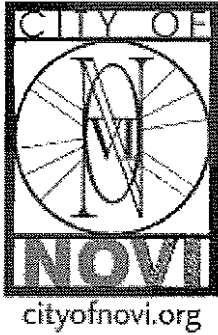


MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: MARK SPENCER, AICP, PLANNER *Mark Spencer*
THRU: BARBARA MCBETH, COMMUNITY DEVELOPMENT
DEPARTMENT DEPUTY DIRECTOR
SUBJECT: EXTENSION OF PRELIMINARY SITE PLAN:
BECK NORTH 12 & 13, SP 06-47
DATE: FEBRUARY 8, 2008

The applicant proposes a 40,013 sq. ft. speculative light industrial warehouse building with accessory offices, parking facilities and utilities on vacant land on unit 12 and a portion of unit 13 in phase II of the Beck North Corporate Park in the I-1, Light Industrial District. The building is proposed on the northwest corner of Cartier and Hudson Drive in the northwest corner of the Corporate Park (see attached Site Plan).

The Planning Commission reviewed the Preliminary Site Plan on February 28, 2007 and approved the plans, subject to a number of conditions (see attached minutes).

The applicant requests a one-year extension for the approved Preliminary Site Plan in a letter dated January 17, 2008 (see attached). This is the first extension request for the subject property. To date, the Community Development Department is not aware of any ordinance changes or other issues that would warrant denying the extension request. **The Community Development Department recommends approval of the Preliminary Site Plan extension.**

If you have any questions prior to Wednesday's meeting, do not hesitate to contact me at (248) 735-5607.

Applicant Extension Request Letter

January 17, 2008



AMSON
DEMBS
Development, Inc.

26105 Lannys Road
Suite A
Novi, Michigan 48375-1025
(248) 380-7100 • Fax (248) 380-7659

January 17, 2008

Angela Pawlowski
Planning Assistant
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375

Dear Angela,

This letter is in regards to filing for an extension on the Preliminary Site Plan for Beck North Lots 12 & 13 which expires on February 28, 2008. The reason this project is being delayed is because of slow times in the economy. We are also working on five other projects in Novi. This extension will allow us to continue with the construction approval process.

If you have any questions feel free to call anytime.

Sincerely,

Jason Parent
Construction Coordinator

Planning Commission Minutes

February 28, 2007



AMENDED

PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, FEBRUARY 28, 2007 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 or about 7:00 PM.

ROLL CALL

Present: Members John Avdoulos, Brian Burke, Victor Cassis, Andrew Gutman, David Lipski, Michael Lynch, Mark Pehrson, Wayne Wrobel

Absent: Member Michael Meyer (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Tim Schmitt, Planner; Mark Spencer, Planner; Kristen Kapelanski, Planner; Ben Croy, Engineer; David Beschke, Landscape Architect; Rob Hayes, City Engineer; Mike McLaren, EIT; Tom Schultz, City Attorney; John Freeland, Wetland Consultant; Alan Hall, Façade Consultant

PLEDGE OF ALLEGIANCE

Member Gutman led the meeting in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Pehrson, seconded by Member Gutman:

VOICE VOTE ON AGENDA APPROVAL MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER GUTMAN:

Motion to approve the Agenda of February 28, 2007. Motion carried 8-0.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

CORRESPONDENCE

There was no Correspondence to share.

COMMITTEE REPORTS

There were no Committee Reports.

PLANNING DIRECTOR REPORT

Deputy Director of Community Development Barbara McBeth told the Planning Commission that the Budget Committee met and the budget will be presented to the Planning Commission at the next meeting.

City Engineer Rob Hayes introduced Mike McLaren, explaining that the Sikich Company's PRIDE Report suggested that the City hire an Engineer in Training. Mike comes from the construction industry. He graduated from Michigan Tech with a degree in Civil Engineering.

CONSENT AGENDA - REMOVALS AND APPROVAL

1. QUADRANTS PROFESSIONAL OFFICE CENTER, SP04-63C

Consideration of the request of Novi Meadow, LLC, for Final Site Plan Extension approval. The subject property is located in Section 14, west of Meadowbrook Road between I-96 and Twelve Mile, in the OST, Planned Office Service Technology District. The entire site is 5.372 acres and the Applicant is proposing to construct a 21,840 square foot office building.

