



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**December 12, 2012 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 Greco, Member Lynch, Chair Pehrson, Member Prince

**Absent:** Member Gutman, (excused), Member Zuchlewski (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Gary Dovre, City Attorney; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Adam Wayne, Engineer; Rod Arroyo, Traffic Consultant

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Anthony:

## VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

**Motion to approve the December 12, 2012 Planning Commission Agenda. 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 said the City Council considered and approved a matter recently recommended by the Planning Commission, the rezoning of the Bosco property at 11 Mile Road and Beck Road to allow for the PSLR, Planned Suburban Low-Rise Overlay.

## CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

## PUBLIC HEARINGS

### 1. THE MEADOWS OF ISLAND LAKE OF NOVI JSP12-65

Public hearing at the request of Toll Brothers, Inc. for consideration to include the subject property in the existing Island Lake of Novi Residential Unit Development (RUD). 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 75 unit development that would be Phase 7 of the existing Island Lake of Novi development. The applicant has also proposed to modify the number of units permitted in the RUD Agreement from 884 to 916 in order to allow for the potential future expansion of the development.

Planner Kapelanski stated that for the benefit of the public, staff will do a brief presentation detailing the applicant's proposal. It is the staff's recommendation that the public hearing be held as advertised, but that the Planning Commission postpone consideration of the matter to a date uncertain to allow the applicant to submit and the staff to review additional information supporting the application. The applicant is proposing to add a 40.68 acre parcel to the existing Island Lake of Novi Residential Unit Development or RUD. The subject property is located near the northeast corner of Wixom Road and Ten Mile Road, bordering Dinser Drive and is currently zoned RA, Residential Acreage.

Planner Kapelanski stated that the new development area would connect into the existing Vineyards pod of Island Lake to the north and would line up with the existing development entrance off of Wixom Road. Any substantial amendments to an existing RUD must follow the same process as any new RUD plan. There are several items noted as required in the Zoning Ordinance that were not submitted with the original application. Additionally, the applicant did not provide the following: Adequate information regarding how the proposal would meet the stated intent and review standards of the RUD ordinance, updated density calculations for the entire RUD incorporating the new parcel, a summary of lot sizes throughout the RUD and sufficient justification for the requested variances. While the applicant did submit information as part of their response, staff has not reviewed that information given the short timeframe provided. Therefore, staff recommends the Planning Commission hold the public hearing and postpone consideration of the matter to a future date to allow the applicant time to submit additional information in support of their application and to allow staff time to review that information.

Michael Knolls, the applicant came forward; he is the vice president of land development for Toll Brothers and has been with Toll Brothers for almost 16 years and has worked on the Island Lake of Novi Project for 14 years. Toll is very excited about continuing this neighborhood. We've had several meetings with staff and we're confident that we'll be able to provide that additional information that they have requested in a timely and cooperative manner. We're looking forward to working with the City and hearing any objections, concerns and suggestions that may be offered tonight and take those into consideration for any potential plan modifications.

Chair Pehrson opened the public hearing and asked if anyone in the audience wished to comment.

Tom Farley, resident of Pebble Ridge Estates Subdivision, which is east of the proposed rezoning area had a few questions in regards the reduced lot size. It isn't specified what the actual lot size will be but it certainly is going to be less than a half-acre lot, which is far less than our subdivision which has half-acre lots and was developed in 1991. It's a significant decrease in lot size for that area and we're concerned about the property values of our houses as well and the impact it would have because of squeezing so many houses in the smaller area. The development would require bringing in water and sewer to that area, which it does not currently have. Our concern is the impact on our subdivision of bringing in water and sewer lines. Will that necessitate our subdivision to tap into these lines? Additional costs would be associated with that. We'd like to not incur this additional cost.

Betty Jane Blashfield is a resident of Pebble Ridge and stated such small lots are not good for the community. We are not part of Island Lake but still I don't think the small lots sizes lend to the type of subdivision we bought into, which is more like a country sub. We don't have sidewalks. We have large lots. We have well and septic. This property was always zoned RA and we always knew that if they did sell that we'd at least have big country lots and that would be consistent with the area we bought in. We chose not to buy in other subdivisions in Novi for that reason. So I'd highly encourage you to keep the integrity of that area. We have a lot of deer crossings which I would also encourage them to continue with the green belts to allow wildlife to persist coming across those fields from east to west. Now my issue with the water is I would like access to City water. I would like to be able to tap into water. I don't think the City would force people to do that but I think they'd give them the option to. Finally, I'd strongly recommend that the grade not be raised any higher than it is now.

