



## **PLANNING COMMISSION**

### **MINUTES**

CITY OF NOVI

Regular Meeting

**May 12<sup>th</sup>, 2021 7:00 PM**

Remote Meeting

(248) 347-0475

**As authorized under the open meetings act, MCL 15.261, ET SEQ., this meeting will be held remotely.**

#### **CALL TO ORDER**

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

**ROLL CALL** - Pursuant to the State of Michigan Open Meetings Act, all members shall identify their physical location by stating the county, city, and state from which he or she is attending the meeting remotely.

Present: Member Avdoulos- City of Novi, Oakland County, MI; Member Becker- City of Novi, Oakland County, MI; Member Dismondy- City of Novi, Oakland County, MI; Member Lynch- City of Novi, Oakland County, MI; Chair Pehrson- City of Novi, Oakland County, MI; Member Roney- City of Novi, Oakland County, MI; Member Verma- City of Novi, Oakland County, MI

Absent: None.

Staff: Barb McBeth, City Planner; Christian Carroll, Planner; Victor Boron, Plan Review Engineer; Rick Meader, Landscape Architect; Madeleine Daniels, Planning Assistant; Beth Saarela, City Attorney

#### **PLEDGE OF ALLEGIANCE**

Chair Pehrson led the meeting attendees in the recitation of the Pledge of Allegiance.

#### **APPROVAL OF AGENDA**

Moved by Member Avdoulos and seconded by Member Lynch.

**VOICE VOTE TO APPROVE THE MAY 12, 2021 PLANNING COMMISSION AGENDA MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to approve the May 12, 2021 Planning Commission Agenda. Motion carried 7-0.**

#### **AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

#### **CORRESPONDENCE**

There was no correspondence.

#### **COMMITTEE REPORTS**

There were no Committee Reports.

## **CITY PLANNER REPORT**

There was no City Planner Report.

## **CONSENT AGENDA - REMOVALS AND APPROVALS**

### **1. GRIFFIN FUNERAL HOME JSP17-13**

Approval of the request of Novi Funeral Home, LLC for the second one-year extension of the Final Site Plan approval. The subject property is located south of Eleven Mile Road and west of Beck Road, in the RA, Residential Acreage Zoning District. The applicant is proposing to construct a 13,000 square foot building and associated site improvements for use as a funeral home. A special land use permit was granted in June of 2017.

Motion made by Member Lynch and seconded by Member Avdoulos.

## **ROLL CALL VOTE TO APPROVE THE ONE YEAR EXTENSION OF THE FINAL SITE PLAN FOR GRIFFIN FUNERAL HOME MADE BY MEMBER LYNCH AND SECONDED BY MEMEBR AVDOULOS.**

**Motion to approve the second one-year extension of the Final Site Plan approval for Griffin Funeral Home JSP17-13. Motion carried 7-0.**

Member Verma said I'm new to this project and just wanted to know if there's another entrance proposed for this site.

Member Pehrson said no, there's just the entrance off of Beck Road.

Member Verma said why was that not considered?

Member Pehrson said we're beyond that now, all we have done now is extend the request for the approval granted previously.

## **PUBLIC HEARINGS**

### **1. NOVI PROFESIONAL BUILDINGS IV & V**

Public Hearing at the request of Novi Medical Building, LLC for approval of the Preliminary Site Plan, Woodland Use Permit, and Stormwater Management Plan. The subject property contains 5.02 acres and is located in Section 27, on the west side of Novi Road, south of Ten Mile Road. The applicant is proposing to construct two 6,175 square feet professional office buildings, directly behind the three existing buildings on the property that were constructed in 1991.

Planner Carroll said before you we have Novi Professional Village. They're proposing to add two additional office buildings on the site. As you can see, it's west of Novi Road and south of Ten Mile and it's zoned OS-1, Office Service. The rear of property does have single-family zoning on it, but that portion of the site will not be developed.

The Future Land Use map indicates Community Office for the entirety of the property. The site does contain a few natural features. To the west of the property, it has wetlands, woodlands, as well as a floodplain which drains to the south. There are some residential subdivisions to the west, but there's a large distance between the site and those properties, it's pretty well forested. There really isn't any visibility to the site from the residential dwellings to the west.

