



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**February 12, 2020 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 7:00 PM.

## ROLL CALL

Present: Member Avdoulos, Member Ferrell, Member Gronachan, Member Maday, Chair Pehrson

Absent: Member Anthony, Member Lynch

Also Present: Barbara McBeth, City Planner; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Thomas Schultz, City Attorney; Pete Hill, Environmental Consultant; Josh Bocks, Traffic Engineering Consultant; Doug Necci, Façade Consultant

## APPROVAL OF AGENDA

**Motion to approve the February 12, 2020 Planning Commission Agenda. *Motion carried 5-0.***

## PUBLIC HEARINGS

### 1. **TEXT AMENDMENT 18.288 – UPDATES TO THE B-2 AND B-3 ZONING DISTRICTS**

Public Hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at various sections, in order to update the uses permitted as of right and the uses permitted as special land uses in the B-2, Community Business District and B-3, General Business District, and various other modifications. Theatres and other places of assembly would be reclassified as Special Land Uses in the B-2 and B-3 Districts. Massage Establishments, Tattoo Parlors and Smoke Shops would be classified as Special Land Uses in the B-3 District.

**Motion to make a recommendation to the City Council to approve the proposed Ordinance amendment and bring Ordinance language up-to-date. *Motion carried 5-0.***

## MATTERS FOR CONSIDERATION

### 1. **SAKURA NOVI JZ19-31 WITH REZONING 18.732**

Consideration at the request of Robert B. Aikens & Associates, LLC and Robertson Brothers Homes for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service (OS-1), Office Service Commercial (OSC) and Light Industrial (I-1) to Town Center-1 (TC-1) with a Planned Rezoning Overlay. The subject property is approximately 16 acres and is located north of

Grand River Avenue, south of Eleven Mile Road and east of Town Center Drive (Section 23). The applicant is proposing to develop the property as an Asian-themed mixed-use development.

In the matter of Sakura Novi, JZ19-31, with Zoning Map Amendment 18.732 motion to recommend approval to City Council to rezone the subject property from Office Service (OS-1), Office Service Commercial (OSC) and Light Industrial (I-1) to Town Center-1 (TC-1) with a Planned Rezoning Overlay Concept Plan.

A. The recommendation includes the following ordinance deviations for consideration by the City Council:

1. Deviation from Section 3.27.1.C for an exterior side yard setback of 10 feet (50 feet required) for Building A, where adjacent to B-3 zoning to the east, *which is justified due to similar commercial uses in both districts, which does not require a wide buffer of separation.*
2. Deviation from Section 3.27.1.C to allow building and parking setbacks to be reduced up to 0 feet when adjacent to General Common Element boundary areas of the Site Condominium, *as they are internal to the overall site and do not create a negative impact on the development or surrounding properties.*
3. Deviation from Section 4.82.2.e. to allow second floor residential balconies to encroach 4 feet into the front yard setback (11 feet proposed, 15 feet required), *in order to allow the enhancement of the central landscape area.*
4. Per section 3.1.26, deviation to allow a reduction of the side yard parking setback (10 feet required, up to 5 feet requested) in Phase 1 on the western property line with the Town Center green space area adjacent, *in order to provide an increased sidewalk entrance width near Building C.* Deviation would also allow the parking setback to be reduced to 5 feet (10 feet required) for the commercial parking area behind Building A adjacent to the B-3 zoned parcel to the south, *which is also utilized for parking.*
5. Deviation from section 3.6.2.M to eliminate the Wetland Setback (25' required) *which will be disturbed during the remediation process, and allow the development of the landscaped public amenity on the western portion of the site with active and passive recreation.* Deviation would also pertain to the far eastern portion of site, abutting city-owned retention/wetland basin, *to allow integration of the on-site stormwater detention.*
6. Deviation from Section 3.1.26.D to allow the existing front yard parking lot along 11 Mile Road for Ecco Tool shop, which is less than 20 feet from ROW (approximately 15 feet measured). This deviation would not apply to redevelopment of the Ecco Tool parcel.
7. A second deviation from Section 3.1.26.D to allow the parking area in front of Building 4 on the northeast corner of the site to extend into the front parking setback (6 feet proposed, 20 feet required), *as the retaining wall to the north will screen this area from 11 Mile Road.*
8. On the commercial buildings, Section 9 façade waivers to allow an overage of EIFS on the west, east and north facades of Building A; an overage of Flat Metal Panels on the west and east facades of Building B; and an overage of EIFS on the west façade of Building C. *These overages are relatively minor in nature and result in an enhancement of the overall design quality of the project; therefore the waivers are supported. See PRO plan Elevations and design statement from the project architects.*
9. On the residential buildings, a Section 9 façade waiver to allow an overage of Cement Fiber siding. *The applicant shall ensure all references to Vinyl siding on the elevations and accompanying documents are revised to reflect the change in*

