REGULAR MEETING - PLANNING COMMISSION
CITY OF NOVI
May 24, 2017

Proceedings taken in the matter of the PLANNING COMMISSION, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Wednesday, May 24, 2017.

BOARD MEMBERS
Mark Pehrson, Chairperson
John Avdoulos
Ted Zuchlewski
Robert Giacopetti
Tony Anthony

ALSO PRESENT:
Barbara, McBeth, City Planner
Gary Dovre, City Attorney
Sri Komaragiri, Planner
Kirsten Mellem, Planner
Rick Meader, Landscape Architect
Theresa Bridges, Construction Engineer
Certified Shorthand Reporter, Diane Szach
Novi, Michigan.

Wednesday, May 24, 2017

7:00 p.m.

** ** **

CHAIRPERSON PEHRSON: Call to order the planning commission regular meeting of May 24th, 2017.

Sri, can you call the role, please.

MS. KOMARAGIRI: Good evening.

Member Anthony?

MR. ANTHONY: Here.

MS. KOMARAGIRI: Member Avdoulos?

MR. AVDOULOS: Here.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Here.

MS. KOMARAGIRI: Member Greco?

CHAIRPERSON PEHRSON: Absent, excused.

MS. KOMARAGIRI: Member Lynch?

CHAIRPERSON PEHRSON: Absent, excused.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Here.

MS. KOMARAGIRI: Member Zuchlewski?

MR. ZUCHLEWSKI: Here.

CHAIRPERSON PEHRSON: With that, please rise for the Pledge of Allegiance. Member Anthony, could you lead, please.
(Pledge recited.)

CHAIRPERSON PEHRSON:  With that, we'll look for a motion to amend or approve the agenda.

MR. ANTHONY:  I'd like to make a motion to amend the agenda.  I motion to move Item One, the Eberspaecher parking lot expansion to the regular agenda for commission action.

CHAIRPERSON PEHRSON: So that will go under a consent agenda, removals for commission action.  Any other changes?

(No changes were voiced.)

CHAIRPERSON PEHRSON: Do we have a second?

MR. AVDOULOS: I'll second.

CHAIRPERSON PEHRSON: We have a second.

Sri, can you call the role?

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Avdoulos?

MR. AVDOULOS: Yes.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.
MS. KOMARAGIRI: Motion passes five to zero.

CHAIRPERSON PEHRSON: Thank you.

We have two public hearings tonight. If there's anyone in the audience -- we have our first audience participation. If there is anyone in the audience that wishes to address the planning commission at this time on some other subject, please step forward.

Seeing no one, we'll close the first audience participation.

I believe all the correspondence relates to public hearings?

MR. GIACOPETTI: That's correct.

CHAIRPERSON PEHRSON: Any committee reports?

City planner report. Ms. McBeth, good evening.

MS. McBETH: Thank you. Good evening.

Nothing to report this evening.

CHAIRPERSON PEHRSON: That was awesome.

Consent agenda Item Number Two, which is Adams North Technology Center JSP 17-40. It's approval of the request of Northern Equities Group for Preliminary Site Plan approval and Stormwater
Management Plan approval. The subject parcel is located in Section 1 at the northeast corner of Cabot Drive and MacKenzie Drive. It is approximately 6.7 acres and zoned OST (Office, Service, Technology). The applicant is proposing a 53,039 square foot speculative office building within the Haggerty Corridor Corporate Park.

MR. GIACOPETTI: Motion to approve the consent agenda.

MR. AVDOULOS: Second.

CHAIRPERSON PEHRSON: We have a motion by Member Giacopetti, Second by Member Avdoulos.

Any other comments?

Sri, can you call the role, please.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Avdoulos?

MR. AVDOULOS: Yes.

MS. KOMARAGIRI: Motion passes five to
CHAIRPERSON PEHRSON: Thank you.

We now come to our first public hearing, and it's Building No. 2 Drive Through at Novi Town Center, JSP 17-08. This is a public hearing at the request of Novi Town Center Investors, L.L.C. for Building No. 2 Drive Through at Novi Town Center, JSP 17-08 for Planning Commission's recommendation to the City Council for approval of Special Land Use Permit, Preliminary Site Plan, and Stormwater Management Plan. The subject property is zoned in the TC district and it is located in Novi Town Center in Section 14, on the northeast corner of Grand River Avenue and Novi Road. The applicant is proposing to reconnect the existing parking lot on the southwest end of Novi Town Center in order to construct a drive-through lane for a future coffee shop. A 48 square foot addition along with outdoor seating is also proposed. A Special Land Use Permit is required in order to permit drive-through restaurants in the TC Town Center District.

Sri?

MS. KOMARAGIRI: Thank you. The applicant is proposing a coffee shop with a drive-through as we mentioned before in the existing Building Number 2 in
the Town Center development which is approximately about 47 acres. Building Number 2 is located in the southwest corner of Novi Town Center, indicated in the blue circle on the map.

The site plan proposes removing 23 parking spaces to allow for the drive-thru lane. Other improvements include relocating the existing dumpster and proposing a new loading space and additional improvements required for a drive-thru. On January 23rd of 2017 City Council approved a text amendment in order to permit drive-thru restaurants as a special land use in the Town Center District based on certain condition. The current site plan complies with all applicable regulations of the Zoning Ordinance and including the approved text amendment except for a couple minor deviations which are supported by staff.

All site plans with site acreage greater that 5 acres require City Council approval upon Planning Commission's recommendation. The current special land use request must be approved by the City Council after review and recommendation by Planning Commission in accordance with requirements of Section 6.1.2.C for special land uses and subject to the public hearing requirements set forth.
The applicant requested to postpone the recommendation to the June 14, 2017 Planning Commission meeting. The Planning Commission is asked today to hold the public hearing and postpone the consideration to June 14.

Thank you.

CHAIRPERSON PEHRSON: Does the applicant wish to address the Planning Commission?

Since this is a public hearing, if there is anyone in the audience that wishes to address the Planning Commission on this matter, please step forward.

Seeing no one, I believe we have some correspondence.

