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

ROLL CALL
Present: Member Greco, Member Lynch, Chair Pehrson, Member Zuchlewski, Member Baratta
Absent: Member Giacopetti (excused)
Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri; Planner; Jeremy Miller, Engineer; Rick Meader, Landscape Architect; Tom Schultz, City Attorney, Maureen Peters and Paula Johnson, Traffic Consultants

PLEDGE OF ALLEGIANCE
Member Greco led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA
Moved by Member Baratta and seconded by Member Greco:

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

Motion to approve the May 13, 2015 Planning Commission Agenda. Motion carried 6-0.

AUDIENCE PARTICIPATION
No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE
There was no correspondence

COMMITTEE REPORTS
There were no committee reports

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT
There was nothing to report

CONSENT AGENDA – REMOVALS AND APPROVAL
Nothing to remove or approve
PUBLIC HEARINGS

1. **ZONING ORDINANCE TEXT AMENDMENT 18.275**

   Public Hearing for Planning Commission’s recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.14, I-1 Light Industrial district required conditions; in order to allow outside storage associated with otherwise permitted light industrial uses.

   Planner Sri Komaragiri stated as previously noted, the proposed text amendment was requested by the applicant, Irwin J. Arkin, LLC representing Martin Technologies. The applicants were issued a temporary land use permit for outside storage of new unlicensed, operable vehicles that expires on November 14, 2015. The applicant is requesting an amendment to the section 3.14 I-1 district required conditions of Article 3 of City of Novi Zoning ordinance to allow outside storage in I-1 districts. After reviewing local ordinances of surrounding communities, staff has prepared a draft version that allows outside storage as a special land use with certain conditions.

   The Planning Commission was asked to review the original draft ordinance amendment at their last meeting held on April 8th. On that day, the Planning Commission has set a public hearing for today’s meeting in order to hear public comment on the proposed text amendment and make a recommendation to the City Council.

   Planning staff and the City Attorney’s office have made changes to the original draft presented to the Planning Commission on April 8th, 2015. The Planning Commission is provided with a revised amendment and suggested conditions. The current draft addresses the concerns of the Planning Commission members with regards to opacity of the screening and means to prevent outside storage to turn into a junkyard. The proposed ordinance changes considers many factors to help the City of Novi ensure that outside storage in light industrial districts is limited to certain type of material or equipment and is properly screened and maintained. The draft amendment also requires that outside storage does not conflict with the minimum site development standards required for I-1 District. The draft amendment also reserves the opportunity for the Planning Commissioners to review the specifics during the review of the Special Land Use approval.

   The applicant was asked to review this memo along with the attached language and the applicant is interested to proceed with Staff’s recommendations.

   Chair Pehrson opened the public hearing and asked if anyone wished to address the board.

   Resident Lynn Kocan 23088 Ennishore Drive said, I currently live in Meadowbrook Lake Subdivision which is a residential district that abuts I-1 zoning, so a special land use is associated with the zoning that’s directly abutting our neighborhood. When I look at this ordinance it brings up things that are near and dear to my heart. The City of Novi Ordinances have been very specific with respect to Light Industrial properties abutting residential properties, particularly as it relates to special land uses. The intent has always been to protect the quality of life of the residents, allowing light uses which may abut residential properties. The proposed ordinance revision as I read it may be suitable to most I-1 zoned areas. However, care really needs to be taken when you propose to change an ordinance to satisfy one company’s request that is in a specific location, which is not next to a residential zone, and currently faces an arterial road, particularly if the changes to the Ordinance could negatively impact other areas in the city,
Ms. Kocan continued, while I question why you are proposing to allow more extensive outdoor storage at all, I have specific concerns regarding certain articles within the ordinance. Article 3.14 g where you say that all storage should be screened with landscaping and walls at least 6 feet in height providing eighty percent winter opacity and ninety percent summer opacity. The screening must be at least 6 feet in height but you don’t state a maximum height. If the screening is done only with landscaping is your request for winter opacity of 80 percent, 90 percent summer required immediately or within 2 years? Ms. Kocan said, I am of the thought that you need complete screening if you are going to allow this at all.

