REGULAR MEETING - PLANNING COMMISSION

CITY OF NOVI

December 7, 2016

Proceedings taken in the matter of the PLANNING COMMISSION, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Wednesday, December 7, 2016

BOARD MEMBERS

Mark Pehrson, Chairperson
Tony Anthony
David Greco
Robert Giacopetti

ALSO PRESENT: Barbara McBeth, City Planner
Rick Meader, Landscape Architect, Sri Komaragiri, Planner,
Kirsten Mellem, Planner, Thomas Schultz, City Attorney, Jeremy Miller, Staff Engineer

Certified Shorthand Reporter: Jennifer L. Wall
Novi, Michigan.

Wednesday, December 7, 2016

7:00 p.m.

** ** **

CHAIRPERSON PEHRSON: I'd like to call to order the December 7, 2016 regular meeting of the Planning Commission.

Sri, can you call the roll.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Here.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Here.

MS. KOMARAGIRI: Member Lynch?

CHAIRPERSON PEHRSON: Absent, excused.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Here.

MS. KOMARAGIRI: Member Zuchlewski?

CHAIRPERSON PEHRSON: Absent,
excused.

With that, if we could all rise for the Pledge of Allegiance.

(Pledge of Allegiance recited.)

CHAIRPERSON PEHRSON: Look for a motion to approve the agenda or a modification thereof.

MR. GRECO: Motion to approve.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: We have a motion and a second. All those in favor.

THE BOARD: Aye.

CHAIRPERSON PEHRSON: Anyone opposed. We have an agenda.

Come to our first audience participation. We do have several public hearings.

If there is anyone in the audience that wishes to address the Planning Commission on a topic other than the public hearings, please step forward at this time.

Seeing none, we will close the first audience participation. Any
correspondence?

MR. GRECO: I do not see any correspondence.

CHAIRPERSON PEHRSON: We have any committee reports, City Planner, Ms. McBeth?

MS. MCBETH: Thank you. Nothing to report this evening.

CHAIRPERSON PEHRSON: Very well. Bring us to our first item on the consent agenda. It's for Lakeshore Park picnic shelter JSP16-70.

For approval, requests the City of Novi for the approval of the preliminary site plan for Lakeshore Park picnic shelter JSP16-70.

The subject property is located in Section 3 south of South Lake Drive and west of Old Novi Road.

The applicant is proposing to construct an approximately 630 square foot picnic shelter in Lakeshore Park. Motion.

MR. GIACOPETTI: Motion to approve.
CHAIRPERSON PEHRSON: Motion by Member Greco -- excuse me. Motion by Member Giacopetti, second by Member Greco.

Any other comments?

Sri, can you call the roll.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Baratta?

Sorry.

Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Motion passes.

CHAIRPERSON PEHRSON: Brings us to our first public hearing for Feldman Automotive JSP 16-31. It's a public hearing at the request of Feldman Automotive for Planning Commission's approval of preliminary site plan, wetland permit, woodland permit, storm water management plan and special land
The subject property has split zoning, P1, vehicular parking at the south B3 general business at the north and is located in Section 23 on the south side of Grand River Avenue, between Novi and Meadowbrook Road.

The subject property is approximately 1.67 acres. The applicant is proposing to improve the parcel for parking for sale of new unlicensed motor vehicles and outdoor space for exclusive sale of new and used automobiles.

Kirsten, how are you?

MS. MELLEM: Good.

Parcel is located on the south side of Grand River Avenue between Novi Road and Meadowbrook Road in Section 23.

The current zoning is split between P1 to the south, which was vehicular parking and B3 to the north, which is general business.

The future land use map
indicates TC gateway for the subject property, multiple family to the south, and TC gateway to the east and north of Grand River Avenue and TC commercial to the west.

The natural features map shows the subject property 0.7 acres of wetlands and 87 regulated woodland trees on-site.

The applicant submitted a request for rezoning, which was approved by City Council on October 10, 2016. The applicant has submitted a site plan for a special land use approval for storing new, unlicensed vehicles in the P1, B3 zoning district.

However, the applicant has requested that the Planning Commission hold a public hearing, but not make a decision regarding a special land use at this time until further changes can be made to the site plan, in order to respond to comments in the review letters.

