



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

March 8, 2023 7:00 PM

Council Chambers | Novi Civic Center
45175 W. Ten Mile, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Avdoulos, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Absent Excused: Member Becker, Member Dismondy

Staff: Lindsay Bell, Senior Planner; Beth Saarela, City Attorney; Ben Peacock, Planner, Rick Meader, Landscape Architect; Adam Chludzinski, Plan Review Engineer, Doug Necci, Façade Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Verma to approve the agenda.

VOICE VOTE TO APPROVE THE FEBRUARY 22, 2023 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER VERMA.

Motion to approve the February 22, 2023 Planning Commission Agenda. Motion carried 5-0.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the first public participation.

CORRESPONDENCE

Correspondence received from Haverhill HOA regarding concerns that three parcels currently zoned RA and R-2 proposed to be rezoned to multi-family was noted.

COMMITTEE REPORTS

There were not any committee reports.

CITY PLANNER REPORT

There was no City Planner report.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were not any consent agenda items.

PUBLIC HEARINGS

1. JSP22-32 PORSCHE OF NOVI

Public Hearing at the request of Lithia Motors, Inc. for approval of the Preliminary Site Plan, Special Land Use Permit, and Stormwater Management Plan. The subject property is approximately 8.15 acres and is located north of Ten Mile Road on the west side of Haggerty Road in the B-3, General Business District. The applicant is proposing to demolish an existing building in the southeast portion of the site and redevelop the area in order to build a 19,170 square foot, two-story car dealership building to be used by Porsche of Novi.

Senior Planner Lindsay Bell relayed the site is located on the southeast portion of a larger 8.15 acre parcel, located at 24305 Haggerty Road, west of Haggerty Road and north of Ten Mile Road (Section 24). The site is shared with the Suburban Infinity car dealership to the north, and the future Audi service center to the west. The proposed Audi of Novi site is to the south, and an office building to the southwest. Across Haggerty Road, in the City of Farmington Hills, is Serra Ford dealership.

The site is zoned B-3 General Business, and the surrounding area is zoned OS-1 (Office Service) and B-3 (General Business), and to the east in Farmington Hills the zoning is B-3 (General Business with a Freeway Overlay District).

The Future Land Use map indicates Community Commercial for the subject property and several of the surrounding properties, community office to the west and southwest, and non-center type business planned to the east in Farmington Hills. The subject property has some regulated wetlands and woodlands along Ingersol Creek, which runs along the northwestern border of the property. There are no natural features within the project area.

As indicated on the site plan, the applicant is proposing to demolish a small former car dealer building and redevelop the site with an approximately 19,000 square foot two-story car dealership to be used by Porsche of Novi along with associated parking, vehicle inventory, parts storage, and site improvements. Access to the site will remain from the driveway shared with the other uses on the site, except one of the access points will be closed on the north side. In the southwest area a second access point will utilize the ramp proposed by the Audi project to connect to the property to the south and the service center to the west. Stormwater is proposed to be managed by an underground system located west of the building.

Outdoor space for sale of new or used vehicles is a special land use in the B-3 district, so the Planning Commission is asked to consider the factors of Special Land Use listed in the draft motion sheet to determine whether approval is warranted.

As for the preliminary site plan, the proposal mostly complies with the requirements of the Zoning Ordinance. However, the applicant is requesting waivers related to landscaping and façade requirements. They will apply to the ZBA for a variance for an overhead door on the east elevation facing a major thoroughfare, which staff supports because the overhead door is set back from the primary facade and does not have a detrimental impact on ingress/egress to Haggerty Road.

The five landscaping waivers are all now supported based on the revisions the applicant has agreed to make in their response letter. The landscape waivers include:

- The greenbelt berm along Haggerty Road, which is supported because the existing grades provide the intended screening.
- The second waiver is for the lack of greenbelt landscaping along Haggerty Road, which is supported because of the underground Buckeye Pipeline corridor.
- The third waiver is for perimeter parking landscaping on the west side of the site. Originally this area was just 5 feet wide, but the applicant has made some adjustments to the site – including replacing a perpendicular parking bay with parallel spaces – in order to provide a 9-foot wide area, which will be much more likely to provide adequate area for the trees to grow.
- The fourth waiver is for placement of two parking lot perimeter trees on the north side further than 15 feet from the parking lot, which is supported because of utility conflicts.