With regard to Article 3.14 19i, openly stored materials shall not extend above the height of the screening. You need to have a maximum height. When I look at other ordinances that you looked at, I looked at South Lyon’s Ordinance: In their articles they have statements that say outside storage may be permitted as opposed to being a right of that zoning. They also state that Outside Storage should be completely screened versus our ordinance that says that it should have some opacity. That ordinance also states that the storage shall not exceed a maximum height of 8 feet in height. They do have a maximum height in their ordinance. They also state that outside storage shall only be permitted on parcels abutting arterial, minor arterial, rural major, urban collector or rural minor collector roads as identified in the Master Plan. So to me, South Lyon would never allow this abutting a residentially zoned area. Wixom’s ordinance says all storage facilities shall be enclosed in a building or within an obscuring wall on all sides not less than 6 feet and may be required to be 8 feet in height. Again Wixom’s ordinance states more specifics. Wixom’s ordinance also says that it shall be completely screened.

Novi Ordinance 3.1.18.C. is very specific regarding uses; “uses shall be permitted where the proposed site does not abut a residentially zoned district” and lists in Section 9, storage facilities for building materials, and in Section 12, outdoor space for parking of licensed rental motor vehicles. In my opinion from reading the activities of Martin Technologies with the storage of the quantities and types of material indicated, 200 cars operable and inoperable which is basically a large scale storage facility and will necessitate continual movement in the yard area. This totally escalates and changes the use of that area. If a development of this scale were allowed next to residential, you know it would substantially reduce property values. Again, I ask you to take care when you propose to change an ordinance that could negatively impact other areas in the city in the future, specifically residential, to satisfy one company’s request which in a particular instance it may not be a negative impact. Is it really necessary to change the Special Land Use Ordinance that already works? If so please insure that any changes will not be made that will negatively impact residential properties.

Seeing no one else who wished to speak, and finding that there is no correspondence related to this request, Chair Pehrson stated closed the public hearing. He turned it over to the Planning Commission for consideration.

Member Baratta stated I have a couple of concerns with the revised ordinance. When we are talking about screening and using landscaping I think it is preferable to have a hard surface type of screening opposed to landscaping. Landscaping dies and you just don’t want to see this stored product or fixtures in the yard, particularly if they are abutting residential properties. I think that you could do something with that whether it is masonry fence or some other type fencing - even plastic fencing or fencing of that category which totally screens. There are other materials that can be used in order to protect the views that we are talking about. The other thing that we have to add is complete screening from the surrounding properties. You have
different elevations of property. If I have a house that is a little higher than what the light industrial property is I could see through the screening because I could see over it. If you have it maxed at 6 feet, I am still seeing the product or items. I think that you need to add that language that it has to be completely screened from the surrounding properties.

Member Baratta continued, the other thing we are talking about is one year. I am wondering if a year is too long. As I drive down the highway I see that one facility where they have their racks and products in the back of the facility. You see all their products in the back. I think it is unsightly. Again we have the elevation of the road higher than where the storage is. I think it is something that we need to look at. I don’t know if a year is the right number or where we came up with a year but I am assuming that we could do something shorter than a year. Those are my concerns with the ordinance and my recommendations are to modify the ordinance.

Member Anthony has a question for City Attorney Schultz. When I looked at this ordinance, one thing that I did like is that outside use is required to be on a paved surface. It didn’t give the option of the gravel aggregate surface as in some of the other city ordinances, also requiring the surface to be well drained. When I saw that I immediately started to think that there are also state and federal regulations for an industrial use under a specific code that can store anything outside. It can trigger state or federal regulations and additional steps that the owner will have to do in order to manage and protect their storm water runoff. None other other cities did this, which I am asking or suggesting, would we also want to add in to that ordinance a requirement for compliance with federal and state storm water control? The reason I bring it up is because it is specifically for industrial sites and where regulations come in. It adds additional requirements that they would be required to do. Keep in mind some other municipalities that I have worked with that standard would come in handy when a property becomes derelict and all the other ordinance violations that they have. It could give us some additional enforcement to helping the property back into compliance. My question is can you do that in a municipal ordinance?

City Attorney Schultz answered, yes, if there are additional state or federal regulations that apply to the kind of industrial uses, we can add a binder. Those things might already be covered by code of ordinance as a whole as it was written. If the direction is to take a look at this and come back with some other changes, we can look at what that would involve and look at some of the other recommendations.

Member Anthony stated that he also lives in a neighborhood that abuts areas of light industrial zoned property. My neighbors often have to look out their back yards and look at the industrial property. The change in the ordinance is an opportunity to make some improvements. One that I wouldn’t want to remove is the phrase “completely screened”. I wouldn’t want to remove the option for landscaping. There are times when the landscaping is much more appealing than a fence with the barbed wire over the top of it. I would at least like to leave that in there. The complete screening, season round is important as well whether that is achievable. I would like to leave that piece in.

City Attorney Schultz asked Member Anthony if he would have an objection to doing both?

