



# PLANNING COMMISSION MINUTES

CITY OF NOVI  
Regular Meeting

**January 10, 2024 7:00 PM**

Council Chambers | Novi Civic Center  
45175 Ten Mile Road, 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 Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Staff: Barb McBeth, City Planner; Beth Saarela, City Attorney; James Hill, Planner; Rick Meader, Landscape Architect; Adam Yako, Plan Review Engineer

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Avdoulos to approve the January 10, 2024 Planning Commission Agenda.

**VOICE VOTE ON MOTION TO APPROVE THE JANUARY 10, 2024 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

*Motion carried 7-0.*

## 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 no one, Chair Pehrson closed the first public participation.

## CORRESPONDENCE

There was not any correspondence.

## COMMITTEE REPORTS

There were no Committee reports.

## CITY PLANNER REPORT

There was no City Planner report.

## CONSENT AGENDA - REMOVALS AND APPROVALS

There were no Consent Agenda – Removals and Approvals.

## **PUBLIC HEARINGS**

### **1. TREK ADDITION JSP23-32**

Public hearing at the request of Trek, Inc. for the approval of the Special Land Use Permit, Preliminary Site Plan, and Stormwater Management Plan. The subject property is located in Section 4, on the north side of Desoto Court in the I-1, Light Industrial District. The subject property is approximately 2.02 acres and the applicant is proposing a 27,743 square-foot expansion of the existing 15,550 square-foot Trek building in the Beck North Corporate Park.

Planner James Hill relayed Trek, Inc. is located in the Beck North Corporate Park, east of Hudson Drive on the north side of Desoto Court in section 4 of the City. The subject property is composed of two parcels that are planned to be combined. The total acreage is approximately 1.56 acres.

The applicant is proposing to expand the existing Trek, Inc. building by adding a 27,743 square foot warehouse to the existing 15,550 square foot building.

The current zoning of the site is I-1 Light Industrial, in addition to the adjacent sites to the north, west, and south as part of the industrial office park. To the east are single-family residential zoning districts, RA Residential Acreage and R-2 One-Family Residential. A city-owned parcel separates the Beck North Corporate Park and the residential properties. This parcel contains a berm meant to physically separate the industrial office buildings and the residences.

The future land use for the site and the surrounding parcels that are a part of Beck North Corporate Park contemplates industrial research, development, and technology. The city-owned berm is categorized as private park, while the other side of the berm is contemplated as single family residential.

Natural features consist of the woodlands planted on and along the berm meant to serve as visual and audio screening. The applicant intends to replace any trees that are affected in addition to replacing trees that have died since the original site plan was approved.

The plans included in the Planning Commission packet are revised versions of what was originally reviewed by staff. The revisions were minor and were made in an attempt to come into compliance with some of the requirements that staff had brought forth in their initial review. Initially, the applicant had proposed a drive along the north side of the proposed warehouse, in addition to 14 parking spaces. The Fire Marshal indicated that a drive of that length would require a turnaround for emergency vehicles, but that applicant did not wish to take up that much space with a turnaround. That drive has now been removed, and along with it those additional parking spaces. The applicant also revised their landscaping and lighting plans in an effort to come into compliance with ordinance standards. The revised plans now include the warehouse expansion and an additional truck well for loading products and equipment, which was a part of the original plan.

The industrial office expansion or warehouse is a Special Land Use in the I-1 Light Industrial zoning district when abutting a residential zoning district. Some revisions from the original plan were made to better comply with the Special Land Use considerations listed in the motion sheet. Those Special Land Use considerations are as follows:

1. Traffic circulation and safety
2. Public services and utilities
3. Natural features
4. Impact on surrounding neighborhoods
5. Master plan for land use
6. Social and economic impact
7. Zoning ordinance and land use

Initially, an emergency exit and an accompanying light fixture was proposed on the eastern side of the new building, but now the door and light are at the northeast corner of the building facing north.

