



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

November 4, 2015 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Baratta, Member Giacometti, Member Greco, Member Lynch, Chair Pehrson

Absent: Member Anthony (excused), Member Zuchlewski (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri, Planner; Chris Gruba, Planner; Rick Meader, Landscape Architect; Jeremy Miller, Engineer; Doug Necci, Façade Consultant; Gary Dovre, City Attorney.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Baratta

ROLL CALL TO APPROVE THE NOVEMBER 4, 2015 AGENDA MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA

Motion to approve the November 4, 2015 Planning Commission Agenda. Motion carried 5-0

AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE

There was no correspondence.

COMMITTEE REPORTS

There were no committee reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Deputy Director McBeth said that there is nothing to report this evening.

CONSENT AGENDA - REMOVALS AND APPROVAL

PUBLIC HEARING

Chair Pehrson asked the audience if there is anyone that wanted to address the Planning Commission on the two Public Hearings, Maple Manor and Dixon Meadows that were advertised for November 4, 2015. The Public Hearings will be rescheduled to another date. There was no response.

Member Baratta indicated that he is an employee of the Learning Care Academy and asked to be recused.

Motion to recuse Member Baratta from the Learning Care Academy Public Hearing due to a conflict of

interest motion made by Member Giacometti and seconded By Member Greco.

ROLL CALL VOTE TO RECUSE MEMBER BARATTA FROM THE LEARNING CARE ACADEMY PUBLIC HEARING MADE BY MEMBER GIACOPETTI AND SECONDED BY MEMBER GRECO *Motion carried 4-0.*

1. LEARNING CARE ACADEMY JSP15-0057

Public hearing at the request of ICAP Development for recommendation to the City Council for Concept Plan approval under the Planned Suburban Low Rise Overlay District. The subject property is located on the west side of Beck Road north of Eleven Mile Road (Section 17). The applicant is proposing a child care facility to serve up to 170 children.

Planner Sri Komaragiri stated that ICAP development, on behalf of Learning Care Group, Inc., is proposing to construct a daycare facility in Novi. The subject property is located in the North West corner of Eleven Mile and Beck Road in Section 17. The property is currently zoned R-3: One-Family residential with a Planned Suburban Low-Rise (PSLR) Overlay which allows the applicant to develop the property to serve as a transitional area between lower-intensity detached one-family residential and higher-intensity office and retail uses. The subject property is surrounded by similar zoning with Residential Acreage on east on other side of Beck Road.

The Future Land Use map indicates Suburban Low-Rise for the subject property and the surrounding properties with single family uses recommended to the east.

The proposed site is adjacent to an existing wetland mitigation area (located to the northwest) that is associated with the Providence Hospital development. The site does appear to contain a small section of City-regulated Woodlands along the western edge of the property.

The subject property is currently vacant and measures 4.15 acres. The applicant is proposing to construct a daycare facility to serve 130 children and 22 staff with site improvements including parking, storm water, landscaping and recreation areas for children. The plans also indicate a future expansion of the building to serve 170 kids and 26 staff. All site improvements such as parking and storm water management are designed to accommodate future expansion as well. The future building expansion is not shown on the plans that were initially submitted. However, the applicant has provided an updated phasing drawing which is in front of the Commission as shown on the screen. The areas indicated in red are reserved for a future possible expansion for the building and outdoor play area. The applicant is requesting the phasing approval in Planning Commission's recommendation to the City Council.

The applicant has been diligently working with staff to understand and address the intent and requirements of PSLR ordinance prior to initial submittal. Due to the proposed day care program and design requirements, the applicant is requesting multiple deviations from Zoning Ordinance. These deviations can be granted by the City Council per section 3.21.1.D of the zoning ordinance.

As per PSLR requirements, buildings shall front on a dedicated non-section line public street or an approved private drive. The applicant is proposing a public street along the southern boundary to meet this requirement. For all intents and purposes, this would be considered the front yard.