Tim Wisowski is a resident of Island Lake and has lived there for about a year and a half now. One of the reasons that drew us to the Island Lake area is the amount of green space that they have with the woodlands and lake. The lot size that we have is just shy of a half-acre so these lot sizes are ridiculously small. I have moved here from Westland and our lot size was bigger than some of these lots that they're proposing. So I can't imagine the type of house that they're going to put on those lots and the values that may drop across all of Island Lake. Also, another thing that I noticed is there is no commons area. They will basically be destroying a natural habitat that they have where there are deer and other animals and nothing will be replaced. Where are the kids going to play? You have a lot of houses in a very small area. To me, that would pose a safety risk for kids. This new area would draw in just the same amount of families as the street I live on and having nowhere for the kids to play with much smaller lot sizes is a problems. I'd love to see some commons areas. The proposition they have is the antithesis of everything Island Lake is supposed to be.

Chris Quaz lives on the house that backs right into the Dinsler property. I like what it is right now; it's nice to see a lot of deer in my backyard. It's very peaceful. I second the idea of seeing more commons areas. I've got four kids of my own and we really don't have any commons area there right now. The kids need to go across Wixom to play. So with all the houses that are going in, I'd like to see a common area as well as I'd like to see what they're going to do with the street name. They changed the name right on the corner.

Kathy Drew has been a resident of Island Lake over 10 years. I am also a realtor in the area and I agree with all the comments I've been hearing from the last few speakers. I'm very disappointed in this plan. I don't feel it's fair to Island Lake residents like me. I've paid dearly for it and have paid dearly in maintenance fees for 10 years now. To have a piece of land that you knew you couldn't stop a builder from eventually building there, but I don't believe there's anyone in Island Lake that ever dreamt that a development like this could go in with these small lots and could talk about utilizing our pool and trails and lake. Once the area south of the lake was developed, the residents in the area were happy that construction is finally stopping and that things seem calm and we have seen our pool get much more crowded with the south lake development. Now to have another 75 proposed homes, it will absolutely kill the people that have used homes they are going to try to sell. There have been a lot of people that have just been waiting for the economy to improve to put their homes on the market. And now they are so thrilled that they can sell their house at a decent price. With this development, anyone in that position is now just stuck because they are now going to be competing with construction that is going to be allowed to step right in and use the amenities that make Island Lake so special. I don't understand why this is even legal for Toll Brothers to come in and never having owned this land when they originally planned Island Lake. I don't understand how they're able to come in and add more homes and just use the amenities, but that is something I'm going to check the legalities on. I don't think this plan here is fair to all the people no matter what neighborhood you're in. The west side of Novi has always had big lots and nature and this just doesn't conform at all. I had a lot of wildlife that came through my yard and once the south side of the lake developed, it drove off a lot of them. So I do think this additional construction with harm the wildlife in the area.

Shelly Trailer is a resident of Island Lake. I just don't think this area mimics what Island Lake looks like in terms of green space and lot size. What I didn't hear discussed tonight was the amenities. I recently attended our Santa party which was packed. There were too many kids in the boat house and they couldn't even hear Santa's story. So if you have this many house with this many young families coming, parties such that would have to be split up into two nights or something to accommodate all these people. I'm just concerned with the amenities and the parking spaces. Sometimes you have to park on the streets because the pool lot is full.

Scott Russo lives near the property in question. I have a couple concerns. In regards to safety, with the

density of houses in this area, what will the traffic be like on the street? With 70 plus homes in such a small area, what will the traffic be like as compared to now? Also, the amount of green space and public area for the children to play in is a really big concern of mine. Right now there isn't a common area where any of our children can play. This is something that fundamentally needs to be addressed. Lastly, what types of homes are going to be built there? It's opposite of what our community has been built on in terms of lot size and home values.