The staff agrees with this postponement of the decision in order that
the applicant make these modifications to follow the zoning ordinance requirements.

The Planning Commission is asked tonight to hold the public hearing, and then postpone the special land use decision.

Staff and applicant are here to answer questions.

CHAIRPERSON PEHRSON: Thank you. Does the applicant wish to address the Planning Commission at this time?

No, okay.

This is an audience participation. If there is anyone in the audience that wishes to address the Planning Commission on this particular matter, please step forward.

Seeing no one, do we have any correspondence?

MR. GRECO: I do not see any correspondence.

CHAIRPERSON PEHRSON: We will close the public hearing on this. Turn it over to the Planning Commission for their
consideration.

MR. GIACOPETTI: I'd like to make
a motion to postpone.

MR. ANTHONY: Second. I'll read
the whole motion.

In the matter of Feldman
Automotive, JSP16-31, motion to postpone this
special land use permit for the following
reasons because the applicant intends to make
further modifications to the preliminary site
plan and has requested that the matter be
postponed until those changes are submitted
for review.

CHAIRPERSON PEHRSON: We have a
motion by Member Giacopetti, seconded by
Member Anthony.

Any other comments?

Kirsten, Sri?

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Anthony?
MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Motion passes four to zero.

CHAIRPERSON PEHRSON: Thank you.

The next item is a Zoning Ordinance Text Amendment, 18.279 public hearing for the Planning Commission's recommendation to City Council for an ordinance to amend the City of Novi's zoning ordinance in order to modify the TC Town Center and TC1 Town Center One district to better accommodate mixed use and residential developments in the Main Street area.

Sri -- Kirsten.

MS. MELLEM: The proposed ordinance amendment addresses mixed use development requirements in the TC Town Center and TC1 Town Center One Districts.

The current ordinance states that multiple housing dwelling units in TC
and TC1 shall meet the requirements of the RM low density multiple family district.

In many instances, the characteristics of a low density multiple family district are contrary to the intent of the TC and TC1 district, which strives for a pedestrian ordinance and a mixed use development.

The proposed amendments would align the requirements with the intent of the area.

Staff has proposed this amendment in response to new developments anticipated in the Main Street area. This would promote a pedestrian oriented mixed use downtown that would accommodate the density proposed in 2016 Master Plan for Land Use.

The Planning Commission is asked tonight to hold the required public hearing and make a recommendation to City Council who will ultimately approve or deny the amendment. The manual also proposes alterations as well.
Staff is available to answer any questions you may have regarding the proposed amendments.

CHAIRPERSON PEHRSON: Thank you, Kirsten.

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

Seeing no one, Mr. Greco, any correspondence?

MR. GRECO: We do not have any correspondence.

CHAIRPERSON PEHRSON: Close the public hearing on this matter. Turn it over to the Planning Commission.

Member Anthony.

MR. ANTHONY: Thank you. I think is a beautiful amendment. I think this is right in line with what we intended for that area, being mixed use, higher density. It contributes towards being pedestrian friendly, provided that we maintain the
infrastructure that allows that. So I am really happy to see this. I am full support of this. Thank you.

CHAIRPERSON PEHRSON: Thank you, sir. Go ahead.

MR. GRECO: I echo Member Anthony's sentiments. I think that this has been an area that we have discussed ever since I have been on the Planning Commission, quite a while now.

And it does comport with the intent of what we hope to be developed in the area and hope for this general area, so I'm inclined to support it as well.

CHAIRPERSON PEHRSON: Very good. Thank you.

I too, agree with my colleagues. I think this is a very good text amendment. I thank the Planning Department for putting work into this.

Somebody?

MR. GRECO: I'd like to make a motion.
CHAIRPERSON PEHRSON: Member Greco.

MR. GRECO: I'd like to make a motion to recommend approval of the Zoning Ordinance Text Amendment 18.279 to the City Council.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: We have a motion by Member Greco, second by Member Anthony. Any other discussion? Kirsten, please.

MS. MELLEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEM: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. MELLEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEM: Member Anthony?

MR. ANTHONY: Yes.

MS. MELLEM: Motion passes four to zero.

