



## PLANNING COMMISSION

### ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**October 14<sup>th</sup>, 2020 7:00 PM**

Remote Meeting

45175 W. Ten Mile (248) 347-0475

In accordance with **OPEN MEETINGS ACT, MCL 15.261, ET SEQ., AS AMENDED**, this meeting was held remotely.

#### CALL TO ORDER

The meeting was called to order at 7:04 PM.

#### ROLL CALL

Present: Member Avdoulos, Member Ferrell, Member Lynch, Member Maday,

Absent: Member Dismondy, Chair Pehrson

Staff: Barbara McBeth, City Planner; Lindsay Bell, Senior Planner; Christian Carroll, Planner; Madeleine Kopko, Planning Assistant; Rick Meader, Landscape Architect; Elizabeth Saarela, City Attorney; Doug Necci, Façade Consultant

#### APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Maday.

#### PUBLIC HEARINGS

**1. 1585 PARAMOUNT STREET, PWD20-0006, WOODLAND USE PERMIT REQUEST**

Public hearing at the request of Yen Cheng for consideration of a request for a Woodland Use Permit at 1585 Paramount Street. This property is also known as Lots 85-88, Cenaqua Shores Subdivision, which is located north of Thirteen Mile Road, west of Novi Road in Section 2 of the City. The applicant is proposing to remove thirty-three (33) regulated woodland trees (twenty two on-site, eleven off-site) in order to construct a single family residential structure.

**In the matter of 1585 Paramount Street, PWD20-0006, motion to table the Woodland Use Permit to the end of the meeting to give time to the applicant to fix internet connection issues. Motion carried 4-0.**

**2. PARK PLACE LOT 29, PWD20-0005, WOODLAND USE PERMIT REQUEST**

Public hearing at the request of David and Lillian Barach for consideration of a request for a Woodland Use Permit at 50820 Applebrooke Drive. This property is also known as Lot 29, Park Place Subdivision, which is located south of Nine Mile Road, east of Napier Road in Section 31 of the City. The applicant is proposing to remove five (5) regulated woodland trees in order to construct a pool.

**In the matter of Park Place Lot 29, PWD20-0005, motion to approve the Woodland Use**

**Permit subject either to payment for the Woodland Replacement Credits into the City's Tree fund or subject to the planting of woodland replacement trees on site as shown on a woodland replacement plan, and any other conditions as listed in the Environmental Consultant's review letter. Motion carried 4-0.**

**3. CASA LOMA UNIT 4 (PHASE II), PBR20-0228, WOODLAND USE PERMIT REQUEST**

Public hearing at the request of Compo Builders Inc. for consideration of a request for a Woodland Use Permit at 47685 Casa Loma Court. This property is also known as Unit 4, Casa Loma Subdivision, which is located north of Eight Mile Road, west of Beck Road in Section 32 of the City. The applicant is proposing to remove an additional nine (9) regulated woodland trees in order to construct a single-family residential structure and a pool.

**In the matter of Casa Loma Lot 4 Phase II, PBR20-0228, for the removal of nine regulated woodland trees within an area mapped as City Regulated Woodland motion to approve the Woodland Use Permit subject either to payment for the Woodland Replacement Credits into the City's Tree fund or subject to the planting of woodland replacement trees on site as shown on a woodland replacement plan, and any other conditions as listed in the Environmental Consultant's review letter. Motion carried 4-0.**

**4. BOLINGBROOKE LOT 15, PWD20-0007, WOODLAND USE PERMIT REQUEST**

Public hearing at the request of Bashar Yalldo for consideration of a request for a Woodland Use Permit at 43854 Bolingbrooke Lane. This property is also known as Lot 15, Bolingbrooke Estates Subdivision, which is located north of Twelve and a Half Mile Road, west of Old Novi Road in Section 10 of the City. The applicant is proposing to remove twenty-five (25) regulated woodland trees in order to construct a pool.

**In the matter of Bolingbrooke Lot 15, PWD20-0007, motion to approve the Woodland Use Permit for the removal of eleven regulated woodland trees, subject to planting the replacement trees on site where feasible as shown on a woodland replacement plan, to be reviewed and approved by the city's staff and consultants, and where not feasible, paid into the tree fund. Motion carried 4-0.**

**5. ANU SUSHI JSP20-25**

Public hearing at the request of Anu Sushi for Special Land Use and Preliminary Site Plan approval. The subject property contains 2.68 acres and is located in Section 26, on the west side of Meadowbrook Road, south of Ten Mile Road. The site is known as the Peach Tree Shopping Center. The applicant is proposing to move into a tenant space in the center as a carry-out restaurant, which is a Special Land Use in the B-1 Zoning District. The applicant is not proposing any exterior changes to the site or building.