The elevations of the building show the building materials to include fluted and split-faced CMU, striated CMU, flat metal panels, and trim. The building has an average height of 22'4" with the warehouse roof angling down from the existing Trek building so that its lowest eave is at 20'9". The height and distance from the residential property line comply with what the ordinance requires. In addition, the ordinance requires that any windows facing a residential district remain always shut, and the applicant has indicated that they will comply with this requirement.

No waivers are currently being sought by the applicant. The Preliminary Site Plan will still need a variance from the Zoning Board of Appeals for the deficiency in parking. Ninety spaces are required for the proposed use and size of building, but only 66 spaces are being provided. An approval of the Preliminary Site Plan tonight will be subject to the Zoning Board of Appeal's action on the parking deficiency.

The Planning Commission is asked tonight to hold the public hearing for JSP23-32 Trek Addition, and approve or deny the Special Land Use Permit, Preliminary Site Plan, and Stormwater Management Plan. The applicant is here tonight to answer any questions you may have, and staff is available as well.

Chair Pehrson invited the applicant to address the Planning Commission.

Alan Pruss, Civil Engineer with Monument Engineering, relayed he is joined by Architect David Murphy, Tim Sinning from Trek, and Craig Stockard from Brivar Construction.

Mr. Pruss relayed Trek is not planning on adding any new employees since the 27,000 square foot addition is solely for warehousing purposes. One hydrant was added at the Fire Marshall's request to provide proper hydrant coverage on the building. Bike parking was added at the southwest corner of the existing building. The initial review recommended approval from all departments, pending addressing any comments.

As Planner Hill relayed, a variance is being sought for the deficiency in parking. The variance would have been needed regardless as the 14 spaces proposed on the north side of the building were still deficient. The parking spaces and drive were removed as no new employees are being added, and to help address the Fire Marshall's concerns with the length of the dead end for emergency vehicle turnaround. There is a lack of room on the east side of the building for a turnaround due to the 15-foot berm for screening from the residential.

Mr. Pruss relayed that he, the architect, the owner, or the contractor are happy to answer any questions.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium.

Sheryl Madden, 46130 West Park Drive, relayed that she submitted a response letter to the Planning Commission and would like to highlight some key points. Her property directly backs up to the proposed building. She objected to the development primarily due to the visual impact the development will have on her home and surrounding residential properties, which look out to the site.

It's important to note that the proposed site currently serves as an open green space and supports the movement of wildlife, ecosystem for wildflowers and grasses, and provides for stormwater runoff, which will be impacted by the building expansion in the Beck North Corporate Park.

The berm easement above the proposed site that is directly behind her home is a primary concern as it has not been maintained by the City or Beck North Corporate Park and has endured erosion and fallen trees that will continue to occur and negatively impact the natural barrier for which it was established between industrial and residential living spaces.

Ms. Madden thanked Planner James Hill and Landscape Architect Rick Meader for meeting with her on site at her home last week to update her on changes already made to the plans and to evaluate the condition of the berm. Their willingness to understand the residential perspective and to provide their expertise and recommendations for berm improvement is very much appreciated.

Ms. Madden would like the following requests to be incorporated into the plan. Existing live trees, bushes and brush on the berm are not to be disturbed, however, dead and fallen trees are to be removed. New deer resistant evergreen pines, which thrive in both sun and shade, measuring at least 8 to 10 feet in height initially, but eventually growing to over 20 feet, be planted in a pattern at the top of the berm to deter the entire view of the building. Ms. Madden requests that this takes place prior to breaking ground on construction in an effort to deter air, dust, noise pollution, as well as to build the visual barrier for all neighboring residential homes.

If the windows on the side of the building are to be at the second story level or higher facing residential property, Ms. Madden requests that they be inoperable and that the building lights only be on during business operating hours to eliminate visual emission concerns. All City noise ordinances are to be complied with prior to, during, and after construction, and the City of Novi should actively enforce all noise ordinances and follow up on any homeowner complaints.

Randy Anderson, 46300 West Park Drive, relayed he has lived in his home since 2009. His property sits at the lowest elevation on the corner of West Road and West Park Drive, and a portion of his property is considered wetland for the natural flow of stormwater to the wetlands across the street.