material to Cement Fiber board siding. See PRO plan Elevations and design statement from the project architects.

10. Deviation from Section 3.27.1.H. and/or Section 5.4 to permit loading/unloading spaces of the commercial buildings to be located in rear and side yards, and for deficiencies in the size of loading area required (10 square feet per front foot of building), as shown on the PRO Concept Plan, if truck turning movements are shown on the plans to demonstrate accessibility. *This is necessary because multiple sides of the buildings will be public-facing. Screening will be provided for all trash/loading areas not facing a directly adjacent loading area.*
11. Deviation from Section 3.27.2.B to allow the proposed specialty market and food hall to exceed 7,500 square feet of gross leasable floor area, with a total of 30,000 sf on two levels, identified on the plans as Building A. Tenant will contain 25,000 sf on main level with 3,500 sf support office use and 1,500 sf overflow seating on mezzanine level. *The deviation is justified to create an anchor for the Asian village concept and allows an existing Novi business to expand.*
12. Deviation from Section 3.27.2.B to allow Building C (13,102 sf) to exceed 7,500 square feet, as it is not a multi-story building. *Building C will contain a mix of retail and restaurant uses, and will be broken up into smaller tenant spaces and continue to build on the Asian dining and retail destination theme.*
13. Deviation requested from Section 5.7.3.K for site illumination level variance for multiple walkway areas and residential parking areas. Site walkway areas will vary below 0.2 fc minimum standard on the pathway around the water feature. Site walkway areas in the residential portion will vary below 0.2 fc minimum standard. Parking area in residential area will fall below 0.2 fc minimum standard in some locations. *Lighting levels will be evaluated again for appropriateness at the time of Site Plan submittal.*
14. Deviation from Section 3.27.1.L to allow project-appropriate selection of exterior lighting fixtures, paved activity nodes, street/sidewalk furniture, safety paths, screening walls and planters, *which is necessary to carry the design theme through the project while meeting the intent of the recommended design guidelines of the Town Center Area study.*
15. Deviation from Chapter 28 of the City Code for TC-1 tenant signage standards *in order to accommodate dual-language signage for an authentic presentation of international tenants and clientele expectations.* Many tenants will have both interior-facing and frontage-facing signage. The Sakura Novi project will adhere to the following signage standards, with areas generally shown on the sign elevations sheet in the Concept Plan:
  - a. Per section 28-5.c.1.a, deviation to allow up to 2.5 square feet of signage per linear foot (1.25 sf/lf permitted) of contiguous public or private street frontage, up to a maximum of 130 square feet (65 sf permitted).
  - b. Per section 28-5.c.1.b, deviation to allow 2.5 square feet of signage per linear foot (1 sf/2 lf allowed) of contiguous public or private street frontage on a rear/secondary façade with a pedestrian entrance, up to a maximum of 130 square feet (24 sf allowed).
  - c. Per section 28-5.c.1.d, a deviation to allow 2 signs of equal permitted size for each interior retail/restaurant tenant not fronting public streets. Sign area allowed up to 2.5 square feet of signage per linear foot of elevation frontage, up to a maximum of 130 square feet (24 sf permitted). The signs shall be located no closer than 30 feet on center from any other similar sign (except those of the same message but different languages, which may be located closer), and shall be located adjacent to such parking lot or street, as applicable.
16. Deviation from Section 5.3.2 to allow drive lane reduction to 20-22 feet (22 feet

required when no parking spaces are present, and 24 feet when adjacent to 90 degree parking spaces) in residential Phase 1B area as shown on the Concept Plan, provided no parking signage is posted in these areas and provided sufficient clearance is available for emergency vehicle movements.

