



PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting

April 23, 2025 7:00 PM

Council Chambers | Novi Civic Center
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Chair Pehrson, Member Lynch, Member Becker, Member Roney, Member Verma
Absent Excused: Member Avdoulos, Member Dismondy
Staff: Barbara McBeth, City Planner; Thomas Schultz, City Attorney; Lindsay Bell, Senior Planner; Diana Shanahan, Staff Planner; Rick Meader, Landscape Architect; Humna Anjum, Project Engineer

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Verma to approve the April 23, 2025 Planning Commission Agenda.

VOICE VOTE ON MOTION TO APPROVE THE APRIL 23, 2025 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER VERMA. Motion carried 5-0.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing no one, Chair Pehrson closed the first public audience participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were no Committee reports.

CITY PLANNER REPORT

There was no City Planner report.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were no consent agenda removals or approvals.

PUBLIC HEARINGS

1. **JZ24-43 MARIELLA ESTATES PRO PLAN WITH REZONING 18.750**

Public hearing at the request of Braciolo Brothers, LLC for initial submittal and eligibility discussion for a Zoning Map Amendment from RA Residential Acreage to R-1 One-Family Residential with a Planned Rezoning Overlay. The subject site is approximately 9.4 acres and is located west of Garfield Road, on the north side of Eight Mile Road (Section 31). The applicant is proposing to develop 10 single family lots.

Senior Planner Lindsay Bell stated that the applicant is proposing to rezone about 9.4 acres north of Eight Mile Road, west of Garfield Road, utilizing the Planned Rezoning Overlay option. The surrounding development to the north, west and east is newer single family developments. There are also single family lots bordering on the southwest, and south of 8 Mile Road is Maybury State Park.

The current zoning of the property is Residential Acreage. The properties to the north, east and west are also zoned RA, but have developed under the Residential Unit Development option, or RUD. The Future Land Use Map identifies this property and those around it as Single Family. The density map shows a maximum planned density of 0.8 dwellings per acre.

The natural features map does not show any regulated features on the property, however current and historic aerial photos show a pond feature in the southeast corner of the property. We have asked the applicant to provide additional information to be able to determine if it is a regulated wetland. The tree survey also indicates trees that are greater than 36-inches in diameter, which are regulated by the woodland ordinance.

Lindsay Bell stated the applicant had wanted to use the RUD option, which is how the adjacent Ballentyne and Parc Vista developments were approved, however that option requires a minimum site size of 20 acres. Therefore, they have proposed utilizing the Planned Rezoning Overlay to rezone the property to R-1 One Family Residential to achieve a similar development. The initial concept plan shows 10 single family lots. The development is accessed by a private gated street with one entrance off Eight Mile Road. While not required in the R-1 district, they have proposed a 20-foot landscape buffer around the lots to make the development more consistent with the Ballentyne and Parc Vista developments.

The proposed Mariella Estates would have very similar minimum and average lot sizes to the surrounding developments, with the smallest lots being one-half acre and the largest being almost three-quarters of an acre. No façade elevations have been provided, but the applicant indicates these will be custom-built homes that would need to comply with ordinance standards at the time of plot plan review for individual lots.

Rezoning to the R-1 category requested by the applicant would permit the use proposed. Some of the conditions proposed include:

1. Open space as shown on the plan. Originally the applicant was proposing as a benefit to have a play structure within the park that would be available to the public. However, staff noted that because the entrance to the development is proposed to be gated, it would be unlikely that non-residents would end up using the park. There are also nearby public parks, such as ITC Park and Maybury State Park, which makes a park at this location less of a priority.
2. Perimeter landscape buffers that offer additional separation from the existing lots. The applicant states additional trees will be provided in the buffers in future submittals.
3. Limiting the overall density of the development to 1.07, which is more restrictive than the 1.6 dwellings per acre permitted in the R-1 District and more similar to the 0.8 dwellings per acre average of the surrounding developments.
4. Upgrading the crosswalk at on 8 Mile - The existing crosswalk is approximately 460 feet east of the entrance to the proposed development, and there is no paved pathway on the south side of Eight Mile Road to get users of the crosswalk to the entrance of Maybury State Park. The applicant states in their response letter that they will pursue providing a 5-foot pathway that avoids the ditch and natural features on the south side of Eight Mile. Staff has advised consideration be given to relocate the crosswalk westward, closer to the entrance of Maybury State Park, while also

upgrading the crosswalk with flashing signage if a crosswalk study indicates this treatment is warranted.