MR. GIACOPETTI: Yes. We have one letter in support of the project from Eric Welch who represents the Double Tree by Hilton Hotel at 42100 Crescent Boulevard.

CHAIRPERSON PEHRSON: Thank you.

With that we'll close the public hearing, and does anyone wish to make a motion to postpone?

Member Anthony?

MR. ANTHONY: Yes. In the matter of Building Number Two drive-through at Novi Town Center, JSP 17-08, motion to postpone the consideration of the
special land use permit, preliminary site plan, and
storm water management plan to the meeting on
June 14th, 2017 based on the applicant's request.

MR. AVDOULOS: Second.

CHAIRPERSON PEHRSON: Thank you. We have a
motion by Member Anthony and second by Member
Avdoulos.

Any other comments?

Sri, can you call the role, please.

MS. KOMARAGIRI: Thank you.

Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Avdoulos?

MR. AVDOULOS: Yes.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Motion passes five to
zero.

CHAIRPERSON PEHRSON: The next item in the
public hearing is Beck North Unit 54 JSP 16-36. It's
a public hearing at the request of Dembs Development,
Inc. For Special Land Use, Preliminary Site Plan, and Stormwater Management Plan approval. The subject property is located in Section 4, east of Nadlan Drive and north of West Road. It is approximately 5.02 acres and is zoned I-1, Light Industrial. The applicant is proposing to build a 67,000 square foot speculative building in the Beck North Corporate Park with associated site improvements.

Kirsten?

MS. MELLEM: Good evening.

CHAIRPERSON PEHRSON: Good evening.

MS. MELLEM: The applicant is proposing to construct a 67,000 square foot speculative building along with associated site improvements. The site is estimated to be 5.02 acres and located in Section 4, east of Nadlan Drive and north of West Road.

The subject property is currently zoned I-1, Light Industrial. The properties to the north, west, and south are also zoned I-1, Light Industrial. The property to the east is a 50 foot buffer owned by the City of Novi that is zoned I-1, and the parcels to the east of this buffer are zoned R-2, One-Family Residential.

The future land use map indicates industrial, research, development, and technology for
the subject property. And for the properties to the north, west and south the same zoning. The property to the east are proposed as a private park and single-family residential.

The site contains woodlands along the east and south parcel lot lines. The proposed site plan indicates that nine regulated trees will be removed, one, of which is dead, and 13 replacement tree credits will be planted on site.

The proposed project is within the Beck North Corporate Park and is proposed to the northeast of the Nadlan Drive cul-de-sac. The site plan shows a 67,000 square foot speculative building, 180 parking spaces, 10 bicycle parking spaces, loading and unloading docks, and dumpster. The applicant made changes from the pre-application meeting to move the loading and unloading docks to the northwest corner of the building and to limit truck traffic on the east side of the building; moving the activity away from the residential area. There were some concerns from engineering on the preliminary site plan review regarding the two driveways on Nadlan Drive, but after discussions with the applicant, planning, fire and traffic, it was determined that two driveways were necessary for emergency access around the whole
building and consideration of site plan constraints by
the limited frontage on the cul-de-sac and low traffic
at the end of the cul-de-sac. Engineering is now in
support of the site plan and in support of the DCS
variance for the two drives.

The applicant is seeking five waivers from
the Planning Commission.

The first one is a 10 to 15 foot tall
landscape berm waiver, which is supported with
modifications we'll discuss shortly.

A landscape waiver for providing only 26 of
the 51 parking lot perimeter trees due to lack of room
for planting of entire requirement, which is
supported, but applicant is asked to provide more
perimeter trees than are shown to reduce waiver
request.

The third waiver is a landscape waiver for
providing only 9 of the 16 required subcanopy trees
for industrial subdivision frontage due to lack of
space for all plantings, which is supported.

The fourth waiver is for driveway spacing
between the proposed drives and between the west
driveway and the Unit 53 driveway because it is within
105 feet per ordinance requirement, which is
supported.
The fifth waiver is the traffic impact assessment waiver requested by the applicant, which is not supported.

The first waiver, the landscape berm, has prompted communication with residents and the applicant. Landscape and Woodland reviewers are in agreement that the 100 foot buffer area is of high quality woodlands that would be destroyed if replaced by the required berm. In order to maintain the woodlands and to provide additional screening for the adjacent residents, the motion sheet has been updated to reflect additional requirements:

The applicant shall provide a 50 foot conservation easement along the east property line of their parcel.

Additional evergreen plantings as determined at time of Final Site Plan by staff and consultants shall be provided.

And the removal of the five parking spaces along the east side of the development from the site plan in order to provide additional landscaping and to screen headlights shining east.

Staff consultants, and the applicant are supporting these modifications to the waiver in order to preserve the woodlands.
The fifth waiver, which is not supported by staff and consultants, is a request from the applicant for a waiver of the traffic impact assessment. The traffic consultant has two concerns.

The traffic study was performed in 2000 and the consultant was unable to confirm the assumptions in the study as it was not provided to staff and consultants.

Two, even if it was produced, the study was completed almost 20 years ago and while the development within the park may have developed according to plan, it would not reflect the impacts of developments outside of the park that have occurred since 2000.

Traffic would like the applicant to provide a traffic impact assessment update with the Final Site Plan submittal.

The reviewers are all recommending approval; some with conditions to be met with the next submittal.

The Planning Commission is asked tonight to hold the required public hearing for the special land use permit. If the result is favorable, then to consider the preliminary site plan, woodland permit, and stormwater management plan. The Planning
Commission may also suggest the applicant work with staff to modify the plans more thoroughly to address any concerns the Planning Commission may have prior to a decision on the special land use. The applicant, staff, and consultants are here to answer any questions you may have.

CHAIRPERSON PEHRSON: Thank you.

Does the applicant wish to address the Planning Commission at this time?

MR. JONES: Yes, sir.

Good evening. My name is Glenn Jones. I'm the development director from Dembs Development. We're here tonight to present our latest speculative building in the Beck North Industrial Park.