Scott Novella is a resident of Island Lake. In looking at this plan, it isn't consistent with what we moved into. There is no common area provided and the density is too great. Going through our street and the adjacent streets, we probably have at least 40 children total and there is no place for them to play. Right now they play in the retaining pond area. Another concern of mine is the traffic on Wixom. Right now, since 2005 when CC went in, the traffic had substantially increased. It appears that there was a traffic study done in 2010 and I can guarantee since that time the traffic has just increased greatly. Just trying to exit our neighborhood between 7 and 7:30 pm on a weekday is just unbelievable with all the traffic that's coming up Wixom road to go to CC. In addition, the Singh Development will increase the traffic further. As other people have echoed, the existing resources are really stressed within our association. The parking at the pool is unbelievable especially on a hot, summer day. When the pool is open between July 4<sup>th</sup> and Labor Day, it makes it difficult to try and go up there. The other thing I would echo is in regards to the retention ponds. The one being proposed is enormous; I don't know any pond in our entire subdivision that is that large. At that size, it becomes a hazard to the kids. The kids play there, that's our green area, if the retention pond is going to be that large, its going to fill up. In the event that the plan does get re-drawn, I would prefer that an exit not occur off Ten Mile. On weeknights, it becomes heavily traveled and it could become a cut through.

Joe Tesarrowo is also a resident of Island Lake. I'm just a little confused. I've been told this is going to be part of Island Lake, but it doesn't look like it. We talked about the lot sizes, if it's going to be part of Island Lake it should look like Island Lake with the same lot sizes, houses, landscaping and everything else. We wouldn't put a ten story apartment building there and call it Island Lake so why are we even deviating at all? I live next to the current retention wall. When we moved in that was a real pond with wildlife and another basin that we could actually skate on in the winter; it was a nice amenity. Now it's just weeds collecting trash. When you look at the size of these ponds, there is no other retention pond on Island Lake property right on the road to welcome everyone driving by, it's crazy. So is this Island Lake, because it doesn't look like Island Lake. So if we're not going to make it look like Island Lake then I suggest that the Toll family make it something else. Don't include it with Island Lake and don't include it with the amenities, which would solve a lot of problems for everybody. Right now, we should probably work together to find a way to make this look like Island Lake if it's going to go in there. Again with the number of houses, there's enough room now for common area to support 100 homes consistent with the Island Lake design and feel. This looks like just a bunch of houses crammed in trying to take advantage of the amenities and lowering the rest of our property values.

Commissioner Greco read off the correspondence that was received.

Jeffery Wagenberg objects to the proposed plan. He is concerned with the traffic because it's already getting bad and another subdivision of this size will make it much worse. He is also concerned about the probable negative effect it will have on already depressed home prices.

Timothy and Rhonda Rush object to this proposal because the water/pool may not be at capacity; however on a hot day there is never enough seating. The deck is over capacity already.

Julie and Troy Londo object to this proposal because it will put more of a strain on our amenities than we have now. People are getting turned away at the pool as it is. Also there has been a large increase in traffic at 10 Mile and Wixom Road due to Oak Pointe Church. The additional homes will further increase

the traffic.

Benjamin Abler has concerns about the new subdivision. He plans to live here for many years and it's a wonderful community but 10 Mile Road at its current width cannot accommodate additional traffic of 75 new families. The Island Lake of Novi Subdivision association has existing community shared resources that are already reaching capacity and cannot accommodate the additional 75 families. This expansion was not in the master plan of the City of Novi nor was it in the master plan of Island Lake of Novi. Both plans need to be re-evaluated to determine if this is appropriate. He's in favor of growth and expansion but not at the detriment of community traffic in the immediate area and to the existing residents of the subdivision.

George Vitta objects also. He says the existing traffic volume on Wixom Road, north of 10 Mile is too great. The access to Wixom Road during morning and evening rush hours is already greatly limited. I-96 access at Wixom and Grand River takes too long.

Scott Daly also objects because the area is getting too crowded. The traffic causes too much noise for the homes on Reeds Point. Traffic is becoming a safety hazard.

Lolita Brocks also objects because she enjoys the beauty of the woodland and peaceful surroundings of nature.

Angela Shires supports Toll building more beautiful homes but does not support them building in Island Lake without additional amenities being added. If more homes are to be added then Toll must agree to more parks, pools and basketball courts.

Christopher Trainer also objects because the current footprint of Island Lake is not yet completed and the boathouse pool and other amenities are already crowded and over capacity.

