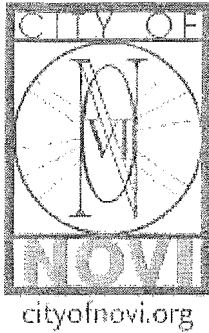


# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** KRISTEN KAPELANSKI, AICP, PLANNER *Kristen*  
**THROUGH:** BARBARA MCBETH, AICP, COMMUNITY DEVELOPMENT  
DEPUTY DIRECTOR  
**SUBJECT:** PUBLIC HEARING FOR TEXT AMENDMENT 18.268  
**DATE:** AUGUST 5, 2013

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Attached you will find a proposed ordinance amendment submitted by Hertz car rental that would make car rental facilities a permitted special land use on properties not abutting residential zoning in the Light Industrial District. The proposed amendment includes a number of conditions for approval.

Staff has completed a review of the proposed amendment and recommends approval with some suggested modifications. Attached please find the planning review, the applicant proposed version of the amendment and a version incorporating staff's recommendations.

The Planning Commission set a Public Hearing for the ordinance amendment on July 10<sup>th</sup> for the August 14<sup>th</sup> Planning Commission meeting. Relevant meeting minutes are attached. The Commission is asked to hold the public hearing and forward a recommendation to the City Council, for reading and adoption. If any Commissioner has any questions related to this request, do not hesitate to contact Kristen Kapelanski, in the Community Development Department at (248) 347-0586.

**PROPOSED ORDINANCE AMENDMENTS –  
STAFF STRIKE-THROUGH VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 13- 18 – 268

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE AT ARTICLE 19, I-1 LIGHT INDUSTRIAL DISTRICT, SECTION 1903, PRINCIPAL USES PERMITTED IN LOCATIONS NOT ABUTTING A RESIDENTIAL DISTRICT AND SUBJECT TO SPECIAL CONDITIONS; IN ORDER TO PERMIT PASSENGER MOTOR VEHICLE RENTAL FACILITIES IN THE I-1 DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, hereby amended to read as follows:

**ARTICLE 19. I-1 Light Industrial District**

Section 1900. – Section 1902. [Unchanged.]

Section 1903. Principal Uses Permitted in Locations Not Abutting a Residential District and Subject to Special Conditions

1-11. [Unchanged.]

12. Outdoor space for parking of licensed rental motor vehicles, including loaners, , but not including junk, inoperable, partially dismantled, or damaged motor vehicles, all subject to the following:

- a. The rental parking area shall be designed in accordance with the standards listed in Article 25, General Provisions relating to off-street parking, off-street parking layout, landscaping and screening requirements and performance standards and with the Design and Construction Standards identified in Chapter 11 of the City Code. The area shall be paved, graded and drained as to dispose of all surface water accumulated within the area.
- b. Access to the rental parking area shall be at least sixty (60) feet from all street intersections.
- c. A noise impact statement is required subject to the standards of Section 2519.10(c).
- d. Rental motor vehicle parking spaces must be located in the rear yard and be clearly marked as parking for rental motor vehicles. Rental motor vehicles shall only be parked in those spaces.
- e. Rental motor vehicle parking spaces must be in excess of the off-street parking spaces required by Section 2505.
- f. Any motor vehicle washing facilities must be accessory to the motor vehicle rental use and must be contained within a completely enclosed building.
- g. Consumers shall be permitted in the rental motor vehicle parking areas.

- h. A landscaped berm shall be provided around all sides of a rental motor vehicle parking area abutting a residential zoned district, which shall comply with the standards at Section 1905.4.e.
  - i. Motor vehicles parked pursuant to this section shall be limited to passenger vehicles (cars, vans, pick-up trucks and sports utility vehicles), and shall not include semi-trucks or trailers, step-vans or other commercial vehicles.
  - j. No car hauler delivery operations shall be allowed.
- ‡213. Accessory buildings, structures and uses customarily incident to any of the above permitted uses.

Section 1904. [Unchanged.]