We've leased up our most recent development, lot 56 of the park, so we'd like to have some new product on the market. We've already got some interest in this particular building as well as our Twelve Mile facility that was recently developed and constructed on Twelve Mile and West Park. So hence the need for some additional development in the park and bring in some additional commercial users and increase the tax base for the City of Novi.

In discussions with Planning about the woodland buffer and the concerns from the residential,
we'd be more than happy to provide some additional spruce or evergreen trees, which I think Rick Meader from Landscape has supported. So we would be more than happy to put as many trees in there as we see need to help increase the buffer for the residential, upwards of 10 to 12 foot spruces, which we feel will probably grow at least a foot, foot and a half per year and add to the already good buffer that's there.

So with us tonight I've brought my consultant, Tom Gizoni from Alpine Engineering, and Chip Faudie from Faudie Architecture to answer any questions you might have.

CHAIRPERSON PEHRSON: Thank you, sir. I appreciate it.

This is a public hearing, so if there is anyone in the audience that wishes to address the planning commission on this particular matter, please step forward.

MS. ROBERTS: Should we make a line? I think everybody is here.

CHAIRPERSON PEHRSON: Come to the podium and state your name and address, please.

MS. ROBERTS: I'm Linda Roberts. I live at 30377 Balfour Drive. I'm not directly facing it, but I'm like two doors down.
I can't understand why you would consider putting a building that large so close to us. It's like enormous. 67,000 square feet is an enormous building. Our houses are 3,000 square feet.

We're already looking at that industrial park, and when it was first built, they said they were farming, and they threw down some winter wheat and cut down a ton of trees, and then all of the runoff that's come from that industrial park has killed so many trees in that protected wetlands. And so in the winter you look straight through and we see all the buildings and all the street lights. And now this one is going to be so much closer and taller than what you would allow normally I think.

And you want to have parking only 100 feet or whatever it is, 150 feet from our house. So in the summer you might walk out there and think, oh, this is fine, but in the winter there is really no protection at all from all of that. And you know, kids go back there and race around, and it will be that much closer, you know, teenagers, partying whatever. It's very, very close to our houses.

And I think it's going to lower our property values for sure. We have paid so much extra money to get these lots that were supposed to be
wooded and that were supposed to be protected, and we really trust you as our city people to protect us because we were there first, and we spent all that money and made the investment in these homes, and eventually we might want to sell them, and I think it's going to be way harder once that's there. So did everybody get my letter, too, or should I read it?

CHAIRPERSON PEHRSON: I'm sure we did.

MR. GIACOPETTI: We have it.

MS. ROBERTS: So am I done. Is there time? How does this work?

CHAIRPERSON PEHRSON: You have one more minute.

MS. ROBERTS: So I would beg you and plead with you to please consider making it a smaller building. It's a spec I think. That's what I heard that it's a spec. So why in the world would you decide to put something so huge right next to us when you don't have to. Why not make it a smaller building there. Why not if you're going do a berm, put it on that property instead of taking down more trees. We're so, so disappointed that we're going through this all over again when we fought and fought to save that protected wetlands the first time, and it went
down anyway with no farming. They said they farmed, but there was no farming going on.
So thank you for listening, I appreciate it.

CHAIRPERSON PEHRSON: Thank you.
Anyone else?

MR. DAMAN: Good evening. I'm Laith Daman. I reside at 30369 Balfour Drive. Linda Roberts is my next door neighbor, and I'm more closer to that area than Ms. Roberts.

Again, you know, in addition to what Ms. Roberts indicated, we bought into the area thinking that this is a wetland area and woodland area and it's protected. And I already right now as is every Monday morning at 6:30 -- I'm sorry, at 5:30 to 6:00 I hear loud noises from hauling the dumpsters that the current building that they do. I mean, every Monday at 5:30 I'm already automatically awake for that particular reason.

In addition to during the summer -- I mean, during the winter, the street lights are so -- I mean, the luminosity is so high it actually comes in through my curtain and into my bedroom, you know, and I can see that staring at the ceiling your street lights.

And I'm not sure if you know this, there is
another building, I forgot the company name, they do some kind of race car street, and every weekend you can hear the tires screeching over and over. And one day I went there and I took pictures, I don't have them with me right now, of the, you know, the parking lot, and you can see the tire marks and the smoke that comes in. In addition, that's actually killing a lot of the wetlands in that area.

Again, I mean, I plead with your, you know, power that you guys have to stop this thing. My kids go there and I spend a lot of time with my kids cleaning that area. And I see a lot of bottles of Mohawk liquor and all that. And along with my kids I go in there and we put it all in the garbage.

Having such an activity, big activity next to it will only increase the noise, the garbage, and the lights that, you know, pretty much we'll be in our -- we'd be in prison in our own like houses because we have a lot of windows facing that area, and now we're going to be looking at street lights and big protector lights and a lot of cars and a lot of noise.

So I plead with you with your power to stop or make it a smaller size building so at least we have some kind of privacy in our own homes. Thank you.

CHAIRPERSON PEHRSON: Thank you, sir.
Anyone else?

MS. HALLORAN: Can I show you pictures on my phone?

CHAIRPERSON PEHRSON: No.

MS. HALLORAN: Did you get my e-mails, Kelly Halloran, 30361 Balfour Drive?

MR. GIACOPETTI: Yes.

MS. HALLORAN: Okay. You did get some of those?

MR. GIACOPETTI: Yes, we did.

MS. HALLORAN: So, again, the same thing.

I'm so glad that my neighbors brought up the same kind of issues that I have dealt with. And I didn't even

my daughter was hearing the 5:00 Monday through Friday dropping of some steel at the south end of the whole corporate park, and we're at the middle part. I have complained about it. I was told I'm sending everybody on a wild goose chase. These are ordinances that are supposed to be upheld and protecting us, but the people I've called in the city are saying that there's nothing going on back there because when they go over there, they can't find it. They've even told me that I'm supposed to get up at 5:00 in the morning and go find out what's happening, which I find is totally insane. This is not our responsibility. We're to be
protected by these ordinances.