Vineeth Kallur objects to the proposal because it would increase the number of people using the pool and cause overcrowding.

Steve Valentines also objects because of the reason of overuse of existing amenities, safety of those crossing Wixom and the subsequent traffic hindrance.

Lori Mayer objects also because overcrowding of the amenities including the pool, tennis court and boathouse.

Daniel Gelovich approves only on the condition that the pool is expanded and/or association dues are reduced.

There was no additional correspondence and no one else in the audience wished to speak.

Moved by Member Lynch and seconded by Member Prince:

**ROLL CALL VOTE ON PRELIMINARY SITE PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:**

**Motion to adjourn the public hearing to a future date to be determined and re-noticed by staff to allow staff adequate time to review the information submitted by the applicant on December 7<sup>th</sup>, and to allow the applicant the opportunity to submit any additional materials. *Motion carried 5-0.***

**2. PANERA BREAD DRIVE-THROUGH JSP12-48**

Public hearing at the request of Panera Bread for recommendation to the City Council for Preliminary Site Plan approval, Special Land Use permit approval and Stormwater Management Plan approval. Panera Bread is located in the existing City Center Plaza in Section 22, at 25875 Novi Road, on the northeast corner of Novi Road and Flint Street in the TC-1, Town Center District. The subject property is approximately 5.3 acres and the applicant is proposing to construct a drive-through lane adjacent to the existing Panera Bread along with a 468 square foot building addition.

Planner Kapelanski said the applicant is proposing to add a drive-through to the existing Panera Bread restaurant, located at City Center Plaza, near the intersection of Flint Street and Novi Road. The site is boarded by two road frontages and the remainder of the shopping plaza to the north. The subject property is zoned TC-1, Town Center and is surrounded by TC-1 zoning. The Future Land Use map indicates TC Commercial uses for the property and the surrounding properties. There are wetlands and woodlands on the property centered around the existing creek. The applicant does not propose any impacts to these regulated natural features.

The applicant is proposing to add a drive-through lane on the east side of the site along with a small addition to the existing restaurant space to accommodate the drive-through operations. The parking area bordered by Flint Street and Novi Road would be re-worked to include the proposed drive-through lane. The Planning Commission recommended and the City Council recently passed a text amendment permitting drive-through restaurants as a special land use in the TC-1 District provided certain conditions were met. The applicant has met those conditions. The amendment also required the Planning Commission and City Council to make a finding that "the proposed plan will not have an adverse impact on the site and on the adjacent lands and uses with respect to landscaping, screening, off-street parking, vehicular and pedestrian circulation and the compatibility of its physical design with respect to adjacent buildings." The Planning Commission should consider that provision along with the provisions noted in Section 2516.2.c of the Zoning Ordinance.

Planner Kapelanski continued stating the planning review recommends approval noting a City Council setback modification is required for the southern side yard. Additionally, variances are required for the front yard parking setback and for the lack of a bypass lane along the proposed drive-through. The traffic review also recommends approval of the plan and had no significant concerns regarding the submitted traffic impact study. A same-side driveway spacing waiver would be required. The landscape review recommends approval and supports a waiver of the deficient greenbelt width. The engineering, façade and fire review all recommend approval. The entire City Center Plaza property is over 5 acres. Developments on properties over 5 acres in the TC-1 District require the approval of the City Council after a recommendation from the Planning Commission. The Planning Commission is asked to hold the public hearing and make a recommendation to the City Council on the Special Land Use permit, Preliminary Site Plan and Stormwater Management plan.

Mike Kalfayan, Panera Breads project manager, said Panera Bread is very excited about being in Novi and has an initiative corporate wide to add drive-through's and open new locations with drive-through's. It's well received by the customers and gives them another option.

Member Greco read off the correspondence.

Patricia Keros, on behalf of the owners of the City Center Plaza Limited Partnership, support this special land use request and will allow the long-term tenant, Panera Bread, to remain there.

Sam Liu said please put lights on the parking lots because cars may use this parking lot to cut through the traffic lights; also customers walking out of the parking lot cannot see their cars.

The other tenants of City Center Plaza all support the request for the Special Land Use and Site Plan

Approval. This includes Tradewinds Spa, Rasa Yoga, Play it Again Sports, Novi Jewelers, Scottrade, and Novi Urgent Care.

