE TO POSTPONE CONSIDERATION OF TEXT AMENDMENT 18.273 MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER ZUCHLEWSKI:

Motion to postpone consideration of Text Amendment 18.273 until staff will comes back with additional data. *Motion carried 5-0.*

3. APPROVAL OF THE SEPTEMBER 10, 2014 PLANNING COMMISSION MINUTES

Moved by Member Lynch and seconded by Member Baratta:

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

Motion to approve the September 10, 2014 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

Mark Garble, with Outdoor Accents, said we purchased the Timberlane building, thank you for the approval for that. I just wanted to say that there are three buildings on the site and that we've shown all three buildings on the plan and I'd like to repair the roofs of all three buildings. So I just wanted to make a note of that because I noticed they said for two but I don't know if we missed it somewhere in the notes but I just wanted to add some clarification that I'd like to do all three buildings with this deal, not just two.

Planner Kapelanski asked the main building and warehouse A and which other building?

Mr. Garble said and warehouse B. All the roofs are in real disarray.

Planner Kapelanski said as standing seam metal, correct?

Mr. Garble said yeah, it's actually a metal rib roof, but same thing.

Member Baratta said let me make an amendment to my motion.

Attorney Dovre said just move to reconsider the prior vote, that would be step one.

Moved by Member Baratta and seconded by Member Lynch:

VOICE VOTE TO RECONSIDER PRIOR VOTE MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH:

Motion to reconsider the prior vote. *Motion carried 5-0.*

Attorney Dovre said ok now your prior motions before you as if it wasn't voted on, you may now amend it. One approach to the amendment would be to amend the motion to have the Section 9 Façade Waiver apply to Warehouse B as well.

Moved by Member Lynch and seconded by Member Baratta:

ROLL CALL VOTE TO APPLY THE FAÇADE WAIVER TO WAREHOUSE B MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:

Motion to amend the motion to apply the façade waiver to Warehouse B also. *Motion carried 5-0.*

Attorney Dove said now you've got a motion that you can vote on that includes B. So the motion before you is to grant the façade waiver and the preliminary site plan with the façade waiver applying to all three buildings. You've already got the first motion you've made, the record now reflects that it's been amended to include the façade waiver for warehouse B. You simply vote on that amended motion.

Moved by Member Lynch and seconded by Member Baratta:

ROLL CALL VOTE TO APPROVE THE AMENDED MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:

Motion to approve the amended motion. *Motion carried 5-0.*

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Baratta and seconded by Member Lynch:

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

Motion to adjourn the October 8, 2014 Planning Commission meeting. *Motion carried 5-0.*

The meeting was adjourned at 7:37 PM.

Transcribed by Valentina Nuculaj

October, 2014

Date Approved: November 12, 2014

Richelle Leskun, Planning Assistant
Signature on File