



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

July 13, 2022 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 Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Christian Carroll, Planner; Rick Meader, Landscape Architect; Victor Boron, Site Plan Review Engineer; Ben Peacock, Planning Assistant; Douglas Repen, Environmental Consultant

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Dismondy.

VOICE VOTE TO APPROVE THE JULY 13, 2022 PLANNING COMMISSION AGENDA MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER DISMONDY.

Motion to approve the July 13, 2022 Planning Commission Agenda. Motion carried 7-0.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the first public participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were not any committee reports.

CITY PLANNER REPORT

City Planner McBeth gave a brief summary of the last Master Plan Steering Committee, held on June 29 at Lakeshore Park. The topics discussed were demographics, housing, and natural features and resiliency. An update was also provided on the Master Plan Survey that is currently out and will be open until the end of July. Individuals that live, own land, and/or work in the City are encouraged to take the survey. Staff has reached out to share the survey with 86 homeowners' association residents, 13 apartment and condominium communities, 3 retirement communities, several restaurants and stores, the Chamber of Commerce, and several locations listed on the City's webpage and Facebook page. This is all thanks to Rick Meader who worked diligently on contacting them. The next meeting is scheduled for August 3, and it will be held at the Novi Public Library.

CONSENT AGENDA - REMOVALS AND APPROVALS

1. JSP20-12 BECK NORTH UNIT 59

Approval of the request of Dembs Development, Inc. for the first one-year extension of the Preliminary Site Plan approval. The subject property is located south of Cartier Drive and west of Hudson Drive, in the Light Industrial (I-1) Zoning District. The applicant is proposing to construct a 31,617 square foot speculative building for use as an office and warehouse space. Approval of the Preliminary Site Plan was granted in August of 2020.

Motion made by Member Lynch and seconded by Member Avdoulos.

ROLL CALL VOTE TO APPROVE THE FIRST ONE-YEAR EXTENSION OF THE PRELIMINARY SITE PLAN FOR JSP20-12 BECK NORTH UNIT 59 MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.

Motion to approve the first one-year extension of the Preliminary Site Plan for JSP20-12 Beck North Unit 59. Motion carried 7-0.

PUBLIC HEARINGS

1. MICHIGAN CAT CATHERINE DRIVE ACCESS PARCEL JZ21-22 WITH REZONING 18.734

Public hearing at the request of Michigan CAT for Planning Commission's recommendation to City Council for a Zoning Map amendment from Light Industrial (I-1) to General Industrial (I-2) with a Planned Rezoning Overlay. The subject site is approximately 5.29 acres of a 32.39-acre property and is located on the east side of Novi Road and north of Catherine Industrial Drive (Section 23). The applicant is proposing to use the site for outdoor storage for construction equipment related to Michigan CAT's shore and pump operations.

Planner Carroll said this is a 5.29-acre site, which is part of the 32.39-acre MI CAT site, is located east of Novi Road and north of Catherine Industrial Drive. It is currently zoned I-1 General Industrial, and the applicant is proposing to rezone to I-2 General Industrial as part of a Planned Rezoning Overlay. The surrounding area is mostly zoned I-1. The nearest residential zoning is Emerson Park across Novi Road, which is zoned RM-2 with a PRO Agreement. The Future Land Use map indicates Industrial Research Development and Technology, which corresponds to the I-1 Zoning District for the property. The surrounding Future Land Use generally consists of Heavy Industrial to the east and northeast, which is more consistent with I-2 areas, and Industrial Research Development Technology to the north and south. The surrounding existing uses in the area consist of mostly industrial uses including an auto repair shop and the Michigan CAT Campus. The site does not contain any portion of regulated wetlands, but it does contain a portion of regulated woodlands which are noted in the packet.

Planner Carroll went on to say this item has gone through several revisions and was reviewed for eligibility by the Planning Commission on November 17, 2021 and City Council on January 10,

2022. Since the last review, the applicant has provided additional detail regarding some public benefits being offered, including a proposed pedestrian plaza and historical marker on Novi Road. These amenities would be located near the existing flagpole. The applicant is proposing to use the site for the outdoor storage of construction equipment related to Michigan CAT's shore and pump operations. The site will be heavily screened by an 8-foot opaque chain link fence and landscaping along the west and south property lines, which will screen the equipment up to a minimum height of 11 feet; the equipment itself is proposed to be 10 feet tall. The site will not be paved with asphalt or concrete, but rather it will have asphalt millings as the surface material; this is noted in the packet, and it will require three deviations from the Design and Construction Standards. The site's stormwater will continue to drain to the rear of the property, and it will be accessed only from the current MI CAT site. The existing basin outlet structure and its outlet to the Rouge River need to be cleaned out and stabilized to meet ordinance requirements. The project engineer, Victor Boron, could speak on this matter more if there are questions.