**In the matter of Anu Sushi JSP20-25, motion to approve the Special Land Use permit based on the following findings:**

**a. Relative to other feasible uses of the site:**

- i. The proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service. Although there may be additional traffic relative to the commercial use, the proposed use is not anticipated to generate large volumes of traffic. The site plan shows that the shopping center contains adequate parking.**
- ii. The proposed use will not cause any detrimental impact on the capabilities of**

- public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area, because the shopping center will continue to be served by public water and sewer systems and there is adequate service to manage the increase in use of the site from an additional tenant in the building.
- iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats because the applicant is not proposing to remove any regulated trees or impact wetland areas.
  - iv. The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood, because the proposed use will appear much the same as it does currently while providing an additional restaurant for the surrounding area and visitors to the shopping center.
  - v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use, because it complies with the goal that recommends supporting growth of existing businesses.
  - vi. The proposed use will promote the use of land in a socially and economically desirable manner, because Anu Sushi is an unique restaurant that will be able to provide the shopping center with additional foot traffic and will provide the surrounding area with another restaurant option.
  - vii. The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this ordinance, and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.
- b. Relative to Section 4.91 of the Zoning Ordinance:
- i. The hours of operation of any such restaurant shall not extend beyond the hours of 7 a.m. to 10 p.m., except that deliveries only may take place until 1 a.m.
  - ii. There shall be no outdoor food preparation of any kind. All such activity must occur inside the building.

This motion is made because the plan is otherwise in compliance with Article 3.1.10, Article 4, Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

In the matter of Anu Sushi JSP20-25 motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The findings of compliance with Ordinance standards in the planning review letter and the conditions listed in those letters being addressed on the Final Site Plan; and
- b. Relative to Section 4.91 of the Zoning Ordinance:
  - i. The hours of operation of any such restaurant shall not extend beyond the hours of 7 a.m. to 10 p.m., except that deliveries only may take place until 1 a.m.
  - ii. There shall be no outdoor food preparation of any kind. All such activity must occur inside the building.

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.*

## **6. ARMENIAN GENOCIDE MEMORIAL JSP 17-37**

Public hearing at the request of Armenian Cultural Center for revised Special Land Use and revised Preliminary Site Plan approval. The subject property is located in Section 12, on the north side of Twelve Mile Road and east of Meadowbrook Road, in Residential Acreage (RA) zoning district. The project area is approximately 19.30 acres. The applicant previously received

approval of a church and cultural center with accessory uses such as day care center, multipurpose hall, café, religious educational rooms, and recreational facility. The applicant is now seeking approval of a proposed Armenian Genocide Memorial structure within the courtyard. The previous Planning Commission approval stipulated that Special Land Use approval would be required if a structure did not meet the height limits of the Ordinance.

**In the matter of Armenian Church Genocide Memorial JSP17-37, motion to approve the Special Land Use Permit to allow a Place of Worship and daycare based on and subject to the following:**

- a. The proposed use will not cause any detrimental impact on existing thoroughfares (no additional traffic will be generated by the monument);**
- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (based on Engineering review);**
- c. The proposed use is compatible with the natural features and characteristics of the land (because the addition of the monument is within the courtyard and does not impact natural features);**
- d. The proposed use is compatible with adjacent uses of land (because the proposed use conforms to the requirements of Places of Worship and the monument will be a reasonable distance from adjacent properties and will limit the hours of illumination);**
- e. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use (the project creates an aesthetically pleasing development);**
- f. The proposed use will promote the use of land in a socially and economically desirable manner (as the proposed use will promote cultural awareness and education);**
- g. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.**

**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 4-0.**

**In the matter of Armenian Church Genocide Memorial JSP17-37, motion to approve the revised Preliminary Site Plan based on and subject to the following:**

- a. The primary use of 'Church' will be established prior to any other accessory uses proposed.**
- b. A Section 9 Façade waiver to allow the use of Flat metal panels to exceed the 50% maximum permitted by the ordinance (100% Stainless Steel proposed on the North and South, 100% Copper on the East and West) because the design utilizes high quality materials and is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted;**
- c. A waiver per Section 5.7.3.M to allow the decorative lighting proposed to project upward to illuminate the monument structure, as the light will not project onto adjacent residential properties, and will be turned on from dusk to 11:00 p.m., with possible extended hours for culturally significant holidays, which is hereby granted;**
- d. A Zoning Board of Appeals determination per Section 3.23.3 to allow a height of 62.83 feet for a public monument, or a variance from Section 3.1.1.E to increase the maximum permitted height for the genocide memorial (35 feet allowed, 62.83 feet proposed);**
- e. 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 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 4-0.***

**1. 1585 PARAMOUNT STREET, PWD20-0006, WOODLAND USE PERMIT REQUEST**

Public hearing at the request of Yen Cheng for consideration of a request for a Woodland Use Permit at 1585 Paramount Street. This property is also known as Lots 85-88, Cenaqua Shores Subdivision, which is located north of Thirteen Mile Road, west of Novi Road in Section 2 of the City. The applicant is proposing to remove thirty-three (33) regulated woodland trees (twenty two on-site, eleven off-site) in order to construct a single family residential structure.

**In the matter of 1585 Paramount Street, PWD20-0006, motion to approve the Woodland Use Permit for the removal of twenty-two on-site regulated woodland trees, subject to planting the replacement trees on site where feasible as shown on a woodland replacement plan, to be reviewed and approved by the city's staff and consultants, and where not feasible paid into the tree fund. *Motion carried 4-0.***

**MATTERS FOR CONSIDERATION**

**1. APPROVAL OF THE SEPTEMBER 16, 2020 PLANNING COMMISSION MINUTES.**

**Motion to approve the September 16, 2020 Planning Commission Meeting Minutes.  
*Motion carried 4-0.***

**ADJOURNMENT**

The meeting was adjourned at 9:09 PM.

\*Actual language of the motion subject to review.