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

Member Lynch said it appears there are no traffic issues. The applicant submitted a Traffic Study and they're not going to have traffic issues. It looks like they're maintaining the storm water volumes. It doesn't impact any nature features and it's consistent with the retail use in the area. Member Lynch intends to support this project.

Moved by Member Anthony, seconded by Member Lynch:

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

**In the matter of Panera Bread Drive-through, JSP12-48, motion to recommend approval of 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 as indicated by the submitted traffic study;**
- **The proposed use will not cause any detrimental impact on the capabilities of public services and facilities because the plan adequately addresses management of the increased stormwater volumes;**
- **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 is accessory only to an existing retail use and larger retail center;**
- **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; and**
- **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**

**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.**

Chair Pehrson asked if Traffic Consultant Arroyo had any comments on the proposal.

Rod Arroyo of Birchler, Arroyo Associates, the traffic consultant for the City of Novi said the purpose of the traffic analysis that the applicant's consultant did was to look at what is the likelihood of a potential increase in traffic and of cars exceeding the stacking space provided in the drive-through lane. There's roughly a one to two and a half percent chance that the number of cars could exceed the provided stacking space during the peak times. There's certainly likely that there's going to be an occasional time but for the most part, during the majority of the operation it's not likely to occur. The other thing to keep in mind is a lot of times behavior is modified. If someone comes in anticipating that they want to go the drive-through lane and they see the drive-through lanes are full, typically the behavior is 'I'm not going to go' or 'I'll park and I'll go inside because I know I can get service faster.' For the most part, based upon the data that's been provided, and looking at other Panera stores that have been evaluated and looking at this site, it appears likely that the majority of the time there will be adequate storage to

provide for the queuing that is anticipated..

Moved by Member Anthony, seconded by Member Lynch:

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

**In the matter of Panera Bread Drive-through, JSP12-48, motion to recommend approval of the Preliminary Site Plan, subject to the following:**

1. City Council modification of the southern exterior side yard setback from a maximum of 10 feet to 176 feet because (1) the modification will not impair the health, safety, or general welfare of the City as related to the use of the premises or adjacent premise; (2) the modification would result in a more desirable relationship between a proposed building and an existing building; and (3) the adherence to a minimum or maximum required setback would result in the establishment of non-usable land area that could create maintenance problems;
2. Zoning Board of Appeals variance for the deficient front yard parking setback (20' required, 10' provided);
3. Zoning Board of Appeals variance for the lack of a drive-through bypass lane;
4. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan submittal;
5. Same-side driveway spacing waiver (105' required, 82' provided); and
6. City Council waiver to allow a reduction in the required greenbelt width from 20 ft. to 10 ft. 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.*

Moved by Member Anthony, seconded by Member Lynch:

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

**In the matter of Panera Bread Drive-through, JSP12-48, motion to recommend approval of the Stormwater Management Plan, subject to the conditions and items listed in the staff and consultant review letters being addressed on the next plan submittal because the plan is otherwise in compliance with Chapters 11 and 12 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.***

**3. CROSSFIT GYM, JSP12-70**

Public hearing at the request of Phil DiPrima for Preliminary Site Plan approval, Special Land Use permit approval and Stormwater Management Plan approval. The subject property is located in Section 16, at 46039 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 5,500 square foot space for an indoor fitness facility and create eight parking spaces on the site.

Planner Kapelanski said the applicant is proposing to occupy a 5,500 square foot space in an existing building at 46039 Grand River. The property is located on the south side of Grand River, east of Beck Road. The area is generally occupied by office and industrial uses with residential uses to the south. An indoor recreation facility is 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 Future Land Use map indicates industrial uses for the subject property with residential uses to the south. There are some areas of regulated woodlands and wetlands on the site. The applicant does not propose any impacts to these regulated natural features.



The applicant is proposing an indoor fitness facility for a portion of the northeastern building on the site. The parking lot would also be restriped to add 8 additional spaces for the proposed use. The applicant is requesting and staff is recommending a waiver of the required Noise Impact Statement as no noise generating equipment is being added to the site. The planning review recommends approval of the special land use permit, preliminary site plan and stormwater management plan. The Planning Commission should consider the factors listed in Section 2516.2.c of the Zoning Ordinance regarding the special land use request. 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. The fire review recommends approval provided the applicant can relocate two of the proposed spaces to allow for adequate fire access. Relocation of these spaces is feasible. The engineering review recommends approval with items to be addressed on the next submittal.

