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    REGULAR MEETING - PLANNING COMMISSION
    CITY OF NOVI
    August 9, 2017
    Proceedings taken in the matter of the PLANNING
COMMISSION, at City of Novi, 45175 West Ten Mile Road, Novi,
Michigan, on Wednesday, August 9, 2017.
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                    BOARD MEMBERS
    Mark Pehrson, Chairperson
David Greco
Robert Giacopetti
Tony Anthony
John Avdoulos
Michael Lynch

ALSO PRESENT:
Barbara, McBeth, City Planner
Elizabeth Saarela, City Attorney
Kirsten Mellem, Planner
Rick Meader, Landscape Architect
Certified Shorthand Reporter, Diane Szach


Anthony, could you lead us, please.
(Pledge recited.)
CHAIRPERSON PEHRSON: Thank you, sir.

I'll look for a motion to approve or modify the agenda.

MR. LYNCH: Motion to approve.
MR. GRECO: 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.
First audience participation. If
there's anyone in the audience who wishes to address the Planning Commission on something other than the public hearing noted, please step forward at this time.

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

Any correspondence. I don't believe --

MR. GRECO: No.
CHAIRPERSON PEHRSON: Any committee
reports?
City Planner report, Ms. McBeth.
Good evening.
MS. McBETH: Thank you. Good evening. Nothing to report.

CHAIRPERSON PEHRSON: Holy cow, you're quick.

That brings us to our first public hearing. It's Item Number 1, Text Amendment 18.825, Off-Street Parking Requirements. It's a public hearing at the request of staff to modify Section 5.2: Off-Street Parking, and Article 2: Definitions, to modify the minimum and maximum off-street parking requirements and associated definitions to better meet the needs of the City's current and future land uses.

Kirsten, good evening.
MS. MELLEM: Good evening.
The proposed ordinance amendment addresses the off-street parking requirements under Article 5: Site Standards, Section 5.2: Off-Street Parking Requirements.

Periodically staff review different sections of the ordinance for updates in order to make sure the ordinance text meets the needs of the City's current and future land uses. The planning staff has
done extensive research of neighboring communities, comparison cities, and industry standards from the Institute of Transportation Engineers in order to identify areas of improvement.

The proposed changes are detailed in the memo in the Planning Commission packet, which was available for review. The changes are proposed to make it easier for applicants and staff to calculate the minimum parking requirements and to be consistent with industry standards and neighboring communities. We currently have a mechanism for applicants to provide less than the minimum parking required by meetings the standards for the land banking spaces in order to accommodate the current user but not to encumber the future users of a development.

Based on the feedback from the Planning Commission at the June 28th, 2017 meeting, staff has included language that would create a parking maximum. The parking maximum has four parts:

1) Sets the maximum at 25 percent of the minimum off-street parking requirement,
2) Requires a special land use permit,
3) And does not apply to
single-family dwellings, two-family dwellings, or sites requiring fewer than 50 spaces,
4) And finally provides a mechanism for applicants to ask Planning Commission for a waiver to allow parking over the 25 percent, if the applicant can provide evidence that there is a need for the additional parking based on typical peak parking period.

The packet also includes several articles on parking minimums and maximums to inform your decision, as well as some sample ordinances where the requirements were modeled after for your reference.

The Planning Commission is asked to hold a public hearing and make a recommendation to City Council, who will ultimately approve or deny the amendment and may propose alterations as well. Staff is here to answer any questions you may have regarding the proposed amendment.

CHAIRPERSON PEHRSON: Thank you.
This is a public hearing. If anyone wishes to address the Planning Commission on this matter, please step forward.

Seeing no one, and I don't think we have any correspondence, we'll close the public

Member Giacopetti.
MR. GIACOPETTI: May I start if you don't mind?

CHAIRPERSON PEHRSON: Please.
MR. GIACOPETTI: I want to thank staff for doing this research that we asked concerning parking maximums. It was very helpful and very informative.

I have a question for staff, and this might be for Beth, I'm not sure, concerning how is parking garage space, is that considered off-street parking?