**Part II**

**Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**PART III.**

**Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART IV.**

**Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**PART V.**

**Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

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MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

**PROPOSED ORDINANCE AMENDMENTS –  
STAFF CLEAN VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 13- 18 – 268

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE AT ARTICLE 19, I-1 LIGHT INDUSTRIAL DISTRICT, SECTION 1903, PRINCIPAL USES PERMITTED IN LOCATIONS NOT ABUTTING A RESIDENTIAL DISTRICT AND SUBJECT TO SPECIAL CONDITIONS; IN ORDER TO PERMIT PASSENGER MOTOR VEHICLE RENTAL FACILITIES IN THE I-1 DISTRICT.

THE CITY OF NOVI ORDAINS:

**Part I.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, hereby amended to read as follows:

**ARTICLE 19. I-1 Light Industrial District**

Section 1900. – Section 1902. [Unchanged.]

Section 1903. Principal Uses Permitted in Locations Not Abutting a Residential District and Subject to Special Conditions

1-11. [Unchanged.]

12. Outdoor space for parking of licensed rental motor vehicles, including loaners, , but not including junk, inoperable, partially dismantled, or damaged motor vehicles, all subject to the following:

- a. The rental parking area shall be designed in accordance with the standards listed in Article 25, General Provisions relating to off-street parking, off-street parking layout, landscaping and screening requirements and performance standards and with the Design and Construction Standards identified in Chapter 11 of the City Code. The area shall be paved, graded and drained as to dispose of all surface water accumulated within the area.
- b. Access to the rental parking area shall be at least sixty (60) feet from all street intersections.
- c. A noise impact statement is required subject to the standards of Section 2519.10(c).
- d. Rental motor vehicle parking spaces must be located in the rear yard and be clearly marked as parking for rental motor vehicles. Rental motor vehicles shall only be parked in those spaces.
- e. Rental motor vehicle parking spaces must be in excess of the off-street parking spaces required by Section 2505.
- f. Any motor vehicle washing facilities must be accessory to the motor vehicle rental use and must be contained within a completely enclosed building.
- g. Consumers shall be permitted in the rental motor vehicle parking areas.

- h. A landscaped berm shall be provided around all sides of a rental motor vehicle parking area abutting a residential zoned district, which shall comply with the standards at Section 1905.4.e.
  - i. Motor vehicles parked pursuant to this section shall be limited to passenger vehicles (cars, vans, pick-up trucks and sports utility vehicles), and shall not include semi-trucks or trailers, step-vans or other commercial vehicles.
  - j. No car hauler delivery operations shall be allowed.
13. Accessory buildings, structures and uses customarily incident to any of the above permitted uses.

Section 1904. [Unchanged.]

**Part II**

**Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**PART III.**

**Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART IV.**

**Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**PART V.**

**Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

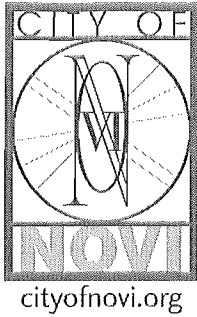


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MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

PLANNING COMMISSION MINUTES  
JULY 10, 2010 – EXCERPT



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**July 10, 2013 7:00 PM**

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

## CALL TO ORDER

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

## ROLL CALL

**Present:** Member Anthony, Member Baratta, Member Giacometti, Member Greco, Member Lynch, Chair Pehrson, Member Zuchlewski

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Anthony:

**VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:**

**Motion to approve the July 10, 2013 Planning Commission Agenda. Motion carried 7-0.**

## MATTERS FOR CONSIDERATION

### 1. SET PUBLIC HEARING FOR TEXT AMENDMENT 18.268

Planner Kristen Kapelanski said the City has received a proposed text amendment adding car rental facilities as a special land use in locations not abutting residential zoning in the I-1 District. Staff is generally in support of the proposed amendment with some minor revisions to the conditions noted in the suggested text. Suggested conditions include the following: The site shall be designed in accordance with the Design and Construction Standards in terms of paving, grading and draining; Access to the car rental storage area shall be at least 60 feet from any street intersections; A noise impact statement is required; Car storage spaces must be located in the rear yard and in excess of the required parking; and Car wash facilities must within an enclosed building and accessory to the rental use. The Planning Commission is asked to schedule the public hearing for August 14<sup>th</sup>. Should the Planning Commission so choose, this matter could be sent to the Implementation Committee for further review.