CHAIRPERSON PEHRSON: Thank you very much. Next is item three, Zoning
Ordinance Text Amendment 18.277. It's a public hearing for Planning Commission's recommendation to City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning District Section 3.1.25, Town Center District Special Land Use and Article 4, use standards Section 4.40 restaurants in the character of a fast food carry-out, drive-in, fast food drive-thru or fast food sit-down specifically for the TC and TC1 Town Center Districts, in order to permit drive-thru restaurants in the TC Town Center Districts.

Sri.

MS. KOMARAGIRI: Earlier on June 8, the Planning Commission was asked to consider setting a date for the proposed Text Amendment to allow drive-thrus in the Town Center District.

At the time the commission requested a study session to consider proposed changes, which was held on July 13. Based on Commission's direction, staff
determined that further research is required
for the Town Center drive-thru amendment, as
the applicant provided additional
information.

The applicant has provided a
revised draft, a conceptual layout for the
proposed drive-thru, as shown on the screen.

On October 26, the Planning
Commission held a second study session to
review this information. Committee has
provided comments on the draft as well as the
design and has set public hearing for today.

The current draft that is
provided in your packet for your review is
revised by the staff, based on findings from
the study session.

The applicant and his attorney
were also present, and are in agreement with
the changes proposed by the staff.

If you recall, the addition of
drive-thru restaurants in the TC1 district
back in 2012 included extensive discussion of
the intent of TC and TC1 districts.
At the time staff drafted an amendment that included provisions to allow drive-thru restaurants in TC1 in limited instances and with features that maintain the intent and the character of TC1 district.

The staff has applied those findings to the current one.

The requirements are categorized into three sections based on requirements that apply only to TC districts, those that apply only to TC1, and those which apply to both the districts.

The current draft limits possible spread of drive-thru restaurants in the future and provides a better clarification of the limitations and requirements.

The revision limits the location to within 300 feet of an intersection of two arterial roads with two-way access provided from a local street, and also allows only one drive-thru per intersection.
This would limit the drive-thru restaurants essentially to the subject property near the northeast corner of Grand River and Novi Road.

The map in front of you indicates the arterial roads in blue, local streets in orange, and the only possible location for a drive-thru in white enclosure.

At this time, the Planning Commission is asked to review the proposed changes, call the required public hearing and if generally acceptable, make a recommendation to City Council to amend the ordinance as suggested or with any revisions the Planning Commission deems appropriate.

The request will then be forwarded to the City Council for review and consideration. Thank you.

CHAIRPERSON PEHRSON: Thank you.

I see Mr. Quinn.

MR. QUINN: Yes, because nobody else has spoken to you, I thought I'd break up your monotony.
Matthew Quinn appearing on behalf of the Novi Town Center Investors, Jim Clear (ph) the manager of the mall is here this evening.

I do want to thank the Planning Commission and the staff for working with us over the last nine months with coming up with the latest proposed draft of the ordinance, which limits our requests to one location within our entire Town Center mall. We agree with that. We agree with the limitations and we would ask you to vote in favor of sending this to the City Council, so that we can then move onto that level.

CHAIRPERSON PEHRSON: Thank you, sir.

MR. QUINN: While I'm here, I want to wish everybody a Merry Christmas, a Happy New Year and Happy Holidays to all of you. We are here for any questions you have.

CHAIRPERSON PEHRSON: Thank you. This is a public hearing. Is there anyone else in the audience wishes to address the
Planning Commission on this matter?

Seeing no one, I don't believe we have correspondence.

MR. GRECO: We have no correspondence.

CHAIRPERSON PEHRSON: Close the public hearing at this point, turn it over the Planning Commission for their consideration.

Member Anthony.

MR. ANTHONY: I guess this is more of a comment again. I was probably the most skeptical on the Planning Commission allowing drive-thru in that area.

You can see, like our previous approval, that residential, a significant residential development south of the Town Center and also at Ten Mile -- and Meadowbrook and Grand River one should be starting at the beginning of the -- well in the spring. So we are starting to get more momentum and more denser residential which will contribute to the use of the
12/7/2016

infrastructure we have laid down with the non-motorized work plan.

And I want to thank you for continuing to work with the city staff so that you could bring this within a realm of where I feel okay about it now. Because we know a traditional drive-thru would be detrimental to any hope of creating that zone as being walkable and building a higher urban dense area.