The applicant is requesting deviations from the maximum allowed front yard building setback; allow approximately 20 parking spaces, a dumpster and a fence in the front yard, and to exceed the maximum allowed accessory structures. The applicant agreed to revise the plans to address other deviations listed in the review letter. Planning supports the deviations requested and recommends approval of PSLR Concept Plan.

A sidewalk is required on either side of any proposed public road. The applicant requests a deviation not to provide the sidewalk around the cul-de-sac given that it is a temporary turn around with less intense use and is intended to connect to another street network once neighboring property is developed. Engineering is not in support of the request as it does not meet the requirements for a variance request. Our Engineer Jeremy Miller is here if the Planning Commission has any questions. Engineering also requests that the applicant work

with staff to identify the proper limits of the proposed Right-of-way during preliminary site plan review. Engineering recommends approval of the concept plan subject to those comments.

The applicant is also requesting multiple deviations from the landscape standards: to allow the absence of screening along south and west property lines, to allow the absence of a berm along proposed public drive along southern property line, to allow the absence of required street trees around Cul-de-sac and to allow a reduction in the minimum required street trees. Staff agrees and supports all the deviations except the one requiring street trees around the cul-de-sac. The conversion of temporary cul-de-sac into future connection is dependent on the type of development and timing of development of the neighboring parcel, which is unknown at this moment. Given the uncertainty, staff is unable to support this deviation. Our landscape architect Rick Meader is available if the Planning Commission would like to expand on any of these requested deviations. With the above concerns noted, landscape recommends approval of the concept plan.

The proposed development is not expected to generate traffic volumes in excess of the City thresholds; therefore, additional traffic impact studies are not recommended at this time. However, the proposed future building expansion for up to 170 kids will produce an increased number of trips to the development. The applicant requested that the requirement for the Traffic Impact Study to be delayed until the time of future expansion. Traffic supports the requests and recommends approval of the concept plan.

The project is not proposing any impacts to the Providence Hospital development mitigation area. Existing trees are to remain and tree preservation/protection fencing shall be provided during the entire construction process. No further wetland and woodland review would be necessary unless the limit of disturbance changes. Both recommend approval.

The PSLR Ordinance promotes a "single family residential character". The proposed design would not be in technical compliance with the ordinance. However, it is in full compliance with material requirements and is compatible with buildings located on nearby Providence Park Hospital campus. For various factors listed in the review letter, the City's Façade consultant believes that the overall design is consistent with the intent and purpose to create a transition between uses of different intensity and recommends approval. The applicant also shared the revised elevations that include the future expansion. The Façade review is unaffected. Our Façade consultant Doug Necci is here with us tonight to answer any questions the Planning Commission may have in that regard.

Fire recommends approval noting that the turn-around does not meet the Fire department standards, and should be modified on future submittals. The applicant has agreed to redesign to meet the requirements.

The Planning Commission is asked tonight to recommend approval of the Planned Suburban Low-Rise (PSLR) Overlay Concept Plan with Phased building construction, and future playground expansion to the City Council. The applicant Brian Adamson with ICAP development is here tonight and would like to talk briefly about the project. As always, staff will be glad to answer any questions you have for us.

Brian Adamson, ICAP Development stated that the focus on this development was the connectivity to the other properties in the PSLR District. That includes a future access point through our parking lot to the north property and the cul-de-sac that has been designed that at some point will be extended. The developer feels that it is unnecessary to put the sidewalk and trees in around the cul-de-sac because we do anticipate that road being extended at some point. However we do respect the staff's comments on that as well. Another item that we really focused on was the transitional basis between the PSLR from the residential to the south and to the east and the high density to the north. We did try to mold some of the same architectural elements in the materials from the medical building to the north to try to ease transition, and keeping this a one story building was important. The developer purchased a larger tract than they needed for this development. They realized that they are the first development in this PSLR and are very aware of the surroundings. The goal is to ease the transitions for other developments as they go from R-3 to PSLR.

The Learning Care Group is based in Novi and they have over 900 facilities across several countries. This development is a brand new prototype for them. This facility will be significantly higher end, more educational day care facility than their other facilities.