From 2009 to 2019, there has never been moving water except during heavy rains and at times the wetlands would even dry up. Mr. Anderson has never had water in his crawl space until after American Interiors was developed, which sits directly west behind his home. The water has been overwhelming and the amount of water directed across his property has been very damaging, costly, and difficult to deal with causing standing water in his crawl space which led to mold and destroyed his insulation. Mr. Anderson had to install two sump pumps to mitigate the water from his crawl space, which run frequently.

Since installing the sump pumps, they are only averaging two to three years before needing replacement, and the never-ending increase to his electric bill to operate the pumps is a concern as well. In addition to being worried about foundation problems from this water, his home still needs to have a crawl space encapsulation done to protect from the times that the water infiltrates the crawl space.

The problem is when the water is moving high it pushes the groundwater up into the crawl space. Since 2019, the water has pretty much been moving. Mr. Anderson submitted some videos and pictures of his property and the water running through.

He wondered if maybe a bigger retention pond in the corporate park would slow down the flow of water through his property or possibly a culvert to bypass his property would get some of this water across the street without pushing it through his property.

Mr. Anderson requested the submitted videos of the pond and pictures of his crawl space being flooded be shown. These depict what usually happens when the water level is running across his property and it's pretty much like a river, it just runs all the time. Mr. Anderson is worried that since the whole corporate parking lot already dumps water through his property, with the addition of this building and the extra ground surface more water will be routed to his property as well.

Mr. Anderson narrated a video that was played showing a culvert running from a ditch to a pond draining onto his property. Another video showed water rushing out of the pipe when it was not raining.

Mr. Anderson relayed water from the corporate park dumped onto his property is like a river flowing through his yard. When the water is not running, then he doesn't have problems with the water getting in his crawl space. When the water is elevated and it's running, it pushes water up in his crawl space which creates the problem. He cannot take on any more water. Mr. Anderson wondered if there is any way that a bypass could be created for the water, or a bigger retention pond could be built to hold more water and disperse it through his yard gradually instead of it just constantly flowing.

Seeing no other audience members who wished to speak, Chair Pehrson requested Member Lynch read into the record the correspondence received. Member Lynch relayed correspondence was received

from Ms. Madden and Mr. Anderson, who just spoke. In addition, Laurent and Valerie Curtil, 29869 Martell Court, object based on concerns affecting neighborhood market value, Scott Gabriel, 29580 Hudson Drive, is in support, and Ezio Masciulli, 29839 Martell Court, objects due to noise concerns.

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

Member Lynch relayed that he read through the response letters and inquired whether the applicant would have any issues planting trees on the berm. Mr. Pruss relayed that the intent is to fully comply with all the ordinance requirements.

Member Lynch clarified on the map shown which property between the development and residential area is owned by the City, and inquired when the berm was installed. Landscape Architect Rick Meader relayed that the berm was installed when Beck North Corporate Park was built. Member Lynch inquired as to who is responsible to replace the trees. Mr. Meader responded that it is his understanding that as it was installed as part of the requirement for the corporate park development, it is their responsibility.

Member Lynch inquired as to what the process should be for residents to contact someone to get dead trees replaced. Mr. Meader responded that usually when there is a problem between properties the City will hear about it and will contact the property owner to resolve the issue.

Member Lynch relayed his understanding of the lighting is that it is now pointed towards the building instead of towards the residential area. Mr. Pruss relayed this is correct and it does meet the ordinance. A photometric plan was submitted. David Murphy confirmed there are no lights on the east of the building any longer, they are all on the north, south and west.

Member Lynch relayed he is aware that the building height can go up to 25 feet per the ordinance and this building is 2 feet below that. Mr. Pruss confirmed that this is correct, and height is based on the distance to the residential area.

Member Lynch relayed he drove out to the site earlier in the day to view the water drainage and inquired how the stormwater is managed in the corporate park.

Engineer Adam Yako relayed that the pond was designed to accommodate all the water for the whole site including any future buildings on site. The pond and wetland were designed for a 100-year storm event and the crescent shaped sediment basin was added to hold the water to collect the sediments before they discharge to the pond. The pond and wetland are the lowest point. The whole site collects in that area and water goes through the three 48" culverts, discharging to another larger wetland to the southeast on the other side of West Park Drive.