So also, with staff, thank you, good job. It was very creative in how to be able to limit that and redefine an acceptable fast food restaurant.

So with that, I am in support of it.

CHAIRPERSON PEHRSON: Thank you, Member Anthony.

Member Greco?

MR. GRECO: Just briefly, I don't have much comment to make, public comment, but with regard to the study session, and all the work that the staff and the applicant
did, there was a lot of thought going into this. And again, I'm going do agree with Member Anthony, I think that with the comments that we had during the study session, the input with everyone and the -- I think the important comments from Member Anthony regarding his concerns, that this is a good amendment for this public area for what we need. I am going to vote in favor of it.

CHAIRPERSON PEHRSON: Okay.

MR. GRECO: I'd like to make a motion.

I'd like to make a motion to the recommend approval to the City Council the Zoning Ordinance Text Amendment 18.277.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: Motion by Member Greco, second by Member Anthony. Any other discussion?

Sri, can you call the roll.

MS. KOMARAGIRI: Member Giacopetti?
MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Motion passes four to zero.

CHAIRPERSON PEHRSON: Thank you.

Next on the agenda is matters for consideration.

Item No. 1, Hadley's Towing JSP16-33 with rezoning 18.715. It's a consideration at the request of Hadley's Towing for Planning Commission's recommendation to City Council for rezoning property in Section 17 on the south side of Grand River between Wixom Road in Beck in the I1 light industrial to I2, general industry with planned rezoned overlay, PRO.

The subject property is approximately 17.7 acres and the applicant is
proposing to rezone approximately 5.6 acres
of the northerly portion of the property to
accommodate a vehicle towing business and
outdoor storage yard. The applicant is
proposing to develop the property in two
phases.

The first phase includes
construction of 155 parking spaces to store
towed vehicles, and the future plans will
include 113 spaces.

Sri.

MS. KOMARAGIRI: As we mentioned,
the applicant is requesting to rezone the
property to use the rezoned portion as an
enclosed storage yard.

As part of the current
agreement with the City of Novi, the tow
yards have to be located within the city
limits and this site fits their needs.

Previously Planning Commission held a public
hearing for this project on September 28.

The plan is being presented
today for your consideration.
The property is located in Section 17, south of Grand River Avenue and east of Sam's Club on Wixom Road. It is zoned I1, light industrial with I2, part of the east and I1 on all other sides.

The applicant is requesting a zoning map amendment for the 5.6 acres in the northerly portion, from I1, light industrial to I2, general industrial.

As you can see from the map in front of you, the proposed southern limits of the split rezoning boundaries aligns with the existing I2 boundary line on the east.

The future land use map indicates office research development and technology for property and the property to the south of this parcel as suburban low rise.

The property to the west and across Grand River Avenue is indicated as community commercial and to the east is indicated as office research development technology.
The current proposal is not supported by 2010 future land use recommendation or the current 2016 draft land use update.

However, the planned rezoning overlay option creates a floating district with a conceptual plan attached to the rezoning of the parcel. With the proposed PRO option, rezoning to I2 would not create anymore high intensity uses than we would typically expect with I1 or I2.

The rezoning reverts to I1 when the use changes. The majority of the site is covered by regulated wetlands and woodlands, most of which the applicant will not be impacting the development plan for the northern portion of the site only.

The applicant has revised the drawings taking all staff and consultant comments into consideration. The following changes have been made since last submittal.

The number of parking has been decreased from a total of 443 to 271, a total
decrease of 172 spaces, 156 of these spaces are included in the first phase of the project with 116 being proposed at future parking. The red line on the image on your screen indicates the limit of parking and the original concept and the revised.

Due to the revised parking layout, the wetlands in blue are not filled with the revised concept, thus eliminating the requirement for mitigation and reducing the woodland removal. The applicant has provided an update in response to address concerns of adjacent property owner with regards to screening, a 10 foot tall landscape berm and additional landscape is proposed to screen the proposed use from adjacent properties, number three, as indicated. These enhancements would be protected with a permanent landscape easement with which will be determined at the time of final site plan. The applicant is proposing to limit the rezoning to 5.6 acres as indicated and not to make any future requests.
for expanding the rezoning boundary.