2. SCENIC PINES ESTATES, SP01-63E

Consideration of the request of Rick Tatro of Aprecis Group, Inc., for Final Site Plan Extension approval. The subject property is located in Section 3, south of South Lake Drive on the south side of Pembine Road between Buffington and Henning Roads, in the R-4, One-family Residential District. The subject property is approximately 8.93 acres.

Moved by seconded by Member Pehrson, seconded by Member Wrobel:

ROLL CALL VOTE ON CONSENT AGENDA MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER WROBEL:

Motion to approve the Consent Agenda. Motion carried 8-0.

PUBLIC HEARINGS

1. BECK NORTH CORPORATE PARK PHASE 2, LOTS 12 AND 13, SP06-47

The Public Hearing was opened on the request of Amson Dembs Development for Preliminary Site Plan, Woodland Permit, Stormwater Management Plan, and Special Land Use approval. The subject property is located in Section 4, at the northwest corner of Cartier and Hudson Drive, in the I-1, Light Industrial District. The subject property is approximately 2.77 acres. The Applicant is proposing a 40,013 sq. ft. speculative light industrial warehouse building.

Planner Mark Spencer described the project located on the northwest corner of Cartier and Hudson drives in the northwest corner of Beck North Corporate Park Phase 2 in Section 4 of the City. It is zoned I-1 and master planned for Light Industrial. To the north is a fifty-foot strip of City-owned vacant land and further north and northeast are Portsmouth Place and Spring Arbor Apartments, zoned low density Multiple Family Residential and master planned for Multiple Family Residential. To the east and southeast is vacant land in Beck North Corporate Park, zoned I-1 and master planned for Light Industrial. To the south is vacant land in Beck North Corporate Park that is planned for a speculative industrial/warehouse building, also zoned I-1 and master planned for Light Industrial. To the west are light industrial buildings in City of Wixom, zoned M-1 (Manufacturing) and master planned for Light Industrial.

The site contains medium cover woodlands and a natural features habitat area. There are no wetlands.

The proposal is on Unit 12 and a portion of Unit 13 in Phase 2 of the site condominium Beck North Corporate Park. The roads and utilities for the Corporate Park were approved with conservation easements on some wetland and woodland areas with the understanding that these issues would also be addressed on each site at the time of Preliminary Site Plan application.

The Preliminary Site Plan meets most of the site plan requirements of the Zoning Ordinance. The proposed building is about 26.5 feet tall with six-foot tall HVAC equipment. A 25-foot building and five-foot appurtenances are the maximum permitted when the site is adjacent to a residential district. The Applicant was asked to reduce the height of the building to 25 feet or less and reduce the height of roof top appurtenances to five feet or less above the roof top but they have indicated they will seek a ZBA Variance on both matters.

When industrial uses are located in the I-1 District adjacent to residential districts, overhead doors are not permitted to face the residential district. One overhead door is proposed on the north building elevation and it is at 45 degrees to the residential district. The Applicant was asked to remove the overhead door or redesign the building so no overhead door faces the adjoining residential district. The Applicant has indicated they will pursue a ZBA Variance to permit the door.

Light industrial uses are permitted on parcels in the I-1 District when adjacent to residential districts subject to meeting the requirements of Section 2516.2(c). Special Land Uses require the submittal of a noise analysis and the Planning Commission making findings that the use is acceptable. A noise analysis was submitted after the Planning Review was written; the analysis shows the proposed use will comply with the requirements of the Ordinance.

The Planning Commission should consider the several factors for the Special Land Use request. Will it be detrimental to existing thoroughfares or the capabilities of public services and facilities? It is compatible with the natural features and characteristics of the land and adjacent uses of land? Is the use consistent with the goals,

objectives and recommendations of the City's Master Plan for Land Use? Will the use promote the use of land in a socially and economically desirable manner? Is the use in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located?

Most of the woodlands on the site will be removed. The Applicant will be required to provide 334 replacement trees and most of them will be placed on the site. The City's Woodland Consultant has expressed concern with the Applicant's proposal to place some of the trees off-site on private property. The Consultant recommends that if off-site trees are planted elsewhere, their location must be approved by the City's Forester and placed in a Conservation Easement with a legal mechanism to protect them. The City's Woodland Consultant can support approval of the Woodland Permit if these issues are adequately addressed and the Applicant has indicated that they will work these issues out to the Consultant's satisfaction.

