



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

April 24, 2013 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 Greco, Member Lynch, Chair Pehrson, Member Prince, Member Zuchlewski

Absent: Member Gutman, Member Anthony

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Greco:

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

Motion to approve the April 24, 2013 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 had nothing to report.

CONSENT AGENDA - REMOVALS AND APPROVAL

There were no items on the Consent Agenda.

PUBLIC HEARINGS

1. ANDELINA RIDGE, JSP13-12

Public hearing at the request of Pinnacle- Novi 12 LLC for Preliminary Site Plan utilizing the Open Space Preservation Option, Phasing Plan, Woodland Permit, Wetland Permit and Stormwater Management Plan approval. The subject property is 64.0 acres in Section 18 of the City of Novi and located south of Twelve Mile Road and east of Napier Road in the R-4, One-Family Residential District. The applicant is proposing a 146 unit development using the Open Space Preservation Option.

Planner Kapelanski said the applicant is proposing a 146 unit single-family residential development using the open space preservation option. To the north of the property in the City of Wixom is multiple-family housing, to the east is vacant land and Catholic Central High School, to the west is Knightsbridge Gate residential development and to the south is a mobile home park. The subject property is currently zoned R-4, One-Family Residential. The site is bordered by RM-1, Multiple-Family Residential zoning to the north in

the City of Wixom, R-1 and RA zoning to the east, R-4 zoning to the west and MH, Mobile Home zoning to the south. The Future Land Use map indicates single family uses for the subject property and the property to the west with mobile home uses planned to the south and educational uses planned to the east. The natural features map does show a significant amount of woodlands and wetlands on the site. The applicant is proposing 146 single-family lots.

Planner Kapelanski continued noting the open space preservation option which the applicant is utilizing is intended to encourage the preservation of open space and natural features. The applicant has designed the site with the preservation of the existing wetlands and woodlands in mind. The wooded areas bordering the south and east sides of the property have been preserved and the wooded area near the center of the property has also been preserved. The applicant has also proposed phasing the development of the site with a three-phase plan beginning at the north end of the site. The applicant has provided areas identified on the plan for potential sidewalk connections to the adjacent properties but has not elected to install the connections as part of this plan.

The planning review recommends approval of the plan noting additional items that should be addressed in the final site plan submittal. The engineering review also recommends approval. A City Council waiver to allow unpaved eyebrows is required and supported by staff. The landscape review recommends approval of the plan and supports the requested landscape waivers for the lack of berm along the south property line and along the Twelve Mile Road frontage in order to preserve the existing vegetation. The woodland review letter recommends approval of the plan and the required woodland permit. The applicant is requesting Planning Commission approval to allow greater replacement credits for upsized woodland replacement plantings. A wetland permit would be required for the proposed impacts. The wetland review recommends approval of the plan and the required permit. The traffic and fire reviews both recommend approval with items to be addressed on the final site plan.

Howard Fingerroot of Pinnacle Homes said he was here about a year ago on a few different matters. The first one was for the rezoning of this property and the second was a PRO on Ten Mile and Beck. Pinnacle Homes is doing two developments right now in the City of Novi. The first is a site they took over about five years ago that was called Provincial Glades; it's now called Bella Terra. They are just finishing up about 67 houses at that development on Nine Mile and Napier there. Last year, 440 trees were planted relating to that site. It's going along very nicely. Second, Pinnacle Homes took a site that was distressed about two years ago called Normandy Hills. The last six homes are finishing up right now. Mr. Fingerroot said we've been working well with the City's staff in our current developments and we look forward to continuing that.

In 2010 Pinnacle was awarded builder of the year. In 2011, they were largest single family builder in Oakland County. In 2012, they were awarded the developer of the year because of three or four of the sites that we developed in neighboring communities in Novi.

Mr. Fingerroot said he's excited about Andelina Ridge. Novi is a great place and people love living here. He chose to use the preservation ordinance. There are nice stands of woods as was pointed out in the east and south sides, but there's a really nice stand of woods along the west side that the plan keeps. There is a single-loaded road along the wooded area, so the woods won't be just in the backyards for the few to enjoy but pretty much the whole community will get a view driving south through the community.