MS. McBETH: If I understand your question correctly, yes, a parking garage if the applicant chooses to build one, those spaces would be included in the parking requirements.

MR. GIACOPETTI: In the minimum?
MS. McBETH: Yes.
MR. GIACOPETTI: Because in terms of the maximum, I think one of the projects that some of the members had issue with was this very expansive paved lot for an office building, and I would have had
no problem if the developer had built a garage that went five stories down or five stories up as part of the building, it was more just concerning the pavement. And I didn't know if perhaps there could be some language in the ordinance that would specify that the maximum -- you know, that garage space is kind of -- work with me here, kind of somewhere to work with, that a garage would be a way -- would be the appropriate way to exceed the maximum indoor parking, or a parking structure, because really you're talking about building up instead of out. I think that would encourage the preservation of open space, it would be an improvement for storm water.

MS. McBETH: So through the Chair,
you're suggesting that an additional provision be added encouraging the use of parking structure if the applicant chooses to add over and above the maximum?

MR. GIACOPETTI: Yes, that would my
recommendation. Like I said, for that office building, to me the solution, and I know that it would have come at an expense to the developer, but the solution would have been to include indoor parking within the structure, and then he could build as many spaces as he feels necessary, but then he is not paving paradise.

MS. McBETH: I believe we could add something like that with the permission of the Planning Commission.

CHAIRPERSON PEHRSON: Thank you. Member Avdoulos.

MR. AVDOULOS: I'd also like to
thank staff for the backup. It was very helpful and it really helps to solidify the direction that we want to take as a city and be environmentally friendly and provide sustainable sites.

I think with looking at the
garage, because we see a lot of developments in the work that we do use garages, and I know that also plays in with height requirements and things like that, so there are other things associated with it. There are cities that $I$ have done work with in Troy on Big Beaver where a lot of the office buildings would allow you to have some parking in front, but then they would want parking garages behind that, so that, one, you're not taking up a lot of land, and then they didn't want to see a lot of pavement, because then that contributes to the utilities and all the hardships that go along with that.

So I am in agreement with these.
I'm also in agreement with some of the minimums that
have been proposed. I think those are -- you know, we just have to roll along with the times. I don't think -- you know, even when you look at some of these golf courses, I don't think six people, you know, drive together. Usually it's a foursome. So things like that just make sense.

So I think this is cleaning it up and being a little bit more up to speed with what we need to do, and then with what is going on not only across, you know, our county but within the state and within the country. And I like the fact that we've got some examples from around the country, not just Michigan proper. So I appreciate that. So I'm in favor of these amendments going to City Council.

CHAIRPERSON PEHRSON: Thank you. Member Anthony.

MR. ANTHONY: Just to pick up where
Commissioner Giacopetti left off. Perhaps language could be used such as 125 percent -- maximum parking is 125 percent of minimum parking, provided that the parking footprint does not reduce green space below some percentage or 10 percent of the property, some control that as they're expanding the footprint, that there is a minimum amount of green space that is retained which would then allow or encourage the
multiple decks.
CHAIRPERSON PEHRSON: Member Greco. MR. GRECO: Yes, I just have a question to pose to the commissioners. Maybe Commissioner Avdoulos is the best one for this.