So after looking at my e-mails, when you get a chance, I am the house directly behind Nadlan Drive. Even now, and we planted after all of these trees were cut down that Linda mentioned for farming, we planted -- we didn't plant, we spaded in five huge pine trees that are now probably about 40 feet high, so they're nice to -- for that little amount of area behind Nadlan when Nadlan got thrown in there, we planted and put those in. It cost us $5,000 to do this, because again we weren't being protected. They are now two of them dead. So that's what is going to happen with these other pine trees that are proposed. Plus it has taken those 14 years to grow to be to 40 feet high. Our houses are about 30 feet high. This building is way too big as Linda mentioned.

We do get noise right now. I'm highly concerned about that parking lot that is going to be right up to our lots, which will be -- we have I think 30 feet of Bristol Corners property and 50 feet of city. So we're looking at 80 feet away without a berm. People can just walk right into our backyards and we'll have no protection. People are going to see our houses now that all this traffic is going to come into that building.
So I'm asking for a lot of things, which is we need a berm first of all. The trees are not protecting us, and that's why I wanted to show you the pictures. I'll try to send them again tomorrow. The trees are not protecting us now. I get a little bit of protection only because we spent $5,000 to spade in 25 feet or higher trees to give us a little protection from our back window.

We are not ground level. I don't think any of our houses are in Bristol Corners, we're all raised up. My deck is 6 or 7 feet above ground level. So already I'm up seeing things. At night when I'm in my kitchen in front of the window, I see the cars that come up once in a while up Nadlan Drive and do that little circle around. So I see those, I hear the noise. So we need a berm.

We need that parking lot not by our houses. It needs to be on the other side. And we don't need those lights by us, and we need some more protection against the noise, the lights, and even the noises down at the southern end.

So again I'm going to plead like my neighbors, please consider our quality of life there. We did spend a lot of money to get that protection. We did go through this again in 2003. We had a lot of
people supporting, you know, that we want to protect
our subdivision, our quality of life, and we have
ordinances that are trying to be waived which
shouldn't be. They were put in place back then and
prior. I think back then they were actually put in
place business of the residences to protect us. So
please protect us.

CHAIRPERSON PEHRSON: Thank you.

Anyone else?

Seeing no one in the audience, I believe we
have some correspondence?

MR. GIACOPETTI: We do. We have a letter
of objection from Linda Roberts of Balfour Drive who
spoke to us earlier tonight, and the letter -- I think
she eloquently summarized her letter in her comments.

We have a letter from a Alyssa DeLeon. She
also objects, actually strongly objects for --
concerned about pollution, noise, noise pollution,
bright street lights shining in the backyards.
Concerns for deforestation of the protected woodlands.

We have another letter of objection from
Laith Daman also of Balfour Drive. Concerned about
excessive light from the parking area and excessive
noise. He's awakened every Monday by the hauling of
dumpsters dropping off in the nearby buildings.
And lastly we have an e-mail from Kelly Halloran who just spoke to us, and I believe you have copies of that. Again the e-mail summarizes her comments tonight.

CHAIRPERSON PEHRSON: Those will all go in the record.

MR. GIACOPETTI: Wait, I have one more. This is actually a letter of -- from Glen Jones of Dembs Development Corporation in support of the project and in support of a waiver for the traffic impact assessment.

CHAIRPERSON PEHRSON: Thank you.

With that we'll close this part of the audience participation and turn it over to the Planning Commission for their consideration. Who would like to start?

Member Anthony?

MR. ANTHONY: I'll start. First I want to start with staff. So before we even heard public comment, when I looked at the aerial photo, the aerial photos taken during the winter, and the concern that I always have is during the winter when the leaves fall, you really do see all the way through that wood canopy.

First, I am really proud of Novi for
protecting their woodland and preserving that 50 foot of woodlands. So that's, you know, one of the nice things about our community.

Now, with the requirement of the berm, I can understand the want of the berm, and then also of evergreens to create a visual buffer for -- it's tough when you're transitioning right from industrial to residential. That is tough without anything else in between there.

Rick, can you tell me about the berm? What was the thought process behind eliminating the berm?

MR. MEADER: Sure. The ordinance calls for -- between non-residential and residential a berm between 10 and 15 foot high with a maximum slope of 1 on 3 and a 5 foot crest. So basically to build a 10 foot berm would be 65 feet in space in to build it.

The other requirement of the ordinance is this it's built at the property edge. So it's not that it's setback in the property, it's supposed to be right at the property edge. So in my way of thinking, it's valuable to save that natural woodland, which is actually a pretty nice woodland, rather than to build a berm which grant it would have better sound blockage and probably visual blockage between the two uses, but there would be a real cost, environmental cost in
losing that to build that berm.

MR. ANTHONY: Sure, I understand. So but in putting the berm in, the berm wouldn't encroach at all on the city's 50 foot woodland easement, would it?

MR. MEADER: I think that it could, isn't that right? It was built -- go ahead, please.

MS. McBETH: I believe the intention was that the berm would go on the property that is within that corporate park and not encroach into the adjacent city-owned property, although I'm not entirely sure of that. That could be something that we would look at.

MR. ANTHONY: That's my understanding. Because I happen to have a home that has a woodland area easement as well. So my understanding was that they couldn't encroach on that. So that the berm would -- though there would be some trees left, the 50 foot woodland berm or woodland preserve, because of it being the city's would be preserved. That berm really does help when you're going from industrial to residential. I live in a neighborhood that does that in sections of it. It knocks down sound, is helps the visual barrier. I really am reluctant to let that go unless, you know, you can -- what else is available?

MR. MEADER: Well, if you look at the aerial, you're going to lose more than half of the
woods between the city property line and the edge of the woods if you built that berm right up to the city property line.

MR. ANTHONY: I was looking at the diagram, though, that -- let's see if I can find it again -- that showed the landscaping. So when I look at the actual site plan that shows the planned -- yes, thank you for putting that up. So when I look at this, and I'm looking straight with, you know, the proposed building reading correctly. So now I look at the right side of the building. The initial space to the immediate right, that's a driveway, okay, where vehicles can move through, and then right after that comes in the landscaping.

