



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**May 29, 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 Gutman, Chair Pehrson, Member Prince, Member Zuchlewski

**Absent:** Member Lynch, Member Greco

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Gary Dovre, City Attorney; Kristen Kapelanski, Planner; Adam Wayne, Engineer; David Beschke, Landscape Architect; Doug Necci, Façade Consultant; Pete Hill, Environmental Consultant.

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

City Attorney Dovre recommended removing item number one of the Consent Agenda, Novi Food Center, from the Consent Agenda and deviating from the normal process, place it immediately before the Cadillac of Novi Public Hearing. A public hearing is not required for consideration of the Novi Food Center.

Deputy Director McBeth said this would allow for some discussion on the item.

Moved by Member Gutman, seconded by Member Prince:

## VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER PRINCE:

**Motion to approve the May 29, 2013 Planning Commission Agenda with the removal of the Novi Food Center from the Consent Agenda to be placed before the Cadillac of Novi Public Hearing. *Motion carried 5-0.***

## AUDIENCE PARTICIPATION

No one from the audience wished to speak.

## CORRESPONDENCE

There was no Correspondence.

## COMMITTEE REPORTS

There were no Committee Reports.

## COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth had no information to share.

## CONSENT AGENDA - REMOVALS AND APPROVAL

### 1. ISLAND LAKE PHASING PLAN 7A, 7B, 7C

Approval of the request of Toll Brothers, Inc. for the revised phasing plan. The subject property is 40.68 acres in Section 20 of the City of Novi and located near the northeast corner of Ten Mile Road and Wixom Road. The applicant is proposing a 74 unit development that would be Phase 7 of the existing Island Lake of Novi development. The applicant previously proposed a two-phase plan and now

proposes a three-phase plan.

**2. ADAMS TECH CENTER JSP13-20**

Consideration of the request of Northern Equities Group, for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located in Section 1 south of Mackenzie Drive and east of Cabot Drive in the OST, Planned Office Service Technology District. The subject property is 6.2 acres and the applicant is proposing to construct a 56,784 square foot speculative office building with associated parking and landscaping.

Moved by Member Gutman and seconded by Member Prince:

**VOICE VOTE ON THE CONSENT AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER PRINCE:**

**Motion to approve the May 29, 2013 Planning Commission Consent Agenda. *Motion carried 5-0.***

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

**1. NOVI FOOD EXTENSION SP09-18B**

Approval of the request from Novi Food Center, LLC for a one-year Final Site Plan extension. The subject property is located in Section 23 on the south side of Grand River Avenue between Main Street and Sixth Gate, in the TC-1, Town Center District. The subject property is 0.3 acres and the applicant is proposing parking lot and landscape improvements on the south and north side of their building.

City Attorney Dove said the staff report points out that this is a request to extend the site plan approval. In this case it would be to extend the final site plan approval that was granted on January 12, 2011 and expired on January 11, 2013. The ordinance that describes this requires such extensions be requested in writing at least 30 days before the expiration of an approval period and doesn't allow the request to be granted after that lapses. The staff has pointed out the reasons for the recommendation. The applicant has provided a letter explaining the reasons for the delay and the reason for the request but the timing of the request is not an ordinance provision that the Planning Commission is allowed to waive. In this case the applicant requested an extension after the plan had already expired. It is an ordinance provision that they Zoning Board of Appeals could grant a variance from. Having said that, if the Planning Commission is inclined to entertain this request and act favorably on it, the action should be subject to the necessary variance from the Zoning Ordinance provision being applied for and granted by the ZBA. At that ZBA proceeding, the applicant could also ask for extension of their variances that were granted on May 11, 2010 and also have expired under a section of the ordinance.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

**Motion to approve the site plan extension for Novi Food Center provided the applicant obtains a variance from Section 2516.7. *Motion carried 5-0.***

**PUBLIC HEARINGS**

**1. CADILLAC OF NOVI, JSP13-28**

Public hearing on the request of Phillips Sign and Lighting for Cadillac of Novi for recommendation to the City Council of the amended Special Development Option's permitted signage. The subject property is located in Section 24 at 41350 Grand River Avenue at the northeast corner of Grand River

Avenue and Meadowbrook Road, in the GE, Gateway East District. The property totals 6.7 acres and the applicant is proposing an additional sign to indicate the auto service and repair location on the site.

