



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**October 24, 2018 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 Greco, Member Hornung, Member Lynch, Member Maday, Chair Pehrson

Absent: Member Anthony (excused)

Also Present: Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Darcy Rechtiem, Staff Engineer; Beth Saarela, City Attorney; Doug Necci, Façade Consultant

## APPROVAL OF AGENDA

Motion to approve the October 24, 2018 Planning Commission Agenda. *Motion carried 6-0.*

## PUBLIC HEARINGS

### 1. SUBURBAN TOYOTA SERVICE CENTER JSP18-15

Public hearing at the request of Nowak and Fraus Engineers for Special Land Use, Preliminary Site Plan, Wetland Permit, and Stormwater Management Plan approval. The subject parcels are located in Section 24 west of Haggerty Road and north of Grand River Avenue on Regency Drive. It is approximately 6.7 acres and zoned I-1 (Light Industrial). The applicant is proposing to build a 21,485 square foot vehicle service station building and inventory vehicle parking with associated site improvements.

In the matter of Toyota Service Center JSP18-15, motion to approve the Special Land Use Permit based on and subject to the following:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares (*based on the review and findings in the Traffic Consultant review letter*);
- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*as this area was already planned for development*);
- c. The proposed use is compatible with the natural features and characteristics of the land (*because the plan minimizes and mitigates impacts on Ingersoll Creek and structures are located outside the floodplain*);
- d. The proposed use is compatible with adjacent uses of land (*because the proposed use conforms to the standards of the district and requirements for light industrial, and*

*is surrounded by light industrial uses and car dealerships are present on the east side of Haggerty Road);*

- e. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use *(which includes ensuring that Novi continues to be a desirable place for business investment);*
- f. The proposed use will promote the use of land in a socially and economically desirable manner *(as the proposed use will be in an area currently planned for light industrial use, makes use of a vacant parcel, and will create approximately 20 jobs when complete);*
- g. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located as it meets all minimum requirements for same, except as noted below:
- h. Planning Commission approval to modify the requirement for open storage of the inventory vehicles in the front/exterior side yard *because the presence of floodplain on the eastern portion of the site requires the building to be located further west, leaving a portion of the property that would otherwise be unused;*
- i. Planning Commission waiver from Section 5.5.3.A.5 and 3.21.2.A.iii for deficiency in the required 3 foot landscaped berm along the western property line adjacent to Haggerty Road which is hereby granted, for the following reasons:
  - i. *The northern frontage is below the elevated Haggerty Road so the berm would not provide a screening benefit,*
  - ii. *The southern frontage is within the proposed floodplain mitigation area;*
- j. Planning Commission waiver from Section 5.5.3.B.ii.f for not providing street trees on Haggerty Road *due to the existing utilities and drain topography in this area, which is hereby granted.*

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. *Motion carried 6-0.*

In the matter of Toyota Service Center JSP18-15, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The findings of compliance with Ordinance standards as listed in Section 3.14.1.B.iv, listed in detail in Planning Review Chart to allow non-residential Open Storage when conducted in conjunction with and accessory to an otherwise permitted use in I-1 district;
- b. Applicant to demonstrate on the Final Site Plan that the storage areas shall *be completely screened from view from all adjacent properties by appropriate structures, fencing or walls 6-8 ft in height, and/or supplemented with additional landscape screening, to the extent possible, given the change in elevation along the Haggerty Road frontage.*
- c. Waiver of the same-side driveway spacing requirements of Section 11-216.d.1.d, which is hereby granted, to allow two access drives on Regency Drive;
- d. 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. *Motion carried 6-0.*

In the matter of Toyota Service Center JSP18-15, motion to approve the Wetland Permit 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 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

In the matter of Toyota Service Center JSP18-15, 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. *Motion carried 6-0.*

## MATTERS FOR CONSIDERATION

### 1. iFLY NOVI JSP18-49

Consideration at the request of SkyGroup Investments, LLC for JSP 18-49 iFly Novi for Planning Commission's approval of the Preliminary Site Plan and Storm Water Management plan. The applicant is proposing a 6,713 square foot indoor recreational facility; popularly known as iFly that provides an indoor skydiving experience.

