

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 Giacometti

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

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Novi, Michigan.

Wednesday, December 7, 2016

7:00 p.m.

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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,

1 excused.

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

4 (Pledge of Allegiance recited.)

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

8 MR. GRECO: Motion to approve.

9 MR. ANTHONY: Second.

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

12 THE BOARD: Aye.

13 CHAIRPERSON PEHRSON: Anyone
14 opposed. We have an agenda.

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

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

22 Seeing none, we will close the
23 first audience participation. Any

1 correspondence?

2 MR. GRECO: I do not see any
3 correspondence.

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

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

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

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

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

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

22 MR. GIACOPETTI: Motion to
23 approve.

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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

1 use.

2 The subject property has split
3 zoning, P1, vehicular parking at the south B3
4 general business at the north and is located
5 in Section 23 on the south side of Grand
6 River Avenue, between Novi and Meadowbrook
7 Road.

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

14 Kirsten, how are you?

15 MS. MELLEEM: Good.

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

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

23 The future land use map

1 indicates TC gateway for the subject
2 property, multiple family to the south, and
3 TC gateway to the east and north of Grand
4 River Avenue and TC commercial to the west.

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

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

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

22 The staff agrees with this
23 postponement of the decision in order that

1 the applicant make these modifications to
2 follow the zoning ordinance requirements.

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

6 Staff and applicant are here
7 to answer questions.

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

11 No, okay.

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

17 Seeing no one, do we have any
18 correspondence?

19 MR. GRECO: I do not see any
20 correspondence.

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

1 consideration.

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

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

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

14 CHAIRPERSON PEHRSON: We have a
15 motion by Member Giacometti, seconded by
16 Member Anthony.

17 Any other comments?

18 Kirsten, Sri?

19 MS. KOMARAGIRI: Member Greco?

20 MR. GRECO: Yes.

21 MS. KOMARAGIRI: Chair Pehrson?

22 CHAIRPERSON PEHRSON: Yes.

23 MS. KOMARAGIRI: Member Anthony?

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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. MELLEEM: The proposed ordinance amendment addresses mixed used development requirements in the TC Town Center and TC1 Town Center One Districts.

The current ordinance states that multiple housing dwelling units in TC

1 and TC1 shall meet the requirements of the RM
2 low density multiple family district.

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

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

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

18 The Planning Commission is
19 asked tonight to hold the required public
20 hearing and make a recommendation to City
21 Council who will ultimately approve or deny
22 the amendment. The manual also proposes
23 alterations as well.

1 Staff is available to answer
2 any questions you may have regarding the
3 proposed amendments.

4 CHAIRPERSON PEHRSON: Thank you,
5 Kirsten.

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

10 Seeing no one, Mr. Greco, any
11 correspondence?

12 MR. GRECO: We do not have any
13 correspondence.

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

17 Member Anthony.

18 MR. ANTHONY: Thank you. I think
19 is a beautiful amendment. I think this is
20 right in line with what we intended for that
21 area, being mixed use, higher density. It
22 contributes towards being pedestrian
23 friendly, provided that we maintain the

1 infrastructure that allows that. So I am
2 really happy to see this. I am full support
3 of this. Thank you.

4 CHAIRPERSON PEHRSON: Thank you,
5 sir. Go ahead.

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

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

15 CHAIRPERSON PEHRSON: Very good.
16 Thank you.

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

21 Somebody?

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

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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. MELLEEM: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. MELLEEM: Member Giacobetti?

MR. GIACOPETTI: Yes.

MS. MELLEEM: Member Greco?

MR. GRECO: Yes.

MS. MELLEEM: Member Anthony?

MR. ANTHONY: Yes.

MS. MELLEEM: Motion passes four to zero.

CHAIRPERSON PEHRSON: Thank you very much. Next is item three, Zoning

1 Ordinance Text Amendment 18.277. It's a
2 public hearing for Planning Commission's
3 recommendation to City Council for an
4 ordinance to amend the City of Novi Zoning
5 Ordinance at Article 3, Zoning District
6 Section 3.1.25, Town Center District Special
7 Land Use and Article 4, use standards Section
8 4.40 restaurants in the character of a fast
9 food carry-out, drive-in, fast food
10 drive-thru or fast food sit-down specifically
11 for the TC and TC1 Town Center Districts, in
12 order to permit drive-thru restaurants in the
13 TC Town Center Districts.