Planner Kapelanski said the subject property is located at the northeast corner of Grand River Avenue and Meadowbrook Road. Properties to the north include existing office and industrial space. There is vacant land to the east and to the south and Gateway Village is to the west. The applicant is proposing to add one additional sign to the site to indicate the auto service and repair location. The site was originally approved as a Hummer Dealership utilizing the Special Development Option provisions of the Gateway East District.

As part of the approval process, a development agreement is written to outline the terms of the development. The original approvals for the site were granted in 2004. The applicant is proposing alterations to the site that would affect the provisions outlined in the existing development agreement, which includes requirements related to permitted signage. Therefore, revised approval is required. Per the standards of the GE District, approval by City Council is required after review and recommendation by the Planning Commission. The planning review recommends approval of the proposed signage as it will aid customers in identifying the proper area for service and repairs. Given the fact that this is an internal directional sign, the proposed size of the sign (approximately 34 square feet) seems excessive. Staff recommends the size be reduced by two-thirds. Per the response letter, the applicant has maintained the signage is the minimum size required. The Planning Commission is asked to make a recommendation to City Council regarding the proposed changes. There are numerous factors noted in the Zoning Ordinance and included in the proposed motion that the Planning Commission should consider when making its recommendation, specifically the factors listed in Sections 904C.1.b, 2516.2.c and 904D.

Mathew Quinn, on behalf of the Cadillac Dealership said he has been involved with this project from the beginning when the Special Development Option was entered into many years ago for the Hummer Dealership. Because of the new canopy that was recently added, the entrance to the service department is invisible. The temporary signage that Kristen referenced is certified service. That is a franchise requirement language for the service department to use. It's used in advertising "certified service for Cadillac and General Motors", and it's used by General Motors internally. The dealerships get points for using the word certified service in their paperwork, orders and things like that. It's very important to them. You are looking at the number one Cadillac dealership in the United States, right here in Novi as far as sales. And they've done that for two years in a row. So it's a vibrant place and because it's vibrant they have a lot of traffic and vehicles that come in to use the service entrance. But you can't really find the service entrance on site. The words "Certified Service" will stand out and it'll help people. This sign Certified Service allows my client to comply with the franchise requirements. It allows the customers to know exactly where the entrance is for the service department and it's important in that regards. There is a little confusion on the size of this sign. The size being requested is 17.88 square feet. That is 14 feet and 4 5/16 inches horizontal and 16 inches vertical. This is the minimum size sign that meets the General Motors requirements

Member Gutman read the correspondence. Meghan Lawler approves the request because additional signage will not bother her business. Additional signage will help the business of Cadillac and that is good for other local businesses. Peter De Steiger, CEO of Ray Electric approves of this. Daniel Weiss says he is the neighbor that owns the land diagonally across the street from this Cadillac dealership. He has the southwest corner, including almost a half mile of the Grand River frontage, over 200 feet from Meadowbrook Road, eastward including the Weiss Construction Building and all the way to Glenda's Market parking lot. He recommends this request to be approved because it's a reasonable request. He believes it will benefit the City of Novi economy, as well as being reasonably consistent with both the particular neighborhood as well as the overall City Master Plan.

Chair Pehrson opened the public hearing. There was no additional correspondence and no one in the audience wished to speak. Chair Pehrson closed the public hearing.