Jason Ritchie, the applicant said him and his business partner, Phil DiPhrima are very excited about opening this facility in the community and hoping to bring motivation and healthy options. We're looking to provide somebody with a good solid plan for future fitness.

No one from the audience wished to speak and there was no correspondence. Chair Pehrson closed the public hearing.

Member Anthony said he liked to see this use. It seems to be more consistent with the new uses popping up there. It's nice to see a small business getting a start. He will support the project.

Member Greco asked the applicant to describe their business.

Mr. Ritchie said Crossfit has been around for 10 years. It was originally designed as a strength and conditioning program for military, police, fire and such. Of course, it didn't take long before people started realizing the effectiveness of this particular training regimen. It's different compared to your powerhouse gyms in many different ways but the main thing is we offer what's effective across the board for many different fitness genres or sports. For example, we do a lot of gymnastics. We have ropes hanging from the ceilings and in a lot of cases we need the higher ceilings and that's one reason why the industrial use for us is a better fit. In this case, I believe the building has been empty for quite some time so for us to fill that space should help the community in many different ways. As far as the actual programming, everyone is different. There are a couple in Northville right now, but we're looking to fill that need here in Novi. I have another business in Westland.

Moved by Member Anthony and seconded by Member Lynch:

**ROLL CALL VOTE ON SPECIAL LAND USE PERMIT APPROVAL MOTION MADE BY MEMBER ANTHONY AND SECONDED BY MEMBER LYNCH:**

**In the matter of Crossfit Gym, JSP12-70, 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 is located far from the existing adjacent residential;
- 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; and
- 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

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.*

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Crossfit Gym, JSP12-70, motion to approve the Preliminary Site Plan, subject to the following:

1. Staff updating and the applicant signing the revised agreement indicating no tenants may occupy any portion of the northwestern building on the site or the remaining space in the northeastern building on the site until additional parking is provided;
2. The applicant relocating spaces '7' and '8', as indicated in the fire review letter;
3. Waiver of the required Noise Impact Statement because the applicant will not be adding any noise generating equipment to the site; and
4. The conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan 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.*

Moved by Member Anthony and seconded by Member Lynch:

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

In the matter of Crossfit Gym, JSP12-70, motion to approve the Stormwater Management Plan subject to the conditions and items listed in the staff and consultant review letters being addressed on the next plan submittal. This motion is made because the plan is otherwise in compliance with Chapters 11 and 12 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

**4. ZONING ORDINANCE TEXT AMENDMENT 18.264 TO PROVIDE LIGHTING AT RESIDENTIAL ENTRANCES ON MAJOR THOROUGHFARES**

Public hearing for Planning Commission's recommendation to the City Council for an Ordinance to amend the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2511, Exterior Lighting in order to modify the standards for lighting at residential development entrances.

Planner Kapelanski noted the City Council has expressed an interest in ensuring residential development entrances are easily identifiable through proper lighting. Staff has suggested a possible amendment requiring street lighting for proposed residential developments. This would only apply to newly proposed

single and multiple-family developments and to entrances on a major thoroughfare. Any existing residential developments that wish to install entranceway lighting could do so in accordance with the recently adopted Street Lighting Policy. This amendment was brought before the Planning Commission at their October 24<sup>th</sup> meeting. At that time, the Planning Commission asked that staff address their comments with a revised amendment. Staff has reviewed the meeting minutes and added language that would require a minimum illumination of 0.2 foot candles, equivalent to the amount of lighting required for parking areas. Any type of lighting would be permitted provided it could meet the minimum illumination requirements. The public hearing notice incorrectly noted the number of the proposed text amendment. For the record, this is Text Amendment 18.264. The Planning Commission is asked to hold the public hearing and forward a recommendation to the City Council.

City Attorney Dovre said recommended that in the text of the ordinance the actual date of the Council resolution of September 24 be inserted in the front of 2012. Another minor change was also sent over to the staff earlier but it does not change the substance of the proposed changes.