MR. MEADER: Mm-hmm.

MR. ANTHONY: Okay. Then immediately following that is woodland?

MR. MEADER: Yes.

MR. ANTHONY: And that is before it gets to the city's 50 feet protected woodland?

MR. MEADER: Correct. That right line is the edge of the city property line. Where the hand is, that's the city property line.

MR. ANTHONY: So because my eyes are bad, and I'm looking at these contour lines, are the
contour lines an elevation going up or an elevation going down?

MR. MEADER: Going up to the building, up to the driveway.

MR. ANTHONY: So the building is even at a higher elevation to begin with than the actual homes themselves?

MR. MEADER: I can't speak about the homes, but it's higher than that adjacent land.

MR. ANTHONY: Okay. There is no creek or waterway that moves in there?

MR. MEADER: Not that I saw.

MR. ANTHONY: The aerial photo doesn't necessarily show an increase coming back up.

So really we're talking about when we look at where the residential homes are, we're really looking at the south -- the southeast corner of the property.

MR. MEADER: Yes.

MR. ANTHONY: Is there a way -- so that the berm in a sense not when we look at the northern two-thirds of that landscaping -- and again I'm on the right side or the eastern side of the property. So from the southern line of the building and then moving south, so you can see where that tree line and that
parking line is, so it would seem that even a berm in that section -- wait, go back to that dashed line. I like that. See this dashed line that cuts the corner right in there? That -- you know, not necessarily intruding that far in the parking lot, especially down at the very southern end, but a line parallel to that dashed line into that corner cutting the corner with a berm would really help provide a barrier for where we do have the residential property, because it's a dramatic change industrial to residential. That's rough.

So I'm looking for something that we can put in there, and my look at this is that that may end up reducing some parking spaces. So I'm not sure how that would be with the ordinance. But I would really want to look strongly at berming that southwestern corner.

Okay. Now with that --

MR. GIACOPETTI: Can I ask a question on the same vein if I may eat into your time?

MR. ANTHONY: You know what, I yield my time.

MR. GIACOPETTI: Rick, could you -- could a berm be -- I know it would cut into the footprint of the building and that driveway behind the building,
but could a berm be constructed in front of the woodland easement so that -- so it's not -- you're adding a berm in front of the woodland so that you're not destroying the woodland?

MR. MEADER: Well, physically I don't know in terms of -- I know the ordinance calls for the line -- the berm at the property line. I don't know what kind of -- legally I don't know.

MR. GIACOPETTI: Oh, okay.

MS. McBETH: Well, this is a special land use, so the Planning Commission can review items like this and request certain conditions be placed on it. I think we're all taking careful notes and listening to what you're saying, so we're interested in what your conclusion is.

MR. GIACOPETTI: That would be -- that would add both. It would add to preserve the wetlands and it would build the berm. And so it seems like that could be done and that could be considered or recommended.

MS. McBETH: And I think our attorneys would advise us it has to be proportional, you know, it can't be excessive or beyond what you might typically expect in exchange for --

MR. GIACOPETTI: Thank you. Back to you.
MR. ANTHONY: Thank you for the time back.

So also there is another photo that is an aerial photo again, the one that showed that the trees, you know, that it was taken in the winter, and you can see that there is the natural -- not that one. Yes, you can see in the southwestern corner there seems to be -- you can see that natural cut through there with the woodland. When you look at the parking lot coming in, a good chunk of that would be removed for the parking lot, so they would lose that anyways.

But something parallel to that along that southwestern corner, what angle you work with, you know, I would leave that up to your judgment, but I think it's important that when we have a hard transition from industrial to residential, that we really focus on doing whatever we can within our ordinances and zoning for creating a strong buffer zone barrier for the residential homes there.

So that's on the berm side. The other part is on the lighting, and generally I believe, because this might have been a year ago, we actually updated our parking lot lighting with some down lighting requirements in order to minimize the type of glare that they may be experiencing from an older parking lot. Is my memory correct?
MS. MELLEM: Yes.

MR. ANTHONY: Okay. And in submitting these site plans, they would also be submitting their lighting plan, which would comply with our new downlighting requirements which would then minimize the glare that they would then receive. Good. Okay.

Then maybe the last thing that isn't necessarily something that's within our authority or your authority, but we could make a note and carry through to our ordinance officers on at least the timing that truck activity is allowed to begin, whether it's 5:00 in the morning or whether it's 7:00 in morning, that that be reviewed and the property owners just be reminded of what that time frame is.

So at this point I'm going to turn the rest of the discussion over to other members.

CHAIRPERSON PEHRSON: Thank you Member Anthony.

Member Zuchlewski?

MR. ZUCHLEWSKI: I would like to add a few things. On the berm itself, does the berm have to be a landscape berm, or can it be a combination of landscape berm and maybe a precast, prefab retaining wall in this corner like they have on the expressway for noise?
MR. MEADER: I think the Planning Commission has the ability to allow a substitution -- a substitute solution as laws provide because it's similar noise attenuation and physical blockage.

MR. ZUCHLEWSKI: So we could do that. That's the first thing I would like to look at. That would get rid of your angles to maintain and what have you. So that would narrow down this considerably.

The second thing I would like to question is, it was touched on, but the parking lot lighting and the lighting on the building. For many, many years it's been zero lot line on lighting. So why this is an issue I don't know, but I think as part of this, if there is existing lighting that's been there, then that lighting needs to be updated to zero lot line, too. Same poles can be used, just different fixtures and some shades on the fixtures. So I think that would take care of the lighting. I think this would take care of the noise, and those are my only comments.

But I think between the combination wall/berm, between redoing the existing lighting, the heads on those lights so they're not getting lights all day or all night. And I think ordinances about trash pickup early in the morning like that, I know
they exist, they're out there, and these trash companies can come and pick up trash any time. So if they want the business, they'll do that.

Those are my only comments. I think we can address a lot of this.

CHAIRPERSON PEHRSON: Thank you, sir.

Member Avdoulos.

MR AVDOULOS: Thank you.