Chair Pehrson said relative to the Implementation Committee, it would seem that in the past we have probably done that not often where we have turned it over to the Implementation Committee to let them do a little more research. Do you think that's required in this case or just go straight to a public hearing?

Planner Kapelanski said we as the staff are fairly comfortable with the amendment. If the committee wants to explore that, we certainly can set something up. With our suggested modifications we really wouldn't object to what is proposed.

Chair Pehrson said ok then I'd rather just set the date and move forward then.

Moved by Member Greco and seconded by Member Anthony:

**ROLL CALL VOTE ON THE TEXT AMENDMENT 18.268 APPROVAL MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER ANTHONY:**

**Motion to set the public hearing for Text Amendment 18.268 for August 14, 2013. Motion carried 7-0.**

**PROPOSED ORDINANCE AMENDMENTS – APPLICANT VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 13- 18 – 268

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE AT ARTICLE 19, I-1 LIGHT INDUSTRIAL DISTRICT, SECTION 1903, PRINCIPAL USES PERMITTED IN LOCATIONS NOT ABUTTING A RESIDENTIAL DISTRICT AND SUBJECT TO SPECIAL CONDITIONS; IN ORDER TO PERMIT CAR RENTAL FACILITIES IN THE I-1 DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, hereby amended to read as follows:

ARTICLE 19. I-1 Light Industrial District

Section 1900. – Section 1902. [Unchanged.]

Section 1903. Principal Uses Permitted in Locations Not Abutting a Residential District and Subject to Special Conditions

1-11. [Unchanged.]

12. Outdoor space for rental of automobiles, all subject to the following:

- a. The lot area shall be paved and shall be graded and drained to dispose of all surface water accumulated within the area.
- b. Access to the outdoor car rental storage area shall be at least sixty (60) feet from the intersection of any two (2) streets.
- c. A ten (10) foot wide greenbelt planting strip shall be maintained between the street right-of-way line and any area used for customer parking or vehicle display.
- d. A noise impact statement is required subject to the standards of Section 2519.10(c).

~~12~~13. Accessory buildings, structures and uses customarily incident to any of the above permitted uses.

Section 1904. [Unchanged.]

Part II

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART IV.**

Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**PART V.**

Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2013.

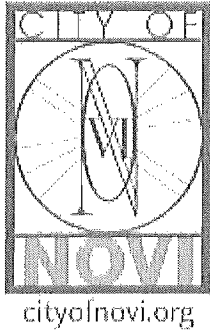
\_\_\_\_\_  
ROBERT J. GATT, MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

## PLANNING REVIEW

## MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** KRISTEN KAPELANSKI, AICP, PLANNER  
**THROUGH:** BARBARA MCBETH, AICP, COMMUNITY DEVELOPMENT  
DEPUTY DIRECTOR  
**SUBJECT:** REVIEW OF PROPOSED TEXT AMENDMENT 18.268  
**DATE:** JUNE 28, 2013

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The applicant, Hertz car rental, is proposing modifications to Article 19, I-1 Light Industrial District, in order to permit car rental facilities as a Special Land Use in properties not abutting residential districts. As requested in the application materials, car rental facilities would be permitted as a special land use subject to the following conditions:

- The lot or area shall be paved, graded and drained as to dispose of all surface water accumulated in the area.
- Access to the rental area shall be at least sixty feet from the intersection of any two streets.
- A ten foot wide greenbelt planting strip shall be provided between the right-of-way line and any area used for rental car parking or customer parking.
- A noise impact statement shall be required.