The applicant is proposing to develop the property in two phases. The first phase includes construction of 156 spaces to store towed vehicles and the future phase will include 115, all in the northerly portion.

The two tentative locations for storm water detention are proposed on the southerly portion, which is to remain as I1. Staff is willing to work with the applicant on the details on the location and the size at the time of preliminary site plan.

The revisions have reduced the impacts to the proposed regulated woodlands and wetland fill. The wetland fill has been reduced from 0.59 acres to 0.13 at 22 percent decreased. And the woodland removal has been reduced from approximately over 100 trees to a little over 27 trees. A partial tree survey for the northerly portion is provided.

The applicant agreed to meet with the woodland removal requirements at the
time of preliminary site plan.

An outdoor storage yard is typically considered a parking lot to verify with conformance zoning code. However, the use of the subject lot is not a typical parking lot. This resulted in multiple deviations for parking landscaping and traffic requirements such as end islands.

Landscape is not currently supporting the deviations as proper justification is not provided.

The applicant maintains that these deviations are required as the curb islands and landscaping within the island could create extensive challenges to the drivers maneuverability to tow trucks and towed vehicles. Landscape does not support the deviations.

The applicant is also requesting a deviation for not requiring a traffic impact study as the proposed use would not generate additional traffic, which the staff supports.
All reviews except landscape are recommending approval with additional comments to be addressed with the preliminary site plan.

Based on comparison with a similar site plan with I1, staff finds that the rezoning is a reasonable alternative as the proposed use is less intense of uses that would be typically allowed.

The probability of office use which is permitted is less considering insignificant visibility the site offers due to its flag shape.

For PRO applications, City Council must determine that the proposed rezoning would be in public interest and the public benefit of the proposed PRO rezoning, would clearly outweigh the detriments. Three of the four benefits offered by the applicant refer to a convenient location in close proximity to I-96 and a local location to fulfill the contractual obligations with the city. These can be conceived as a
convenience which would impact and benefit the business and are required as part of the current contract with the city.

However, the fourth benefit refers to providing additional screening for adjacent to property on the east. This was not required by the code.

Staff recommends that the applicant reconsider and to propose benefits that are above and beyond the typical requirements.

The Planning Commission is asked tonight to consider the application and if agreeable make a recommendation to council to approve the planned rezoning overlay concept.

The applicant Kipp LeMarbe is here with his engineer Dan LeClair to answer any questions you may have. Staff will be glad to answer any questions you have for us.

CHAIRPERSON PEHRSON: Thank you, Sri.

Does the applicant wish to
address the Planning Commission?

MR. LECLAIR: Thank you,

Mr. Chair. Dan LeClair from Green Tech Engineering.

I'm here to answer any questions. We were here a couple of months ago and requested to be tabled because we were working with the neighboring property owner and Mr. Jonna is here tonight with us.

We have spent a significant amount of time working with Mr. Jonna as well as looking at the site in particular, with respect to natural features and how can we -- even at this rezoning stage, before we are even at the preliminary site plan stage, what can we do to make sure that as we move forward, we can put something on a plan that we're very -- that likelihood is very high that we can accomplish that through the site plan process, yet still look at the neighboring properties, the wetlands, the woodlands, and in particular, item number four with respect to the landscape berm.
adjacent to Mr. Jonna's property, we have worked with him pretty extensively to make sure that we know what he has in his future plans, what he's thinking about and how can we make sure that we can be good neighbors with him once our site plan gets through the process as well, as to how we can help accommodate him when he comes through the process at some point in the future.

I am here tonight to answer any questions you may have. Again, thank you for having us.

CHAIRPERSON PEHRSON: Thank you, sir, appreciate that. Turn it over to the Planning Commission for their consideration. Who would like to start. Member Anthony.

MR. ANTHONY: This is for staff. Rick, when I look at this, I like how we changed this, we preserved the woodlands to the south, so that was nice.

And I am looking at the, you know, the diagonal pattern of the wetland, of course, you would have water flow that would
move through there. And then the berm over to the east doesn't cover much of the east area.

So if I understand correctly, part of the city staff's concern is inadequate or not enough landscaping on the eastern border, is that correct?