Mr. Fingerroot said a park is proposed at the entryway with benches, hardscape and landscape. They are trying to give it a nice punch as you enter the community. With regard to Twelve Mile Road, the north border of the site is not paved. A traffic study was completed and they will have to pave that section of Twelve Mile in front of their site.

Chair Pehrson opened the public hearing.

Alex Ages, resident on Sloan Street, said he's not really opposed or for this project. He knew when he moved in that there was going to be construction there. He's curious about what's going to take place with the wetland area near the woods because his backyard already takes a long time after a long rain to drain. What affect is that going to have by bringing in all the houses, and how is that going to change the landscape there?

No one else wished to speak.

Member Greco read the correspondence.

Stephan and Silvia Schwarzkopf of Sloan Street object to this site plan because of the loss of woodland and the higher density proposed in this plan that will impact the value of their house. They urge the Commission to consider the plan presented by Pinnacle in February 2012 which included the construction of 125 homes, the preservation of woodland, reasonable water basins and the privacy they all had in mind when they purchased premium lots some years ago. They believe the plan showed to them when the site we rezoned was a good compromise for all the parties.

Darren Bulinda of Maxwell Court objects. One of the main reasons he bought his house is because it is backed up to the fields/woods of the said site plan. There are no more wooded natural habitats left in Novi.

Jennifer Siev of Maxwell Court approves of the project. She thinks that having wetland/woodland areas will maintain the beauty and value of the neighborhoods and the area to preserve land for wildlife.

There was no additional correspondence and Chair Pehrson closed the public hearing.

Member Lynch said he's assuming that's a stormwater retention pond that the gentleman was just referring to. He believes, on the west side of the site, the pond is a detention basin.

Mr. Fingerroot said that's the basin that we worked with on with engineering. The location of the basin is determined by the grades of the site. That's where the water flows naturally. He does not believe there is a standing water table. The basin will detain the water after it rains, then it's discharged out. There's no standing water table.

Member Lynch said the drainage is one thing he wanted to clarify. This development will actually help some of the drainage issues of some of the surrounding properties because now you'll have the ability since you're developing this land to get the water to flow where you want it to.

Mr. Fingerroot said typically that's what happens.

Member Lynch said he looked at the submitted plan and remembers the concept plan from a while ago. This plan looks better than the concept plan. Member Lynch likes the idea of the park in a somewhat central location; it looks like there are two parks. Member Lynch remembers the discussion about changing the plan because of the adjoining neighbors to the west to make sure there is a natural buffer. He believes this is a good win-win situation for everybody involved.

Member Greco said upon reviewing the materials here, looking at the drawings and knowing a little bit of the history of this property, this looks like a good project. The density looks appropriate for the area.

Deputy Director McBeth said we noted that there pedestrian improvements with this plan. There's a

sidewalk shown on Twelve Mile Road and both sides of the proposed streets. There's a pathway off to the southeast that is consistent with the City's Non-Motorized Master Plan recommendations for neighborhood connectors. At the pre-application meeting, there were a number of discussions about how to connect from Knightsbridge Gate through this subdivision over toward Catholic Central and possibly toward the Island Lake development. Toward the southeast there's a short pathway segment shown as a future pathway onto the Knightsbridge Gate site. It's not proposed with this development because it's an offsite improvement. But just keeping in mind a Non-Motorized Master Plan concept is to connect the neighborhoods and this applicant has been willing to work with the staff on that.