Planner Carroll continued to say concerning the limiting conditions of the proposed PRO, the permitted use of the site would be limited to the outdoor storage of construction equipment related to shoring and pump operations, a 20-foot access aisle easement shall be provided across the length of the site for emergency access purposes, a six-foot clear path to the proposed pedestrian plaza shall be provided, and any additional items identified prior to finalizing the PRO Agreement. Other conditions of the approval would include the replacement of 74 woodland trees with 47 replacement credits, the preservation and maintenance of the existing drainageway, and a tentative completion date of 2023. In terms of proposed public benefits of the PRO, the applicant is proposing additional landscaping along Novi Road, a decorative breakaway gate on Catherine Industrial Access Drive, a historical marker with a pedestrian plaza commemorating the history of the site within the City of Novi, and any additional proposed benefits that the applicant offers throughout the process. There are 5 current deviations identified: 3 of these are related to the proposed asphalt millings, 1 is related to tree diversity requirements, and 1 is related to junipers in lieu of canopy/subcanopy trees. All these deviations are supported by staff.

Planner Carroll concluded by saying the Planning Commission is asked tonight to hold the public hearing and make a recommendation to City Council for approval or denial of the rezoning request. Representing the project tonight is Dan German with Granger Construction and others. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Steve Deak, Landscape Architect for the project, said Rich Potosnak could not be here tonight. I am here with Dan German of Granger. We're here to answer any questions you have. We've worked diligently with staff over the last year to get the project to this point, and we believe staff has done an excellent job of guiding us through the process.

Chair Pehrson invited members of the audience who wished to participate in the public hearing to approach the podium. Seeing that nobody wished to speak, Chair Pehrson turned it over to Member Lynch for written correspondence.

Member Lynch said we received one piece of correspondence from Susan Hein, 42144 Ridge Road West in Meadowbrook Glens. She is concerned about the noise and constant beeping. She is also concerned that the expansion of the use on this site will make the noise worse.

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

Member Lynch said Meadowbrook Glens seems to be quite a distance away from the site. It looks like staff has agreed to the deviations. I think it makes sense since the surrounding area is industrial, and the site itself will basically serve as storage.

Member Becker said the deviations seem to be unique enough that we are well reasoned in permitting them.

Member Dismondy said I think it is consistent with the adjacent uses, and it seems to be a minor accommodation to allow them to expand their business.

Member Verma asked is the storage area where the construction equipment will be stacked going to be a paved parking lot, or will it be gravel?

Mr. Deak said as staff mentioned, it will be composed of asphalt millings.

Member Verma asked this will only be one story?

Mr. Deak said yes, there are height restrictions included. That is why the screening matches the height. It would be included in the PRO that MI CAT will not be allowed to store equipment such as cranes or anything over the 10-foot maximum.

Member Roney said, related to the correspondence we received concerning the noise, I don't see how that would be a significant issue given how far away Meadowbrook Glens is from the subject property. I also consider these deviations to be improvements to the site, so I am in favor of this.

Member Avdoulos said I do not believe this request would add to any more noise. This is an operation that has existed for quite some time.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Michigan CAT Catherine Drive Access Parcel, with Zoning Map Amendment 18.734 motion to recommend approval to City Council to rezone the subject property from Light Industrial (I-1) to General Industrial (I-2) with a Planned Rezoning Overlay Concept Plan.

A. The recommendation includes the following ordinance deviations for consideration by the City Council:

- 1. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for asphalt millings as a parking lot material in lieu of pavement, which is justified because the proposed millings are an extension of the existing storage yard and are a material that is preferable for storage yards;**
- 2. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for a lack of curbs, which is justified due to the site having adequate sheet drainage during rainfall events that will be adequately filtered by a vegetative swale located on the north side of the storage area;**
- 3. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for the lack of parking lot striping, which is justified due to the lot being used exclusively for storage of construction equipment;**
- 4. Landscape Deviation from Section 5.5.3.B.ii of the Zoning Ordinance for the use of an evergreen shrub wall in lieu of required canopy greenbelt trees and berm, which is justified because the proposed shrub wall provides more adequate screening of the construction equipment;**
- 5. Landscape Deviation from Section 4 of the Landscape Design Manual for the lack of meeting the required tree diversity standards, which is justified due to**

the heavy use of evergreens to provide the necessary screening for the project and the lack of suitable evergreen species available for use in Michigan.