The City's Landscape Architect recommends approval subject to a Planning Commission Waiver of the berm required along the north property line since the site is adjacent to a residential district. This Waiver is appropriate due to the existence of a fifty-foot landscape strip and about 500 feet of adjacent protected woodland. The berm is also required to screen the loading dock and this proposal would also require a waiver.

The City's Traffic and Façade Consultants and Engineer Review all recommend approval subject to minor corrections to be made on the Final Site Plan submittal.

Chair Cassis confirmed that the adjacency to residential is the Multiple Family Residential previously mentioned. Mr. Spencer said that there is a fifty-foot buffer between the site and the Multiple Family Residential. Mr. Spencer showed the 2005 aerial photo and noted the woodland in the area. The opacity requirements are met by the existing vegetation.

Mr. Spencer clarified for Chair Cassis that the Applicant will have to go to the ZBA for building height variances and the loading dock issue.

Larry Stoby from Amson Dembs addressed the Planning Commission on behalf of the Applicant. He offered to answer any questions. He said that the comments from the reviews would be answered on the next site plan submittal.

No one from the audience wished to speak and no correspondence was received so Chair Cassis closed the Public Hearing.

Member Pehrson asked about the replacement trees. Mr. Spencer told the Planning Commission that in certain instances the Applicant has been able to place the trees in common areas throughout the park. He didn't think they had allowed them to place them on individual lots. That is a real concern – if the trees are allowed to be placed on specific lots, control is lost on managing the trees.

Member Pehrson asked City Attorney Tom Schultz whether legal language can protect the trees in perpetuity. Mr. Schultz said it could be made a requirement that the trees be placed in a Conservation Easement. The concern is the inadvertent removal of those trees in the future.

Member Pehrson said this building is another example of how this Applicant brings forward his best work. The plan looks great from the standpoint from what he is trying to do. This is probably the Amson Dembs plan with the most pending issues regarding ZBA variances and the like. He still felt that the variances should be given a positive recommendation. He had no issue with the building height issue. The ZBA variance for the overhead door seemed reasonable since the building is quite a distance away from the residential. The opacity is good. There is no sense in disturbing what vegetation is already in place. He was in favor of granting that waiver.

Member Pehrson asked whether the request for pine trees was to balance out the berm issue. Landscape Architect David Beschke responded that the property drops to the residential parking lot. That effectively creates a good berm. The pines were to add seasonal variation and ensure the opacity.

Mr. Stoby told Member Pehrson said that Amson Dembs would probably address the loading zone area until a tenant is found for the building. He did not believe that they would be starting this building immediately. They still have time to decide how to address that issue.

Member Pehrson felt the Applicant met the criteria for the Special Land Use.

Moved by Member Pehrson, seconded by Member Gutman:

In the matter of Beck North Phase 2 Units 12 and 13, SP06-47, motion to approve the Special Land Use Permit for a light industrial use, for the reason that the Planning Commission finds that relative to other feasible uses of the site, the proposed use: 1) Will not cause any detrimental impact; 2) Is compatible with the natural features; 3) Is consistent with the goals set for Master Plan for Land Use; 4) Will promote the use of land in a socially and economically desirable manner; and 5) Otherwise meets the Ordinances of the City.

DISCUSSION

Member Avdoulos wanted to ensure that the Applicant would work with the recommendations made by the Woodland Consultant regarding the replacement trees. When the entire park was approved, it was very emotional on the part of the Bristol Corners residents as it related to the trees. When an industrial park roadway is approved, there is no way to tell how the sites will disrupt the land. The Applicant is proposing to remove 96% of the trees on a property to make room for a building, whereas there is going to be a project down the line that may only disrupt one- or two-percent of a site's trees. This area was very sensitive. The light grey on the shown plan was also in controversy because the trees were cut and he did not know if it was done legally. The owner said he was farming the property, but Member Avdoulos did not think that was the case. There has been a lot of emotion associated with this property. He had no issue with Amson Dembs or the project, but he was concerned about the trees and landscaping and natural features. In the future, Bristol Corners residents are going to become more vocal when the sites near their homes are proposed for development. He was sure that this Applicant would work with the City.