14 Sri.

15 MS. KOMARAGIRI: Earlier on June
16 8, the Planning Commission was asked to
17 consider setting a date for the proposed Text
18 Amendment to allow drive-thrus in the Town
19 Center District.

20 At the time the commission
21 requested a study session to consider
22 proposed changes, which was held on July 13.
23 Based on Commission's direction, staff

1 determined that further research is required
2 for the Town Center drive-thru amendment, as
3 the applicant provided additional
4 information.

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

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

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

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

20 If you recall, the addition of
21 drive-thru restaurants in the TC1 district
22 back in 2012 included extensive discussion of
23 the intent of TC and TC1 districts.

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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.

1 This would limit the
2 drive-thru restaurants essentially to the
3 subject property near the northeast corner of
4 Grand River and Novi Road.

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

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

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

19 CHAIRPERSON PEHRSON: Thank you.
20 I see Mr. Quinn.

21 MR. QUINN: Yes, because nobody
22 else has spoken to you, I thought I'd break
23 up your monotony.

1 Matthew Quinn appearing on
2 behalf of the Novi Town Center Investors, Jim
3 Clear (ph) the manager of the mall is here
4 this evening.

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

15 CHAIRPERSON PEHRSON: Thank you,
16 sir.

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

21 CHAIRPERSON PEHRSON: Thank you.
22 This is a public hearing. Is there anyone
23 else in the audience wishes to address the

1 Planning Commission on this matter?

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

4 MR. GRECO: We have no
5 correspondence.

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

10 Member Anthony.

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

15 You can see, like our previous
16 approval, that residential, a significant
17 residential development south of the Town
18 Center and also at Ten Mile -- and
19 Meadowbrook and Grand River one should be
20 starting at the beginning of the -- well in
21 the spring. So we are starting to get more
22 momentum and more denser residential which
23 will contribute to the use of the

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

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

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

15 So with that, I am in support
16 of it.

17 CHAIRPERSON PEHRSON: Thank you,
18 Member Anthony.

19 Member Greco?

20 MR. GRECO: Just briefly, I don't
21 have much comment to make, public comment,
22 but with regard to the study session, and all
23 the work that the staff and the applicant

1 did, there was a lot of thought going into
2 this. And again, I'm going do agree with
3 Member Anthony, I think that with the
4 comments that we had during the study
5 session, the input with everyone and the -- I
6 think the important comments from Member
7 Anthony regarding his concerns, that this is
8 a good amendment for this public area for
9 what we need. I am going to vote in favor of
10 it.

11 CHAIRPERSON PEHRSON: Okay.

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

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

17 MR. ANTHONY: Second.

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

21 Sri, can you call the roll.

22 MS. KOMARAGIRI: Member
23 Giacopetti?

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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

1 proposing to rezone approximately 5.6 acres
2 of the northerly portion of the property to
3 accommodate a vehicle towing business and
4 outdoor storage yard. The applicant is
5 proposing to develop the property in two
6 phases.

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

11 Sri.

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

16 As part of the current
17 agreement with the City of Novi, the tow
18 yards have to be located within the city
19 limits and this site fits their needs.
20 Previously Planning Commission held a public
21 hearing for this project on September 28.

22 The plan is being presented
23 today for your consideration.

1 The property is located in
2 Section 17, south of Grand River Avenue and
3 east of Sam's Club on Wixom Road. It is
4 zoned I1, light industrial with I2, part of
5 the east and I1 on all other sides.

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

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

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

19 The property to the west and
20 across Grand River Avenue is indicated as
21 community commercial and to the east is
22 indicated as office research development
23 technology.

1 The current proposal is not
2 supported by 2010 future land use
3 recommendation or the current 2016 draft land
4 use update.

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

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

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

22 The number of parking has been
23 decreased from a total of 443 to 271, a total

1 decrease of 172 spaces, 156 of these spaces
2 are included in the first phase of the
3 project with 116 being proposed at future
4 parking. The red line on the image on your
5 screen indicates the limit of parking and the
6 original concept and the revised.

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

1 for expanding the rezoning boundary.

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

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

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

22 The applicant agreed to meet
23 with the woodland removal requirements at the

1 time of preliminary site plan.