5. The applicant also now shows the pond area in the southeast corner to be preserved.

Staff and consultants have not identified any significant issues with the proposed rezoning and Concept Plan. There are only three deviations requested, which staff support as they are each relatively minor. No deviations for building height or setbacks are proposed.

Planning Commission will not make a formal recommendation to City Council at this meeting. Instead, the first public hearing is an opportunity for the members of the Planning Commission to hear public comment, and to review and comment on whether the project meets the requirements of eligibility for Planned Rezoning Overlay proposal. Following the Planning Commission public hearing, the project would then go to City Council for its review and comment on the eligibility.

After this initial round of comments by the public bodies, the applicant may choose to make any changes, additions or deletions to the proposal based on the feedback received. The subsequent submittal would then be reviewed by City staff and consultants, and then the project would be scheduled for a second public hearing before Planning Commission. Following the second public hearing, the Planning Commission would make a recommendation for approval or denial to City Council.

Tonight, the Planning Commission is asked to hold the public hearing, and to review and comment on the proposed rezoning. The applicant Antonello Stante from Braciolo Brothers, as well as engineer Matt Bush from Atwell, are here representing the project. Staff is available to answer any questions you may have.

Chair Pehrson invited the applicant to address the Planning Commission.

Mr. Matthew Bush with Atwell thanked the Planning Commission for the opportunity to present Mariella Estates. He introduced Mr. Antonello Stante from Braciolo Brothers.

Mr. Antonello Stante stated he is developing this project in partnership with his family. He shared he has been working within the Novi community since 1979 and currently lives at Eight Mile and Beck Road. He expressed appreciation to the Planning Commission for their consideration.

Mr. Matthew Bush stated the project is located at Eight Mile and Garfield Road. He noted the properties flanking the subject property were developed under the RUD development option. Due to the ordinance requirement of 20 acres for the RUD option they are respectfully proposing a PRO with R-1.

The proposed project consists of ten single-family luxury homes for sale with a half-acre minimum lot size. He noted twenty-eight percent of the site consists of open space. Included in the plan are perimeter landscape buffers, frontage public road buffers, large active open space park, and a pedestrian node with bench seating.

Mr. Bush stated several options for the proposed public benefit as part of the PRO were explored. He expressed they are open to feedback from Commissioners and Staff. The public benefit being proposed at this time is a safety enhancement to the existing crosswalk. This enhancement includes two rectangular rapid beacon signs on either side of the crosswalk to provide safer access to Maybury State Park. Mr. Bush expressed that relocating the crosswalk closer to Maybury State Park was also discussed.

Mr. Bush shared a slide showing several custom homes built by Braciolo Brothers to give an idea of Mr. Stante's vision and noted this is a well-balanced proposal that is consistent with the surrounding land development. He stated they are open to feedback and thanked the Planning Commission for their consideration.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium. Seeing no one, Chair Pehrson requested Member Lynch read into the record the correspondence received. Member Lynch relayed correspondence was received from Mr. Zhou who objects due to the addition of traffic, construction noise, safety concerns, and property value. Sana Syed and Navin Raj object due to concerns of stormwater runoff, small lot sizes, and privacy. Dr. Danielle Zazaian objects due to increased traffic, environmental impacts, and loss of neighborhood character. Diana Sanchez objects due to concerns regarding the spacing of houses in the proposed development and the public park. Giridhar Pothula objects due to rear setbacks and lack of recreation space. Christina Calo supports and expresses it will be a great addition to the community.

Mr. Zhou at 21077 Ballantyne Boulevard inquired if the developer would develop the maximum number of seven lots under the current zoning if the PRO is not approved.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch expressed familiarity with Mr. Stante's other project and from what he has seen the proposed development will be in keeping with or a little higher level than the homes in adjacent communities. He stated the water runoff has been addressed and will be contained on site. He noted property values will remain unchanged or be improved. Overall, the proposed development will fit with the character of the surrounding developments with lot sizes being substantially similar to the adjacent lot sizes.

Member Lynch stated he is not in favor of the proposed public park as it is in the gated community. Regarding the public benefit as part of the PRO he expressed that this portion is a City Council decision. He noted he does not think it is a good idea to put the crosswalk directly across from the main entrance and stated the crosswalk leading to the trail is a better idea. Additionally, he advised further consideration should be given to the landscape plan in the future.

Member Lynch shared he had driven through Mr. Stante's other development, noting the architecture is beautiful and unique.