Moved by Member Lynch and seconded by Member Greco:

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

In the matter of Andelina Ridge, JSP13-12, motion to approve the Preliminary Site Plan with Open Space Preservation Option based on and subject to the following:

- a. City Council waiver to allow unpaved eyebrows;
- b. Planning Commission waiver for the lack of berm along the south property line;
- c. Planning Commission waiver for the lack of berm along the Twelve Mile Road frontage;
- d. Planning Commission waiver to allow greater credit for upsized woodland replacement plantings; and
- e. 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 Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the ordinance. *Motion carried 5-0.*

Moved by Member Lynch and seconded by Member Greco:

ROLL CALL VOTE ON THE PHASING PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:

In the matter of Andelina Ridge, JSP13-12, motion to approve the Phasing Plan based on and subject to 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 Article 4, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Lynch and seconded by Member Greco:

ROLL CALL VOTE ON THE WETLAND PERMIT APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:

In the matter of Andelina Ridge, JSP13-12, motion to approve the Wetland Permit based on and subject to 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 Chapter 12, Article V of the Code of Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Lynch and seconded by Member Prince:

ROLL CALL VOTE ON THE WOODLAND PERMIT APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:

In the matter of Andelina Ridge, JSP13-12, motion to approve the Woodland Permit, based on and subject to a Planning Commission waiver to allow greater credit for upsized woodland replacement plantings and subject to the conditions and items listed in the staff and consultant review letters being addressed on the Final Site Plan. This motion is made because it is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Lynch and seconded by Member Greco:

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

In the matter of Andelina Ridge, JSP13-12, motion to approve the Stormwater Management Plan, based on and subject to 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 in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

2. ZONING ORDINANCE TEXT AMENDMENT 18.266 LIQUOR LICENSE REQUIREMENTS

An ordinance to amend ordinance no. 97-18 as amended, the City of Novi Zoning Ordinance, Article 25, "General Provisions," to add Section 2525, "Service of alcoholic beverages; special use approval required," to require special use approval for the sale of alcohol for consumption on premises.

Deputy Director McBeth said currently the City regulates licensed establishments like bars and restaurants selling beer, wine, and liquor for on-premises consumption mostly through Chapter 3 of the City Code. There is a licensing process, with full reviews by the Public Safety and Community Development Departments and the Clerk's office. The City Council reviews the applications and either approves or denies the license. This process is followed whether the license being applied for is a "quota" or new license. Since the 1930's, the State's Liquor Code was read to require local legislative approval for either a quota license or a transfer license. If the local body did not approve the license, the State's Liquor Control Commission, which actually issues the liquor license, would not issue it. But last year, the Liquor Control Commission issued a bulletin that said, essentially, it had re-read the Code and no longer believes that it actually requires local approval for a transfer license. Most groups representing local governments believe that the Commission is wrong in its interpretation of the Code. We're still awaiting an opinion from the Attorney General's office. In the meantime, we are faced with the possibility of the Liquor Control Commission granting a transfer license over the objections of the City – a new situation that must be dealt with. Separately from what's being considered here tonight, the City Council may be looking at changes to Chapter 3 of the City Code to try and beef up its current requirements. But there is the chance that some future applicant who is denied a transfer might argue that the State license was all that was needed, even if it was issued over the City's objection.

So, the City Council, at the March 11th meeting, asked the Planning Commission to study the idea of another layer of review authority – the special land use requirement. Right now, in the City of Novi the only zoning requirement for a licensed establishment is that a bar or restaurant be permitted in the zoning district. In other communities such as Birmingham, Royal Oak, Livonia, and Grand Rapids, license users are also required to get a special land use approval. The Council asked the Administration to prepare possible changes to the ordinance that would add a special land use requirement for licensed establishments. Two versions were presented: Version 1 used all of the provisions of Section 2516.2.c – the full review criteria for all special land uses in the City, plus additional standards related to economic development, other uses in the area, etc. It is the more "regulatory" of the two, because it requires the applicant to address more criteria. Version 2 is scaled back. It does not require all of the same findings as

a full special land use under Section 2516.2.c, but would instead use the standards found in proposed new Section 2525.