This is an I-1 light-industrial zoned area, so I can understand the residents concerns. However, you know, because of the zoning, there's requirements that the applicant has to meet, but at the same time I think we need to look at being good stewards of the site and of being good neighbors.

One of the concerns, and we've been getting this a lot lately where we're asked for a lot of waivers because there is not enough room or there are requirements that cannot be met. I have the same concerns related to the berming, and I understand we're trying to preserve the woodlands, and so I think that is appropriate. If we can do something with berming next to the woodlands and maybe work out something where it's -- because I know with the heights and stuff like that, you lose a lot of land, but at the same time I want to make sure that the berm
is appropriate so that we're not shedding a lot of water into the woodlands and then back onto the site. I'd like to see that corner area personally preserved since we've got a woodland limit there in that particular area. And then, you know, when it comes into landscaping, there is the question of reduction of required parking lot perimeter trees due to lack of space, reduction of required canopy trees for industrial subdivision frontage due to lack of space. So that to me means that the building has been maxed out on the site, and I'm concerned that -- and I was wondering. I didn't see a table there, Barb, if we're -- if there are any requirements to square footage, if there's a maximum or any minimums. And then I didn't see -- you know, usually there is a table that indicates the square footage of the building as it relates to its size, and if it's sprinkled or not, there is allowances for area -- more area, and then there is also allowances for height and stuff like that. I just don't know -- I know this is going for Planning Commission review, so I don't know if it's gone through building at all yet.

MS. McBETH: No, typically the building review would come after the Planning Commission has reviewed the plan.
MR. AVDOULOS: So I think a lot of the issues that come up with the request for some of these waivers is because sometimes the -- for maximum effect, the buildings are designed in such a fashion as to get the biggest, you know, bang for their buck, but that also starts creating other issues.

The last thing is the study -- the traffic study waiver that is being requested to be waived, and that is one that, you know, I'm not in support of. I think it's been a while, and we had this last Planning Commission meeting. So I think we need to do that.

The one thing that I saw from engineering, approval not recommended, and what is that in relation to?

MS. MELLEM: So originally engineering did not approve the site plan because of the two driveways and the spacing requirements for the driveway.

MR. AVDOULOS: Right.

MS. MELLEM: But after further discussion with the applicant and fire being very adamant that there are two access points to get around the whole building, we kind of were brainstorming different ideas of how to maybe combine it or something, but just with that size of building, they can't really just have one entrance.
MR. AVDOULOS: Okay. So, you know, again it's the size that, you know, comes to into play that I think at times these are sort of self-inflicted issues that come up, and I think, you know, we can work together to address them, and at least provide the developer the opportunity to put in an appropriate size building onto the property, but at the same time look at the concerns of the neighbors and make sure that we're taking care of the issues that are brought forth and looking at the environmental issues and making sure the woodlands are preserved. I think the city does a good job with that.

And then I'd like to, you know, look at trying to limit the amount of waivers that come in based on size of building. There are certain times where we can't avoid that, but there's other times where I think we can do a better job and make sure that things fit on the site as they should.

Thank you.

CHAIRPERSON PEHRSON: Thank you.

Member Giacopetti?

MR. GIACOPETTI: I have a couple questions for Mr. Jones, the applicant.

MR. JONES: Yes.

MR. GIACOPETTI: A question if I may ask
concerning the speculative nature, you don't have a tenant yet, but you said you had some interest in this site?

   MR. JONES: Yes, we do.

   MR. GIACOPETTI: Are you able to share any information about --

   MR. JONES: I'm really not at liberty to divulge anybody right now. It's kind of a confidential situation, so I can't.

   MR. GIACOPETTI: Sure. I totally understand that. I think my concern is not knowing who is going to reside here doesn't ease I think any of the anxiety as to what the hours of operation or the lighting or the noise or other concerns that have been expressed and that I had when I first read the plan myself. You know, I think knowing who was moving in there might make me more inclined to support some of these waivers or, you know, agree that the building is necessary to be this size and this much parking is required or not required. So that was my only question if you were able to --

   MR. JONES: I can tell you this, that it is conducive with the other users that are within the park right now. I think all the users that are there in the are park are high-end research and development,
which is the typical niche for this market in this area in Novi. That I can tell you.

MR. GIACOPETTI: If the building footprint was smaller, would you not be able to market it to this customer base?

MR. JONES: I think it would have to be severely reduced. I understand the concerns and need for the berm, but I do have some concerns which some of the members here have already voiced with a berm about potential water runoff being a detriment to the existing trees and the woodlands that are there. I do have some concerns with building a berm that we're going to probably have to remove upwards of maybe another 50 trees that we don't want to do, we'd like to preserve the trees.

One of the members I believe mentioned a screen wall as well as landscape. That's a great idea. I mean, we've already offered up some additional landscaping and spruce trees.

Mrs. Halloran's concern about her trees, I probably know what happened to her trees. If they're pine trees, they have pine blight. I'm sure Rick can probably attest to that if it's a pine tree. Pine blight is pretty prevalent in Michigan right now killing all of the pine trees. So maybe that's what
happened to her trees which is unfortunate that it did happen. But we'd like to plant some trees, spruce that would not be affected by the pine blight and would act as a good buffer in addition to maybe some screen walls, rather than trying to build a big berm that I don't think is going to do justice to what the concerns are.

MR. GIACOPETTI: That was my only question. Thanks for --

MR. JONES: Thank you.

CHAIRPERSON PEHRSON: Thank you.

I guess I agree with most of the comments that have been made. I guess I don't know that I'm in a position yet though to support what is being suggested in the motion sheet, and I think I'd rather we see a postponement and let Rick and the planning group, Ms. McBeth, go back with Mr. Jones.

I like the idea of the wall in lieu of or in portion of the berm to knock down some of the noise. I think the berm serves its purpose, but we've talked about also some of the ills of the berm as far as the water runoff and some of those things. Then I think it would behoove Mr. Jones to go back and kind of take a peak at the building size to see what he can do relative to the size of the building to see what
else could be added for protection to the residential. And all of the other spots to the west and north of this, we probably never had that consideration because we were a mile and a half away theoretically from residential. Now that we're abutting the residential, I think the requirements have to be even more scrutinized so that we protect the residents.