Member Anthony said he lives within a quarter mile of the Cadillac dealership. They've been a great neighbor. It's not going to create any harm. It's actually good to see the business there and see it thriving.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE AMENDED SPECIAL DEVELOPMENT OPTION RECOMMENDATION OF APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

In the matter of the request of Phillips Sign & Lighting for Cadillac of Novi JSP13-28, motion to recommend approval of the amended Special Development Option permitted signage, subject to and based on the following:

- a. City Council finding that the proposed use meets the criteria identified in Section 904C.1.b of the Zoning Ordinance to allow a use in the GE District listed elsewhere in the Zoning Ordinance, provided certain criteria including those identified below are met:
  - The proposed use incorporates a predominant physical component of the development that provides a unique entry feature along Grand River for the GE District, characterized by the distinct, high profile appearance, given that the architecture of the existing building and additions offers distinctive presence on this corner.
  - The proposed use is compatible with, and will promote, the uses permitted with the GE District and SDO, as this property has demonstrated compatibility with adjacent properties as a vehicle dealership over the past several years.
  - The proposed use is designed in a manner that will result in traffic and pedestrian safety, consistent with the adjoining pedestrian and vehicular thoroughfares, as there is no significant change to the traffic flow on the site or the surrounding thoroughfares since the original SDO Agreement and Concept Plan were approved several years ago.
- b. That, relative to other feasible uses of the site, the proposed use and concept plan, meet the criteria listed in Section 2516.2.c of the Zoning Ordinance, including:
  - 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 service existing and planned uses in the area, as the proposed signage will not affect the site layout, utilities or City services.
  - The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats, as the proposed signage will not affect the site layout.
  - The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent properties or the surrounding neighborhood, as has been demonstrated through several years of use as an automotive dealership.
- c. The applicant has demonstrated compliance with the conditions listed in Section 904D of the Zoning Ordinance, such as:
  - Based upon proposed uses, layout and design of the overall project the proposed building façade treatment, the proposed landscaping treatment and the proposed signage, the Special Development Option project will result in a material enhancement to the area of the City in which it is situated, as identified in the initial approvals of the SDO Concept Plan and Agreement, and as identified in the staff review letter.
  - The proposed development shall not have a materially adverse impact upon the Master Plan for Land Use of the City, and shall be consistent with the intent and spirit of this Section, as identified in the staff and review letter.

- Each particular proposed use in the development, as well as the size and location of such use, shall result in and contribute to a reasonable and mutually supportive mix of uses on the site, and a compatibility of uses in harmony with the surrounding area and other downtown areas of the City, as the project has been developed for several years for a similar use.
  - The proposed development shall be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance.
- d. Applicant providing the amended Special Development Option Agreement and Development Agreement prior to consideration by the City Council;
- e. Applicant limiting the size of the sign to 17.88 square feet; and
- f. Compliance with all conditions and requirements listed in the staff review letter.
- This motion is made because the plan is otherwise in compliance with Article 9, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 5-0.*

## 2. OBERLIN JSP12-33

Public hearing at the request of Singh Development for Preliminary Site Plan utilizing the Open Space Preservation Option, Woodland Permit, Wetland Permit and Stormwater Management Plan approval. The subject property is 19.95 acres in Section 20 of the City of Novi and located at 48301 Eleven Mile Road on the south side of Eleven Mile Road, west of Beck Road in the R-4, One-Family Residential District. The applicant is proposing a 50 unit development using the Open Space Preservation Option.

Planner Kapelanski said the applicant is proposing a 50 unit single-family residential development using the open space preservation option on the south side of Eleven Mile Road between Beck Road and Wixom Road. To the north of the property across Eleven Mile Road is the Medilodge convalescent home currently under construction, to the east is a single-family residential home, to the west is the ITC utility corridor and to the south is vacant land. The subject property is currently zoned R-4, One-Family Residential. The site is bordered by RM-1 with a PRO to the north, R-4 zoning to the east and RA zoning to the west and south. The Future Land Use map indicates planned suburban low-rise uses to the north, single family uses for the subject property and the property to the east, educational uses to the south and utility uses to the west. The natural features map does show almost the entire site is covered by either regulated woodlands or wetlands. There are also several wetland areas that are not shown on the natural features map but that have been identified in the field and are shown on the site plan.