Mr. Stante stated the proposed development will only be ten homes and will not be crowded; he is aware people will be looking for privacy.

Member Lynch stated he believes the proposal will fit into the area. He noted the landscaping plan could show additional landscaping in the future and other options for the public benefit should be explored. Overall, he believes the project will fit into the area.

Member Becker inquired if the parallel plan from the packet will be commented on.

Senior Planner Bell stated the parallel plan is an example of what could be developed under an RA development fitting in the requirement for a proper road and stormwater.

Member Becker stated that the biggest single thing that is being looked at is the PRO. The PRO must constitute an overall benefit to the public and outweigh any detriment that otherwise could not be accomplished without the proposed rezoning. There must be justification for amending an existing zoning ordinance, and this should be done very carefully. He expressed he does not see an overall public benefit that outweighs any detriment. He noted that is something the applicant can work on, otherwise he believes it does not meet the test for a PRO. Additionally, Member Becker stated he noticed that the park/open space covers the stormwater vault system and expressed that it was a brilliant idea. Finally, he stated moving the crosswalk to the west would make the crosswalk less safe.

Member Verma inquired whether more trees are being considered for the landscape buffer.

Mr. Stante confirmed that additional trees will be considered.

Member Roney relayed that the question being considered is if this qualifies for the PRO. He stated he thinks it does qualify, but there are items that must be addressed. The landscaping should be considered further, he noted the applicant has said the landscaping will be addressed in a future submittal. Secondly, the public benefit aspect of the PRO should be looked at. He stated the five-foot pathway that was seen in the packet is a better way for people to cross to Maybury State Park. Lastly, regarding the objections to the size of the lots, the lot sizes are approximately half-acre as shown on the slide. He stated the concept plan needs to be fine-tuned.

Chair Pehrson stated that he would like the applicant to address the construction element regarding how the construction will be approached as to not disrupt the other neighbors. He stated there is not an issue with traffic relative to either RA or the PRO and is in agreement with the other commissioners that the crosswalk should not be moved further to the west. Moving the crosswalk would create a problem that doesn't exist. In a future submittal he would be looking for the crosswalk to remain in its current location. Regarding the public benefit, it was stated that not enough has been heard to provide direction that this satisfies the PRO. He stated this satisfies everything relative to the RA and the subject of the PRO needs to be addressed in a much more aggressive manner.

This agenda item was discussed, but a motion on the item was not required.

2. JSP24-31 DICK'S SPORTING GOODS – HOUSE OF SPORT

Public hearing at the request of Dick's Sporting Goods for Planning Commission's recommendation of a Special Land Use Permit and Preliminary Site Plan. The subject property at 27600 Novi Road totals approximately 17.79 acres and is located east of Novi Road, south of Twelve Mile Road (Section 14). The property is zoned R-C (Regional Center District). The applicant is proposing to occupy a portion of the existing 241,725 square foot building and construct an outdoor track/field area adjacent to the building.

Planner Diana Shanahan stated the 17.79-acre parcel is part of the Twelve Oaks Mall located on the east side of Novi Road, south of Twelve Mile Road in section 14 of the city. The site and surrounding area are zoned RC: Regional Commercial District. The Future Land Use map indicates Regional Commercial for this property as well as for the surrounding properties. The subject property does not contain regulated natural features.

Dick's House of Sport plans to occupy the majority of the lower level of the former Sears building, with some space removed for a shared loading dock, and vestibules carved out for upper-level tenant access. The partial renovation of the building includes the demolition of the Sears auto center and modification to the northwest corner of the building to create a 2-story open area for a climbing wall. Future TBD tenants will occupy the upper level.

An outdoor activity space with a turf field and running track, enclosed by a 40' fence and accessed from inside the store, will be constructed in the exterior area of the demolished auto center. The outdoor activity space will provide versatile use for product testing, open play, rental use, and specialty events. In the winter months the outdoor space will have ice rink capability. A chiller is proposed on the northeast side of the track and field to convert the outside space into an ice rink in the winter. Access to the track/field area for a Zamboni is proposed at the southwest corner of the fenced perimeter. During the ice rink season, the Zamboni will be stored inside the southwest corner of the track/field area, under a covered shelter. When the ice rink is not in operation, the Zamboni will be stored off-site.

Overall façade changes include new exterior entries along the west side of the building, the main 2-story entry, and the north side, a secondary 1-story entry to access the track/field from the store.