- The fifth waiver requested is for a deficiency in building foundation landscaping, which is supported because compensating area is provided at the entry and across the parking lot.

A Section 9 Façade Waiver for an underage of brick and an overage of Flat Metal Panels on the east elevation because the overall design is consistent with the intent and purpose of the Façade Ordinance. Façade materials are shown on the screen, are in the packet, and sample boards are available to view.

All other items identified in the review letters are to be addressed with the next submittal if this plan were to be approved tonight by the Planning Commission.

The Planning Commission is asked tonight to hold the public hearing and approve or deny the Special Land Use Permit, Preliminary Site Plan, and Stormwater Management Plan. Representing the project tonight are Joe Gilardone with Lithia Motors, Jason Longhurst from Nowak & Fraus Engineers, architect Shane Burley from Studio Detroit. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Jason Longhurst, with Nowak and Fraus Engineers, relayed his support of Senior Planner Bell's summary. The revised site layout reflects the reduced number of required parking stalls to accommodate landscape revisions. Similar to the Audi project to the south, the Buckeye pipeline in front of the site led to a few other landscape hardships, but they have overcompensated in other areas to address to the best of their ability.

Shane Burley, with Studio Detroit Architects, relayed reductions made to the building square footage helped with landscape and parking requirements. This is a very unique project, a very iconic structure, and will pair nicely with Audi to the south.

Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium. As there were none, and there was no correspondence, Chair Pehrson closed the Public Hearing and turned it over to the Planning Commission for consideration.

Member Lynch relayed it looks like issues have been resolved and understands the pipeline issue. Based on Senior Planner Bell's comments it seems Mr. Necci is satisfied with the façade. Member Lynch invited Architect Doug Necci to the podium for his comments on the façade.

Mr. Necci relayed the sleek, contemporary designed building consisting mostly of metal panels, has a key element in the curved entrance feature. In looking at past designs online, this element has evolved over time having gone from a three-dimensional feature which curves from vertical panels to horizontal panels to this version which is flat. Mr. Necci thought this was a compromise in terms of the quality and strength of the architecture. Most of the current buildings are of the flat panel design and he expressed interest as to why the design evolved.

Chair Pehrson invited to applicant to respond to Mr. Necci's inquiry.

Mr. Burley relayed that car dealership architecture is really brand-driven design. Architects are held to certain brand standards. Car brands put a lot of time, energy and considerable resources into developing these standards and have learned what speaks well to their clientele. They learn over time what works well and what doesn't and what is hard to design and fabricate.

From Porsche's standpoint, they did not want any brick on the building. Due to the ordinance requirements, the architects found a brick that meets Porsche's color scheme that was an acceptable compromise and satisfies the ordinance. The building is a marketing piece, driving by it is recognized ionically as a Porsche store. Mr. Burley does a lot of dealership work and has seen a lot of designs evolve. He can appreciate the three-dimensional curve nature of the panels Mr. Necci referred to and thinks it came down to the constructability of the panels. The panels are aluminum composite material (ACM)

that needed to be postform curved and put together. Part of that was a value engineering exercise in terms of the brand. Mr. Burley noted they are retaining the red lighting to further add to the iconic look.

Member Lynch relayed he knows it's a trade off to look attractive and comply with ordinances. He thinks that has been done here, understands the challenges and likes the way the building looks.

Member Verma relayed the building looks well designed. He inquired as to the unloading area for new vehicle delivery. Mr. Burley relayed the unloading area is a large parking field in the rear northern portion of the site accessed from the shared driveway off Haggerty Road.