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

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

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

19 The applicant is also
20 requesting a deviation for not requiring a
21 traffic impact study as the proposed use
22 would not generate additional traffic, which
23 the staff supports.

1 All reviews except landscape
2 are recommending approval with additional
3 comments to be addressed with the preliminary
4 site plan.

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

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

14 For PRO applications, City
15 Council must determine that the proposed
16 rezoning would be in public interest and the
17 public benefit of the proposed PRO rezoning,
18 would clearly outweigh the detriments. Three
19 of the four benefits offered by the applicant
20 refer to a convenient location in close
21 proximity to I-96 and a local location to
22 fulfill the contractual obligations with the
23 city. These can be conceived as a

1 convenience which would impact and benefit
2 the business and are required as part of the
3 current contract with the city.

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

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

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

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

21 CHAIRPERSON PEHRSON: Thank you,
22 Sri.

23 Does the applicant wish to

1 address the Planning Commission?

2 MR. LECLAIR: Thank you,
3 Mr. Chair. Dan LeClair from Green Tech
4 Engineering.

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

10 We have spent a significant
11 amount of time working with Mr. Jonna as well
12 as looking at the site in particular, with
13 respect to natural features and how can we --
14 even at this rezoning stage, before we are
15 even at the preliminary site plan stage, what
16 can we do to make sure that as we move
17 forward, we can put something on a plan that
18 we're very -- that likelihood is very high
19 that we can accomplish that through the site
20 plan process, yet still look at the
21 neighboring properties, the wetlands, the
22 woodlands, and in particular, item number
23 four with respect to the landscape berm

1 adjacent to Mr. Jonna's property, we have
2 worked with him pretty extensively to make
3 sure that we know what he has in his future
4 plans, what he's thinking about and how can
5 we make sure that we can be good neighbors
6 with him once our site plan gets through the
7 process as well, as to how we can help
8 accommodate him when he comes through the
9 process at some point in the future.

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

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

17 MR. ANTHONY: This is for staff.

18 Rick, when I look at this, I
19 like how we changed this, we preserved the
20 woodlands to the south, so that was nice.

21 And I am looking at the, you
22 know, the diagonal pattern of the wetland, of
23 course, you would have water flow that would

1 move through there. And then the berm over
2 to the east doesn't cover much of the east
3 area.

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

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

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

18 CHAIRPERSON PEHRSON: Just
19 painted.

20 MR. ANTHONY: I see. Yeah. So
21 really it is -- be the only parking lot in
22 Novi without complying with our landscape
23 ordinance.

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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

1 customers.

2 MR. GRECO: The reason for the
3 lack of the island or anything in the parking
4 lot that we would typically have in like a
5 retail or office parking lot, would be so
6 that the trucks can pull in and out and
7 freely park or stack the vehicles however
8 they get parked?

9 MR. LECLAIR: That's correct.

10 MR. GRECO: All right. Thank
11 you.

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

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

18 MR. MEADER: That's my
19 understanding.

20 MR. GRECO: Is that what part of
21 the contract, that if my car -- for example,
22 if I get pulled over, if I'm in an accident,
23 and my car gets towed for some reason, one of

1 the city's requirements that it be in close
2 around here generally?

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

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

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

1 in the big expansion like this.

2 MR. GRECO: Okay.

3 CHAIRPERSON PEHRSON: Any other
4 comments? Member Giacobetti.

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

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

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

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

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

23 That is correct. There is

1 currently a building to the north that we
2 plan on conducting our business out of.
3 Therefore, just, you know, the cars in the
4 back would be our employees coming back and
5 forth through there, you know, normal
6 customer base.

7 MR. GIACOPETTI: That's my only
8 question.

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

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

20 Other than that, I appreciate
21 you taking the time to look at the -- Member
22 Anthony cited taking a look at the woodland
23 and the storm -- the wetlands and putting

1 that thing on the diagonal rather than having
2 it mitigate a bunch of that nature. I am in
3 support of this at this point.

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

6 CHAIRPERSON PEHRSON: Member
7 Greco.

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

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

21 MR. SCHULTZ: Yes.

22 MR. GRECO: Number two, that the
23 applicant comply with the conditions listed

1 in the staff and consultant review letters.

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

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

20 MR. ANTHONY: Second.

21 CHAIRPERSON PEHRSON: We have a
22 motion by Member Greco, second by Member
23 Anthony.

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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

1 recognize and provide for implementation of
2 State and Federal legislation regarding
3 wireless communication equipment and
4 facilities.