Member Anthony stated, he does not object. Do both with a fixed screen and a landscaping requirement. That would make everyone in the neighborhood feel comfortable.

Member Zuchlewski stated that he would support the 8 foot height around the fencing and go for both the hard screen and soft landscaping.
Member Greco stated that he agrees with the fellow commissioners regarding the changes with the revisions that need to be made, but also particular consideration both to the city staff and city attorney about maybe even making it slightly more stringent for residential properties. Looking at the map we have a portion of the I-1 properties about residential properties and that is the major concern of the residents here. I think for all of us we are mostly concerned with what residents would be seeing from their back yards, around their front door, or the side of their house - whether they are looking at a wall screen or a wall with shrubs in front. That would be my comment. I generally agree with my fellow commissioners and what we are looking for.

Chair Pehrson stated I agree with what has been stated so far relative to the height and maximum of the height - that should be the standard the completely screened portions. Mr. Schultz, would you be comfortable with what you have heard tonight to able to redraft and come up with the language that would address the comments?

City Attorney Mr. Schultz stated we need to read the minutes and come back.

Member Anthony stated that I did stop and think about that one year period. My first reaction to that seems like that is too long. I then sort of look at that through the eyes of what I do outside of the Commission as a profession, and that is to look at industrial properties and how storage creates degradation to the environment, which can also migrate away from this site. In the cases where that has been an issue in Michigan where we have found signification that has migrated offsite the storage has been longer than a year. So with looking at it through that eye I would think that in most businesses that are not storing for longer than a year then we are not looking at a risk to environmental degradation that can get into our water system. Novi has our green linear parks and all of our neighborhoods are built around. Provided that they provide the complete screening then with that in conjunction complete screening less than a year I think it is an okay time frame.

Member Anthony stated I guess one of my concerns is, if you have a year period and you have something stored there you’re going to have vegetation growing among the items stored, perhaps a lot of weeds and dandelions. Ground water issues are one thing that can be affected as a product deteriorates. A second issue is the landscape is maintained inside that enclosure. A year allows that to happen. Does the current ordinance or code take into account those considerations for vegetation, grass heights, and things of that nature.

Deputy Director McBeth stated, yes, the code take weeds into consideration. But if something hidden or behind an item that is being stored that would be hard for the owner to maintain.

Member Anthony said, we need to think about that language so that we are putting some responsibility on the proprietors to keep the property in good repair, in good stead. Maintaining the landscape would be good as well.

Member Zuchlewski stated that, he was thinking that if we are asking for a permanent hard surface and landscaping around it is a year enough time for that outside storage? In that time frame say the facility has equipment stored out there for 10 months and then they pull it out and ship it off and they are looking for approval for another ten months? Would the approval carry on year after year after year?

Deputy Director McBeth stated the intent of the ordinance is prohibit the same materials from being left in place indefinitely. Materials coming and going in through the site would be fine
and expected as a part of the industrial operation. If one year has passed and that piece of equipment has not moved then that would be a violation of the ordinance.

Member Zuchlewski said, so one year relates to one piece of equipment specifically?

Deputy Director McBeth stated, that is correct.

Member Zuchlewski said, I think that the hard surface and landscaping issue might really help.

Member Baratta said, the reason that I wanted the hard surface is to protect our natural resources of our city. As we are talking about outdoor storage and things that may be stored there for a period longer than one year, there are many industrial sites that have these very heavy metal racks that they use outside to store material on. Do those racks then become subject to the material that is stored outside? Do we then develop some ordinance for those racks such as we do for a dumpster that is outside?

Attorney Schultz said that we will work to address that in the revised ordinance.

Moved by Member Greco and seconded by Member Zuchlewski:

ROLL CALL VOTE ON THE PROPOSED ORDINANCE AMENDMENT MADE BY MEMBER GRECO AND SECONDED BY MEMBER ZUCHLEWSKI:

Motion to direct the staff and the City Attorney to present the Planning Commission in the future with a revised ordinance along the lines with what has been discussed among the Planning Commissioners this evening. Motion carried 6-0.

2. PROVIDENCE PARK ONE ACRE OFFICE BUILDING JSP14-87

Public hearing at the request of Whitehall Real Estate Interests for the approval of Preliminary Site Plan, Woodlands Permit and Stormwater Management Plan. The subject property is located in Section 17 in the south west corner of Grand River Avenue and Providence Parkway. The applicant, Whitehall Real Estate Interests, proposes to build a one story 6,660 square foot speculative general medical office building and associated parking facilities on the northwest corner of the Providence Park Hospital planned office complex site. The project fronts on Providence Parkway and is adjacent to Grand River Avenue.