I like the ideas being proposed and the ideas thrown out there, but was there any discussion in Troy or with the projects about encouraging or wanting parking structures, or parking structures -- you know, parking structures may be necessary in like a municipality like Royal Oak that has a downtown area, but are there discussions with regard to developers or even in the cities that you've worked with on whether or not some communities are appropriate or not appropriate for structures? I mean, for example, the one that we're talking about that was a month or so ago that we all felt was, boy, that's a lot of concrete for one building. I remember Giacopetti was the one to first kind bring it up, and I think he was correct. If we put in an amendment or add some of the language that we're talking about today, that would provide that developer specifically with if he really wanted all those spaces, he could build up or down. Now, building down might be kind of interesting, but building up, do we want another
structure attached to that structure. Is that something that we want or don't want. Maybe we do. I'm just throwing it out there as far as when you're driving around and you're seeing a lot of structures, is it necessary in a community like ours which may be not as congested like a downtown area. So I just throw that out for discussion. I'm not anti it at all, $I$ just think it's an interesting discussion. MR. GIACOPETTI: If I may. I think that these -- some of these projects that we've seen come through in large part is that these are office buildings that are seeking a sense of place that is somewhat natural, and that's why they're choosing Twelve Mile and Taft as an example. They're choosing it because that's what they want, and I think that's lost with excessively large paving. I think it's better to go up than out to sort of maintain that sense of place. I mean, I think a parking garage would be preferred. Of course, you know, a concrete structure is still subject to all the facade requirements. Despite the fact it's a parking garage, it still has to meet the muster of our facade ordinance. So I think it would be attractive. I mean, I think there might be some consideration as to whether it goes in front or the rear of the building
for aesthetics, but --
MR. AVDOULOS: If I may, the area in Troy is the Somerset area, so they wanted -- and if you go down there, you'll see some parking up front, but you'll see the major parking garage for the mall behind. And then there are some office buildings that are on the south part of the road that are next to the old Somerset or Somerset South, and those have parking garages behind them, too. So sometimes it's the district.

If we take a look at Providence Park, and they look to expand further, they also have to look at the distance for visitors and patients to get from Point $A$ to Point $B$, so they may look at putting up a parking garage.

And it's all -- it is cost. A paved surface parking spot is $\$ 10$. You start doing a garage, you're talking, you know, $\$ 200$ per space. And then you start going underground and you're talking \$2,000. So there's economics there. But I think we just have to -- if we provide that opportunity just written in, they could decide what to do, but I think if it also goes beyond that 125, then it's a special use that comes before us. But it's -- most of them that we were dealing with were set up as districts,
and then you also look at facilities that are just large campus that might want to -- they don't have any more land, so that that's why they go to that. MR. GRECO: Just I pose that for questioning. These are good points being made. I mean, $I$ worked in Southfield at a building for 13 years with a parking structure, and it becomes very noticeable when you move to a new job where it doesn't have a parking structure in the winter time, because you never have to worry about either rain or snow or anything when you're going to and from work. So it definitely could be a plus for some buildings.

CHAIRPERSON PEHRSON: Thank you.
MR. GIACOPETTI: I think it just
compacts the footprint, and, you know, our aim is not packing more buildings in, it's maintaining green spaces. It's a different goal, but sort of the method is the same by compacting the construction.

CHAIRPERSON PEHRSON: Ms. McBeth, with what we've provided, do you have enough to kind of move forward if there were to be a motion?

MS. McBETH: I think we do. I
think we do. We could present that to the City Council, or if you'd prefer we can bring an update back to the Planning Commission at the next meeting.

CHAIRPERSON PEHRSON: I am
confident you're going to wordsmith it correctly for it to go forward.

MS. McBETH: Great. Thank you. CHAIRPERSON PEHRSON: Anybody wish to make a motion?

MR. GIACOPETTI: I have question first for the members of the commission.

I found the one article that discussed whether or not you should even have a minimum, because it promotes driving, which is kind of thought provoking. I'm not necessarily sure that's good for our community, but would that be good for say at a Town Center area or the main street area or those special land districts that we should have a different minimum for those areas, I mean, in the interest of promoting walkability, or is it just way too premature for that kind of consideration?

CHAIRPERSON PEHRSON: Ms. McBeth.
MS. McBETH: So that is a good question. There could be opportunities to reduce the required parking in the Town Center area. A lot of times the considerations revolve around whether there is public transportation as an alternative means, and we don't necessarily have that in Novi at this point.

And the other possibility is if a public structure or a shared structure or something were built that could allow for some of the overflow as well, and currently we don't have that either, or a public parking lot of some kind, and I'm not aware of one of those at this point.

MR. GIACOPETTI: Fair enough.
CHAIRPERSON PEHRSON: Thank you.
MR. GIACOPETTI: With that $I$ would
like to make a motion.
CHAIRPERSON PEHRSON: Please.
MR. GIACOPETTI: I'd like to make a
motion to recommend approval of the text amendments for proposed parking minimums and maximums.

CHAIRPERSON PEHRSON: With the additions of the comments brought forth.