The applicant is proposing 50 single-family lots. The open space preservation option, which the applicant is utilizing is intended to encourage the preservation of open space and natural features. The applicant has designed the site with the preservation of the existing wetlands and woodlands in mind. The wetland and woodland areas along the south portion of the site and along the west property line are proposed to be preserved. Even with the preservation of these natural areas, a significant amount of regulated woodlands are proposed to be removed. The applicant is not able to replace all of these regulated trees on site and has proposed tree replacement plantings off-site at the northwest corner of Eight Mile Road and Garfield Road. The plantings would be installed to allow a single-family residential site to be developed on the property in the future. This is a conceptual plan at this point that has not been reviewed by staff beyond the pre-application submittal.

Planner Kapelanski continued noted the planning review recommends approval of the plan noting additional items that should be addressed in the final site plan submittal. With regard to the off-site woodland plantings, as noted in the planning, landscape and woodland review letters, staff and consultants support the proposed plantings as they meet the stated intent of the woodland ordinance. In this case, such a large number of trees will be planted that a new wooded area will be created where previously there was none. The trees will be preserved with a conservation easement. The Planning Commission will need to make a finding that off-site woodland plantings, in this case, would be

permitted. The City's environmental consultant, Pete Hill of ECT, is here to address any woodlands or wetlands questions that may come up. The engineering review also recommends approval. A City Council waiver to allow the placement of franchise utilities outside of rear lot lines is required. The landscape review recommends approval of the plan and supports the requested landscape waiver for the lack of a berm along the Eleven Mile Road frontage in order to preserve the existing vegetation. A wetland permit and authorization to encroach into the required natural features setback is required for the proposed impacts. The wetland review notes there are significant impacts to the wetland buffer but recommends approval of the plan and the required wetland permit. The traffic and fire reviews both recommend approval with items to be addressed on the final site plan.

Cliff Seiber of Seiber-Keast Engineering, the project engineer for Oberlin, said he doesn't have much more to add other than to emphasize the need for a couple of waivers. One from the City Council for the rear yard utilities; those are being located elsewhere in order to preserve more of the woodlands in those yards that back up to the existing trees. Also the area just to the west of the property along Eleven Mile Road; we are asking for a waiver of that berm requirement in order to preserve those trees.

Chair Pehrson opened the public hearing. There was no correspondence and no one in the audience wished to speak. Chair Pehrson closed the public hearing.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

**In the matter of Oberlin, JSP12-33, motion to approve the Preliminary Site Plan with Open Space Preservation Option based on and subject to the following:**

- a. City Council waiver to allow franchise utilities outside of rear lot lines;
- b. Planning Commission waiver for the lack of berm in areas of preserved woodlands along Eleven Mile Road which is hereby granted;
- c. Planning Commission approval to permit 816 off-site woodland replacement trees on the private property at the northwest corner of Eight Mile and Garfield Roads, which is hereby granted subject to on-site and off-site conservation easements required by the Ordinance being provided; and
- d. 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 Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

**In the matter of Oberlin, JSP12-33, 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 12, Article V of the Code of Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER ANTHONY AND**

**SECONDED BY MEMBER GUTMAN:**

**In the matter of Oberlin, JSP12-33, motion to approve the Woodland Permit based on and subject to the following:**

- a. Planning Commission approval to permit 816 off-site woodland replacement trees on the private property at the northwest corner of Eight Mile and Garfield Roads, which is hereby granted subject to the on-site and off-site conservation easements required by the Ordinance being provided; and**
- b. 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 5-0.***

Landscape Architect Beschke said the situation with the woodlands that are being planted offsite is quite unusual and staff is happy to see those will be placed in a conservation easement but is also concerned with when the applicant plans on submitting a site plan for the area of the off-site plantings. When will these trees be going in? It's sort of open ended right now. A final concern is once they start doing grading and utilities, that plan might have to change. Based on the concept plan it appears there will be grading in the area where there are replacement trees being planted. Also how will the replacement trees be irrigated in the meantime?

Clif Seiber said the intent is not to plant any of those replacement trees at that offsite location until full site plan approval has been granted and construction plan approval and actual construction is commenced. In the meantime, until that happens, the City will be holding the full financial guarantees for all those replacement trees. So the City is protected in that if this development doesn't proceed, the City would have those funds to be placed in the woodland fund and plant those trees throughout the City as they see fit. So the City is completely protected in this case. However, we are proceeding with the site plan approval for that corner of Garfield Road and Eight Mile Road at this point.