Planner Sri Komaragiri states that the applicant, Whitehall Real Estate Interests, has received a Preliminary Site Plan approval for the subject site back in 2008 which is no longer valid. The applicant is proposing a similar site layout with reduced building print.

The project site is approximately 1.31 acres and fronts on Providence Parkway and is adjacent to Grand River Avenue. The site is located on the northwest corner of the Providence Park Hospital planned office complex site. The property is surrounded by vacant land on all sides.

The subject property is zoned OSC, Office Service Commercial and is bordered by OSC on all three sides with I-1 Light industrial on the west. This is a permitted use in OSC district. The Future Land Use map indicates Office Commercial use for the subject property and the surrounding properties on all sides with Office research development and technology use on the west.
There are regulated wetlands on the south and west sides of the site. The wetlands shown in the middle of the site as shown on the map do not exist. There are a few regulated trees on site.

The applicant proposes to build a one story 6,600 square foot speculative general medical office building and associated parking facilities. The plans are in general conformance with the ordinance requirements. Planning and Landscape recommend approval with additional comments to be addressed with final site plan. The landscape review recommended that the applicant work with the Road Commission of Oakland County to plant trees within Grand River Avenue Right of way. The applicant has since approached the Road Commission and determined the areas where trees would be allowed.

The applicant is proposing to remove eight regulated trees and replacing them with five replacement trees as required. The site plan requires approval of the woodland permit by the Planning Commission. The current site plan would require a City of Novi authorization to encroach into the 25 foot natural features setback. Wetlands and Woodlands recommend approval with other comments to be addressed during final site plan.

The Façade review recommends approval as this application is in full compliance with the Façade Ordinance, Section 5.15. A Section 9 Waiver is not required for this project. Traffic and Fire recommend approval with additional comments to be addressed during final site plan. The applicant’s response letter indicates their intent to make the necessary revisions.

The Planning Commission is asked today to approve the Preliminary Site Plan, woodland permit and the storm water management plan. The applicant Gary Steven Jonna from Whitehall Real Estate Interests and the engineer Gary Tressel from HRC Engineers are present this evening.

Chair Pehrson asked if the applicant wished to address the Planning Commission.

Chair Pehrson thanked the applicant. Chair Pehrson said this is a Public Hearing, and asked if anyone in the audience wished to address the Planning Commission. Seeing no one, and confirming that there was no correspondence, Chair Pehrson closed the Public Hearing. Chair
Pehrson turned to the Planning Commission for consideration.

Member Zuchlewski asked if there will be a walkway along the back of the building to collect people, or for deliveries, or will those doors be strictly for an emergency.

Mr. Jonna replied, on the north side of the building, those doors are strictly for emergency access. The loading, unloading and dumpster are located to the west of the proposed building. The sidewalk connections are located along the front of the building where the building entrances are located.

Member Zuchlewski asked if the loading and unloading will take place at through the front doors.

Mr. Jonna replied, that is correct.

Member Zuchlewski asked if those doors will be handicap accessible.

Mr. Jonna replied that they will meet the American’s with Disability Act requirements

Chair Pehrson confirmed that there were no other comments.

Moved by Member Greco and seconded by Member Anthony:

ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY:

In the matter of Providence Park One Acre Office Building, JSP14-87, motion to approve the Preliminary Site Plan based on and subject to the following:

a. Work with Oakland County Road Commission (OCRC) to relocate the required street trees between the existing sidewalk and the curb along Grand River Avenue, conforming to OCRC requirements.

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 Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 6-0.

Moved by Member Greco and seconded by Member Anthony:

ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY:

In the matter of Providence Park One Acre Office Building JSP14-87, motion to approve the Woodland Permit based on and subject to the following: The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is
Made because the plan is otherwise in compliance with Chapter 37 of the Code of
Ordinances and all other applicable provisions of the Ordinance.  Motion carried 6-0.

Moved by Member Greco and seconded by Member Anthony:

ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MADE BY MEMBER GRECO
AND SECONDED BY MEMBER ANTHONY:

In the matter of Providence Park One Acre Office Building JSP14-87, 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 it otherwise in compliance with Chapter 11 of the Code of Ordinances
and all other applicable provisions of the Ordinance.  Motion carried 6-0.