MR. GIACOPETTI: With addition of the comments discussed by commission members brought forward at the meeting.

MR. LYNCH: Second.
CHAIRPERSON PEHRSON: We have a motion by Member Giacopetti, second by Member Lynch.

Any other comments?
Kirsten, please.
MS. MELLEM: Member Anthony?

MR. ANTHONY: Yes.
MS. MELLEM: Member Avdoulos?
MR. AVDOULOS: Yes.
MS. MELLEM: Member Greco?
MR. GRECO: Yes.
MS. MELLEM: Chair Pehrson?
CHAIRPERSON PEHRSON: Yes.
MS. MELLEM: Member Lynch?
MR. LYNCH: Yes.
MS. MELLEM: Member Giacopetti?
MR. GIACOPETTI: Yes.
MS. MELLEM: Motion passes 6 to 0.
CHAIRPERSON PEHRSON: Thank you.
Next is matters for consideration.
Item Number 1, Oakland County Security Study JSP17-47. It's a consideration at the request of Giffels Webster on behalf of 52-1 District Court for Preliminary Site Plan and Storm Water Management Plan approval. The subject parcel is located in Section 17, west of Beck Road and south of Twelve Mile, and is approximately 4.73 acres and zoned OSC, Office Service Commercial. The applicant is proposing a fence with limited access gates surrounding the building and employee parking, retaining wall cut into the berm along Grand River Avenue, and additional employee parking spaces near
the building.
Kirsten.
MS. MELLEM: Good evening. The subject property is located on Grand River Avenue, west of Beck Road in Section 17. The site is the existing 52-1 District Court. The applicant is proposing security improvements to the 4.73 acres site.

The subject property is currently zoned OSC, Office Service Commercial. The properties to the north and south are zoned the same. To the west is zoned B-3, General Business, and occupied by the ITC corridor. To the east is B-2, Local Business, and occupied by Westmarket Square.

The Future Land Use Map indicates public for the subject property. To the north and east are designated as local commercial. To the west is community commercial, and to the south is office commercial.

The site does not contain wetlands or woodlands, but the property is surrounded by wetlands to the north and west.

The proposed project addresses some security concerns resulting from a county-wide facilities study. The applicant is proposing the
following:

1. Surrounding the building and west parking lot with a fence with two limited access gates,
2. Along Grand River Avenue behind the sidewalk, a retaining wall,
3. On the east side of the building, behind the sidewalks, retaining walls,
4. To the north of the building additional employee parking spaces and storm water management accommodations for the increased impervious surface.

Based on the preliminary site plan, all reviewers are recommending approval. The plan does require two ZBA variances and one Planning Commission landscape waiver. The first ZBA variance is for the location of the fence in the front yard near the southwest corner of the building. The second is for a reduced parking setback from the north parcel lot line where the proposed new parking spaces are.

The Planning Commission waiver is for a wall adjacent to the public right-of-way. The applicant is proposing to cut the berm in half and place a wall on the Grand River right-of-way.

Due to the reasons for the changes,
security enhancements needed for the facility, the waivers and variances are supported by staff. The retaining walls and parking spaces to north of the building may result in existing trees to be impacted, therefore the landscape review letter does specify that any trees that die due to the changes will need to be replaced. And every accommodation to prevent this will be made.

The Planning Commission is asked tonight to consider the Preliminary Site Plan and Storm Water Management Plan. The applicant Anthony Pontone and Mike Darga from Giffels Webster and Alexandra Black, Administrator from the 52-1 District Court and staff are here to answer any questions you may have regarding the proposed project.

CHAIRPERSON PEHRSON: Thank you. I'd like to turn it over to the Planning Commission for your consideration.

Member Lynch.
MR. LYNCH: Yes. I guess I don't have a problem with it other than what does the wall look like? Is this going to look like --

MR. AVDOULOS: That is my question.
MR. LYNCH: -- a barbed-wire fence
like a prison, or is it pre-prison? I mean, is it
going to be a cinder block, is it going to be a decorative wall?

MS. McBETH: I believe the applicant is present and they could answer some of those questions.