In the matter of the request of SkyGroup Investments, LLC, for the iFly Novi JSP 18-49, motion to approve the Preliminary Site Plan based on and subject to the following:

1. This review and recommendation with respect to approval of the Preliminary Site Plan is being conducted at the applicant's request before the PRO rezoning process has been completed by the City Council. The applicant has acknowledged as part of its submission of this request that the City Council had not yet reviewed its PRO Concept Plan and proposal and that there is no PRO Agreement between the City and the applicant. The City Council might or might not approve the rezoning. The following provisions are therefore completely contingent on approval by the City Council of the PRO rezoning through the PRO Concept Plan and PRO Agreement at the City Council as required by the ordinance, and if those approvals do not occur, then any approval of the preliminary site plan is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan approval, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.
2. Following revisions/deviations as underlined, are subject to Planning Commission's approval at the time of Preliminary Site Plan approval, as noted in the PRO Agreement (shown in *italics*), approved by City Council on October 22, 2018:
  - a. *Planning deviation from section 4.19.2.F to allow alternate location for dumpsters, instead of required rear yard for units 1, 5, 6, 7 and 8, provided the proposed location does not impact traffic circulation and appropriate screening is provided at the time of preliminary site plan. The applicant requests dumpsters to be allowed in exterior/interior side yards; Planning Commission's approval to*

allow dumpster to be located in the interior side yard, based on the revised PDF's shared via e-mail dated October 19, 2018 to the west is hereby granted;

- b. *Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review:*
  - i. *Unit 1: exterior side yard; The applicant shall provide the required loading zone in the interior/rear yard to the west;*
- c. *The applicant shall provide supporting data to justify the proposed loading area square footages, to be reviewed and approved by Planning Commission at the time of Preliminary site plan approval; Planning Commission's approval to allow for reduction of minimum required loading area is hereby granted; (657 square feet required, 153 square feet provided);*
- d. *The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's review and consideration for approval of Section 9 waiver at the time of preliminary site plan review; A section 9 waiver for the following is requested at this time based on the revised PDF's shared via e-mail dated October 19, 2018, which is hereby granted;*
  - i. exceeding the maximum allowed percentages for flat metal panels (50% maximum allowed, 75% on the front, 80% on both sides, 75% on the rear proposed);
  - ii. not meeting the minimum requirements for brick (30% minimum required, 25% on the front, 20% on both sides, 25% on the rear proposed);
  - iii. not meeting the minimum requirements for combined brick and stone (50% minimum required, 25% on the front, 20% on both sides, 25% on the rear proposed);
- e. *The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two development signs for the Adell Center Development as listed below, provided that such deviations shall be the maximum amount authorized, and the City may require a lesser deviation at the time of site plan approval if deemed appropriate:*
  - i. *To allow for four additional wall signs for Unit 1: iFly. Five are requested for the entire unit. One wall sign is allowed. The wall signs allowed with the following deviations:*
    - 1. *Side Elevations: a size deviation of 88.75 square feet (65 square feet allowed, 153.75 square feet proposed) for two signs.*
    - 2. *Front and Back Elevations: a size deviation of 244 square feet (65 square feet allowed, 309 square feet proposed) for two signs.*

The applicant shall revise the building signage to lower the area as noted in the revised sign drawings submitted via e-mail on October 23, 2018. The revision allows for fewer signage and smaller sizes than noted in the draft PRO agreement to allow for three additional wall signs with a size deviation of up to 87 feet for all four sides.