MATTERS FOR CONSIDERATION

1.  Traffic Engineering Presentation by Maureen Peters, PE, Traffic Engineer, URS Corporation

Deputy Director McBeth said, in keeping with our ongoing discussion with our consultants and
learning various aspects of the reviews that the consultants and the staff are performing we
have two traffic engineering consultants here this evening.  Both are from URS, the City’s Traffic

Traffic Engineer Maureen Peters said good evening to the Planning Commission.  We just wanted
to give you a little bit of an overview about what we look for on different site plans and how we
have been interacting with the city to review the site plans and the different traffic engineering
projects where they have asked us to assist.  We joined the consultant team back in the fall.  We
are actually part of what is called AECOM now.  AECOM purchased URS.  With that purchase
we are now a 100,000 employee company which gives us a huge depth of expertise.  Our office
is located in Southfield.  We have been utilizing a team of Engineers, not just one or two, to
review the plans so that we can all bring different assets to the table.

When we look at the site plans for the traffic elements we look at it from an exterior interface as
well as the interior operations of the plan.  The exterior level we look at the different driveway
approaches, the driveway designs, the spacing between driveways, and the efficiency of the
access points.  We look at the existing roadways of the facilities and how the proposed site might
impact those.  We consider and recommend if additional right turn lanes into the site or left turn
lanes are needed, or passing lanes are needed, etc.  We look at the impact that the site might
have on the surrounding developments such as the number of trips that it will generate at any
given time period throughout the day.  We also look at the operational impacts that the project
might have on the roadway or nearby signals etc.  Paula will discuss some on the internal
aspects of the intricate details that we look at.

Traffic Engineer Paula Johnson greeted the Commission and said, for the internal aspects we
look at conforming to the City standards and we look at the general site layout, safety concerns,
how trucks are going to operate within that site, if it is a commercial site.  Pedestrian safety is a
big aspect of what we look at.  If there are any crosswalks that are needed, ADA compliance of
course, and signing and paving are looked at to make sure all of these comply with city
standards, and which also must comply with the Michigan Manual of Uniform Control Devices. We look at the Master Plan where the sidewalks are supposed to be located and make sure all the plans are in conformance. We also look at bicycle parking.

Traffic Engineer Maureen Peters said, outside site plan review we have worked with the City Engineering Department to perform more detailed studies for certain locations in response to residential complaints or school operational complaints. We look at stop signs and determine where or not they are warranted. We look at different locations that might require a traffic signal to see if a signal warranted based on the different needs of the area. Ms. Peters asked the Commission if there were any questions.

Member Baratta said, we were talking about Grand River and Haggerty and the need for a light there. There was a big concern for the traffic to the south. There was discussion about the southeast proposal being developed with additional apartments in there and there was discussion a right turn only on Haggerty. Do you do state work as well as local work and make recommendations for visibilities over hills?

Traffic Engineer Peters replied, yes, as the City’s consultant we review for visibility issues if there is curve or hill in the road.

Member Baratta said I know there always a concern when there were two curb cuts too close together, and the radiuses were such that maybe one property owner that wanted to develop was infringing a little bit on the adjacent. Is that ever been worked out or did the two land owners have to get together.

Traffic Engineer Peters said, I know that there are certain spacing requirements within the City Ordinance that try to prevent those things from happening. If the new development were to be going in we would look at that and try to reduce the number of access points at the road so that you have fewer conflict points. Then you can provide internal access once you get off the main line.

Member Baratta confirmed that the City’s consultant can make recommendations for these things?

Traffic Engineer Peters confirmed that is the case, and said that there are different volume requirements that warrant a right turn lane or a left turn lane.

Chair Pehrson thanked the ladies from AECOM for their presentation.

2. APPROVAL OF THE APRIL 22, 2015 PLANNING COMMISSION MINUTES

Moved by Member Greco and seconded by Member Baratta:

VOICE VOTE ON THE APRIL 22, 2015 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA

Motion to approve the April 22, 2015 Planning Commission Minutes. Motion carried 6-0.

MATTERS FOR DISCUSSION
There were no Matters for Discussion
CONSENT AGENDA – REMOVALS AND APPROVAL
There were no removals or approvals to the consent agenda

SUPPLEMENTAL ISSUES
There were no supplemental issues.

AUDIENCE PARTICIPATION
No one in the audience wished to speak.

ADJOURNMENT

Motion by Member Greco and seconded by Member Anthony:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY:

Motion to adjourn the May 13, 2015 Planning Commission meeting. Motion carried 6-0.

The meeting was adjourned at 7:42 PM.

Transcribed by Richelle Leskun

Date Approved: June 10, 2015

___________________________________________________
Richelle Leskun, Planning Assistant
Signature on File