Member Lynch inquired if the culverts have been checked to see if they need to be cleaned out. Engineer Yako responded that he had just become aware of the issue when Mr. Anderson came to his office on Thursday, January 4<sup>th</sup> to discuss it. The City inspectors were sent to the site the Friday morning. They brought back photos to show the culverts are clean. Engineer Yako relayed that when the site was designed, the developers were aware of the drainage issue and that is why they approached the previous owner of Mr. Anderson's home for the easement over his property. Engineer Yako added that Mr. Anderson was advised to contact DPW for any rain events and the inspectors will come out. The site has also been added to the regular schedule to check on conditions. Member Lynch added he was not aware the home was right on the easement.

As far as the Trek project is concerned, Member Lynch does not have a problem with it. He is glad that Trek is staying in Novi and has worked with the adjacent homeowners. He thinks the City has a responsibility with the water management issue.

Member Lynch thinks the addition is the right fit on this particular site. With the landscaping that is being put in place, it is a less obtrusive addition in an I-1 district. He does not have a problem with the parking spaces, the applicant has a good rationale for that, and in fact otherwise would probably be destroying

more woodlands. Member Lynch is in favor with the understanding that the trees are going to be put in place and the City is going to go out and take a look at the water drainage.

Member Becker inquired in reference to water concerns expressed by resident Mr. Anderson, whether Engineer Yako sees any reason why the addition of this building would add significantly to the existing problem. Engineer Yako responded that he does not think there would be any large addition to the water levels while everything is running and functioning correctly. If there is a clog in the system that will raise the water on the property. The topographic plan shows the contours as lower, it's not just the Beck North property but also the property to the north. The contours show all the water is going down to this property.

Member Becker agrees with Member Lynch that the City needs to stay on top of the water issue not just for this project, but for the homeowner.

Member Becker relayed that while this is an I-1 district abutting residential, the maximum building height could have been 25', however the new addition is 20'9" adjacent to residential, so lower than it could have been. The visual impact or the sight line from the residences is smaller than it could have been per the ordinance. The only reason that a Special Land Use is required is because the addition is being attached to an existing building that is 20" higher than the maximum allowed.

Member Becker relayed that he was at the site looking at the berm and the amount of vegetation and substantial trees. He thinks it is an acceptable use because it is an existing I-1 site and was going to be developed I-1 for many years, and we are adhering to the Master Plan and Future Land Use plan.

Member Becker inquired how a semi-truck would not hit the dock door because it looks pretty narrow if cars are parked on the north side of parking lot, how could a truck pull up and then back in. Mr. Sinning responded that the existing dock door is further out, so the new dock actually is going to end up having a lot more room to back into than the current dock. There is no plan to increase the traffic flow of trucks, just maintain what it is now. This will just give an option where loading can occur.

Member Becker inquired as to the concern about noise and what kind of noise would a warehouse generate on an ongoing repetitive or frequent basis. Mr. Sinning responded that the noise will not increase from what it is right now. Actually, the neighborhood would probably realize a net loss of noise because the forklifts that are sometimes operating outside of the building now will be able to operate within the building all the time.

Member Dismondy relayed he has no concerns as the use and the type of construction is similar to everything else in the park. It looks like it is actually set back further than the building to the north from the easement as well, so it doesn't look like it's over the top.

Member Verma relayed he does not understand when the building is constructed whether the resident's water issue will be diminished or not and what action the City is taking to help. Engineer Yako replied that when the new addition is built, the developer will add catch basins as shown on the drawings to collect the water from the roof or other solid areas such as the parking lot.

Member Verma inquired if the applicant is aware of the resident's concern regarding water and drainage. Mr. Pruss responded he understands the concern, but this is the first knowledge he has of any drainage issues. The industrial park is serviced by a regional basin, so it services all the all the units in this industrial park.