Deputy Director McBeth continued noting that there are a few important points in consideration of this ordinance amendment. As drafted, the new special land use provisions of Section 2525 would not require a full review and public hearing before the Planning Commission. Section 2525 authorizes an administrative public hearing process, with the results and recommendation from that public hearing being forwarded to the City Council for consideration to deny, approve, or approve with special conditions the request for special land use. Two alternatives are presented in the draft ordinance involving staff members that would be involved in conducting the public hearing – Staff is now recommending that a mix of representatives from Community Development, Public Services and Assessing be the team that would administer the public hearing and provide the recommendation to the City Council. Any existing use that already has a license would be “grandfathered”, until there is a new application or a site plan amendment. The TC/TC-1 Town Center District already lists brew pubs as a permitted use. This use will be moved into the special land use category, consistent with the other changes provided in the ordinance. To clarify: a special land use requirement for a licensed establishment would not replace the Chapter 3 process; it would only supplement it. So tonight, the Planning Commission is asked to hold a public hearing on this ordinance amendment and make a recommendation to the City Council. Again, our recommendation was that a team of staff people as indicated in the draft ordinance be the administrative body that holds the public hearing.

Chair Pehrson opened the public hearing.

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

Member Lynch asked if the City Council still retains the right to approve a liquor license.

Deputy Director McBeth said that’s the intent. The intent is for the City to continue with the process that has been in place. The idea is to bolster the standards in case there’s a question about somebody getting a license through the State without getting a City Council approval.

Member Lynch asked how an administrative public hearing would work.

Deputy Director McBeth said staff has an administrative public hearing for other items as well, such as for temporary special land use. If somebody needs to have a temporary use, and it’s not going to be a permanent change to the landscape, they can request a temporary special land use public hearing. That’s usually held by the Building Official or the Community Development Director. Staff notifies property owners within a certain range of that location. The public is invited to come in when the public hearing is held and then a decision is made.

Member Lynch said he wanted to make sure the public still had an opportunity to voice their pleasure or displeasure if the Planning Commission would not be involved.

Ms. McBeth said currently there is not a Planning Commission portion to the liquor license approvals. Currently the City Code calls for a staff review process that makes a recommendation to the City Council.

Member Greco confirmed staff is looking for support for version two of the amendment.

Deputy Director McBeth said that’s staff’s recommendation. It is version two that provided a mix of staff members including Community Development, the Assessor and somebody from Public Works being on

the administrative team.

Member Greco said from what he read regarding the issue and heard in the presentation, obviously the State Liquor Control Commission has attempted to take away a right that the City believes that it has. If you look at this process that's setup, it looks like it was some action or something to get around that. Pursuant to Chapter 3 of the City Code that the City currently has in place, licensees have to come for approval. Now the fear is that licensees will either ignore the ruling of the Council or won't come in for review. With the Special Land Use requirement, it makes sure the applicants come before the City. This is a permitted way for the City to deal with licensees like this. It's really changing our scheme, but not necessarily getting around something. It's getting around what we have setup and used traditionally, but is not out of left field with respect to what other Cities are doing.

Chair Pehrson said relative to the idea for the possible alternative on page 2, Approval Process Section E, talks about an alternative which is the Director of Public Works, Community Development and the Assessor.

Deputy Director McBeth said that's the one that staff is recommending at this point.

Chair Pehrson said relative to the next section for the Town Center where we describe what a brewery is and isn't. Realizing that that's specific to the Town Center, how close is the language in any other parts of the ordinances relative to the definition of a brewery?

Deputy Director McBeth said micro-brewery is already included for the TC District but it's listed as a Permitted Use. The suggestion is to move that use over to the Special Land Use section.

Chair Pehrson asked if this whole thing would then transfer over to a Special Land Use.

Deputy Director McBeth said yes. Staff is not proposing to change the language at all.

Chair Pehrson said he agrees that's where it needs to be. Then we go back just to the City Council minutes on page four, maybe you could help me understand what the City Manager was talking about; how the Special Land Use would require a public hearing and deliberation by the Planning Commission for recommendation back to City Council. So that seems contradictory to what we're saying now that the staff would do relative to an administrative role.