5 Kirsten?

6 MS. MELLEEM: Section 4.86 of the
7 City of Novi's Zoning Ordinance provides for
8 placement of various communications, antennas
9 towers and related equipment. The city
10 attorney's office has reviewed recent changes
11 in state law related to wireless
12 communication equipment and provides
13 suggested modifications to the zoning
14 ordinance to assure that the standards in the
15 new law are recognized and provided for in
16 the city's zoning ordinance. The
17 strike-through draft language was included in
18 the packet.

19 Much of the existing zoning
20 ordinance text is being reformatted and
21 refined, including the lead paragraph,
22 procedural review requirements are added as
23 subsections to the first paragraph on pages

1 one and two. Application review
2 requirements, procedures and limitations are
3 included in the new subsection iii, starting
4 on page four and definitions from the State
5 law are provided on seven page.

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

19 This text amendment was
20 originally was approved by City Council on
21 February 11, 2013, and was brought to staff's
22 attention that this amendment was
23 inadvertently excluded from the clear zoning

1 ordinance reformatting and therefore, is
2 going through the process to reinstate the
3 ordinance language.

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

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

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

17 CHAIRPERSON PEHRSON: Thank you.
18 Appreciate that.

19 Who would like to start.
20 Member Anthony.

21 MR. ANTHONY: Right at the
22 beginning, Section One, the addition that is,
23 City Council approval and Planning Commission

1 recommendations and public hearings are not
2 required for proposed uses that are permitted
3 to administrative review.

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

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

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

12 MR. SCHULTZ: A new tower, yes.

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

16 CHAIRPERSON PEHRSON: Thank you.
17 Member Greco?

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

21 MR. GIACOPETTI: Second.

22 CHAIRPERSON PEHRSON: We have a
23 motion by Member Greco, second by Member

1 Giacopetti. Any other comments. Kirsten,
2 can you call the roll.

3 MS. MELLEEM: Chair Pehrson?

4 CHAIRPERSON PEHRSON: Yes.

5 MS. MELLEEM: Member Anthony?

6 MR. ANTHONY: Yes.

7 MS. MELLEEM: Member Giacopetti?

8 MR. GIACOPETTI: Yes.

9 MS. MELLEEM: Member Greco?

10 MR. GRECO: Yes.

11 MS. MELLEEM: Motion passes four
12 to zero.

13 CHAIRPERSON PEHRSON: Thank you.

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

21 Ms. McBeth.

22 MS. MCBETH: Thank you. This is
23 another text amendment that we are hoping

1 that you will set for the public hearing for
2 January 11, 2017.

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

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

23 And also revised variance

1 standards for signs.

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

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

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

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

18 MR. ANTHONY: Second.

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

22 MS. KOMARAGIRI: Member
23 Giacopetti?

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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.

1 MS. KOMARAGIRI: Member Anthony?

2 MR. ANTHONY: Yes.

3 MS. KOMARAGIRI: Member

4 Giacometti?

5 MR. GIACOPETTI: Yes.

6 MS. KOMARAGIRI: Member Greco?

7 MR. GRECO: Yes.

8 MS. KOMARAGIRI: Motion passes
9 four to zero.

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

14 MR. GRECO: Motion to approve.

15 MR. ANTHONY: And second.

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

19 MS. KOMARAGIRI: Member
20 Giacometti?

21 MR. GIACOPETTI: Yes.

22 MS. KOMARAGIRI: Member Greco?

23 MR. GRECO: Yes.

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MS. KOMARAGIRI: Chair Pehrson?

CHAIRPERSON PEHRSON: Yes.

MS. KOMARAGIRI: Member Anthony?

MR. ANTHONY: Yes.

MS. KOMARAGIRI: Motion passes
four to zero.

CHAIRPERSON PEHRSON: Come to
matters for discussion. Anybody? Going
once, twice. Supplemental issues? Last
audience participation.

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.)

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STATE OF MICHIGAN)

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COUNTY OF OAKLAND)

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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.

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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.

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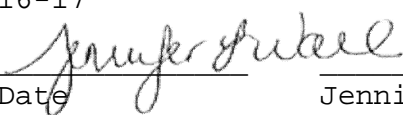
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Date

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

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