Member Verma inquired how the applicant plans to address the drainage issue now that they are aware of it. Chair Pehrson relayed caution as this is not solely falling on this developer to solve the problem that existed from previous developments. The applicant is addressing what they can. City Attorney Beth Saarela relayed that the developer needs to meet City engineering ordinance standards on their plan. Engineering reviewers check the plans to make sure they are compliant with City standards. In this case, that was done correctly. As long as the plans comply with the City's design and construction standards, the City can't make them do something different than it would make anybody else do.

Member Verma inquired how the problem of the resident can be resolved. City Attorney Saarela relayed that from what Engineer Yako is saying, the resident's property is naturally low, so it is taking water not only from the corporate park but from the property to the north and surrounding properties that are higher. It is not just the corporate park that is contributing water, it is the fact that this property is the lowest property in the area. The plan can really only address the engineering design standards, they can't really design their plan to alleviate the impacts from the property to the north or wherever the water is coming from.

Member Verma inquired if it is the responsibility of the resident then to address the drainage issue. City Attorney Saarela relayed that as long as the natural drainage is not being changed by the new development, it is an inherent problem with a low property that the buyer needs to look at natural drainage on their property. It appears that the owner prior to this gentleman sold a drainage easement to the corporate park to allow drainage to go across the residential property. City Attorney Saarela does not know whether the house preceded or came after that easement, but it would have been up to whoever sold that easement to take into consideration that it is basically allowing more drainage to come onto the residential property to allow the corporate park to drain their water. It is a larger problem that preceded this particular small part of the corporate park, so there are a lot of factors involved. All the City can really do here is make sure that this applicant is complying with the ordinance standards and design standards that everybody else complies with.

Chair Pehrson relayed that at this point the Planning Commission needs to stop the discussion of the resident's issue and consider the proposed Trek development. The resident's particular issue cannot be resolved right now as it cannot be dictated to the applicant that they must do something different than what City Attorney Saarela has explained. The applicant has satisfied the City engineering constraints. The resident and City need to get together to try to resolve the drainage issue despite what the applicant is proposing to put on their property. It is on the record that there is unanimous agreement to try to help the resident.

Member Roney relayed that the discussion so far has covered most of his questions, but inquired as to the whether the trees being added will grow tall enough to be a barrier for the home to the east. Mr. Pruss responded that the trees will be planted on the top of the berm.

Member Avdoulos relayed that his questions have been answered and said in relation to the parking spaces he does not see an issue, especially if it is not required, then it becomes less surface area provided on the site.

Motion made by Member Avdoulos and seconded by Member Lynch to approve the JSP23-32 Trek Addition Special Land Use Permit.

**In the matter of Trek Addition, JSP23-32, 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 (since the building addition is intended to provide more storage space, but no additional employees will be coming or going from the site).***
- 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 serve existing and planned uses in the area (no impacts to utilities are anticipated).***
- iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats (since the applicant intends to replace the trees that have died near the berm as shown on the original landscape plan and has no plans to impact existing woodlands or wetlands).***
- 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 (since the distance away from the residential property line is consistent with other buildings***

- located within the industrial park, and there is no driveway or parking proposed adjacent to the existing residential uses).*
- v. *The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan or Land Use (as it fulfills one of the Master plan objectives to see existing businesses expand and stay in Novi).*
  - vi. *The proposed use will promote the use of land in a socially and economically desirable manner (as it expands onto an existing building rather than constructing an entirely new building).*
  - 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 ON MOTION TO APPROVE THE JSP23-32 TREK ADDITION SPECIAL LAND USE PERMIT MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

***Motion carried 7-0.***

Motion made by Member Avdoulos and seconded by Member Lynch to approve the JSP23-32 Trek Addition Preliminary Site Plan.

**In the matter of Trek Addition, JSP23-32, 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 5.2.12.E of the Zoning Ordinance for not providing the required amount of parking per the Ordinance (90 spaces required and 66 provided) because the proposed warehouse expansion is not proposed to increase the number of employees, so additional parking is not required.**
- b. **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 ON MOTION TO APPROVE THE JSP23-32 TREK ADDITION PRELIMINARY SITE PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

***Motion carried 7-0.***

Motion made by Member Avdoulos and seconded by Member Lynch to approve the JSP23-32 Trek Addition Stormwater Management Plan.