Chair Pehrson asked if any time estimate is being considered for that construction to start.

Mr. Seiber said they are planning for the Spring of 2014.

Chair Pehrson said relative to the concern, would it be typical for payment for any damaged trees to go into the tree fund.

Landscape Architect Beschke said yes and all the trees will be under a two year warranty as well once they go in.

Chair Pehrson asked about the irrigation.

Landscape Architect Beschke said it sounds like they're going to have all the utilities in so at that point all the irrigation would have to be in too.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

**In the matter of Oberlin, JSP12-33, 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 5-0.**

#### **MATTERS FOR CONSIDERATION**

##### **1. ADAMS PHYSICAL THERAPY, JSP13-26**

Consideration of the request of Adams Sports Medicine and Physical Therapy for Preliminary Site Plan and Shared Parking Study approval. The subject property is located in Section 16, at 46001 Grand River Avenue, east of Beck Road in the I-1, Light Industrial District. The subject property is approximately 7.7 acres and the applicant is proposing to occupy a 2,000 square foot space as a medical office use.

Planner Kapelanski said the applicant is proposing to occupy a 2,000 square foot space in an existing building at 46039 Grand River Avenue. The property is located on the south side of Grand River Avenue, east of Beck Road. The area is generally occupied by office and industrial uses with residential uses to the south. An indoor recreation facility and fitness facility are also located on the site. The property is zoned I-1, Light Industrial, with residential zoning to the south, industrial zoning on either side and office zoning across Grand River. The applicant is proposing a medical office for the remaining portion of the northeastern building on the site. No exterior changes to the site are proposed and this item is before the Planning Commission due to the required Shared Parking Study. The site is currently at maximum capacity based on the parking requirements of the Zoning Ordinance and the uses currently on the site. The applicant has elected to submit a Shared Parking Study in lieu of providing additional parking spaces at this time. The Shared Parking Study has demonstrated that the peak operating times of the uses currently on site would not coincide with those of the proposed medical office and adequate parking for the new use will be available. The planning and traffic reviews recommend approval of the preliminary site plan and shared parking study. Since additional uses on the site would require additional parking, which has not been provided at this time, the property owner will be required to sign an agreement stating no additional uses on the site will take place until additional parking has been provided or the Shared Parking Study has been updated to reflect adequate parking exists on the site.

Jeff Heyn, the owner of the property said, he was available to answer any questions. Brian Adams of Adams Physical Therapy and the applicant's traffic engineer were also available.

Member Anthony asked for more information on the tenant restrictions.

Planner Kapelanski said the restriction would be for no additional uses to occupy the northwestern building on the site. That building is currently vacant. Additional uses could be put in there if either additional parking was provided somewhere on the site or if the shared parking study is updated to reflect any new uses and shows that those uses would not conflict with the current uses on the site.

Member Anthony said so the building directly to the west will be restricted from any occupancy.

Planner Kapelanski said at this time that's correct.

Member Anthony said I also noticed that even with new tenant moving into this eastern building that there's a portion of that building that will remain vacant. Is there a restriction on leasing that portion of the building?

Planner Kapelanski said it's my understanding that the building will be totally occupied.

Member Anthony said I may have just looked at an outdated plan.

Planner Kapelanski said I believe that CrossFit Fitness Center occupies the remaining portion of that

building and the Adams Physical Therapy use will occupy the 2,000 square feet nearest Grand River.

Member Anthony asked if the building was fully occupied. And the building I'm talking about here is the northeastern building.

Mr. Heyn answered one of the figures just shows a portion of it that's vacant even with CrossFit in and Adams Physical Therapy. The intent is at some point for CrossFit to take that whole space. Right now there are construction materials back there. So right now they're not ready to handle the complete expansion but they're looking at that for the future.

Member Anthony said so the southern portion of the building is vacant. Are you looking at all at increasing the parking or adjusting the parking so you could bring the western building into use?