No one from the audience wished to speak and there was no correspondence. Chair Pehrson closed the public hearing.

Moved by Member Lynch and seconded by Member Anthony:

**ROLL CALL VOTE ON APPROVAL RECOMMENDATION MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:**

**Motion to recommend approval to the City Council of Text Amendment 18.264 regarding lighting at residential entrances on major thoroughfares incorporating the comments provided at the meeting by the City Attorney. *Motion carried 5-0.***

**5. ZONING ORDINANCE TEXT AMENDMENT 18.265 TO MODIFY THE STANDARDS FOR COMMUNICATION ANTENNAS**

Public hearing for Planning Commission's recommendation to the City Council for an Ordinance to amend the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2508, Uses Not Otherwise Included within a Specific District in order to modify the standards for communication antennas.

Planner Kapelanski said this is an amendment that the City Attorney's office has been working on in response to some recent changes in the State law related to the review of wireless communications equipment. The amendment provides suggested modifications to the Zoning Ordinance to ensure that the standards in the new law are recognized and appropriately addressed in the ordinance. As a result of that, the text is being reformatted and refined. This matter was originally considered at the October 24<sup>th</sup> Planning Commission meeting where the Planning Commission asked staff to take a closer look at the amendment, specifically regarding the provisions related to the height of a tower. Staff has reviewed the language and has no concern regarding the provisions resulting in a proliferation of communication towers. The Planning Commission is asked to hold the public hearing and make a recommendation to the City Council.

No one from the audience wished to speak and there was no correspondence. Chair Pehrson closed the public hearing.

Member Lynch said the Planning Commission was struggling with having one large tower or several smaller ones. The revisions that have been made gives the Planning Commission and City Council a little bit of latitude in that regard.

City Attorney Dovre said he has made two changes on pages six and seven. It goes to that issue and maybe even improves upon it. The height limit was in subsection 10 on page six and that said "not exceed the minimum height necessary for wireless services and call location." I'm suggesting adding a specific reference to an application requirement that is on the following page. That is found near the bottom of page seven. That section already required an engineering justification for proposed height. This is expanded to confirm that it's to be for at least two providers and show the height needed for all of them. It discloses upfront that if you want to get as much height as possible show us who's going to be on here.

Member Lynch said he appreciated that and agreed.

Moved by Member Lynch and seconded by Member Anthony:

**ROLL CALL VOTE ON APPROVAL RECOMMENDATION MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:**

Motion to recommend approval to the City Council of Text Amendment 18.265 to modify the standards for communication antennas incorporating the additional revisions provided at the meeting by the City Attorney. *Motion carried 5-0.*

**MATTERS FOR CONSIDERATION**

**1. APPROVAL OF THE OCTOBER 24, 2012 PLANNING COMMISSION MINUTES**

Moved by Member Lynch and seconded by Member Anthony:

**ROLL CALL VOTE ON APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:**

Motion to approve the October 24, 2012 Planning Commission minutes. *Motion carried 5-0.*

**2. APPROVAL OF THE NOVEMBER 14, 2012 PLANNING COMMISSION MINUTES**

Moved by Member Lynch and seconded by Member Anthony:

**ROLL CALL VOTE ON APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:**

Motion to approve the November 14, 2012 Planning Commission minutes. *Motion carried 5-0.*

**CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no Consent Agenda Removals.

**MATTERS FOR DISCUSSION**

Deputy Director of Community Development Barb McBeth said included in the packet is the Planning Commission schedule for 2013. We found, after some further review, that the City Council is going to hold one of their possible budget sessions in the month of May so we have a request to change the dates for the Planning Commission meetings in May to the 15<sup>th</sup> and 29<sup>th</sup>. So if that's acceptable we'll do that.

**SUPPLEMENTAL ISSUES**

There were no Supplemental Issues.

**AUDIENCE PARTICIPATION**

No one from the audience wished to speak.

**ADJOURNMENT**

Moved by Member Lynch and seconded by Member Anthony:

**VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:**

**Motion to adjourn the December 12, 2012 Planning Commission meeting. *Motion carried 5-0.***

The meeting was adjourned at 8:19 PM.

Transcribed by Valentina Nuculaj  
December, 2012  
Date Approved:

Signature on File

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Richelle Leskun, Planning Assistant