MR. MEADER: No, really my only concern is the landscape or lack thereof within the parking lot itself. The berms, I think they're doing everything they can around the edges to do the screening.

MR. ANTHONY: When I look at the parking lot, I do see some island type features that are cross hatched. Do those island features, would they carry landscaping or are they --

CHAIRPERSON PEHRSON: Just painted.

MR. ANTHONY: I see. Yeah. So really it is -- be the only parking lot in Novi without complying with our landscape ordinance.
MR. MEADER: There is others.

MR. ANTHONY: Okay.

CHAIRPERSON PEHRSON: Thank you.

Member Greco?

MR. GRECO: My understanding is that -- I mean, this is going to be a parking lot, but a parking lot for towed cars, right?

MR. LECLAIR: That is correct.

MR. GRECO: It's not going to be a parking lot for retail or any other office, this is going to be cars that are towed to the lot, that need to be picked up by the owners or whatever the situation is regarding the impound or the tow or whatever?

MR. LECLAIR: That's correct.

The towed vehicles obviously come in via Hadley Towing staff. They're either pulling them or carrying them in on another vehicle. And then when the vehicles leave, it's because somebody comes in and Hadley staff brings the vehicle out to the front of the property, you know, outside of that enclosure area. That's for the safety of their
MR. GRECO: The reason for the lack of the island or anything in the parking lot that we would typically have in like a retail or office parking lot, would be so that the trucks can pull in and out and freely park or stack the vehicles however they get parked?

MR. LECLAIR: That's correct.

MR. GRECO: All right. Thank you.

Rick, you're on tonight. Do we have -- I know we have a number of contractors that do towing for the city.

And the city apparently has a requirement that the tow yard or the vehicles be taken to a local area.

MR. MEADER: That's my understanding.

MR. GRECO: Is that what part of the contract, that if my car -- for example, if I get pulled over, if I'm in an accident, and my car gets towed for some reason, one of
the city's requirements that it be in close
around here generally?

MR. LECLAIR: That's my
understanding of that, yes.

MR. GRECO: Fair enough. So
again, to Rick, I mean, with this not
being -- you know, it's not really a parking
lot either, like we dealt with recently with
Catholic Central or parking lots that we are
dealing with for a business, retail or an
office, what is the issue that you're having,
just that this is what it requires so you're
not comfortable, you know --

MR. MEADER: That's part of it.
The other part is there is -- one other
purpose of the island is not necessarily just
for pretty pictures, but also helps to cool
the pavement and it helps to break up the
expansion of asphalt, frankly. And so that's
what the ordinance was set up to do. And
granted allowances for, you know, where
people are around. But it does serve a
functional purpose of cooling the pavement,
in the big expansion like this.

MR. GRECO: Okay.

CHAIRPERSON PEHRSON: Any other comments? Member Giacopetti.

MR. GIACOPETTI: If I may, through the Chair.

I just have a question, concerning the nature of the business of the operation.

There is nobody staffed at this location, is that how it works?

MR. LECLAIR: It's my understanding that the area of the proposed -- Mr. Hadley is here, he can help me out -- but the area of the proposed parking lot is simply for storage only. And he is going to be renting a part of the building adjacent to this up along Grand River Avenue.

MR. LEMARBE: I'm Kipp Lemarbe from Hadley's Towing. Thanks again for having us.

That is correct. There is
currently a building to the north that we
plan on conducting our business out of.
Therefore, just, you know, the cars in the
back would be our employees coming back and
forth through there, you know, normal
customer base.

MR. GIACOPETTI: That's my only
question.

CHAIRPERSON PEHRSON: I'm
perfectly okay with the landscape waiver for
the lack of landscape in the islands. No
sense in adding difficulty to the guy towing
a car in.

My only comment would be
relative to the PRO elements. I recommend to
City Council that they look further into the
PRO elements themselves to find something as
well that might be a little bit more
beneficial than the ones that are listed.

Other than that, I appreciate
you taking the time to look at the -- Member
Anthony cited taking a look at the woodland
and the storm -- the wetlands and putting
that thing on the diagonal rather than having it mitigate a bunch of that nature. I am in support of this at this point.

MR. GRECO: I would like to make a motion.

CHAIRPERSON PEHRSON: Member Greco.

