



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**OCTOBER 11, 2017 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 Anthony, Member Avdoulos Member Greco, Member Lynch, Chair Pehrson

Absent: Member Zuchlewski (excused)

**Also Present:** Barbara McBeth, City Planner; Sri Komaragiri, Planner; Rick Meader, Landscape Architect; Darcy Rechten, Staff Engineer; Tom Schultz, City Attorney

## APPROVAL OF AGENDA

Motion to approve the October 11, 2017 Planning Commission Agenda. *Motion carried 5-0.*

## PUBLIC HEARINGS

### 1. NOVI VETERINARY CLINIC EXPANSION JSP 17-42

Public hearing at the request of Novi Veterinary Clinic, JSP 17-64 for Special Land Use approval, to allow for the expansion of the existing Veterinary Clinic within the same building. The subject property is located in Section 23, at the southeast corner of Grand River Avenue and Novi Road, in the TC-1, Town Center District. The applicant is proposing to expand the existing use from approximately 2000 square feet to approximately 3488 square feet. No exterior or site changes are proposed at this time.

In the matter of Novi Veterinary Clinic, JSP 17-64, motion to approve the Special Land Use Permit based on the following findings relative to other feasible uses of the site:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares (*since the retail building is existing and the proposed use is not expected to generate traffic greater than previous tenants*);
- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*the expansion is within an existing building*);
- c. The proposed use is compatible with the natural features and characteristics of the land (*the proposed expansion will not impact natural features or other characteristics of the existing retail building*);
- d. The proposed use is compatible with adjacent uses of land (*the use is existing and the surrounding uses are compatible with the current use*);
- e. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use (*fulfills the stated objective to retain and support the growth of existing businesses and attract new businesses to the City of Novi*);
- f. The proposed use will promote the use of land in a socially and economically desirable manner (*the expansion of the existing clinic will benefit the existing business and its customers*);
- 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; and
- h. Approval of the waiver of the required Noise Impact Statement since no outside activities or

noise-making equipment is being proposed, which is hereby granted.

This motion is made because the plan is otherwise in compliance with Article 3.1.5, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

**2. BECK NORTH UNIT 54 JSP 16-36**

Public hearing at the request of Dembs Development, Inc. for Special Land Use, Preliminary Site Plan, Woodland Permit, and Stormwater Management Plan approval. The subject parcel is located in Section 4 east of Nadlan Drive and north of West Road. It is approximately 5.02 acres and zoned I-1 (Light Industrial). The applicant is proposing to build a 67,000 square foot speculative building in the Beck North Corporate Park with associated site improvements.

In the matter of Beck North Unit 54 JSP16-36, 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 Traffic Consultant review letter and updated traffic study to be provided*);
- 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 has minor impacts on existing natural features, will provide additional evergreen plantings, and a 50 foot conservation easement along the east parcel line*);
- 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*);
- e. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use (*make sure that light industrial and residential developments are compatible when located adjacent to each other AND ensure 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 the planned corporate park*);
- 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; and
- h. Landscape waiver from Section 5.5.3.B.ii for lack of a 10-15 foot landscaped berm along the east property line adjacent to the residential district, which is hereby granted, for the following reasons:
  - i. There is a 50 foot woodland area between the proposed use and the adjacent residential areas,
  - ii. The applicant shall provide a six foot tall screen wall (as measured from the top of pavement) and a heavily screened landscape buffer along the southeast corner of the site,
  - iii. The applicant shall provide a 50 foot conservation easement along the east property line of their parcel, and
  - iv. The applicant shall provide additional evergreen plantings as determined at time of Final Site Plan by staff and consultants;
- i. Landscape waiver for use of evergreen species for greater than 25 percent of perimeter parking lot trees, which is hereby granted; and
- j. Landscape waiver from the Landscape Design Manual Section 1.d(2) for reduction in industrial subdivision landscaping as required along the industrial drive frontage (16 trees required; 9 provided), 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 5-0.*

In the matter of Beck North Unit 54 JSP16-36, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Applicant to revise the landscape plan and the woodland replacement counts to address the conditions set forth in the existing conservation easement agreement, which was

- approved by Council on January 28, 2010;
- b. Same-side, opposite-side driveway spacing waiver from Section 11-216.D of the City of Novi Code of Ordinances to permit less distance between entrances on Nadlan Drive where a minimum of 105 feet is required, which is hereby granted;
  - c. A section 9 waiver for exceeding the maximum allowed amount for Concrete Masonry Units (75% maximum, 94% on east and 96% on north façade provided), which is hereby granted;
  - d. Applicant shall provide Traffic Impact Assessment update with Final Site Plan submittal;
  - e. Zoning Board of Appeals variance for exceeding the maximum building height: 29 feet 4 inches proposed, 25 feet permitted, as approved on October 10, 2017 Zoning Board of Appeals meeting; and
  - f. 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 5-0.*

In the matter of Beck North Unit 54 JSP16-36, motion to approve the Woodland 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 5-0.*

In the matter of Beck North Unit 54 JSP16-36, 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.*

### **3. ARMENIAN CHURCH AND CULTURAL CENTER JSP 17-37**

Public hearing at the request of Armenian Cultural Center for Special Land Use, Preliminary Site Plan with Land bank Parking, Phasing Plan, Shared Parking Agreement, Wetland Permit, Woodland Permit, and Storm water Management plan approval. The subject property is located in section 12, on the north side of Twelve Mile Road and east of Meadowbrook Road, in residential acreage (RA) zoning district. The applicant is proposing a church and a cultural center with accessory uses such as day care center, multipurpose hall, café, religious educational rooms, Armenian genocide memorial and recreational facility. The applicant is proposing to construct in three phases. The project area comprising of four parcels is approximately 19.30 acres. A Special Land Use Permit is required to permit Places of Worship and a daycare in residential districts.