And all of the other things that we don't have purview over relative to ordinance, I know Barb takes good notes and I'm sure she'll be talking to folks that will handle that going forward as well.

Those are my comments. Anyone want to make a motion?

MR. ANTHONY: I'd like to make motion to postpone.

MR. AVDOULOS: Second.

MR. DOVRE: To a date or an event?

MR. ANTHONY: Well --

MR. DOVRE: Or for things to happen?

MR. ANTHONY: Right. What I would like is I would like the developer to be able to work with the city so that you can work together to resolve the issue of the barrier between the residential neighborhood and the building.
MR. JONES: Can I make one more comment?

MR. ANTHONY: Yes.

MR. JONES: It's somewhat related to lighting. We have put together a photometric plan and it's been submitting as part of the requirements of the City of Novi. It does meet Novi standards. There is zero light at the lot line. The lighting that is provided for this facility is far superior to what's been put into some of other developments throughout the park. It is LED lighting, which is state of the art. They do have shields on all the fixtures. So I wouldn't see any concern. But the light poles themselves have been lowered. These are I believe 25 foot in height.

CHAIRPERSON PEHRSON: As long as you're meeting the standard of zero at lot line, it could be candles for all I care. I appreciate the --

MR. JONES: I just wanted to mention that they are state of the art lighting and it's meeting the standards.

MR. ANTHONY: Thank you.

MR. ZUCHLEWSKI: And to that, if you can go back and take a look at the lights that are now objectionable --

CHAIRPERSON PEHRSON: That's not part of
this process. You're talking about things that are --
that were already built. That's not anything to do
with this particular development.

MR. ZUCHLEWSKI: Well, I see it is, because
these people are still -- that's an issue with them,
and we're not resolving their issue.

CHAIRPERSON PEHRSON: Counselor, is that
part of our purview at this point?

MR. DOVRE: The enforcement?

MR. ZUCHLEWSKI: Not the enforcement. To
go back as part of this, and we're putting in new,
and to go back to the existing lighting that's on the
site and make it the same as this so it meets the same
criteria and it's not blinding them in their bedrooms.

CHAIRPERSON PEHRSON: We're not talking
about this -- we're talking about this site. What the
residents are talking about are the sites that are
already built that are providing light.

MR. ZUCHLEWSKI: I understand that.

MR. DOVRE: That's not proper for this
motion, especially for a simple postponement motion.

CHAIRPERSON PEHRSON: It's not part of our
purview for this particular --

MR. JONES: I can make mention that are
most recent development that's being recently
finished, which is Lot 56, which is right down Hudson Drive from this, we have upgraded that to LED. It was originally approved as metal halide, and it's being upgraded and being installed right now, and it will be operational within the next month as LED. So we have made some provisions.

MR. GIACOPETTI: We can add this to other matters for consideration at the end of --

MR. ZUCHLEWSKI: I just think it's a time to take care of some issues here.

CHAIRPERSON PEHRSON: It's not part of this particular plan that we can address. We can't force them to go back in time.

MR. ZUCHLEWSKI: No, I didn't force them. I just suggested it would be an opportunity.

MR. ANTHONY: So if I can continue my motion to postpone. My motion to postpone would be to postpone to give time for the developer and to the city staff to work together to resolve the issue of screening both in -- whether it's wall, berm, vegetation, trees or some combination, between the closest point of the industrial property and the residential homes as well as the other issues that were brought up today.

MR. DOVRE: Is the staff to put this back
on the agenda when that's been completed?

   CHAIRPERSON PEHRSON: Correct.

   MR. ANTHONY: And once that's completed to come back onto the agenda.

   CHAIRPERSON PEHRSON: Do we have a second?

   MR. ZUCHLEWSKI: Second.

   CHAIRPERSON PEHRSON: We have a motion by Member Anthony, second by Member Zuchlewski.

   Any other comments?

   Kirsten, please call roll.

   MS. MELLEM: Member Avdoulos?

   MR. AVDOULOS: Yes.

   MS. MELLEM: Member Giacopetti?

   MR. GIACOPETTI: Yes.

   MS. MELLEM: Chair Pehrson?

   CHAIRPERSON PEHRSON: Yes.

   MS. MELLEM: Member Zuchlewski?

   MR. ZUCHLEWSKI: Yes.

   MS. MELLEM: Member Anthony?

   MR. ANTHONY: Yes.

   MS. MELLEM: Motion passes five to zero.

   CHAIRPERSON PEHRSON: Thank you.

   I don't think there's any matters for consideration or discussion. We've come to the consent agenda that I believe was delayed, which is
Item Number 2, Adams North Technology Center, JSP 17-40.

MS. McBETH: Item Number 1.

CHAIRPERSON PEHRSON: I'm sorry, Eberspaecher, Parking Expansion, JSP 17-18. It's approval of the request of Nowak & Fraus Engineering on behalf of Eberspaecher America for Preliminary Site Plan and Stormwater Management Plan approval. The subject parcel is located in Section 12, west of Haggerty Road and south of Thirteen Mile Road. It is approximately 8.21 acres and zoned OST, Office Service Technology. The applicant is proposing an additional parking 66 parking spaces as part of reconfiguration of the existing parking lot and converting existing vacant land into parking spaces.

Kirsten.

MS. MELLEM: The applicant is proposing to construct an additional 66 parking spaces on vacant land behind the building. The site is estimated to be 8.21 acres and located in Section 12, west of Haggerty Road and south of Thirteen Mile Road.

The subject property is currently zoned OST, Office Service Technology. The property to the north, west, and south are also zoned OST. The property to the east is residential in Farmington
The Future Land Use Map indicates Office, Research, Development and Technology for the subject property, and for the properties to the north, west, and south. The properties to the east are residential in Farmington Hills.

The site contains wetlands on the west side of the property along the ITC corridor. The applicant is not proposing any impact to the wetlands.