MR. GRECO: In the matter of Hadley's Towing, JSP16-33 with zoning map amendment 18.715, a motion to recommend approval to the City Council to rezone the subject property from I1 light industrial to I2 general industrial, with a planned rezoning overlay, with the following included.

Number one, the recommendation shall include the following ordinance deviations for consideration by the City Council, which are set forth in the motion sheet A through H, is that acceptable, Tom?

MR. SCHULTZ: Yes.

MR. GRECO: Number two, that the applicant comply with the conditions listed
in the staff and consultant review letters.

Number three, if the City Council approves the rezoning, Planning Commission recommends the following conditions be requirements of the PRO planned rezoning overlay agreement, which are set forth in matters A through C, or 3A through C.

This motion is made because the rezoning requested fills two objectives of the Master Plan for Land Use by fostering a favorable business climate and welcoming new business, rezoning is a reasonable alternative as the proposed use is less than intense than uses that would be typically allowed under I2 zoning and puts the use of a vacant parcel and is adjacent to other parcels of similar use and the rezoning will have no negative impact on public utilities.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: We have a motion by Member Greco, second by Member Anthony.
Any other discussion?

Sri, can you call the roll,

please.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.

MS. KOMARAGIRI: Motion passes four to zero.

CHAIRPERSON PEHRSON: All set.

Next is other matters for consideration. Zoning Ordinance Text Amendment 18.280. It's to set a public hearing for the Text Amendment 18.280 for considering amending City of Novi's ordinance in order to modify Section 4.86 uses not otherwise included with a specific use district and Section 2.2 definitions to
recognize and provide for implementation of State and Federal legislation regarding wireless communication equipment and facilities.

Kirsten?

MS. MELLEM: Section 4.86 of the City of Novi's Zoning Ordinance provides for placement of various communications, antennas towers and related equipment. The city attorney's office has reviewed recent changes in state law related to wireless communication equipment and provides suggested modifications to the zoning ordinance to assure that the standards in the new law are recognized and provided for in the city’s zoning ordinance. The strike-through draft language was included in the packet.

Much of the existing zoning ordinance text is being reformatte and refined, including the lead paragraph, procedural review requirements are added as subsections to the first paragraph on pages
one and two. Application review
requirements, procedures and limitations are
included in the new subsection iii, starting
on page four and definitions from the State
law are provided on seven page.

The ordinance continues to
require colocation of carriers on one
structure wherever feasible, before a new
tower structure is permitted. As a result of
this colocation requirement, we commonly see
four or more carriers on one tower or
structure. The proposed language allows and
requires review of the proposed height of the
new cell tower locations based on
justification from a professional engineer.
Staff's opinion is that this additional study
will assist in identifying when additional
height is warranted.

This text amendment was
originally was approved by City Council on
February 11, 2013, and was brought to staff's
attention that this amendment was
inadvertently excluded from the clear zoning
ordinance reformatting and therefore, is going through the process to reinstate the ordinance language.

The Planning Commission is asked to review the proposed amendments and if acceptable to set a public hearing for January 11, 2017.

At that time the Planning Commission may make a recommendation to City Council who will ultimately approve or deny the amendment and make proposed alterations as well.

The attached staff version of the proposed amendment is subject to review of changes by city staff and/or city attorney's office.

CHAIRPERSON PEHRSON: Thank you. Appreciate that.

Who would like to start.

Member Anthony.

MR. ANTHONY: Right at the beginning, Section One, the addition that is, City Council approval and Planning Commission
recommendations and public hearings are not required for proposed uses that are permitted to administrative review.

So does this include like locating wireless towers, wireless cell towers or this just doing an addition?

MR. SCHULTZ: A new tower would come to the Planning Commission.

MR. ANTHONY: A new tower in its location would still have the opportunity for the public to comment on it.

MR. SCHULTZ: A new tower, yes.

MR. ANTHONY: Good. That's just what I wanted to make sure we weren't removing that.

CHAIRPERSON PEHRSON: Thank you.

Member Greco?

MR. GRECO: I would like to make a motion to set a public hearing on the Zoning Ordinance Text Amendment 18.280.

MR. GIACOPETTI: Second.