### Staff Review

Planning staff recommends approval of the proposed text amendment (with the suggested staff modifications described below) to add car rental facilities as a Special Land Use in the I-1 District on properties not abutting a residential district.

1. Developments in the I-1 Light Industrial District are restricted to the area of the district and in no manner permitted to affect in a detrimental way any of the surrounding districts. The inclusion of the proposed language in Section 1903 along with the suggested conditions would ensure the proposed use would not affect adjacent properties.



2. The I-1 Light Industrial District is intended to encourage unified complexes of research, office and light industrial uses. The District currently permits automobile service establishments as a Special Land Use in locations not abutting residential zoning. A car rental facility would complement automobile service centers and would not interfere with the operation of other more-typical I-1 uses, such as manufacturing, warehousing and office uses.

#### Additional Ordinance Provisions

If the Planning Commission and City Council are inclined to approve the amendment to allow car rental facilities in the I-1, Light Industrial District, the following additional standards or modifications are recommended:

1. The limited outside storage of certain materials, such as outdoor gas tanks, is permitted in the I-1 District provided those uses are screened from view. Staff would recommend that an additional condition be added to the amendment to require rental cars be stored behind the proposed or existing building to provide for screening of materials incidental to the business. Should this provision be added, the condition requiring a ten foot wide greenbelt planting strip between the right-of-way line and any area used for rental car parking or customer parking can be removed.
2. Section 2505 of the Zoning Ordinance includes parking requirements for uses described throughout the Zoning Ordinance. Staff would recommend that an additional condition be added requiring any parking spaces provided for car rental storage be in excess of those spaces required for the use itself.
3. All uses within the I-1 District must be conducted within a totally enclosed building except those limited items permitted to be kept outdoors (i.e. outdoor gas tanks). Additionally, car wash facilities for the general public are more commercial in nature and would not be compatible with the uses permitted in the I-1 District. Staff would recommend requiring any car wash facilities be accessory to the main car rental use and within a completed enclosed building.

The applicant is asked to review this memo and contact the Planning Division to indicate whether they would like to make any additional revisions to their proposed amendment or if they would like to proceed to the Planning Commission. The Planning Commission will

hold the public hearing for the proposed text amendment and make a recommendation to the City Council, who will ultimately approve or deny the amendment and may propose alterations as well. The attached staff version of the proposed amendment is subject to review and changes by City staff and/or the City Attorney's Office. Please contact Kristen Kapelanski (248) 347-0586 or [kkapelanski@cityofnovi.org](mailto:kkapelanski@cityofnovi.org) with any questions or concerns.

APPLICANT RESPONSE

July 8, 2013

**Kristen Kapelanski, AICP** | Planner  
City of Novi | 45175 W. Ten Mile Road | Novi, MI 48375 USA  
t: 248.347.0586 f: 248.735.5633

Ms. Kristen Kapelanski,

I have reviewed the staff review for Text Amendment 18.268, regarding the addition of car rental facilities as a special land use in the I-1 District. I will also plan on attending the public hearing which is tentatively slated for the August 14<sup>th</sup> Planning Commission meeting.

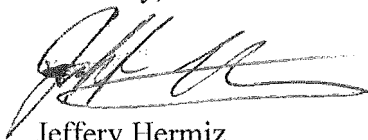
I understand that the staff is suggesting a couple of additional modifications to Hertz's proposed modifications, which were included in a Memorandum entitled "Review of Proposed Text Amendment 18.268" dated June 28, 2013.

Let this letter serve as confirmation from Hertz to proceed with the text amendment and that we agree with the suggested modifications.

Finally, I understand that the total review fee for the amendment is \$600.00. Enclosed you will find a check in the amount of \$600.00.

Thank you again for your assistance in this matter. If you have any other questions or concerns, please feel free to contact me directly.

Sincerely,



Jeffery Hermiz  
Area Manager  
Hertz Corporation  
248 675 7309 cell  
888 999 6771 fax