17. Deviation from Section 3.27.1.I to allow a 6 foot sidewalk along 11 Mile Road, where the TC-1 district requires 12.5 foot sidewalks along non-residential collector and local streets. *The deviation is necessary to provide sufficient landscaping material for the greenbelt screening while maintaining the proposed setbacks for the residential uses (11' to porch and 16' to townhouse facades, 15' to facades without porches). A wide sidewalk along 11 Mile Road would not serve the intended purpose of outdoor dining or pedestrian activity in a commercial area.*
  18. Landscape deviation from section 5.5.3.A to allow a continuous 6 foot evergreen hedge with densely planted deciduous canopy trees in lieu of the required 6-8 foot berm required when TC-1 district abuts a B-3 district.
  19. Deviation to allow Ecco Tool to continue to operate as a nonconforming use in the TC-1 district until their operations cease, *which allows an existing business to maintain operations, while ensuring that redevelopment in the future will be consistent with the surrounding TC-1 District, should the Planned Rezoning Overlay be approved.*
  20. Engineering Design Manual section 5.6.5 (b)(a) deviation for lack of 25' vegetated buffer around the storm water management pond in the residential use area, *as providing the buffer is infeasible.*
  21. Landscaping deviation from Section 5.5.3.B.ii and iii. for lack of screening wall or berm for parking areas along Grand River, *because a decorative fence and plantings are used as an alternative to screen the parking areas.*
  22. Landscaping deviation from Section 5.5.3.B.ii and iii. for insufficient greenbelt width and berm between parking lot and 11 Mile Road (Phase 1B), *as the retaining wall will screen this parking area.*
  23. Landscaping deviation from Section 5.5.3.F.ii. for use of subcanopy trees for 25% of multifamily unit landscaping trees.
  24. Landscaping deviation from Section 5.5.3.C for deficiency of 3 parking lot perimeter trees provided in Phase 1, *in order to provide room for increased pedestrian sidewalk entrance width from Grand River Avenue into the site.*
  25. *(b) Deviation from Section 12-176 of the Code of Ordinances to allow the developer to mitigate wetland impacts in whole or in part through the purchase of credits in an EGLE-approved wetland mitigation bank, because mitigation alternatives meeting the requirements have been explored and have been found to be cost-prohibitive for this project, subject to the conditions listed in the Wetland Review letter.*
- B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:
1. Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations, including all applicable setback requirements of the Zoning Ordinance under the Proposed Classification, except as expressly authorized herein, and all storm water and soil erosion requirements and measures throughout the site during the design and construction phases of the Development, and during the subsequent use of the Land as contemplated in this Agreement.
  2. The grass-land pads shown on the landscape plans shall be properly maintained as grass-land pads, utilizing a native meadow planting mix approved by the City's Landscape Architect, until such time that area is needed for Phase 2 uses to be developed.