Deputy Director McBeth said the Planning Commission's public hearing process for liquor licenses is not the suggestion at this point. This ordinance amendment needs to come to the Planning Commission for the public hearing and recommendation back to City Council.

Chair Pehrson clarified the transfer process will follow the same process as far as background checks.

Deputy Director McBeth said yes, that part is covered in the City Code. The City Council may take a look at that section to identify if it needs to be adjusted as well.

City Attorney Gary Dove said the proposed ordinance with the public hearing alternative that involves the Director of Public Services, Community Development, and the Assessor is recommended.

Moved by Member Zuchlewski and seconded by Member Lynch:

ROLL CALL VOTE ON TEXT AMENDMENT 18.266 APPROVAL MOTION MADE BY MEMBER ZUCHLEWSKI AND SECONDED BY MEMBER LYNCH:

Motion to recommend approval of the version of the Text Amendment 18.266 requiring an administrative Special Land Use hearing to be held by staff.

MATTERS FOR CONSIDERATION

1. INTERIOR ENVIRONMENTS, JSP13-18

Consideration of the request of Interior Environments for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located in Section 17 at 48700 Grand River Avenue, on the north side of Grand River Avenue, east of Wixom Road in the B-3, General Business District. The subject property is 1.36 acres and the applicant is proposing to expand the parking area, update the façade and make other minor improvements.

Planner Kapelanski said the applicant is proposing the expansion of the existing parking lot to accommodate the new tenant, Interior Environments at 48700 Grand River. The site is bordered by Twelve Mile Road to the north and Grand River Avenue to the south. A financial institution is located to the east of the site and a restaurant is located to the west. The subject property is zoned B-3, General Business and is generally surrounded by B-3 zoning with Light Industrial zoning on the opposite side of Grand River Avenue. The Future Land Use map indicates Community Commercial uses for the subject property and surrounding properties with Office, Research, Development and Technology uses planned on the south side of Grand River Avenue. There are no natural features on the property.

The applicant is proposing to expand the existing parking area generally along the Twelve Mile Road frontage of the site and has also proposed updates to the building façade and landscaping. The plan shows the creation of a landscape area where three parking spaces are currently located. The applicant is seeking the Planning Commission's approval of landbanked parking in this location and for one space along the Grand River Avenue frontage. Landbanked parking is allowed provided the applicant can demonstrate the number of parking spaces required by the ordinance is in excess of the spaces required for their specific use. The applicant has provided materials supporting the landbanked parking request and staff recommends approval of the landbanked parking. A variance from the Zoning Board of Appeals would be required to allow landbanked parking on a site requiring less than 45 spaces. In this case, the site requires 43 spaces. The planning review recommends approval of the plan noting a variance is required for the deficient exterior side yard parking setback. The engineering review also recommends approval of the plan. A City Council waiver to allow an uncurbed parking lot as well as an administrative waiver for the lack of a 25' vegetative buffer around the stormwater basin are required. The traffic, landscape, façade and fire reviews all recommend approval of the plan with items to be addressed on the final site plan submittal.

Kim Capello, on behalf of the applicant, said the applicants are Novi residents. They currently lease space in Southfield and they've been looking for a location in Novi for a while. When Jimmy Rustics became vacant, they bought the building and they're proposing to do the improvements. The plan review center has done a good job identifying the issues. There are two areas where this plan doesn't meet the requirements and in both of those areas it has to do with the parking setback and the number of parking spaces. We've already filed our application for a variance to the ZBA and we will be in front of them in the first meeting in June. There's another item in regard to the sidewalk along Twelve Mile Road that shows in your report that sidewalk is required. I think the Plan Review Center has confirmed there is actually no requirement to put a sidewalk along Twelve Mile Road. There is a sidewalk on Grand River.

Planner Kapelanski said after further review of the Non-Motorized Master Plan and the Bicycle and Pedestrian Master Plan, a sidewalk is not required on the Twelve Mile Road frontage.

