



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**October 5, 2016 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 7:01 PM.

## ROLL CALL

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

**Absent:** Member Giacometti (excused), Member Lynch (excused)

**Also Present:** Barbara McBeth, City Planner; Kirsten Mellem, Planner; Adrianna Jordan, Planner; Rick Meader, Landscape Architect; Theresa Bridges, Construction Engineer; Dave Gillam, City Attorney

## APPROVAL OF AGENDA

Motion to approve the September 28, 2016 Planning Commission Agenda, as amended to include an additional item to allow reconsideration of the motion for the Master Plan for Land Use made at the previous meeting. *Motion carried 5-0.*

### 1. MASTER PLAN FOR LAND USE

Motion to reconsider the Resolution to Adopt the Master Plan for Land Use made at the previous meeting, with a date for reconsideration to be determined. *Motion carried 5-0.*

## PUBLIC HEARINGS

### 1. HOME SWEET HOME DAYCARE JSP16-51

Public hearing at the request of Home Sweet Home Daycare for Special Land Use permit approval. The subject property is located in Section 22, 45150 Ten Mile Road, on the north side of Ten Mile Road, east of Taft Road in R-4, one-family residential district. The subject property is approximately 0.69 acres and the applicant is proposing to operate a group day care home in their existing residence.

In the matter of Home Sweet Home Daycare JSP16-51, motion to approve the Special Land Use permit based on the following findings:

Relative to other feasible uses of the site:

- The proposed use will not cause any detrimental impact on existing thoroughfares given the size of the new use;
- The proposed use will not cause any detrimental impact on the capabilities of public services and facilities given the size of the new use;
- The proposed use is compatible with the natural features and characteristics of the land because the plan does not impact any natural features;
- The proposed use is compatible with adjacent uses of land (because the proposed use conforms to all standards for group day care homes;
- The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;

- The proposed use will promote the use of land in a socially and economically desirable manner;
- 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.

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. CELLULAR TOWER NEAR FIRE STATION #4, JSP 16-08**

Public hearing at the request of PI Tower Development, LLC for Planning Commission's recommendation to the City Council for a Special Land Use Permit and Preliminary Site Plan. The subject property is located in Section 29, on the south side of Ten Mile Road, east of Wixom Road in the RA, Residential Acreage zoning district. The subject property is approximately 0.5 acres of leased land as a part of the five acre parcel known as 50-22-29-101-004. The applicant is proposing to build a 150-foot tall cellular phone tower with a seven foot antenna for a total height of 157 feet, associated equipment, accessory structures, and a propane tank.

In the matter of the Cell Tower near Fire Station #4, JSP16-08, motion to recommend approval to City Council of a Special Land Use Permit for a cell phone monopole tower, associated equipment structures and accessory structures subject to Site Plan approval by City Council.

This motion is made for the reasons that the Planning Commission finds that the proposed tower meets the requirements of Section 4.86 of the Zoning Ordinance as follows:

- a. The use is essential or desirable to the public convenience or welfare;
- b. The use is compatible with the orderly development of the RA, Residential Acreage zoning district and will not be detrimental to the orderly development, environment or use of adjacent properties and/or zoning districts;
- c. Denial of the request will prohibit or have the effect of prohibiting the provision of wireless services; and
- d. The applicant has provided sufficient information demonstrating that it is not feasible to co-locate on existing facilities.