Mr. Heyn said yes definitely, hopefully in the near future because the economy is coming back. He was not sure when exactly, but within 6 months he should be working on a new plan for that portion of the site that would include a total renovation and demolition of the interior to create an almost new building. At that point, all new landscaping and stormwater would be done.

Member Anthony said with that being vacant do we need to add anything more saying that only CrossFit can expand into it?

Planner Kapelanski said she would examine the Special Land Use approvals for CrossFit but believes their approvals were restricted to a certain amount of square footage. So if they were to expand into the space that's vacant currently, they would need to come back to the Planning Commission or have the Shared Parking Study updated, as would any other tenant in that building.

City Attorney Dovre said in the motion under the part that indicates no tenants may occupy the portion of the northwestern building, the Planning Commission may want to consider expanding that restriction to deal with the vacant space in the northeastern building.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

**In the matter of Adams Physical Therapy, JSP13-26, motion to approve the Preliminary Site Plan and Shared Parking Study, based on and subject to the following:**

- a. Staff updating and the applicant signing the revised agreement indicating no tenants may occupy any portion of the northwestern building and the vacant space in the northeastern building on the site until additional parking is provided;
- b. The applicant providing documentation from Oak Pointe Church and Paradise Park acknowledging their willingness to permit Total Sports Roller Hockey to use their facilities for overflow parking; and
- c. The conditions and items listed in the staff and consultant review letters being addressed on Stamping Set submittal.

**This motion is made because the plan is otherwise in compliance with Article 19, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 5-0.**

**2. SRI VENTATESWARA TEMPLE FAÇADE JSP08-08**

Consideration of the request of Manyan Group LLC for the revised Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 16 on the west side of Taft Road between Grand River Avenue and Eleven Mile Road in the RA, Residential Acreage District. The applicant is

proposing to modify the approved facades and install a 'temporary façade' in place of the 'permanent façade' for a limited period of time.

Planner Kapelanski said the applicant is currently constructing a temple and accessory structures on the west side of Taft Road between Grand River Avenue and Eleven Mile Road. This project was previously approved by the Planning Commission in 2008 and received approval of the re-phasing plan in 2010. The subject property is zoned RA, Residential Acreage. The site is bordered by mostly residential zoning with some industrial zoning to the east and office zoning to the north. The applicant has now adjusted their elevations, which previously received a Section 9 façade waiver from the Planning Commission.

The applicant is proposing two versions of the façade. The to-be completed 'permanent facades' show only minor alterations from the previous approval and propose to change the previously approved white brick to granite. Staff and consultants support these modifications. The proposed 'temporary facades' are currently almost complete and intended to facilitate the granting of a temporary certificate of occupancy. The 'temporary facades' lack the ornate detail that will eventually be installed. Staff and consultants recommend approval of both the changes to the 'permanent facades' and the creation of a 'temporary façade' provided the applicant installs the details that make-up the 'permanent façade' no later than September 1<sup>st</sup> of this year and provided the rooftop screening material is changed to comply with the Façade Ordinance. The applicant has responded to the comments and wishes to install the proposed rooftop screening material without any alterations. That would be against the recommendation of the staff but the Planning Commission could elect to grant a Section 9 Waiver that would include those proposed rooftop screening materials.

Praveen Manyan, representing the applicant, said basically the whole project has been a learning process. The temple is nearly complete and those same workers that did the craftsmanship on the granite temples are the ones that are needed for what is termed the 'immunization of the building', to get all that ornamentation done.

Chair Pehrson asked for additional information on the rooftop screening.

Planner Kapelanski said the applicant has proposed a ribbed metal panel for the rooftop screening. The ordinance would allow a flat metal panel but it does not allow the ribbed metal. So the staff's recommendation would be that a flat metal or some other complying material be used.

Chair Pehrson asked if the temporary panels were ready for installation.

Planner Kapelanski said the temporary façades are basically complete. It's the granite material that the applicant has proposed, it just lacks the carving details. That would be part of the permanent façade. In the Planning Commission packet there is an example of what the façade will look like once all of the details are installed.