B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:

1. Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations, including all applicable setback requirements of the Zoning Ordinance under the Proposed Classification, except as expressly authorized herein, and all storm water and soil erosion requirements and measures throughout the site during the design and construction phases of the Development, and during the subsequent use of the Land as contemplated in this Agreement.
2. The use of the site shall be limited to the outdoor storage of shoring and pump operation equipment as described in the developer's narrative.
3. Developer offers a 20-foot-wide access aisle easement across the length of the proposed site as shown on the concept plan to allow for proper emergency access to the Michigan CAT site. This area shall be kept clear of equipment and signage shall be provided near the existing gate located on the site.
4. Woodland tree removals during the project shall be approximately 74 trees, which shall require 47 woodland replacement credits. Any woodland replacement credits planted on-site shall be permanently protected via conservation easement or landscape easement. Any credits not planted on site will require a payment of \$400 per credit into the Novi Tree Fund.
5. Any additional regulated woodland tree removals shall meet the requirements of the City of Novi Woodland Protection Ordinance and may be granted administratively up to 10 trees with proper justification. If additional regulated trees proposed for removal exceeds 10, Planning Commission approval must be granted.
6. The existing drainageway on the east side of the site shall be preserved and shall be reviewed as part of the Preliminary Site Plan.
7. The site shall be properly screened as indicated in the concept plan and shall be reviewed as part of the Preliminary Site Plan.
8. Developer offers to install a Motor City Historical Marker commemorating Michigan CAT's history within the City of Novi as shown on the concept plan and shall be reviewed in detail with the Preliminary Site Plan Review for consistency with other historical marker signage and verbiage.
9. Developer offers to install a pedestrian plaza with a bench and six-foot clear path access from the Novi Road sidewalk as shown on the concept plan.
10. Developer offers to install a decorative breakaway emergency access gate near Catherine Industrial Drive as shown on the concept plan.
11. Tentative completion date for the project shall be calendar year 2023.

C. This motion is made because the proposed General Industrial (I-2) zoning district is a reasonable alternative and fulfills the intent of the Master Plan for Land Use, and because:

1. The proposed outdoor storage development would be in line with the intent of the 2016 Master Plan for the Heavy Industrial use.
2. Growing an important Novi business (Michigan CAT) would complement the goals and objectives of the 2016 Master Plan.
3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features as the drainageway to the east of the property (Walled Lake Branch of the Middle Rouge River Basin) will be preserved.
4. The proposed project will ensure compatibility between residential and non-residential developments because the project proposes to increase the footprint of an industrial business while limiting the use of the site to outdoor storage of shoring and pump operation equipment with proper screening.

ROLL CALL VOTE TO RECOMMEND TO CITY COUNCIL THE APPROVAL OF THE PLANNED REZONING OVERLAY REQUESTED FOR JZ21-22 MI CAT CATHERINE DRIVE ACCESS PARCEL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to recommend to City Council the PRO requested for JZ21-22 MI CAT Catherine Drive Access Parcel. Motion carried 7-0.

2. JSP21-27 SHELTER BAY ANIMAL HOSPITAL

Public Hearing at the request of Other Work, LLC, for approval of the Special Land Use and Preliminary Site Plan. The subject property is approximately 3.15 acres and is located south of Twelve Mile Road and west of Haggerty Road in the B-3, General Business, Zoning District. A use agreement was recently amended to allow this site to be considered for use as a veterinary clinic, veterinary hospital, and catering kitchen. The applicant is proposing to renovate the interior of a former Ruby Tuesday restaurant and some minor exterior site renovations including parking lot restriping, the addition of end islands, and the designation of an outdoor area for animals.