Member Roney relayed it is a very nice looking building. Looking at the Special Land Use, this is within the zoning, and sees no problem with it.

Member Avdoulos likes the design as well and thinks it will add to the "automotive corridor" between Novi and Farmington Hills. The proposed use is similar to the adjacent use.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of JSP22-32 Porsche of Novi, motion to approve the Special Land Use Permit based on the following findings. Relative to other feasible uses of the site:

- i. The proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service because the proposed use is compatible with the surrounding area and no new driveways are proposed on Haggerty Road;**
- ii. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area because the use of the site is not changing substantially from its previous use;**
- iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats because the proposed use does not impact any regulated natural features as it was previously developed;**
- iv. The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood because the proposed use is similar to the surrounding commercial uses, and several other car dealerships in the area;**
- v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use because the proposed use is a compatible commercial development that provides economic value to the community;**
- vi. The proposed use will promote the use of land in a socially and economically desirable manner because the proposed use is similar to the previous use and will add another dealership option to the surrounding area;**
- vii. The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this ordinance, and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.**

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF JSP22-32 PORSCHE OF NOVI PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to approve the Special Land Use Permit. Motion carried 5-0.

Motion made by Member Avdoulos and seconded by Member Roney.

In the matter of JSP22-32 Porsche of Novi, motion to approve the Preliminary Site Plan based on and subject to the following.

- a. **The Zoning Board of Appeals granting a variance from Section 3.10.3.A of the Zoning Ordinance for overhead door on the east elevation of the building facing a major thoroughfare (Haggerty Road);**
- b. **Landscape waiver for the lack of a greenbelt berm along Haggerty Road because the existing site grades provides the intended screening, which is hereby granted;**
- c. **Landscape waiver for the lack of greenbelt landscaping along Haggerty Road because of the conflict with the underground Buckeye Pipeline utility corridor, which is hereby granted;**
- d. **Landscape waiver for the deficiency in perimeter parking landscaping on the west side of the site (9 feet proposed, 10 feet required), which is hereby granted;**
- e. **Landscape waiver for the placement of two parking lot perimeter trees on the north side further than 15 feet from the parking lot due to existing utilities and easements, which is hereby granted;**
- f. **Landscape waiver for a deficiency in building foundation landscaping because compensating landscaping is provided at the entry and across the parking lot, which is hereby granted;**
- g. **Section 9 Façade Waiver for an underage of brick (30% minimum required, 10% provided) and an overage of Flat Metal Panels (50% maximum allowed, 86% proposed) on the east elevation because the overall design is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted;**
- h. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF JSP22-32 PORSCHE OF NOVI PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to approve the Preliminary Site Plan. *Motion carried 5-0.*

Motion made by Member Avdoulos and seconded by Member Verma.

In the matter of JSP22-32 Porsche of Novi, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.

ROLL CALL VOTE TO APPROVE THE JSP22-32 PORSCHE OF NOVI STORMWATER MANAGEMENT PLAN MADE MEMBER AVDOULOS AND SECONDED BY MEMBER VERMA.

Motion to approve the Stormwater Management Plan. *Motion carried 5-0.*

2. 28015 SUMMIT DRIVE WOODLAND PERMIT

Public hearing at the request of MG Building Co. Inc. for consideration of a Woodland Use Permit at 28015 Summit Drive. The property is located north of Twelve Mile Road and west of Summit Drive in Section 12 of the City. The applicant is requesting the removal of fifty-three regulated woodland trees in order to construct a single-family residence.

Planner Ben Peacock relayed the proposed woodland use permit as requested by the applicant, MG Building Co., Inc., is to remove 53 regulated woodland trees at 28015 Summit Drive to build a single-family

home. The site is located north of Twelve Mile Road and west of Summit Drive, it is zoned RA Residential Acreage, and has a single-family future land use designation.