Looking at the site plan, the project originally proposed five buildings in 1990-1991 and only three of them were built at the time. They're coming back to build the other two. The proposed buildings are one story in height and are of a similar design as the existing three office buildings. A few items to note when you look at this, the applicant is seeking a number of waivers, the first thing being a parking setback waiver of 7 feet along the north property line and a parking setback waiver of 4.14 feet along the south property line due to the existing configuration of the parking on-site. The reason for that is because they're looking to keep the parking consistent with what is existing. Staff supports these waivers as the modification does not reduce the total area of setback below the minimum required for the site and this modification will result in improved use of the site because the proposed parking layout is consistent with the existing parking layout on-site.

Planner Carroll continued to say the applicant is seeking two landscape waivers for this project. The first waiver is for the deficiency of a screening berm along the west property line, which staff supports because of the large distance and existing dense woodland vegetation that provides the site with significant audible and visual buffering. The second waiver is for the deficiency of five perimeter canopy trees in the parking lot perimeter landscaping mainly along the north property line where there is wall and there's not really any space to plant the trees. Again, that's part of keeping the consistency with the existing parking layout on-site.

All other items identified in the review letters are to be addressed with the next submittal if this plan were to be approved tonight by the Planning Commission. The Planning Commission is asked tonight to hold the public hearing and approve or deny the Preliminary Site Plan, Woodland Use Permit, and Stormwater Management Plan. Representing the project tonight are Andrew Marougy, Developer/Builder of the project, and Matthew Bush, Engineer with Atwell. Staff is available to answer any questions.

Chair Pehrson said does the applicant wish to address the Planning Commission at this time?

Andrew Marougy, Applicant, said this is something that was pursued previously, and we are now hoping to wrap it up and complete the complex.

Chair Pehrson said this is a public hearing, and if there is anyone in audience who wishes to address the Planning Commission, please raise your hand now. Seeing no one wished to speak, Chair Pehrson asked for the correspondence.

Planning Assistant Daniels said there were a couple comments submitted to us. The first is from Raphael Goldstein, 23895 Novi Rd, who owns a dental office near the subject property, he has issues with storm water on his parking lot currently and was curious about the project. The next letter is from John and Laura Mullins, 24076 Greening Dr, they stated that the effects on the storm water management have already affected the wetlands by sending fertilizers into the streams and ponds causing vegetation growth. The continued development may adversely affect wildlife and the environment.

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

Member Roney said I visited the site recently and seems like a very appropriate development. To me, it looks like it was planned years ago and maybe they can put something in a little better than what was planned a while ago.

Member Lynch said I'm very familiar with that site and I visited it today as well. Can the developer

comment on the plan to mitigate any existing issues with the parcel right now? What exactly are they doing to mitigate any flooding that occurs currently?

Andrew Marougy, Applicant, said the way the site was planned originally, all the storm water management was above ground, so it was designed to be above ground water drainage system. I don't think it made sense with being in Michigan and obviously having varying weather with freezing temperatures so there was some catch basins added many years back before my time. Part of what we're looking at doing now is underground water storm management system essentially to divert the water to the back of the property. We did actually enlarge that area where the retention is so we can accommodate the current standards. I feel like we have a pretty good handle on it moving forward and obviously some of the plans will address the third building in the complex currently that we have right now, but the first two buildings are covered by some storm sewers that were added. I don't recall exact time frame, but it could have been some time in the 1990's.

Member Lynch said I guess the issue that you had was with building 3, the existing one that's furthest to the west. So with the new plan, from what I understand and have seen from the drawings, it looks like you're going to mitigate the existing problems with additional catch basins.

Andrew Marougy, Applicant, said that's correct.

Member Lynch said I did take a look at it and I don't have any issues with the waivers. There's a lot of foliage to the west and there is that wall on the north side. I think it fits in with that development. It's a tough parcel, hard to locate if you're driving to try to find the office, but apparently the developer believes we can make it work and it does fit into that area. In fact, from the aerial view, it looks like the footings are already in there and I don't have any issues with this proposal and I support it.