CHAIRPERSON PEHRSON: If you can stand and come to the podium and give us your name, please.

MR. PONTONE: Hi, my name is
Anthony Pontone. I'm from Giffels Webster. The wall that you guys have in question is roughly three-foot high. The color is to be chosen by the owner of the complex. They are mixed blocks. There is cut sheets are available if the Planning Commission would like to see, I'd be more than welcome to supply those. Without a picture, it's kind of difficult to tell you what it looks like exactly, but --

CHAIRPERSON PEHRSON: Is it just the wall, or is there anything ornamental on top of the wall?

MR. PONTONE: Just the wall. There's nothing ornamental above the wall, just your standard retaining wall block.

MS. MELLEM: In your packet on Page
108 is the cut sheets.


MS. BLACK: Could I also comment about the wall?

CHAIRPERSON PEHRSON: Sure.
MS. BLACK: I'm Alexandra Black, the Court Administrator. If any of you have been to the Executive Office Building for Oakland County, when you walk up, there's the sort of brick wall.

MR. LYNCH: That's the same, okay.
MS. BLACK: It's the same wall.
MR. LYNCH: All right. Hang on, it's loading up. Okay.

MR. GIACOPETTI: If I may through the Chairman.

CHAIRPERSON PEHRSON: Member Lynch, are you done?

MR. LYNCH: Yes.
CHAIRPERSON PEHRSON: Member
Giacopetti.
MR. GIACOPETTI: My question is concerning the materials, the fence, the materials
used for the fencing.
MR. PONTONE: The fencing will be aluminum.

MR. GIACOPETTI: Aluminum chain
link?
MR. PONTONE: No, ornamental.
MR. GIACOPETTI: Ornamental. You
don't have a picture?
MR. PONTONE: Within the detail
sheet there will be a cut sheet from Ameristar. I do have roughly a picture of that.

CHAIRPERSON PEHRSON: Can you pull
that up at all, Kirsten?
MS. MELLEM: I don't have it on the computer.

MS. BLACK: It's supposed to be the black style --

MR. GIACOPETTI: Black ornamental?
MS. BLACK: Yes, black ornamental.
MR. GIACOPETTI: Okay. That's
fine. That's my only question. That's what $I$ was hoping for.

MS. BLACK: We don't do chain link. CHAIRPERSON PEHRSON: Very good.

Any other comments? Anybody want to make a motion?

MR. LYNCH: I can do that.
CHAIRPERSON PEHRSON: Go for it.
MR. LYNCH: As soon as $I$ find it.
In the matter of Oakland County
Security Study JSP17-47, a motion to approve the preliminary site plan based on and subject to the following:

Landscape waiver from Section 5.5.3.B.ii and 5.5.3.B.iii for a wall in lieu of a full berm along a public right-of-way is hereby granted,

A Zoning Board of Appeals variance from Section 3.1.23.D to allow a reduced parking setback for the proposed additional parking spaces on the north property line,

A Zoning Board of Appeals variance from Section 5.11 to allow a fence in the front yard, The findings of compliance with the ordinance standards in the staff and consultant review letters, and the conditions and items listed in the those letters being addressed on the final site plans.

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

Ordinance standards in staff and consultant review letters and the conditions and items listed in those letters being addressed on the final site plan.

This motion is being made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance.

MR. ANTHONY: Second.
CHAIRPERSON PEHRSON: I think we go
Lynch and we'll go Anthony on that one.
Kirsten, will you call the roll, please.

MS. MELLEM: Member Avdoulos?
MR. AVDOULOS: Yes.
MS. MELLEM: Member Giacopetti?
MR. GIACOPETTI: Yes.
MS. MELLEM: Member Greco?
MR. GRECO: Yes.
MS. MELLEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

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

MS. MELLEM: Member Lynch?
MR. LYNCH: Yes.
MS. MELLEM: Motion passes 6 to 0.

(The meeting was adjourned a 7:26 p.m.)


Diane L. Szach, CSR-3170
(Acting in Wayne County)
Oakland County, Michigan My Commission Expires: 3/9/18
August 21, 2017.