The applicant is requesting a Special Land Use Permit for the outdoor track and field. Open air business uses are permitted as special land use in the RC: Regional Commercial district when developed in planned relationship to shopping centers. The factors to consider for Special Land Use approval are listed in the draft motion sheet, and essentially state that relative to other feasible uses of the site the proposed use will not be detrimental to public roads, services and facilities, and would be compatible with natural features and adjacent land uses relative to other potential uses.

The Planning Commission is asked to make a recommendation to the City Council regarding its determination of whether the proposed outdoor track and field area should be considered an open-air business use as defined in the ordinance. The ordinance definition of open-air business is recreation space providing children's amusement park and other similar recreation when part of a planned development. The use should be located at the exterior of the building mass in the designated interior side or rear yard, meet all setback requirements of the district, shall be fenced on all sides with a 4'-6" chain link type fence, and is subject to the noise standards of Section 5.14.10.B. The proposed use is located at the exterior of the building mass and meets all setback requirements. The track/field area is proposed to be fenced on three sides with a 40' black powder coated galvanized steel "twin bar" system.

The applicant provided the noise study as required based on noise levels at an existing Dick's House of Sport site for the typical activities supported. They indicate that noise levels are typically generated by occupant voices, not sports equipment, and the soundscape is akin to a playground. An installed sound system consisting of two wall mounted speakers broadcasts instore background music and a portable sound system for a microphone and workout music may be used for classes and other events. The sound level was measured at the field perimeter and at 200' beyond the fence. The study shows that the noise level is expected to be within the ordinance requirement at the lot line.

The proposed plan will require one variance to be granted by the Zoning Board of Appeals for the overage of Color Correlated Temperature permitted for permanent lighting installations in nonresidential districts. The applicant is proposing 5700K as standard for athletic field use and notes that it will not be readily noticeable from the public ways adjacent to the mall property. The ordinance allows no greater than 3000K.

The Planning Commission is asked to recommend approval or denial the Special Land Use Permit and the Preliminary Site Plan. Liz Bradford with Dick's Sporting Goods is here representing the project team. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Elizabeth Bradshaw, Senior Development Manager with Dick's Sporting Goods stated she is thrilled to present Dick's House of Sport. It was noted that many people are familiar with the Dick's Sporting Goods location already in Novi. Five years ago, the CEO prompted them to create a store if built next door would put Dick's Sporting Goods out of business. With that in mind, the company came together and designed a store built on four pillars of experience, service, community, and product.

Ms. Bradshaw stated experience is created when there is an atmosphere that brings people into the stores with the field. While online orders are a large part of the business, they have upgraded their assortments to bring foot traffic into the store. There are currently twenty-one Dick's House of Sport in the United States, by the end of 2025 that will increase to thirty-six stores. Not every location has a field, however when a field is present it becomes a large driver for community events and is a positive aspect of the store. Other experiential elements in the store include a climbing wall, golf simulator, and multi-sport batting cage.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium. Seeing no one, Chair Pehrson requested Member Lynch read into the record the correspondence received. Member Lynch relayed correspondence was received from Mr. Scott Lofton at 27500 Novi Road, who is in support.

Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission for consideration.

Member Lynch stated this is a good use of existing property and the store will drive foot traffic. He noted he appreciates the visibility of the climbing wall and outdoor track and field as you drive in. The outdoor events will not only drive businesses to Dick's House of Sport but also to the surrounding businesses. He stated from a retail standpoint that it is stunning. He noted since Dick's Sporting Goods flagship store is in Pittsburgh, they are familiar with the similar climate and wind conditions of Novi. He inquired if ice time would be sold or if there would be leagues using the ice.

Ms. Bradshaw stated they will have open skate sessions scheduled as well as leagues.

Member Lynch stated he is in support.

Member Becker inquired if Dick's Sporting Goods – House of Sport owns the building and would only occupy the first floor of the two-floor existing building while leasing out the second floor.

Ms. Bradshaw stated they currently do not own the building and are leasing only the lower level from Transformco.

Member Becker stated he thinks this is spectacular and commended the applicant for repurposing the building.

Ms. Bradshaw noted this will be the first Dick's Sporting Goods – House of Sport in Michigan.

Member Verma inquired what activities will take place in the open space of the field.

Ms. Bradshaw stated the open space is a turf field that can be used for a variety of activities including yoga and agility training. She noted that the field has been used by homeschool groups as a gymnasium.

Member Verma inquired how the Zamboni will be maintained.

Ms. Bradshaw stated that there is a chiller system in place and the tent will be heated to ensure the mechanisms of the Zamboni continue to function properly. The Zamboni will be powered by propane. She noted the tent will not be a permanent structure and will be brought in seasonally as needed.