Planner Carroll said 3.15-acre site is located south of Twelve Mile Road and west of Haggerty Road. It was formerly used as a Ruby Tuesday restaurant. The site is located near a BP Gas Station to the east and a Holiday Inn to the west. It is zoned B-3 General Business and is subject to a Use Agreement that was recently approved to be amended by City Council on May 23, 2022. Nearby properties are zoned B-3, B-2, and OST. The Future Land Use for the site indicates Community Commercial, which is consistent with the B-2 and B-3 Zoning District Standards. The recently approved Amendment to the Use Agreement allows the proposed uses – a catering kitchen and animal hospital – to be allowable uses for this specific site. The subject site does not contain any regulated woodlands or wetlands.

Planner Carroll went on to say as indicated on the site plan, the applicant is proposing to renovate a former Ruby Tuesday restaurant for a veterinary hospital/clinic and ghost/catering kitchen. Minor improvements are proposed to the exterior including extensive interior renovations, parking lot restriping, the addition of parking end islands, and the designation of an outdoor area for animals. Most of the work will be contained to inside of the building. As part of this request, the Planning Commission is asked to determine whether a catering/ghost kitchen is compatible with the B-3 (General Business) Zoning District as a Special Land Use. Staff feels the use is generally consistent with a carry-out restaurant, which is a Special Land Use in the B-3 District. The applicant has indicated that this catering facility would only be for larger meals and delivery – there would not be any customers ordering or picking up food on the site. Both a veterinary hospital and catering kitchen would be considered special land uses and relative to other feasible uses of the site, staff feels the proposed uses:

- will not have a detrimental impact on existing throughfares in terms of volume and safety
- will not have a detrimental impact on public services or facilities
- are compatible with natural features of the City
- are compatible with the adjacent uses of land
- are consistent with the goals of the Master Plan
- are in harmony with the design regulations of the zoning district

In addition, there is 22-foot-wide access aisle along the north side of the building, which is a bit smaller than the typical size, so there is a condition in the motion that states that shall not be reduced below 22 feet as it provides important emergency vehicle access to the site. All other outstanding issues have been asked to be addressed on the Final Site Plan if this were to be approved by the Planning Commission.

Planner Carroll concluded by saying the Planning Commission is asked tonight to hold the public

hearing and approve or deny the Special Land Use and Preliminary Site Plan for Shelter Bay Animal Hospital. Laura Walker, the applicant's architect, is here representing the project tonight. Staff is available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Laura Walker, Architect for this project, said she is working with the client, and she would be happy to answer any questions.

Chair Pehrson invited members of the audience who wished to participate in the public hearing to approach the podium. Seeing that nobody wished to speak and there was not any correspondence, Chair Pehrson turned it over to the Planning Commission for consideration.

Member Lynch asked what is our role in approving this since it seems that City Council has already done so?

City Attorney Beth Saarela said there was an agreement that limited the uses of the property prior to this. City Council approved the termination of that agreement, which got rid of those restrictions and opened the site back up to uses in accordance with the Ordinance. Now the Commission must consider this Special Land Use in accordance with the Ordinance, if you all determine that the use qualifies under the B-3 district.

Member Lynch said I am concerned about the amount of parking that exists there. The hospital is only going to use a small portion of the parking, and the kitchen shouldn't require much parking at all since it is delivery only. What does the applicant plan to do with all the parking?

Ms. Walker said you mentioned Dandy Acres, which is a beautiful facility. The dogs stay overnight, and they have several dog parks for them. If the clinic is successful, I think the client would be excited to expand into something like that. However, for the time being it will just be the clinic. I do know that the client will not let the parking lot become overgrown. He will keep up the grounds and he is going to restripe the lot. A couple conversations were had regarding whether we could incorporate any potential future expansions into this site plan or an overall Master Plan for the site, but we were also concerned that would make the approval process more complicated.

Member Becker said I believe Mr. Carroll mentioned an area on the site for open space that the customers and dogs could use. Where is that located on the site plan?

Planner Carroll acknowledged the location on the site plan and said it is basically just an area for the customers to take their dogs out to take care of business and come back in.

Member Becker said I was concerned that there may be a larger area for dogs, similar to more rural facilities, where they can run around. I thought the hotel next door might not be appreciative of that, but this smaller area should not be an issue. Also, on page 2 of the landscape review, it says "please provide an irrigation system plan or information about alternative means to provide sufficient water for plant establishment and survival. In the applicant response letter dated May 3, item number 32 says, "all plants will be watered as necessary until they are established as indicated on sheet L300". My question is for Mr. Meader – in your review letter, the requirement was for survival, but the applicant responded that plants will be watered until they are established. Are you confident that this means there will be a survival irrigation system or other means, or is this a question that has not been answered yet?