Chair Pehrson opened the Public Hearing to the audience. No one from the audience responded.

Member Lynch read the correspondence from Mark Yagerlener, Regional Director of Real Estate, Ascension Health, Providence Health. Mr. Yagerlener supports the plan.

Chair Pehrson closed the Public Hearing and turned the discussion over to the Planning Commission Members for consideration.

Member Lynch stated that the only question that he has is from the entrance through the parking lot to the north.

Mr. Adamson indicated on the overhead projector where the drive would be to the north. The property to the north is currently owned by the hospital.

Member Lynch also asked about the issue with the cul-de-sac.

Mr. Adamson responded that the City's engineering staff would like to see the sidewalk continue all the way around that entire cul-de-sac. The City's Landscaping Review also commented that we should have the trees all the way around the cul-de-sac. We feel that this is unnecessary for a couple reasons. Since this daycare will be the only development bringing people to this area, having a sidewalk on both sides of the street seems unnecessary. Having sidewalks installed now and then waiting perhaps 5-6 years before the entire project is developed, it decreases the useful life of the sidewalk without any real use. With the cul-de-sac we anticipate that being turned into more of a T intersection or a 90 degree turn. At that point we would have to tear out the trees and sidewalk anyway.

Member Lynch asked if there is a sidewalk along Beck Road.

Mr. Adamson responded that there is actually an 8 foot bike path to the north.

Member Greco questioned the City's landscape architect, Mr. Meader why it was necessary to have trees in the cul-de-sac at this time.

Mr. Meader responded that the concern is that no one knows when the road connection will be built. If this developer did put the trees around the cul de sac they could use them then as setback greenbelt trees. The developer wouldn't have to remove the trees when they redesign the cul-de-sac.

Member Greco questioned Engineer Jeremy Miller with regard to the sidewalks if his concern is similar to Mr. Meader's concerns.

Mr. Miller commented that they have not seen enough justification from the applicant why the sidewalks should not be put in. The timeline for the next project is also uncertain.

Member Greco asked John Halo, Director of Architect and Construction with the Learning Care Group if this is a new prototype or model or something different than the other facilities.

Mr. Halo responded that this is a new design with an enhanced offering for the school program. This building will be the first for this new program. There will be a mix of children starting with infants and toddlers all the way up to some school age kids.

Member Greco asked Mr. Halo if the expansion will be dependent on how the business goes.

Mr. Halo responded that the capacity of this school is based on licensing from the State will be in the range from 131-134 children. The future expansion gives them the ability to add on to the back and adapt the interior play area to what is specified in the State licensing.

Member Greco commented that he is leaning toward requiring the sidewalks and trees as per the recommendations from the staff.

Member Giacopetti questioned if the cul-de-sac is supposed to be temporary until there is future

development.

Mr. Halo responded that this is correct. He stated that in the PSLR ordinance they are required to provide access from a non-section line road. In this case, we are required to have a private or public road to the facility. The purpose of the road is to bring most of the traffic off of Beck before turning in to the facility. With that we are required by the Fire Department to create some ability for fire trucks to turn. That is really the function on the cul-de-sac until the rest of the PSLR properties around it are developed. The intention is that at some point there will be an extension to provide a public road into the south parcel.

Chair Pehrson asked if on Beck Road if that is a northbound lane, a southbound lane, with a center turn lane at the point where the development is.

Deputy Director McBeth stated that there is currently a center lane at that point both north and south of the proposed development.

Chair Pehrson stated his concern is the traffic on Beck and not having a full-fledged traffic study. Chair Pehrson said he needs more information that would be provided in a traffic study.

Motion by Member Greco and seconded by Member Lynch.

ROLL CALL VOTE ON THE PLANNED SUBURBAN LOW-RISE (PSLR) OVERLAY DEVELOPMENT AGREEMENT APPLICATION AND THE CONCEPT PLAN APPROVAL FOR THE LEARNING CARE ACADEMY, JSP15-57 MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH.