Chair Pehrson asked if the temporary materials will only be good for three months.

Planner Kapelanski said that's correct. That might have been a poor word choice on my part. What the temporary façade is is really the base of the permanent façade. So it's not that they will be removing the façade that's currently in place, it's more that they will be adding to it to create the detail.

Chair Pehrson said so the structure is complete and asked about an opening date.

Mr. Manyan said they are actually dedicating the idols as we speak right now. The idols arrived two months ago and they're out in tents right now doing the dedication process. We're at a point where we'd like to open the building as it is right now and then basically do the exotic details during the course

of this summer.

Chair Pehrson said asked if this approval will allow for a temporary C of O.

Planner Kapelanski said it will be part of that temporary C of O.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

**In the matter of Sri Venkateswara Temple Façade Update, JSP08-08, motion to approve the Preliminary Site Plan subject to the following:**

- a. **Section 9 waiver to allow an underage of brick, overage of GFRC and overage of granite panels;**
- b. **Applicant modifying the rooftop screening equipment to be in compliance with the Zoning Ordinance;**
- c. **Applicant installing the 'permanent façade' by September 1, 2013; and**
- d. **The applicant submitting a revised sample board.**

**This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 5-0.**

**3. IHOP JC13-33**

Consideration of the request of Trinity Restaurant Group for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 14 at 43317 Grand River Ave., south of Grand River Avenue and east of Novi Road in the TC-1, Town Center District. The applicant is proposing to modify the facades of the existing building to accommodate a new IHOP restaurant.

Planner Kapelanski said the applicant is proposing to modify the existing façade of a property located near the southeast corner of Grand River Avenue and Novi Road. The property is zoned TC-1, Town Center. The proposed façade modifications require a Section 9 façade waiver to permit the overage of standing seam metal roof on the north and south facades and the underage of brick on the south façade. The applicant is proposing the modifications for an IHOP restaurant to occupy the building. The current building façade is failing and the applicant is working to update the building façade within the confines of the existing materials and building layout. Staff and consultants support the proposed modifications and the requested waiver.

John Baker, representing the applicant, said he is here to just answer any questions the Planning Commission may have.

Chair Pehrson asked if the materials that are being requested are not out of the ordinary relative to today's building standards.

Planner Kapelanski said generally speaking this building would not meet the standards of the façade ordinance but the applicant is working with an existing building and the options are somewhat limited in terms of making sure the new materials blend into the old materials. So staff is happy with what the applicant is proposing and thinks the materials will blend well into the area.

Chair Pehrson asked if staff was confident the applicant could provide the required sample board.

Planner Kapelanski answered yes.

Moved by Member Anthony and seconded by Member Gutman:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

In the matter of IHOP Façade, JC13-33, motion to approve the Preliminary Site Plan subject to the following:

- a. Section 9 waiver to allow an underage of brick on the south façade and overage of standing seam metal on the north and south façade; and
- b. Applicant correcting the elevations to make them consistent with the submitted sample board.

This motion is made because the plan is otherwise in compliance with Article 16, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

**4. APPROVAL OF THE APRIL 24, 2013 PLANNING COMMISSION MINUTES**

Moved by Member Anthony and seconded by Member Gutman:

**VOICE VOTE ON THE PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER GUTMAN:**

*Motion to approve the April 24, 2013 Planning Commission Minutes. Motion carried 5-0.*

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no additional Consent Agenda Removals for Commission Action.

**MATTERS FOR DISCUSSION**

There were no Matters for Discussion.

**SUPPLEMENTAL ISSUES**

There were no Supplemental Issues.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Prince and seconded by Member Gutman:

**VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER PRINCE AND SECONDED BY MEMBER GUTMAN:**

*Motion to adjourn the May 29, 2013 Planning Commission meeting. Motion carried 5-0.*

The meeting was adjourned at 7:59 PM.

Transcribed by Valentina Nuculaj

June, 2013

Date Approved: June 26, 2013

Signature on File

---

Richelle Leskun, Planning Assistant