Member Roney expressed he was very pleased to see this in the packet and thanked the applicant for bringing the project to Novi.

Chair Pehrson stated relative to the recommendation for the Special Land Use Permit he does not see any detrimental impact to the existing surrounding areas, it fits with the natural features given that it is a parking lot, and the building is being repurposed. Additionally, it is compatible with the adjacent uses given that it has the shopping theme, addresses the goals of the City of Novi for the Master Plan for Land Use, and promotes the social economic desirable effects.

Motion to approve the JSP24-31 Dick's Sporting Goods Special Land Use Permit made by Member Becker and seconded by Member Roney.

In the matter of Dick's Sporting Goods, JSP24-31, motion to recommend approval of the Special Land Use Permit based on and subject to the following:

1. Relative to other feasible uses of the site:
 - a) The proposed use will cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/ deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service. *(The proposed use is an accessory use to the adjacent existing building with an existing shared parking lot);*
 - b) The proposed use will 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. *(There are no additional impacts on capabilities of public services);*
 - c) The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats. *(There are no wetlands or watercourses found on the site);*
 - d) The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood. *(The parcel is adjacent to other RC Regional Center properties and is approximately 925 feet from the nearest residential property);*
 - e) The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use. *(The project fulfills the Master Plan objectives of economic development and community identity as well as redevelopment of a vacant site);*
 - f) The proposed use will promote the use of land in a socially and economically desirable manner. *(The project fulfills the Master Plan objectives of economic development and community identity as well as redevelopment of a vacant site);*
 - g) The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance. It is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.
2. Planning Commission's recommendation to the City Council that the use as an outdoor sports court is consistent with Section 4.80.2 of the ordinance, as follows:
 - a) Open Air Businesses: Open air business uses are permitted as a special land use when developed in planned relationship to shopping centers in the RC, TC, and TC-1 districts as follows:
 1. In the RC district, recreation space providing children's amusement park and other similar recreation is permitted when part of a planned development, provided that:
 - A. The use shall be located at the exterior of the building mass in the designated interior side or rear yard and shall meet all setback requirements of the district. *(The use is located at the exterior of building mass and meets all setback requirements of the district. The enclosed track and field seem to be in a logical location adjacent to the business).*
 - B. Such uses shall be fenced on all sides with a four-foot six-inch (4 ft. 6 in.) chain link type fence. *(The track and field space are adjacent to the building and proposed to be fenced on three sides with a 40-foot black powder coated galvanized steel "twin bar" fence system).*
 - C. A noise impact statement is required subject to the standards of Section 5.14.10.B. *(The applicant's noise impact statement indicates a noise assessment study performed at an existing field location with the typical activities supported demonstrates compliance with the ordinance requirements).*
 3. 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.

ROLL CALL VOTE TO APPROVE JSP24-31 DICK'S SPORTING GOODS SPECIAL LAND USE PERMIT MOVED BY MEMBER BECKER AND SECONDED BY MEMBER RONEY. *Motion carried 5-0.*

Motion to approve the JSP24-31 Dick's Sporting Goods Preliminary Site Plan made by Member Becker and seconded by Member Roney.

In the matter of Dick's Sporting Goods, JSP24-31, motion to recommend approval of the Preliminary Site Plan based on and subject to the following:

- a) **The Zoning Board of Appeals granting a variance from Section 5.7.3.F.ii of the Zoning Ordinance for the overage of Color Correlated Temperature (CCT) permitted for permanent lighting installations in nonresidential districts (5700K proposed as standard for athletic field use, no greater than 3000K permitted)**

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.

ROLL CALL VOTE TO APPROVE JSP24-31 DICK'S SPORTING GOODS PRELIMINARY SITE PLAN MOVED BY MEMBER BECKER AND SECONDED BY MEMBER RONEY. *Motion carried 5-0.*

MATTERS FOR CONSIDERATION

1. **APPROVAL OF THE APRIL 9, 2025 PLANNING COMMISSION MINUTES**
Motion to approve the April 9, 2025 Planning Commission Minutes.

ROLL CALL VOTE TO APPROVE THE APRIL 9, 2025 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. *Motion carried 5-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were no supplemental issues or training updates.

AUDIENCE PARTICIPATION

Chair Pehrson invited member of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the April 23, 2025 meeting made by Member Lynch and all in favor said aye.

Meeting adjourned at 7:52 PM.