CHAIRPERSON PEHRSON: We have a motion by Member Greco, second by Member
Giacopetti. Any other comments. Kirsten, can you call the roll.

MS. MELLEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEM: Member Anthony?

MR. ANTHONY: Yes.

MS. MELLEM: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. MELLEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEM: Motion passes four to zero.

CHAIRPERSON PEHRSON: Thank you.

Next is the Sign Code Amendment 17.188, to set a public hearing for the consideration to amend Chapter 28 signs of the City of Novi code amendment 17.188 to update, clarify and provide new substantive regulations concerning placement of signs within and throughout the city.

Ms. McBeth.

MS. MCBETH: Thank you. This is another text amendment that we are hoping
that you will set for the public hearing for January 11, 2017.

We note in the memo that over the last few months the City Council's ordinance review committee has undertaken review of the entire sign code in order to review the standards for updates based on recent court activities and to allow the ordinance to be more business and user friendly.

Among some of the changes, recommendations are the following, different and additional regulations related to billboards along I-96 and M5, changes to the sign review process, which would now make the sign review part of the preliminary sign plan to bring that forward to the beginning of the process. Changes to the size, number and placement regulations throughout the ordinance to allow for additional signage for certain uses, and to clarify and declutter the ordinance where possible.

And also revised variance
standards for signs.

So as we have noted, the sign ordinance is separate from the zoning ordinance, but the sign ordinance does provide regulations by zoning district.

At this point the Planning Commission is asked to take the opportunity to review the proposed text and schedule the public hearing, and are ready to make a recommendation to City Council on the proposed changes.

CHAIRPERSON PEHRSON: Thank you. Appreciate that. Comments? Questions? Motion?

MR. GRECO: I'd like to make a motion to set a public hearing for Sign Code Amendment 17.188.

MR. ANTHONY: Second.

CHAIRPERSON PEHRSON: Motion by Member Greco, second by Member Anthony. Any other comments? Sri, Kirsten, Barb, anybody?

MS. KOMARAGIRI: Member Giacopetti?
MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Motion passes four to zero.

CHAIRPERSON PEHRSON: Thank you.

Item number three, approval of the September 28, 2016 Planning Commission minutes.

I have a few changes that have been provided by staff that will be considered part of the record. Modifications to that. Any other changes?

MR. GRECO: Motion to approve.

MR. ANTHONY: And second.

CHAIRPERSON PEHRSON: Motion by Greco, second by Anthony. Any other comments? Sri, please.

MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.
MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.

MS. KOMARAGIRI: Motion passes four to zero.

CHAIRPERSON PEHRSON: Fourth is approval of the October 5th, 2010 Planning Commission minutes. Any changes, modification? Motion?

MR. GRECO: Motion to approve.

MR. ANTHONY: And second.

CHAIRPERSON PEHRSON: Motion by Member Greco, second by Anthony. Any other comments? Sri, please.

MS. KOMARAGIRI: Member Giacopetti?

MR. GIACOPETTI: Yes.

MS. KOMARAGIRI: Member Greco?

MR. GRECO: Yes.
MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Motion passes four to zero.


Just take a wild guess, there is nobody here. Open and close the audience participation. Look for a motion to adjourn.

MR. GRECO: Motion to adjourn.

MR. ANTHONY: And second.

CHAIRPERSON PEHRSON: With the best of Merry Christmas and Happy New Year.

All those in favor.

THE BOARD: Aye.

CHAIRPERSON PEHRSON: Thank you.

(The meeting was adjourned at 7:50 p.m.)

** ** **
STATE OF MICHIGAN   )

)         ss.

COUNTY OF OAKLAND   )

I, Jennifer L. Wall, Notary Public within and for the County of Oakland, State of Michigan, do hereby certify that this meeting was taken before me in the above entitled matter was by me duly sworn at the aforementioned time and place; that the testimony given was stenographically recorded in the presence of myself and afterward transcribed by computer under my personal supervision, and that said testimony is a full, true and correct transcript.

I further certify that I am not connected by blood or marriage with any of the parties or their attorneys, and that I am not an employee of either of them, nor financially interested in the action.

IN WITNESS THEREOF, I have hereunto set my hand at the City of Walled Lake, County of Oakland, State of Michigan.

1-16-17

Date

Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/22