In the matter of Learning Care Academy, JSP15-57, motion to recommend approval of the Planned Suburban Low-Rise (PSLR) Overlay Development Agreement Application and Concept Plan based on the following findings, City Council deviations, and conditions:

- a. The PSLR Overlay Development Agreement and PSLR Overlay Concept Plan will result in a recognizable and substantial benefit to the ultimate users of the project and to the community. The proposed development and site design provide a reasonable transition from the higher intensity hospital uses and lower intensity single-family residential uses thereby meeting the intent of the PSLR Overlay District. The site itself includes provisions for future vehicular and pedestrian connections along the proposed Public drive and a proposed pathway along Beck Road that will benefit the community as a whole.**
- b. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use(s) will not result in an unreasonable increase in the use of public services, facilities and utilities, and will not place an unreasonable burden upon the subject property, surrounding land, nearby property owners and occupants, or the natural environment. Given that the size of the site is less than 10 acres, a community impact statement is not required. The current site plan is not proposing any impacts to natural features and has minimal impacts on the use of public services, facilities and utilities.**
- c. In relation to the underlying zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed development will not cause a negative impact upon surrounding properties. The proposed building has been substantially buffered by proposed landscape and should minimally impact the surrounding properties.**
- d. The proposed development will be consistent with the goals and objectives of the City of Novi Master Plan, and will be consistent with the requirements of this Article [Article 3.1.27]. The proposed development meets the stated intent of the PSLR Overlay District to encourage transitional uses between higher intensity office and retail uses and lower intensity residential uses while maintaining the residential character of the area as outlined in this review letter.**
- e. City Council deviations for the following as the Concept Plan provides substitute safeguards for each of the regulations and there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council which are designed into the project for the purpose of achieving the objectives for the District as stated in the planning review letter:**
 - 1. City Council deviation from Section 3.21.2.A.ii and Section 3.1.27.D to exceed the maximum allowed front building setback 75 feet allowed; approximately 114 feet provided;**
 - 2. City Council deviation from Section 3.21.2.A.iv to allow parking in the front yard approximately 20 spaces are provided;**

3. **City Council deviation from Section 4.19.2.J to exceed the maximum allowed accessory structures on the site 2 allowed, 3 provided;**
 4. **City Council deviation from Section 4.19.2.F to allow proposed dumpster in the required front yard;**
 5. **City Council deviation from 5.11.2.A to allow proposed fence in the required front yard;**
 6. **The applicant shall provide sidewalk at the time of Preliminary Site Plan per staff's recommendation**
 7. **City Council deviation from section 5.5.3. to allow absence of screening of non-residential adjacent to non-residential property along south and west property line**
 8. **City Council deviation from Section 5.5.3.B.ii. to allow absence of required berm adjacent to public Right of Way along the proposed public drive and along the Southern property line**
 9. **The applicant shall provide street trees at the time of Preliminary Site Plan per staff's recommendation**
 10. **City Council deviation from Section 5.5.3.C.parking lot landscape to not provide the minimum required parking lot trees (21 required, 12 provided).**
 11. **Planning Commission recommends that City Council not to delay from the requirement of the Traffic Impact Study to the time of future expansion but provide the study at this time.**
- f. **The applicant updating the PSLR concept plan submittal to include the proposed phase lines and revised building elevations to include the future expansion as part of the PSLR concept plan, that were provided in electronic format for staff review;**
 - g. **The applicant shall work with the City Engineer to determine the limits of future Right of Way around the proposed turn around.**
 - h. **The applicant revising the plan to redesign the turnaround to meet the Fire department standards;**
 - i. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Preliminary 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. *Motion carried 4-0***

MATTERS FOR CONSIDERATION

1. LEGACY CHURCH FAÇADE JSP 15-66

Approval at the request of Connecting Spaces LLC for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 22, South of Eleven Mile Road and east of Taft Road, in the R-4, One Family Residential zone. The subject property is approximately 6.25 acres and the applicant is proposing to remodel the existing façade for Legacy Church along with modifications to the existing parking lot, internal sidewalks and remodel the interior of the school building.