This motion is made for the reasons that the Planning Commission finds that relative to other feasible uses of the site, the proposed use:

- a. Will not cause any detrimental impact on existing thoroughfares or the capabilities of public services and facilities since no new curb cuts are proposed along Ten Mile Road, and trips to the site for maintenance of the cell tower and equipment are expected to be very limited;
- b. Is compatible with the natural features and characteristics of the land and adjacent uses of land since the proposed cell tower and related equipment are proposed to be located on the site of the well equipment that previously occupied the site, and no tree removals are proposed;
- c. Is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
- d. Will promote the use of land in a socially and economically desirable manner;
- e. 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; *Motion carried 3-2 (Baratta, Anthony).*

In the matter of the Cell Tower near Fire Station #4, JSP16-08, motion to recommend approval to the City Council of the Preliminary Site Plan, subject to the following:

- a. City Council approval of a deviation from the maximum fence height in a residential district in order to surround the proposed equipment 8 foot maximum on public land, 10 feet proposed; and
- b. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Section 3.1.1, Section 3.6, Section 4.86, Article 5.00, Special Land Use considerations of Section 6.1.2, and all other applicable provisions of the Ordinance. *Motion carried 3-2 (Baratta, Anthony).*

#### MATTERS FOR CONSIDERATION

##### 1. RAINBOW DAY CARE JSP16-43

Consideration at the request of 814 Development, LLC for approval of Preliminary Site Plan and Storm water Management Plan approval. The subject property is located in Section 17 of the City of Novi north of Grand River Avenue and west of Beck Road in existing West Market Square. The applicant is proposing to construct a single story daycare building, consisting of 10,782 square foot office space, outdoor recreation area which includes three play structures and associate site improvements.

**Motion to recuse Member Baratta from the vote for Rainbow Day Care. *Motion carried 4-0.***

In the matter of Rainbow Child Care, JSP16-43, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. A Section 9 Façade waiver for overage of Asphalt Shingles on all sides 25 percent maximum, 43 percent - 46 percent provided and Cement Composite Siding 0 percent maximum, 3 percent – 5 percent provided, which is hereby granted;
- b. Landscape waiver to permit a decorative fence instead of the required berm adjacent to Public Right of Way for Beck Road as listed in Section 5.5.3.B.ii and iii due to site terrain, which is hereby granted;
- c. Landscape waiver to permit the reduction of Parking Lot Perimeter Canopy Trees as listed in Section 5.5.3.C.(3) 15 canopy trees required, 13 trees provided) due to limited room available, and good effort toward landscaping the site fully, which is hereby granted;
- d. Landscape waiver to permit the reduction of Parking Lot Landscaping as listed in Section 5.5.3.C replace 5 sentry ginkgoes with 3 elm trees to provide better shade, which is hereby granted;
- e. Landscape waiver to permit the reduction of Building Foundation Landscape as listed in Section 5.5.3.D 3760 sf required, 2210 sf provided due to conflict with required play areas, which is hereby granted;
- f. Landscape waiver to locate a portion (900sf) of the building foundation landscaping away from the building instead of at the building as listed in Section 5.5.3.D , due to the limited space available near the building, which is hereby granted;
- g. Landscape waiver to use vinyl fencing as utility box screening instead of shrubs, as listed in the Landscape Design Manual section 1.f, due to the limited space around the utility box, which is hereby granted;
- h. Zoning Board of Appeals variance from Section 5.4.2. to allow absence of required loading area due to use type;
- i. 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 the Article 3, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

In the matter of Rainbow Child Care, JSP16-43, 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 4-0.*

2. **Zoning Ordinance Text Amendment 18.279**

Set public hearing for Text Amendment 18.279 to consider amending the City of Novi Zoning Ordinance in order to modify the TC, Town Center and TC-1, Town Center-1 Districts to better accommodate mixed-use and residential developments in the Main Street area.

**Motion to set public hearing for Text Amendment 18.279 to consider amending the City of Novi Zoning Ordinance to better accommodate mixed-use and residential developments in the Main Street Area. *Motion carried 5-0.***

**MATTERS FOR CONSIDERATION**

1. **APPROVAL OF THE SEPTEMBER 14, 2016 PLANNING COMMISSION MINUTES**

**Motion to approve the September 14, 2016 Planning Commission Minutes. *Motion carried 5-0.***

**ADJOURNMENT**

The meeting was adjourned at 8:19 P.M.

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