Member Lynch said he's kind of excited to see that the building is going to be used and has no issue. These are fairly minor ZBA requests. This is the basic reuse of an existing building. It's in a great location.

Moved by Member Lynch and seconded by Member Greco:

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

In the matter of Interior Environments, JSP13-18, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. With regard to the proposed landbanked parking, Planning Commission finding that:
 - i. The applicant has demonstrated through substantial evidence that the specified occupant and building use will require less parking than what is required by the Zoning Ordinance;
 - ii. Parking will not occur on any street or driveway;
 - iii. Parking will not occur on any area not approved and developed for parking;
 - iv. Parking will not occur on that area where parking construction has been landbanked until such time as that area is constructed for such parking;
 - v. The requested parking landbanking will not create traffic or circulation problems on or off site; and
 - vi. The requested parking landbanking will be consistent with the public health, safety and welfare of the City and the purposes of the Zoning Ordinance;
- b. Applicant receiving a variance from the Zoning Board of Appeals in order to allow landbanked parking on a site requiring less than 45 spaces;
- c. Applicant receiving a variance from the Zoning Board of Appeals for the deficient exterior side yard setback (20' required, 12' provided)
- d. City Council waiver to allow an uncurbed parking lot;
- e. Administrative waiver for the lack of a 25' vegetative buffer around the stormwater basin; and
- f. 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 Article 15, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

Moved by Member Lynch and seconded by Member Greco:

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

In the matter of Interior Environments, JSP13-18, motion to approve the Stormwater Management Plan, based on and subject to the following:

- a. Administrative waiver for the lack of 25' vegetative buffer around the stormwater basin; 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 Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

2. CHILI'S RE-IMAGING, JSP13-23

Approval of the request of GHA Architecture/Development for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 36 at 20901 Haggerty Road on the west side of Haggerty Road, north of Eight Mile Road in the OSC, Office Service Commercial District. The applicant is proposing to update the existing façade including repainting the brick, trim and metal screens and adding fabric awnings to the building.

Planner Kapelanski said the applicant is proposing to modify the existing façade of Chili's restaurant at

the northwestern corner of Haggerty Road and Eight Mile Road. The property is zoned OSC, Office Service Commercial. The proposed façade modifications require a Section 9 façade waiver for the overage of painted brick, wood siding, fabric awnings and metal roof screens. The City's façade consultant has recommended approval of the requested waiver. In this case, a portion of the brick on the building was previously painted and the applicant has proposed to repaint only this previously painted brick. The same case applies to the wood siding and metal roof screens. The fabric awnings are a new material but harmonize with the other elements on the building.

JJ Jamadar, Director of Development for Chili's and Brinker International, said he doesn't have anything to add and is here mainly to answer any questions.

Moved by Member Lynch and seconded by Member Greco:

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

In the matter of Chili's Re-Imaging, JSP13-23, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Section 9 waiver for the overage of painted brick, wood siding, fabric awnings and metal roof screens;
- b. Applicant clarifying the color, intensity and method of integration of all LED accent lighting; and
- c. The conditions and items listed in the staff and consultant review letters being addressed on the next plan submittal.

The motion is made because the plan is otherwise in compliance with Article 12, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

3. APPROVAL OF THE APRIL 3, 2013 PLANNING COMMISSION MINUTES

Moved by Member Lynch and seconded by Member Prince:

VOICE VOTE ON PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER PRINCE:

Motion to approval the April 3, 2013 Planning Commission minutes. *Motion Carried 5-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no Consent Agenda Removals.

MATTERS FOR DISCUSSION

There were no Matters for Discussion.

SUPPLEMENTAL ISSUES

There were no Supplemental Issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Greco and seconded by Member Prince:

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

Motion to adjourn the April 24, 2013 Planning Commission meeting. *Motion carried 5-0.*

The meeting was adjourned at 7:48 PM.

Transcribed by Valentina Nuculaj
May, 2013
Date Approved: March 13, 2013

Signature on File

Richelle Leskun, Planning Assistant