



PLANNING COMMISSION MINUTES

Draft

CITY OF NOVI

Regular Meeting

May 23, 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 7:15 PM.

ROLL CALL

Present: Member Anthony, Member Gutman, Member Lynch, Member Prince

Absent: Member Baratta (excused); Member Greco (excused), Chair Pehrson (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Adam Wayne, Engineer; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Tom Schultz, City Attorney

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Prince, seconded by Member Lynch:

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

Motion to approve the May 23, 2012 Planning Commission Agenda. *Motion carried 4-0.*

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 voted to approve the Ten Mile and Meadowbrook Commercial Rehabilitation Area Plan as referenced in the City Council's tax abatement policy. Also, the Preliminary Site Plan for Main Street Condominium modifications was approved subject to a number of conditions, including the finalization of a number of legal documents. The Final Site Plan will return to the City Council for consideration.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no Consent Agenda items.

PUBLIC HEARINGS

There were no Public Hearings.

MATTERS FOR CONSIDERATION

1. NOVI CRESCENT SP12-24

Consideration of the request of Novi Crescent LLC for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located in Section 15, north of Crescent

Boulevard and west of Novi Road, in the TC, Town Center District. The subject property is approximately 1.29 acres and the applicant is proposing to demolish the existing Big Boy restaurant and construct a 10,000 sq. ft. building consisting of restaurant and retail space.

Planner Kapelanski reported that the applicant is proposing to demolish the existing Big Boy at the northwest corner of Novi Road and Crescent Boulevard and construct a 10,000 square foot building with two restaurant spaces and retail space. The subject property is bordered by the Melting Pot Restaurant to the north, Novi Road to the east, Crescent Boulevard to the south and Expo Drive and the vacant Expo Center to the west. The subject property is zoned TC, Town Center District. The site is bordered by the Town Center District to the north, east, south and west and EXPO, the Exposition District further west. The future land use map indicates Town Center commercial uses for the subject property and the properties to the north and south. Office uses are recommended for the properties further to the west beyond Expo Center Drive. There are no regulated woodlands or wetlands on the site.

The Planning review recommends approval and indicates the applicant is requesting waivers from the Planning Commission and several variances from the Zoning Board of Appeals. The building setbacks are required to be 50 feet on all sides of the property. The building setbacks on the northern, eastern and southern sides of the property are deficient. In the TC District, the Planning Commission can reduce the setbacks provided the three conditions noted in the Plan Review Chart are met. The applicant is requesting variances in order to locate the loading zone and dumpsters in an exterior side yard. Staff would support these variances given the three road frontages this lot has. The applicant is also requesting variances for the deficiency in the number of parking spaces and the parking setbacks in the southern and western yards. Staff recommends the applicant either reduce the building size or eliminate one of the restaurant spaces in order to meet ordinance requirements for both the parking setbacks and the parking space deficiency.

Planner Kapelanski continued noting the Landscaping review recommends approval of the plan and the applicant is seeking two landscape waivers from the Planning Commission. The applicant has provided decorative fencing with brick piers in lieu of a solid brick wall. This is permitted with a Planning Commission waiver and staff supports this waiver. The applicant is also requesting a waiver of the foundation plantings area requirement. Staff would support this waiver as the applicant has worked to install plantings on other areas of the site in place of the deficient foundation landscaping. All other reviews recommend approval with minor items to be addressed on the next plan submittal.

The applicant, Ryan Shultz of Versa Development, stated that he is asking for a few waivers and variances that he will present to the Zoning Board of Appeals. Some of the unique characteristics of the site are that the the building is fronted on three sides which reduced the development envelope significantly with the required setbacks. There is a large right-of-way into the south which provides a green area buffer between the road and the site. That's why the green space was put in the center of the site as opposed to along the edges.

Member Lynch asked of the applicant is going to provide additional landscaping to compensate for the deficient building foundation landscaping.

Mr. Shultz answered additional landscaping was provided in the middle of the site.

Member Lynch confirmed that a decorative wall has been provided in lieu of the solid brick wall.

Mr. Shultz stated that in order to be consistent with the Town Center District the building was moved forward which presents a unique characteristic, where there are fronts on all sides of the building which makes putting in foundation landscaping difficult.

Member Anthony stated that more restaurants in the Town Center have been requesting outdoor seating. Recently, we passed a request to increase the schedule time to open outdoor seating earlier in the year. With the reduction of the setbacks and the restaurant being considered, has outdoor seating arrangements come up at all in the plans?

Mr. Shultz said that outdoor seating is anticipated for the restaurant to the south.

Motion made by Member Lynch, seconded by Member Prince:

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

In the matter of Novi Crescent, SP 12-24, motion to approve the Preliminary Site Plan, subject to the following:

- a. Planning Commission reduction of 30 feet in the required southern building setback (50 ft. required, 20 ft. provided);
- b. Planning Commission reduction of 30 feet in the required eastern building setback (50 ft. required, 20 ft. provided);
- c. Planning Commission reduction of 36 feet in the required northern building setback (50 ft. required, 14 ft. provided);
- d. Zoning Board of Appeals variances for the loading zone and dumpster locations in the exterior side yard;
- e. Applicant reducing the building size to comply with parking requirements or a Zoning Board of Appeals variance for the deficient number of parking spaces (94 required, 80 provided);
- f. Applicant reducing the building size to allow for additional area to meet the required parking setbacks in the southern and western yards or Zoning Board of Appeals variances for each of these deficiencies (20 ft. required, 10 ft. provided);
- g. Applicant providing additional landscaping on site to compensate for the lack of building foundation landscaping in lieu of the requested foundation landscaping area waiver;
- h. Planning Commission waiver to allow a decorative wall in lieu of the required berm along public rights-of-way; and
- i. The conditions and items listed in the staff and consultant review letters being addressed on the Stamping Set submittal

for the following reasons;

- a. a reduction in the required building setbacks will not impair the health, safety or general welfare of the City as related to the use of the premise or adjacent premise;
- b. A waiver of the building setbacks along a common parcel line between two premises would result in a more desirable relationship between a proposed building and an existing building;
- c. Adherence to a minimum required building setback would result in the establishment of nonusable land area that could create maintenance problems;
- d. The location of the proposed building is consistent with the recommendations of the recent update to the Master Plan for Land Use; and
- e. 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 4-0.*

Motion made by Member Lynch, seconded by Member Prince:

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

In the matter of Novi Crescent, SP 12-24, 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 because it is otherwise in compliance with Chapter 11 of the Code of Ordinances.
Motion carried 4-0.

2. Approval of the March 28, 2012 Planning Commission Minutes

Moved by Member Lynch, seconded by Member Prince:

VOICE VOTE ON THE APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:

Motion to approve the March 28, 2012 Planning Commission minutes. *Motion carried 4-0.*

3. Approval of the April 25, 2012 Planning Commission Minutes

Moved by Member Lynch, seconded by Member Prince:

VOICE VOTE ON THE APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:

Motion to approve the April 25, 2012 Planning Commission minutes. *Motion carried 4-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda Removals.

MATTERS FOR DISCUSSION

There were no Matters of Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one from the audience wished to speak.

ADJOURNMENT

Moved by Member Lynch, seconded by Member Prince:

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

Motion to adjourn the May 23, 2012 Planning Commission meeting. *Motion carried 4-0.*

The meeting adjourned at 7:31 PM.

Transcribed by Valentina Nuculaj
May, 2012

Date Approved:

Richelle Leskun, Planning Assistant