Member Dismondy said did the city approve this back in the 90's and then the last two buildings were just never built?

City Planner McBeth said I believe this was approved originally for 5 buildings that's why some footings are in place right now.

Dismondy said is this currently a spec building or do you have users already?

Andrew Marougy, Applicant, said right now it's spec. It's hard to market it to users without a definite time frame.

Member Becker said I also went out and took a look. My first and really only concern was that that's pretty close to a busy intersection, so I wanted to see what it was going to be like if we added two more buildings for residents and possible customers coming in and out, but I noted that Novi Road is four lanes plus a dedicated left turn lane right there so that kind of made my concerns go away, I support the waivers as others have.

Member Avdoulos said I think the applicant did a good job of responding to all the concerns from staff and consultants, so I think that was all answered. The one sticking point was the fifteen parking spaces versus the twenty, but that was addressed. I would like to make a motion.

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO APPROVE NOVI PROFESSIONAL VILLAGE BUILDINGS D & E, JSP 20-17, PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Novi Professional Village Buildings D & E, JSP20-17, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Parking setback waiver of 7 feet along the north property line (10 feet required, 3 feet provided) because the applicant has demonstrated in the response letter, per Section 3.6.2.Q of the Zoning Ordinance, that modification of the parking area setback requirements does not reduce the total area of setback on the overall site below the minimum setback area requirements, and that such modification will result in improved use of the site because the proposed parking layout is consistent with the existing parking layout on-site, which is hereby granted;
- b. Parking setback waiver of 4.14 feet along the south property line (10 feet required, 5.86 feet proposed) because the applicant has demonstrated in the response letter, per Section 3.6.2.Q of the Zoning Ordinance, that modification of the parking area setback requirements does not reduce the total area of setback on the overall site below the minimum setback area requirements, and that such modification will result in improved use of the site because the proposed parking layout is consistent with the existing parking layout on-site, which is hereby granted;
- c. Landscape Waiver for the deficiency of a screening berm along the west property line because of the large distance and dense woodland vegetation that provides the site with significant audible and visual buffering, which is hereby granted;
- d. Landscape Waiver for a deficiency of five perimeter canopy trees in the parking lot perimeter landscaping because the proposed parking layout is consistent with the existing parking layout on-site, which is hereby granted;
- e. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO APPROVE NOVI PROFESSIONAL VILLAGE BUILDINGS D & E, JSP 20-17, WOODLAND USE PERMIT MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Novi Professional Village Buildings D & E, JSP20-17, motion to approve the Woodland Use Permit subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 7-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO APPROVE NOVI PROFESSIONAL VILLAGE BUILDINGS D & E, JSP 20-17, STORM WATER MAMAGEMENT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Novi Professional Village Buildings D & E, JSP20-17, motion to approve the approve the Stormwater Management Plan subject to the findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items

**listed in those 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 7-0.**

## **MATTERS FOR CONSIDERATION**

### **1. PLANNING COMMISSION RULES & BY-LAWS**

Consideration to approve amended Planning Commission Rules and By-Laws as recommended by the Rules Committee.

City Planner McBeth said this was started with some comments from our staff and City Attorney's office to take a look at the Planning Commission Rules and By-laws, so we started working on that and decided to convene a committee meeting, to meet and discuss the proposed changes on April 14. I think the last time the Rules had been reviewed and updated by the Planning Commission was about 2011. We think that the rules have served the Committee very well over the last period of time, but we did have a few suggestions some of which were very minor, such as a few changes to the words here and there and then others you can see as you move through the strike through version of the document.

Pages 4 and 5 talk about adjustments to some of the Planning Commission Committees including adding an alternate member to the regular members of the CIP Committee, the Walkable Novi Committee, and the Master Plan and Zoning Committee so we had some consistency there, but also to make it a little bit easier to schedule the meetings so that there was an alternate who could attend. We also proposed to strike the City's Main Street Committee. That was a joint committee with some other boards and that hasn't been in place for a number of years so were suggesting removing that from the Planning Commission Rules.