The City's Woodland Consultant reviewed the request and prepared a review letter dated February 2, 2023. The review letter states that the applicant is proposing to remove 53 regulated woodland trees from a section of City Regulated Woodlands ranging in size from 7 to 34 inches DBH. Two of those trees have a tree health of less than 50% and do not require mitigation. They are:

- tree #1638 on the site plan tree inventory sheet, an 8" black cherry
- tree #1661 on the site plan tree inventory sheet, a 13" black cherry

Unfortunately, there was a slight miscalculation of replacement credits in the review letter that was sent out last Friday as part of the Planning Commission packet. The letter originally stated that 78 replacements would be needed, which is incorrect – 76 Woodland Replacement Credits are actually required. The City's Woodland Consultant prepared a revised letter, dated March 7, 2023, with the corrected calculation.

The Environmental Consultant's review letter notes that the plan shows 11 trees being planted off-site and in the public right-of-way. This is not permitted, and all trees must be replaced on-site or mitigated through payment into the City's Tree Fund. In addition, the review letter states, per sheet 3, several trees along the northeast property line do not have tree protection fencing around them. The tree fencing must be adjusted to protect all trees on-site. Approval of this permit tonight would come with the condition that those items be addressed prior to the removal of any trees.

Staff suggests that the Planning Commission approve the Woodland Use Permit, and a suggested motion is provided in the memo. The applicant's representative is here to tonight and is available to answer questions. Staff is available to answer any questions as well.

Chair Pehrson invited the applicant to address the Planning Commission.

Andre Torres, Midwestern Consulting, introduced himself and stated he is available to answer questions.

Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium.

An audience member stated on behalf of Mr. Perigord he supports what Planner Peacock presented and asks that the Planning Commission supports the proposal.

Member Lynch read correspondence supporting the woodland permit.

Chair Pehrson closed the Public Hearing and turned it over to the Planning Commission for consideration.

Member Lynch relayed his preference for trees being put back on site and inquired to Landscape Architect Rick Meader that his understanding was as part of the approval process that the developer plant be required to plant as many trees back on site as possible. Mr. Meader relayed he has not seen the plan, but gets the impression the intention is to plant as many trees as possible on site.

Member Verma had no comment.

Member Roney relayed the large lot size appears to have plenty of room to put good quality trees back in, which is a benefit to replace some of the lower quality trees. It is well within the ordinance to add to the tree fund for any trees that cannot be replaced.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of 28015 Summit Drive Woodland Permit, motion to approve Woodland Use Permit, PBR22-0530, for the removal of fifty-three regulated woodland trees within an area mapped as City Regulated Woodland on Lot 3 of Summit Hills for the construction of a new single-family home. The approval is subject to on-site tree replacements to the extent possible and payment into the City's Tree Fund for any outstanding Woodland Replacement Credits, along with any other conditions as listed in the Environmental Consultant's review letter.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF 28015 SUMMIT DRIVE WOODLAND PERMIT TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to recommend approval of 28015 Summit Drive Woodland Permit to City Council. *Motion carried 5-0.*

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE FEBRUARY 22, 2023 PLANNING COMMISSION MINUTES

Motion made by Member Lynch and seconded by Member Verma.

ROLL CALL VOTE TO APPROVE THE FEBRUARY 22, 2023 PLANNING COMMISSION MINUTES WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER VERMA.

Motion to approve the February 22, 2023 Planning Commission Minutes. *Motion carried 5-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were no supplemental issues/training updates.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward.

Steve Gabel, 40595 Kingsley Lane, introduced himself as a 25-year resident of Haverhill subdivision and relayed an HOA committee was put together to express concerns regarding a proposed project planned for parcels on the corner of Fourteen Mile and M-5 adjacent to Haverhill. The committee feels the current zoning is appropriate and should not be changed. He is not opposed to development, but is in favor of suitable (lower density) development for the area.