**In the matter of Trek Addition JSP23-32, 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 ON MOTION TO APPROVE THE JSP23-32 TREK ADDITION STORMWATER MANAGEMENT PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

***Motion carried 7-0.***



## **2. MICHIGAN CAT PUMP AND SHORE MAINTENANCE YARD JSP23-47**

Public hearing at the request of Michigan CAT for the approval of the Preliminary Site Plan, Woodland Permit, and Stormwater Management Plan. The subject property is currently zoned I-2 General Industrial with a Planned Rezoning Overlay Agreement associated. The subject property is located in Section 23, north of Ten Mile Road on the east side of Novi Road, and consists of 32.29 acres, 5.29 of which are a part of this site plan. The applicant is proposing to develop the vacant site as an outdoor storage area.

Planner Hill relayed this is a project that the Planning Commissioners may already be familiar with. The Michigan CAT Pump and Shore Maintenance Yard project is a part of an approved Planned Rezoning Overlay (PRO) Agreement that rezones the subject area from I-1 Light Industrial to I-2 General Industrial to permit the outdoor storage of products and equipment relating to Michigan CAT's pump and shore business.

The location of the site is north of Ten Mile Road, on the east side of Novi Road in section 23 of the City. The total acreage of the Michigan CAT site is approximately 32.39 acres but only 5.29 acres are a part of the site plan and approved PRO.

The current zoning is I-2 General Industrial as part of the approved PRO. The rest of the Michigan CAT site to the north is also I-2 General Industrial with some of the remaining site in the southwest I-1 Light Industrial. I-1 and I-2 zoning districts lie to the south and east of the subject property.

The entirety of the area around the subject property is contemplated for either Industrial research development and technology or heavy industrial.

Natural features include woodlands and wetlands neighboring the larger Michigan CAT site to its east. As provided in the Planning Commission packets, the applicant is intending to remove 74 trees from the site and are required to replace 47 trees. Fifteen trees are proposed to be planted on the site and the remaining 32 are to be paid for via the tree fund. The applicant will need to submit a draft conservation easement for those trees planted onsite, which is a condition included in the motion sheet and is a requirement of the PRO agreement.

In addition to the proposed outdoor storage, the applicant is providing for some improvements along its Novi Road frontage as agreed upon in the PRO Agreement, including additional plantings, a public plaza, bench, and historic marker sign.

The Planning Commission is asked to hold the public hearing for JSP23-47 Michigan CAT Pump and Shore Maintenance Yard, and approve or deny the Preliminary Site Plan, Woodland Permit, and Stormwater Management Plan. The applicant is here tonight to answer any questions and staff is also available.

Chair Pehrson invited the applicant to address the Planning Commission.

Paul Furtaw, with Bergmann, said he is the Civil Engineer working on the project, and introduced Brett Roland representing Michigan CAT. Planner Hill explained the project well and as he stated at least some of the Commissioners have seen this project before as part of the PRO process. There are no changes of substance to what was previously submitted.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium. Seeing no one, Chair Pehrson confirmed that there was no correspondence, closed the Public Hearing, and turned the matter over to the Planning Commission for consideration.

Member Lynch relayed overall he has no issues; he has seen this project before. He referred to the applicant's intent in their letter to unclog the basin and asked for confirmation it would be unclogged by the contractor. Mr. Furtaw confirmed this would happen.

Member Lynch clarified his understanding that the reason the applicant is not planting all the trees on

site is lack of space. Mr. Furtaw confirmed this is the case. Member Lynch said he thinks it is an appropriate use of the property and has no issues.

Member Becker had no questions or comments.

Member Dismondy relayed this is the third time he has seen this project, the applicant is following the agreement, and he has no questions.

Member Verma had no questions.

Member Roney had no questions.

Member Avdoulos had no questions.