3. The maximum number of dwellings to be constructed in Phase 1B shall be 68.
4. The maximum number of dwelling units to be constructed in Phase 2 shall be 50.
5. The maximum number of dwelling units to be constructed in total for the Sakura Novi project seeking rezoning under this PRO Agreement shall not exceed 118. The resultant ratio is approximately 8 units/acre. A PRO Amendment will be sought if additional residential units/buildings are proposed for future Phase modifications.
6. Phase 1 non-residential uses shall be limited to a 30,000 sf market; and restaurants and retail space totaling approximately 25,000 sf as shown on the PRO Concept Plan.
7. Phase 2 non-residential uses shall be no greater than 4,500 square feet of retail/restaurant use.
8. Changes to the mix of uses of +/-10% shall be permitted to be approved administratively as long as additional deviations are not required and associated Ordinance requirements can be met.
9. Woodland tree removals during Phase 1 and Phase 2 shall be approximately 133 trees, which shall require 256 woodland replacement credits for Phase 1, and an additional 13 credits for Phase 2. Developer will plant a minimum of 17 credits as replacements on site through the planting of canopy trees, evergreen trees and native groundcover seeding. Native ground cover seeding shall not exceed 5% of the replacement credits planted on site. All woodland replacement credits planted on-site shall be permanently protected via conservation easement or landscape easement. Any credits not planted on site will require a payment of \$400 per credit into the Novi Tree Fund.
10. Any additional regulated woodland tree removals shall meet the requirements of the City of Novi Woodland Protection Ordinance, and may be granted administratively up to 10 trees with proper justification. If additional regulated trees proposed for removal exceeds 10, Planning Commission approval must be granted.
11. Proposed parking is being provided as per the Parking Study recommendations, which has been reviewed and approved by the City's traffic consultant. Future phase parking requirements will also be a function of shared parking analysis findings, if supported by City's review and approval.
12. Tentative completion date for Phase 1A shall be calendar year 2022.
13. Impacts to wetland and wetland buffer areas have been indicated and quantified and submitted as part of the PRO package. Specific remedies to be included in the PRO Agreement conditions.
14. Open space standards have been achieved and will be exceeded as part of Phase 1 site work. The existing pond and setback exceeds 2.45 acre of area, or 15.3% of the overall subject property. After remediation and necessary reconfiguration, 2.11 acre of water feature and landscape perimeter will be maintained. Additional Open Space, totaling 20.9% of the subject parcels' area, has been committed in Phase 1 to exceed the ordinance requirement of 15% for the overall development parcels.
15. To protect future residents of the Phase 1B units from excessive noise impacts from the existing Ecco Tool business, the developer shall provide a Noise Impact Statement at the time of Preliminary Site Plan submittal to determine if ordinance performance standards will be exceeded. Provide any necessary mitigation measures if required.
16. The adjacent non-conforming Light Industrial use owned by Ecco Tool Co is to be addressed in the PRO Agreement conditions including:
  - a. Access for delivery trucks on the retained parcel; which will require cross access rights;

- b. Twelve parking spaces on the retained parcel or access to parking spaces on adjacent areas to make up for any shortfall.
17. Developer offers to dedicate continuous Right-of-Way (ROW), and future ROW, along 11 Mile and Grand River. The amount of ROW proposed to be dedicated along 11 Mile is 0.028 acres (Anglin) and 0.165 acre (eastern area). Along Grand River Avenue, the proposed ROW dedication would be 0.149 acre. The total dedication would be 0.342 acre.
  18. Developer offers an easement at the southeast corner of the proposed development for the use as for a public art display or another amenity for the public. The PRO Agreement should make clear who would be responsible for selecting, commissioning, paying for the piece or signage and maintenance of the area.
  19. Developer offers to partner with the STAMPS School of Art and Design at the University of Michigan and the Japanese America Society to source a Japanese-themed illuminated applique that will be placed in a prominent location on Building C overlooking Grand River Avenue, as shown in the applicant's response materials.
  20. Developer offers to make a contribution, not to exceed \$117,001 to a dedicated account that will fund Walkable Novi work in the Sakura Novi vicinity. This amount is the equivalent of the cost of Segment #9 listing on Page 19 of the "Annual Non-Motorized Prioritization: 2019-2020 Update." This amount is more than double the Sakura Novi frontage requirement for sidewalks on Grand River Avenue and 11 Mile Road, plus an additional \$24,181. The frontage on 11 Mile and Grand River Avenue is 1,547 linear feet.  $1,547 \text{ lf} \times 2 = 3,094 \text{ linear feet} \times 6' \text{ wide paths} = 18,564 \text{ square feet} \times \$5 \text{ per square foot} = \$92,820$ .
  21. Developer offers to pay the cost to make the connection between the Sakura Novi campus and the intersection at the corner of Grand River Avenue and Town Center Drive. While developer is not, and will not be, the owner of the private property on the corner of Grand River Avenue and Town Center Drive, and Developer does not have permissions to interfere with real property on that corner parcel, the Developer will work together with the City of Novi to seek to make the connection, and the Developer will pay for the work.
  22. Developer will build an approximately 1,800 square foot multi-use / multi-generational recreational amenity that is in keeping with the theme of the Sakura Novi project in the general area as originally designated for "Tea House" on the northwest corner of the pond, as a part of Phase1.
  23. Developer will build an approximately 700 square foot meditative Observation Plaza east of the Sakura Novi residential commons, overlooking the eastern detention area and city wetland preserve.
  24. Developer offers to pursue a partnership with One World Market and Novi Public Library to provide an area within the Sakura Novi project for the library to curate thematic material and information about library programs. The market has agreed to provide a 12 sf area in the vestibule of the market. The structure curated by the library will be similar to a Free Little Library. The Developer and Novi Public Library have discussed having the library curate in this area a collection of Japanese language material and English language cook-books about Asian cuisine.
  25. Developer and the Market offer to establish a Community Room function within the Market space available for free use for public gathering and meetings. The parameters of the Community Room function, including room size (approximately 400 square feet), capacity and availability, shall be a condition of the PRO Agreement to ensure this would be a benefit to the public. One function of the