The proposed project is at the Eberspaecher North America site on Haggerty Road. The applicant is proposing an additional 66 parking spaces at the rear of the building for additional employee parking. The current site accommodates 90 parking spaces and additional spaces have been leased from the neighbor since there are 127 employees at one time. The additional 66 spaces would provide 150 regular spaces and 6 barrier-free spaces for a total of 156 parking spaces. The landscape waiver is for parking lot landscaping that cannot be provided due to site constraints and the applicant has agreed to replace the missing tree in the northern end island and to remove invasive phragmites from the pond edge later this year.

The reviewers are all recommending
approval; some with conditions to be met with the next
submittal.

The Planning Commission is asked tonight to
consider the preliminary site plan and stormwater
management plan and to have a discussion on the reason
the item was pulled from consent. The applicant,
staff, and consultants are here to answer any
questions you may have.

CHAIRPERSON PEHRSON: Member Giacopetti.

MR. GIACOPETTI: I have questions for
staff. I'm not sure if Kirsten or Rick is the best to
answer this. I think we're seeing a trend here of
plans coming in requesting waivers due to lack of
space for landscaping, and I'm excited to know that
the applicants business is growing here in Novi and
that they need more space from employees. That's
fantastic news. My question was how many -- do you
have an estimate of how many spaces would need to be
removed in order for them to be able to meet the
landscape requirements?

MR. MEADER: I don't have the answer right
now. What I can tell you is that this is what
prompted the recent proposal we have to reduce the
number or the landscape ordinance changes. This
configuration as it is would require 25 interior trees
plus the perimeter trees on the outside, which to me is pretty hard to do. They would have to basically have a long central island to fit them all. If you go with the new ordinance proposal, they would need ten trees for this interior area, and that's about what they're proposing. So it's really a matter of the ordinance requires more than I think is probably reasonable for this kind of parking lot.

MR. GIACOPETTI: That answers my question.

MR. MEADER: That's my judgment.

MR. GIACOPETTI: And where is the -- if you don't mind me asking, where is the ordinance in process?

MS. McBETH: On the landscape ordinance?

MR. GIACOPETTI: Yes.

MS. McBETH: It is expected to go back for a second reading at the City Council with a couple of minor amendments that Rick has been working on. So we're thinking the next council meeting is what we're expecting. So once that is in place, it usually takes effect 15 days after it's approved.

MR. GIACOPETTI: I'm not proposing a postponement, but if this had come to us in let's say a month, it would require a much, much smaller waiver, correct?
MR. MEADER: Yes.

MR. GIACOPETTI: That's all the questions I had.

CHAIRPERSON PEHRSON: Shall we make a motion?

MR. GIACOPETTI: Yeah, I'll make a motion. I'll make a motion in the matter of JSP 17-18, approval of the preliminary site plan. The motion is to approve the preliminary site plan based on and subject to the following:

A, landscape waiver from Section 5.5.3.C for reduction of required parking lot landscaping due to a lack of space on site, 25 required, 12 provided, which has hereby been granted.

B, applicant shall replace missing tree in the northern island of the excessing parking lot.

C, applicant shall remove invasive phragmites from the pond edges in late summer/early fall.

D, 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 Article 3, Article 4, and
Article 5 of the zoning ordinance, and all other applicable provisions of the ordinance.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: Motion by Member Giacopetti, second by Member Anthony.

Any other comments?

Kirsten, please.

MS. MELLEM: Member Avdoulos?

MR. AVDOULOS: Yes.

MS. MELLEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEM: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MELLEM: Member Anthony?

MR. ANTHONY: Yes.

MS. MELLEM: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. MELLEM: Motion passes five to zero.

MR. GIACOPETTI: I'd like to make a second motion. In the matter of Eberspaecher Parking Expansion, JSP 17-18, motion to approve the stormwater management plan based on and subject to the following:

A, 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.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: Motion by Member Giacopetti, second by Member Anthony.

Any other comments?

Kirsten, please.

MS. MELLEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEM: Member Zuchlewski?

MR. ZUCHLEWSKI: Yes.

MS. MELLEM: Member Avdoulos?

MR. AVDOULOS: Yes.

MS. MELLEM: Member Anthony?

MR. ANTHONY: Yes.

MS. MELLEM: Member Giacopetti?

MR. GIADEPETTI: Yes.

MS. MELLEM: Motion passes five to zero.

CHAIRPERSON PEHRSON: Thank you.

That brings us to supplemental issues.

Anybody?

MR. GIADEPETTI: Can we address this issue
of -- I mean, it's a supplemental issue.

CHAIRPERSON PEHRSON: I'll go back to my original statement. It's a supplemental issue that you might want to have discussions about yourselves, but there is nothing in our purview that we can do anything about. If the developer of that corporate park wants to be so nice as to go in and change all his lights from incandescent to LED, he's more than willing to do such, but they at the time followed direction of the engineering and the requirements.

MR. GIACOPETTI: How about just an anecdote from personal experience?

CHAIRPERSON PEHRSON: Go right ahead.

MR. GIACOPETTI: I just want to thank the city. I had a problem with a neighboring development that had lighting that crossed over to the footpath, and by calling the building department, they came out and tested and indeed found that there was a problem. So I do appreciate the city's building staff for doing that.

I think anyone who has a concern about a neighbors -- a bad neighbor whose light is out of code, I highly recommend contacting them and they'll probably come out and take care of the sad situation.

That's all, Chair.
CHAIRPERSON PEHRSON: Okay. That brings us to our last audience participation. Does anyone in the audience who hasn't had a chance to address the planning commission at this time, please step forward. Seeing no one, we'll close the audience participation and look for a motion to adjourn.

MR. ZUCHLEWSKI: Motion to adjourn.

MR. AVDOULOS: And second.

CHAIRPERSON PEHRSON: All those in favor?

THE BOARD: Aye.

(The meeting was adjourned at 8:00 p.m.)
CERTIFICATE

I, Diane L. Szach, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (56) pages, is a true and correct transcript of my said stenograph notes.

Diane L. Szach, CSR-3170
Oakland County, Michigan
My Commission Expires: 3/9/18

June 6, 2017.