Motion made by Member Avdoulos and seconded by Member Lynch to approve the JSP23-47 Michigan CAT Pump and Shore Maintenance Yard Preliminary Site Plan.

**In the matter of Michigan CAT Pump and Shore Maintenance Yard, JSP23-47, motion to approve the Preliminary Site Plan based on and subject to 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 ON MOTION TO APPROVE THE JSP23-47 MICHIGAN CAT PUMP AND SHORE MAINTENANCE YARD PRELIMINARY SITE PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

***Motion carried 7-0.***

Motion made by Member Avdoulos and seconded by Member Lynch to approve the JSP23-47 Michigan CAT Pump and Shore Maintenance Yard Woodland Permit.

**In the matter of Michigan CAT Pump and Shore Maintenance Yard, JSP23-47, motion to approve the Woodland Permit based on the following findings:**

- a. Any proposed woodland replacement trees shall be placed in a Woodland Conservation Easement as indicated in the Woodland Protection Ordinance and the approved PRO.
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters, the approved PRO, 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 37 of the Code of Ordinances and all other applicable provisions of the Ordinance.**

**ROLL CALL VOTE ON MOTION TO APPROVE THE JSP23-47 MICHIGAN CAT PUMP AND SHORE MAINTENANCE YARD WOODLAND PERMIT MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

***Motion carried 7-0.***

Motion made by Member Avdoulos and seconded by Member Lynch to approve the JSP23-47 Michigan CAT Pump and Shore Maintenance Yard Stormwater Management Plan.

**In the matter of Michigan CAT Pump and Shore Maintenance Yard, JSP23-47, 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 ON MOTION TO APPROVE THE JSP23-47 MICHIGAN CAT PUMP AND SHORE MAINTENANCE YARD STORMWATER MANAGEMENT PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

*Motion carried 7-0.*

**MATTERS FOR CONSIDERATION**

**1. APPROVAL OF THE DECEMBER 13, 2023 PLANNING COMMISSION MINUTES**

Motion to approve the December 13, 2023 Planning Commission minutes made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE ON MOTION TO APPROVE THE DECEMBER 13, 2023 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

*Motion carried 7-0.*

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no consent agenda items.

**SUPPLEMENTAL ISSUES/TRAINING UPDATES**

City Planner McBeth relayed the Planning Commissioners may have received something in the mail or via email regarding training by the Michigan Association of Planning. Chair Pehrson recalled that additional training by the City Attorney has been done in the past and requested a time frame to be able to put it on everyone's calendar. City Planner McBeth relayed there has been discussion in the department to hold a combined training with the ZBA and then split off to cover separate items of interest, but no date has been determined yet.

Member Lynch added the drainage issue he saw in the resident's video is frightening. He does not know who is at fault but what he saw is unacceptable. The City does have a responsibility to do something if the corporate park isn't maintaining those detention basins the way they're supposed to. Recognizing this isn't the forum, and it will not be solved here, there are still a lot of open parcels at the corporate park, so something has to be done with the drainage issue.

Member Lynch inquired as to what the proper process is in terms of having the City go out there to work with the owner of the corporate park, who is responsible for the stormwater management, to make sure that the detention basins are all cleaned out, and all the culverts are cleaned out.

Chair Pehrson inquired to City Planner McBeth what the process would be. City Planner McBeth said as Engineer Yako mentioned previously the inspection crew that manages the storm drainage and follows up with questions and complaints will make regular visits to the site as part of their routine inspections, and also identify if any clogs are found. If the problem continues, the ordinance enforcement officers may need to get involved as well. The resident is obviously very concerned about it, as is the City. Before we discuss the next steps, the City will have to evaluate what can be done.

**AUDIENCE PARTICIPATION**

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

**ADJOURNMENT**

Motion to adjourn the meeting made by Member Lynch and seconded by Member Becker.

**VOICE VOTE ON MOTION TO ADJOURN THE JANUARY 10, 2024 PLANNING COMMISSION MEETING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER.**

***Motion carried 7-0.***

Meeting adjourned at 7:55 PM.

\*Actual language of the motion sheet subject to review.

DRAFT