Mr. Stoby said it was interesting to note that small park settings have already been proposed for the park, or will be in the future. Amson Dembs is interested in pursuing that. There are hardy blue spruce trees in place to buffer the residential. Amson Dembs will more than likely take the recommendations of the City officials to either place more trees in the fifty-foot area and/or try to set aside these park areas. Member Avdoulos said that displayed a spirit of cooperation. Mr. Stoby said they would like to see the investment be considered as an enhancement. Member Avdoulos said it is a nice selling point to the park, providing an open area that has something more to it than just open space.

Chair Cassis supported the comments made by Member Avdoulos. The Planning Commission knows that the Applicant builds good buildings, they bring in tenants and jobs. The Planning Commission also expects cooperation and that the Applicant will go a bit farther to augment the woodland situation. It would serve them well. It will enrich the campus.

ROLL CALL VOTE ON BECK NORTH PHASE 2 UNITS 12 AND 13, SP06-47, SPECIAL LAND USE MOTION MADE BY AND SECONDED BY MEMBER GUTMAN:

In the matter of Beck North Phase 2 Units 12 and 13, SP06-47, motion to approve the Special Land Use Permit for a light industrial use, for the reason that the Planning Commission finds that relative to other feasible uses of the site, the proposed use: 1) Will not cause any detrimental impact; 2) Is compatible with the natural features; 3) Is consistent with the goals set for Master Plan for Land Use; 4) Will promote the use of land in a socially and economically desirable manner; and 5) Otherwise meets the Ordinances of the City. *Motion carried 8-0.*

Moved by Member Pehrson, seconded by Member Gutman:

ROLL CALL VOTE ON BECK NORTH PHASE 2 UNITS 12 AND 13, SP06-47, PRELIMINARY SITE PLAN

MOTION MADE BY AND SECONDED BY MEMBER GUTMAN:

In the matter of Beck North Phase 2 Units 12 and 13, SP06-47, motion to approve the Preliminary Site Plan subject to: 1) The Applicant reducing the building height to 25 feet or obtaining a ZBA Variance to permit a building height of 26.5 feet; 2) The Applicant reducing the height of the rooftop appurtenances to five feet or obtaining a ZBA Variance to permit them to extend six feet above the roof; 3) The Applicant removing the overhead door, redesigning the building at Final Site Plan so the overhead door does not face a residential district, or obtaining a ZBA Variance to permit the overhead door to face a residential district; 4) A Planning Commission Waiver of the industrial use and loading dock adjacent to residential term requirements due to the amount of existing woodlands, with the condition that the Applicant provide additional evergreens along the northern property line as determined appropriate by the City's Landscape Architect; and 5) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan submittal; for the reason that the plan is otherwise in compliance with the Ordinances. *Motion carried 8-0.*

Moved by Member Pehrson, seconded by Member Gutman:

ROLL CALL VOTE ON BECK NORTH PHASE 2 UNITS 12 AND 13, SP06-47, WOODLAND PERMIT MOTION MADE BY AND SECONDED BY MEMBER GUTMAN:

In the matter of Beck North Phase 2 Units 12 and 13, SP06-47, motion to approve the Woodland Permit subject to: 1) The Applicant providing the required woodland replacement trees in a location acceptable to the City's Forester and with appropriate easements or other legal means to ensure that the replacement trees will be preserved in perpetuity, or the Applicant providing the equivalent donation to City's tree planting fund; and 2) The conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan otherwise in compliance with the Ordinances. *Motion carried 8-0.*

Moved by Member Pehrson, seconded by Member Gutman:

ROLL CALL VOTE ON BECK NORTH PHASE 2 UNITS 12 AND 13, SP06-47, STORMWATER MANAGEMENT PLAN MOTION MADE BY AND SECONDED BY MEMBER GUTMAN:

In the matter of Beck North Phase 2 Units 12 and 13, SP06-47, motion to approve the Stormwater Management Plan subject to the conditions and items listed in the Staff and Consultant review letters being addressed on the Final Site Plan; for the reason that the plan otherwise in compliance with the Ordinances. *Motion carried 8-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda removals for Planning Commission action.

MATTERS FOR DISCUSSION

There were no Matters of Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

ADJOURNMENT

Moved by Member Wrobel, seconded by Member Gutman:

Motion to adjourn.

Reduced Site Plan

SP06-47