We've also updated page 5 to include the indication that the Planning Commission Meeting notices are not only posted at the Civic Center in accordance with the open meetings act but are also posted online to make them a little bit easier to find. On pages 6 and 9, we had similar comments that both of those pages indicated that members of the public wishing to speak during the public hearing or audience participation shall clearly state their name and address for the record. That helps with the minutes and for follow up for all of us.

City Planner McBeth continued to say on page 8, we're suggesting a correction to the minimum number of Commission Members required for an affirmative vote on the adoption of amendments to the Master Plan for Land Use, it actually takes five members for approval of the Master Plan for Land Use. We made some adjustments also on page 10, to remove the restriction that limits additional correspondence being provided from the city staff and consultants and the petitioners from being presented to the Planning Commission at least 24-hours before a meeting. We have found that sometimes a question comes up or additional information can be provided to the Planning Commission before the meeting and sometimes even leading up to the meeting. We've noticed that the Planning Commission hasn't objected to that so were suggesting removing that requirement.

Page 14 indicates that the Planning Commission members are encouraged to take advantage of any Planning Commission training that would be available and any sessions or conferences as the City's budget would allow. Further, were suggesting that the Planning Commission members would be encouraged to share a brief summary of any relevant information they might have learned during a conference or convention as determined by each member. That would be during the supplemental issues section of the Planning Commission Agenda. The final suggested change is the expectation of the Planning Commission shall utilize the city's email account for all matters related to the Planning

Commission activities. These updates were recommended by the Rules Committee for approval. If the Planning Commission likes it the Planning Commission would be free to adopt the amendments at this meeting tonight.

Chair Pehrson turned it over to the Planning Commission for their consideration.

Member Avdoulos said I think it was a good meeting with the Rules Committee and I appreciate the thoroughness that we went through. We literally went through each line, which was good. I think that we came up with a great document so I will make a motion.

Motion made by Member Avdoulos and seconded by Member Lynch.

**Motion to adopt the amended Planning Commission Rules and By-laws.**

Member Roney said seems like a nice clean up and very appropriate.

Member Verma nothing to add, I agree with the other Commissioners. Will copies be given to each member?

City Planner McBeth said yes, we will send you a fresh copy once they are adopted.

Chair Pehrson said I just wanted to thank the members of the committee for going through that.

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO ADOPT THE AMENDED PLANNING COMMISSION RULES AND BY-LAWS MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

**Motion to adopt the amended Planning Commission Rules and By-laws. Motion carried 7-0.**

**2. APPROVAL OF THE FEBRUARY 24, 2021 PLANNING COMMISSION MINUTES.**

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE THE FEBRUARY 24, 2021 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to approve the February 24, 2021 Planning Commission Meeting Minutes. Motion carried 6-0. (Roney abstained)**

**3. APPROVAL OF THE MARCH 10, 2021 PLANNING COMMISSION MINUTES.**

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE THE MARCH 10, 2021 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

**Motion to approve the March 10, 2021 Planning Commission Meeting Minutes. Motion carried 6-0.**

**SUPPLEMENTAL ISSUES**

There were no supplemental issues.

### **AUDIENCE PARTICIPATION**

John Mullins, 24076 Greening Drive, said you passed on the Novi Professional Buildings D & E proposal already. This will be in my backyard, and I did submit a comment, but didn't hear it being read. I just wanted the members to know I've lived here for 15 years, and my backyard used to have a pond in it and now it's pretty much all dried up. I expect this is not going to help, adding two more buildings in my backyard. The runoff that I see from the fertilizers kills all the wildlife. I just wanted my voice heard. It would be nice to have wetlands here in Novi still. I think an environmental study should be done.

Chair Pehrson said with that we will now close the audience participation.

### **ADJOURNMENT**

Moved to adjourn made by Member Lynch and seconded by Member Avdoulos.

**Motion to adjourn the May 12, 2021 Planning Commission Meeting. Motion carried 7-0.**

The meeting was adjourned at 7:32 PM.