Ebony Bagley, 40939 Kingsley Lane, expressed her concern for the proposed development at Fourteen Mile and M-5. She is deeply concerned that the proposed development will bring an increase in traffic and noise pollution which will negatively impact the quality of life for residents of Haverhill and the surrounding area. The increased traffic will create safety concerns at an already busy intersection. As an Oakland County Parks Commissioner, Ms. Bagley is also concerned about the impact the development would have on green and wetland spaces. As a former teacher and parent, Ms. Bagley is also concerned about the proposed development leading to an increase in student population, putting a strain on school resources and affecting the quality of education that children receive.

Crystal Sitto, 31132 Kingswood Blvd, in Haverhill subdivision relayed she is not in favor of the proposed development as she would be directly impacted as her home and backyard sits adjacent to the parcels. She is concerned about the loss of privacy and the change of character in the area.

Ray Kantor, 31145 Kingswood Blvd, in Haverhill subdivision relayed that Mr. Kassab has been in contact with

the Haverhill HOA and it is his understanding the properties have already been purchased. Mr. Kantor expressed his concern with the proposed development and is against rezoning. Mr. Kantor feels the City of Novi does a great job in getting feedback from residents and he attended the recent Master Plan Steering Committee Open House. He learned the three biggest challenges residents expressed traffic, loss of natural features and overdevelopment. Mr. Kantor relayed he is not against development but would like it to be consistent the Master Plan and current zoning.

James Bishop, 40791 Kingsley Lane, relayed he is a 20 year resident of Haverhill subdivision and a physician in the Emergency Department at Providence Hospital. Dr. Bishop expressed his concern as a physician for the safety of the intersection. Early in his career it was rare to see someone die in a car accident, however this has changed in the past five years. Serious injuries and death as a result of car accidents is increasing. Dr. Bishop relayed a good friend was in a serious accident on M-5 approximately two years ago and he has personally seen an accident on M-5 on his way to work in which he ended up treating the injured party. Dr. Bishop presented data from NHTSA U.S. Department of Transportation regarding traffic fatalities. Excessive speed and distracted driving make this intersection especially dangerous so Dr. Bishop is not in favor of adding this proposed development.

Matt Zelenak, 40712 Kingsley Lane, relayed he is a 24 year resident of Haverhill subdivision. He chose to move to Novi due to the family values it represents, and it has been a great place to raise his family. Haverhill is a beautiful subdivision whose residents take pride in maintaining their property. Mr. Zelenak expressed concerns with the change in zoning and requests the zoning to remain the same.

Linda Wash, 40499 Paisley Circle, relayed she has been a Haverhill homeowner since 1996. Ms. Wash relayed that two of the parcels being discussed are heavily wooded and act as a necessary sound barrier. Ms. Wash does not think the parcels are appropriate for the density being discussed in the proposed multi-family development and is in favor of a development of similar density to the Haverhill subdivision. Ms. Wash also expressed concern regarding the Seeley drain that runs across two of the parcels. There is a drainage issue on the Paisley Circle cul-de-sac which is at the low point in Haverhill. The road floods during heavy rain despite the City having worked on drainage in 2000, so Ms. Wash is concerned with runoff from the proposed development. Ms. Wash also expressed safety concerns with the location of the entrance to the proposed development.

Jeff Nercesian, 40675 Paisley Circle in Haverhill subdivision, relayed this is not the first time this property has been proposed to be rezoned. Mr. Nercesian relayed that the prior conclusion was the increase in traffic would be dangerous and the traffic has only increased. He is opposed to the multi-family development.

Brian Granowicz, 40624 Paisley Circle in Haverhill subdivision, relayed that the developer proposed a similar development in West Bloomfield and was denied due to traffic reasons. Mr. Granowicz is not opposed to development but has traffic concerns with the proposed density.

Hitesh Patel, 31191 Kingswood Blvd in Haverhill subdivision, expressed concerns with increased student population in the area as well as increased traffic in the area that would be exacerbated with the proposed rezoning.

Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the meeting made by Member Avdoulos.

VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER AVDOULOS.

Motion to adjourn the March 8, 2023 Planning Commission meeting. Motion carried 5-0.

The meeting adjourned at 7:56 PM.