Planner Gruba stated the focus of this consideration in on the school building. The applicant has indicated that they only wish to change the façade of the building and the interior. The changes include adding a metal band to the top of the building, adding a hip roof to the lower portions of the school building, repainting the building, adding a portico entrance with pillars with some stone veneer on the west.

Staff has a few recommendations, one is to remove a few parking spaces that are currently located in the right of way along Taft Road. The parking lot surface is worn out and they will probably have to pave the parking lot. There are no wetlands or regulated woodlands on the site. The City's Façade Consultant Doug Necci, reviewed the plans and noted that the applicant will need a Section 9 waiver because there is too much CMU block existing on all four sides of the school building.

Planner Gruba noted that there is a letter from the pastor, Mr. Hicks stating that sometime in the future the church building will be demolished.

Chair Pehrson asked if the applicant would like to add anything.

Mr. Hicks, the Pastor of Legacy Church and applicant addressed the Planning Commission. The property was the First Baptist Church of Novi dating back to the late 1800's. Recently First Baptist of Novi merged with Orchard Hills Baptist of Novi. We are selling the Novi Road property which was Orchard Hills Baptist and relocating at the Legacy Church property. We are beginning the long process of bringing the property up to Novi community standards. The building in question now operates as a community center. The plan is to renovate this building and have the services there as well as church offices. It will also continue to run as a

community center. The façade is necessary because we are putting a pitched roof on instead of the flat roof.

Don Highlander stated that he is the architect for the project. The building has two different heights. These are the gym and the classrooms. They are putting the pitched roof on the classroom part. Currently on the gym area are old shingles that need to be replaced. The goal is to give the building a little more of a residential appearance to allow better transition to the neighborhood.

The building is a CMU building with a lot of concrete exposure. They will be repainted but we will not be putting some type of surface on this building at this time.

Member Baratta asked Planner Gruba if we will be setting a precedent if we were to allow them to improve existing non-conforming buildings by just painting them.

Planner Gruba deferred the question to Doug Necci, Façade Consultant.

Mr. Necci stated that the building is painted concrete block. We have been faced with this problem on other such buildings where the ordinance would require all of it to be replaced with brick. But there is really no foundation for the brick and there are real practical difficulties in putting brick on an existing building like this. There is precedence to giving waivers when those practical difficulties exist. In this case the entrance is an addition on to the building. This goes a long way to mitigate the material that is not allowed. Also the band and the window features bring the whole design together. We believe that the overall design was certainly meet the intent of the ordinance and justified a wavier for the CMU block. We recommended the waiver.

Motion by Member Greco seconded by Member Baratta

ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN AND SECTION 9 WAVIER MOTION BY MEMBER GRECO AND SECONDED BY MEMBER BARATTA.

In the matter of Legacy Church Facade JSP 15-66, motion to approve the Preliminary Site Plan and a Section 9 Waiver, based on and subject to the following:

- a. To allow the overage of single score CMU material on all façades 25% allowed; 71%, 48%, 44% and 59% proposed because the proposed alteration will significantly improve the overall appearance of the building and is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted. The CMU block that is existing but will be painted and complemented with additional materials.**
- b. The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed.**

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 5-0

2. APPROVAL OF THE SEPTEMBER 9, 2015 PLANNING COMMISSION MINUTES

Motion by Member Baratta and seconded by Member Greco.

ROLL CALL VOTE ON THE SEPTEMBER 9, 2015 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER GRECO. Motion carried 5-0

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

Motion to adjourn by Member Zuchlewski and seconded by Member Anthony:

Motion to adjourn the November 4, 2015 Planning Commission Meeting. Motion carried 5-0.

The meeting was adjourned at 7:42 PM.

Transcribed by Richelle Leskun

Date Approved: December 9, 2015

Richelle Leskun, Planning Assistant
Signature on File