3. The applicant shall provide the required bicycle racks at the time of Final Site Plan approval;
4. The applicant shall provide a dedicated drop-off area in an approvable location, as noted in the Traffic review letter;
5. The applicant shall provide a paved access drive through Unit 2 prior to opening for business, if it is not paved by Unit 2 at that time;
6. The applicant shall provide the required loading zone in the interior/rear yard to the west;
7. The applicant shall screen the loading area to meet the landscape requirements at the time final site plan;
8. The applicant shall relocate the proposed Transformer to rear yard;
9. This recommendation for Preliminary Site Plan approval is therefore granted subject to completion of the of the PRO Concept Plan and PRO Agreement process, and any and all requirements that result from such approval, if it is granted; at a minimum, the following deviations would need to be granted as part of the City Council's PRO rezoning process in order for the preliminary site plan to be approved as prepared:
  - a. Planning deviation from section 3.1 .26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, provided they conform to the 2015 International Building Code standards for High-rise (Type I or Type II) construction:
    - Unit 1 iFly (70 feet).
  - b. Planning deviation from section 5.12 to allow lack of required frontage on public road for Units 1 through 8. Frontage is proposed via a proposed private drive, built to City standards;
  - c. Planning deviation from section 3.1.25.D to allow reduction of minimum required front parking setback of 20 ft., from the proposed access easement. A maximum of 18 feet is requested;
  - d. Planning deviation from section 3.1.25.D to allow reduction of minimum required interior side parking setback of 20 ft. for the following units as shared access is proposed between parking lots:
    - Unit 1: minimum 14 ft. along West, 0 ft. along South
  - e. Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking(to be established by staff after reviewing the calculations provided) for each unit within the development subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of respective site plan approval;
  - f. Planning deviation from the requirement in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances that side lot lines be perpendicular or radial to the road, for the lines between Units 6 and 7, Units 4 and 5, and Units 1 and 2, only;
  - g. Planning deviation to allow proposing the minimum required Open Space for each Unit as Common element spread within the development boundaries as shown in the Open Space Plan, provided the applicant restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements is submitted and approved at the time of Wetland permit/preliminary site plan approval, and provides the pedestrian walkway through the open space as proposed. (A minimum of 153 of total site area designed as permanently landscaped open areas and pedestrian plazas is required per section 3.27. I .F.);

- h. Planning deviation from Section 5.7.3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4: 1;
- i. Planning deviation to allow exceeding the maximum spillover of 1 foot candle and approvable increase of the average to minimum light level ration from 4: 1 within the Adell Drive pavement areas as listed in Section 5.7 .3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units.

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. *Motion carried 6-0.*

In the matter of the request of SkyGroup Investments, LLC, for the iFly Novi JSP 18-49, 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. *Motion carried 6-0.*

2. UNLISTED USE DETERMINATION FOR SUPERIOR AMBULANCE AS 24-HOUR PRIVATE EMERGENCY MEDICAL SERVICES

Consideration of the request of Superior Ambulance for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of Superior Ambulance, 24-hour private emergency medical services as a Special Land Use in the I-1, Light Industrial District.

In the matter of Unlisted Use Determination, motion to recommend approval to City Council to allow Superior Ambulance, a 24-hour private emergency medical service as the described unlisted use, as an appropriate use subject to Special Land Use Conditions in I-1, Light Industrial District based on the following motion:

- a. Superior Ambulance is not expressly authorized or contemplated in City of Novi Zoning Ordinance as a as a principal permitted use or a principal permitted use subject to special conditions;
- b. The proposed use is an appropriate use in the I-1 District;
- c. Additional screening from abutting residential district may be required at the time of Special Land Use Consideration.

This motion is made because the plan is otherwise in compliance with Article 4, Section 4.87 the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

3. APPROVAL OF THE SEPTEMBER 12, 2018 PLANNING COMMISSION MINUTES

Motion to approve the September 12, 2018 Planning Commission Meeting Minutes. *Motion carried 6-0.*

4. APPROVAL OF THE SEPTEMBER 24, 2018 PLANNING COMMISSION MINUTES

Motion to approve the September 24, 2018 Planning Commission Meeting Minutes.

*Motion carried 6-0.*

5. **APPROVAL OF THE OCTOBER 3, 2018 PLANNING COMMISSION MINUTES**

Motion to approve the October 3, 2018 Planning Commission Meeting Minutes.

*Motion carried 6-0.*

**ADJOURNMENT**

The meeting was adjourned at 7:47 PM.

*\*Actual language of the motions subject to review.*