In the matter of Armenian Church and Cultural Center JSP17-37, motion to approve the Special Land Use Permit to allow a Place of Worship and daycare based on and subject to the following:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares (*based on review of the Traffic study*);
- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*based on Engineering review*);
- c. The proposed use is compatible with the natural features and characteristics of the land (*because the plan has made an attempt to minimize impacts on existing natural features*);
- d. The proposed use is compatible with adjacent uses of land (*because the proposed use conforms to the standards of the district and the requirements of Places of Worship and a daycare*);
- e. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use (*the project creates an aesthetically pleasing development, especially in residential areas*);
- f. The proposed use will promote the use of land in a socially and economically desirable manner (*as the proposed use will provide a service needed in the community*);

- 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.
- h. The primary use of 'Church' or place of worship will be established prior to any other accessory uses proposed.
- k. A condition of this Special Land Use approval is that the proposed memorial structure and the proposed church will meet ordinance requirements, particularly for the height of the structure and building, otherwise the request will return to the Planning Commission for Special Land Use approval.

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 5-0.*

In the matter of Armenian Church and Cultural Center JSP17-37, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Approval of up to 43 landbank parking (262 required, 219 provided, 43 land banked), based on the revised site plan submitted via e-mail on September 26, 2017, due to Planning Commissions finding below, which is hereby granted;
  - i. The applicant has demonstrated through substantial evidence that the specified occupant and building use will require less parking than what is required by the Zoning Ordinance;
  - ii. Parking will not occur on any street or driveway;
  - iii. Parking will not occur on any area not approved and developed for parking;
  - iv. Parking will not occur on that area where parking construction has been landbanked until such time as that area is constructed for such parking;
  - v. The requested parking landbanking will not create traffic or circulation problems on or off site; and
  - vi. The requested parking landbanking will be consistent with the public health, safety and welfare of the City and the purposes of the Zoning Ordinance;
- b. Approval of Shared Parking agreement for the proposed church and other accessory uses proposed for all phases. It has determined that a minimum requirement of 262 spaces are required for the proposed uses, of which 20% of spaces can be land banked;
- c. Planning Commission waiver from Section 5.16 for proposing all required 10 spaces in one location, which is hereby granted;
- d. A Zoning Board of Appeals variance from Section 4.19.2.F for allowing the dumpster in the sideyard instead of the required rear yard;
- e. Landscape waiver from Section 5.5.3.B.ii for absence of required street trees along Twelve Mile frontage due to the presence of a gas line and gas line easement along the entire right-of-way frontage , which is hereby granted;
- f. Landscape waiver from Zoning Sec. 5.5.3.B.ii and iii for absence of required berm between the subject property and adjacent residential properties, if the applicant provides sufficient justification that the existing vegetation will provide sufficient screening, or addition of more screening vegetation is provided to form a dense screen in areas where the existing vegetation does not provide a sufficiently dense screen, which is hereby granted;
- g. Landscape waiver from Zoning Sec. 5.5.3.B.ii and iii for absence of berm along Twelve Mile frontage for portions of frontage with wetland, the natural hill or dense vegetation to be preserved between the road and the site, not for the 120 feet of frontage just west of the entry drive where none of those natural features exist, which is hereby granted;
- h. Landscape waiver from Section 5.5.3.C.iii footnote (5) for absence of access drives plantings within existing gas line easement, which is hereby granted;
- i. Landscape waiver from Section 5.5.3.C. (3) for exceeding the maximum 15 bay parking requirement, which is hereby granted;
- j. City Council Variance from Design and Construction Standards Manual for undetained run-off directed to Twelve Mile Road;
- k. 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;

- I. The genocide memorial and the church shall meet the ordinance standards, or shall return to the Planning Commission for approval.

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 5-0.*

In the matter of Armenian Church and Cultural Center JSP17-37 motion to approve the Phasing 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 Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion passes 5-0.*

In the matter of Armenian Church and Cultural Center JSP17-37, 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 Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

In the matter of Armenian Church and Cultural Center JSP17-37 motion to approve the Woodland 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 5-0.*

In the matter of Armenian Church and Cultural Center JSP17-37, 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. PLANNING COMMISSION COMMITTEE VACANCIES

The Planning Commission assigned members to vacant positions on the Committees.

2. APPROVAL OF THE AUGUST 23, 2017 PLANNING COMMISSION MINUTES

Motion to approve the August 23, 2017 Planning Commission Meeting minutes, as amended. *Motion carried 5-0.*

3. APPROVAL OF THE SEPTEMBER 13, 2017 PLANNING COMMISSION MINUTES

Motion to approve the September 13, 2017 Planning Commission Meeting minutes. *Motion carried 5-0.*

#### ADJOURNMENT

The meeting was adjourned at 8:55 P.M.

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