room could be to deepen the partnership with Novi Public Library by working collaboratively to present thematic speakers and events.

C. This motion is made because the proposed Town Center-1 zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use, and because:

1. The proposed neighborhood-scaled, mixed-use, pedestrian accessible development would be in line with the intent of the 2016 Master Plan. Developer indicates that the proposed development complements the 2016 Master Plan vision for a unique, well designed, mixed-use facility.
2. Growing an important existing Novi retailer (One World Market) would complement the goals and objectives of the 2016 Master Plan.
3. Sakura Novi, as a unique development would reinforce the vision of the 2014 Town Center Area Study, namely by creating a *dynamic, attractive city core that provides residents and visitors with unique opportunities to participate in active community life, and meet their needs for goods, services, housing and entertainment.*
4. The proposed Sakura Novi, with its unique collection of market, restaurants and retail is anticipated to be an economic engine, generating 170 permanent jobs.
5. The proposed residences at Sakura Novi will provide smaller footprint, middle-market rate residential rental offerings. The new homes would be a draw to Asian ex-patriot professionals and their families, as well as the large corporations that sponsor many of these families.
6. The developer indicates that the proposed Sakura Novi is anticipated to reinforce Novi's tax base beyond the project itself by creating a platform that can foster partnerships among the City of Novi, cultural institutions and the corporate community. An example provided is the partnership with the STAMPS School of Art and Design at UM, and the Japan America Society to create a Japanese themed illuminated applique (a back-lit piece laid over glass, proposed to be located on Building C facing Grand River).
7. The development will create a park-like environment around the existing pond, including a walking path around the pond and throughout the site, available to the general public. Landscaping treatments, the pathway, and a small building at the edge of the pond will "activate" the pond. These efforts will foster walkability and connectivity within an important corner at the heart of Novi, as well as potentially energize other areas in the Town Center core.
8. In keeping with the intent to create an Asian village theme, Sakura Novi's design features, as described in the Architects' Design Statements, intends to create a bold, yet refined, aesthetic reminiscent of upscale shopping, dining and entertainment districts one may find in Osaka, Seoul and Hong Kong. *Motion carried 5-0.*

2. APPROVAL OF THE JANUARY 15, 2020 PLANNING COMMISSION MINUTES.

Motion to approve the January 15, 2020 Planning Commission Minutes. *Motion carried 5-0.*

## ADJOURNMENT

The meeting was adjourned at 8:04 PM.

\*Actual language of the motions subject to review.