Landscape Architect Meader said the bottom line is that we ask them to keep their plants alive. Even if the irrigation system is installed, we do not go out to check if they are using it. If they are

going to water the plants enough to get them started, and they are plants that can do well without much water, that's great. If not, they will have to keep watering them, or they will have to replace them. We do not go out to any site to make sure they are watering their plants; it's just not something we can do. We make sure the plants are alive. The applicant has some plants listed that are fairly drought tolerant, so I wasn't too concerned. I can double check in the Final Site Plan review.

Member Becker said it was just the fact they only said they'd water the plants until they are established. I would feel much better if it said established and maintained.

Mr. Meader said I'll be sure to iron out those details in the Final Site Plan.

Member Dismondy asked if there were other examples of ghost kitchens in the City? Are they in similar types of buildings and locations, or are they tucked away in industrial areas?

Planner Carroll said this is the first in the City that I am aware of, but I am sure they do exist in other locations.

Member Verma asked is the client going to use the same kitchen that was used in the former restaurant, or will they rebuild it?

Planner Carroll said they will be using the same kitchen. It is in pretty good condition based on what the applicant has provided.

Member Verma asked are they going to be doing delivery as well?

Planner Carroll said I do not know if they will be delivering themselves or if they will hire a delivery service. I believe they are still looking for a tenant. The idea is that the space will be separate from the veterinary hospital.

Member Verma asked if the kitchen appliances were in good shape, or if they'd had a consultant inspect the kitchen.

Planner Carroll said they would have to go through the Building Division for any approvals on the interior of the building. They have specific code requirements that I'm sure the applicant would have to go through.

Member Avdoulos said I appreciate when we get a facility that can be repurposed instead of being torn down and replaced. I think this meets with the intent of the Ordinance as a Special Land Use in the B-3 district.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Shelter Bay Animal Hospital, JSP21-27, 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 uses 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 because the proposed uses are compatible with the surrounding area and no new driveways are proposed on Twelve Mile Road;**
- ii. The proposed uses 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 there are adequate public services in the area and the proposed uses will not have a detrimental impact;

- 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 proposed uses do not impact any regulated natural features;
- 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 uses are similar to the surrounding commercial and office uses;
- v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use because the proposed uses are compatible commercial developments that allow for reinvestment and expansion of existing facilities (Goal Z.17.3);
- vi. The proposed use will promote the use of land in a socially and economically desirable manner because the proposed uses complement the surrounding area;
- 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.

ROLL CALL VOTE TO APPROVE THE SPECIAL LAND USE PERMIT FOR JSP21-27 SHELTER BAY ANIMAL HOSPITAL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

**Motion to approve the Special Land Use Permit for JSP21-27 Shelter Bay Animal Hospital.
*Motion carried 7-0.***

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Shelter Bay Animal Hospital, JSP21-27, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The site shall be reviewed under conditions listed in the executed Amendment to Agreement;
- b. Permitted use of the site for a veterinary clinic and veterinary hospital because the proposed use is permitted in the General Business District, which is hereby granted;
- c. Permitted use of the site subject to Special Land Use approval for a catering kitchen because the proposed use is generally similar to a carry-out restaurant as permitted in the General Business District, which is hereby granted;
- d. The access aisle along north of the building shall not be reduced below 22 feet as originally approved;
- e. All existing parking lots shall be maintained and in compliance with Section 5.3 of the Zoning Ordinance and any applicable provisions within the City of Novi Code of Ordinances;
- f. 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.

ROLL CALL VOTE TO APPROVE THE SPECIAL LAND USE PERMIT FOR JSP21-27 SHELTER BAY ANIMAL HOSPITAL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

**Motion to approve the Preliminary Site Plan for JSP21-27 Shelter Bay Animal Hospital.
Motion carried 7-0.**

3. SAKURA NOVI JSP22-09

Public hearing at the request of Sakura Novi Land Development LLC for Planning Commission's recommendation to the City Council of Preliminary Site Plan, Phasing Plan, Wetland Permit, Woodland Permit, and Storm Water Management Plan. The subject property is zoned TC-1 with a Planned Rezoning Overlay (PRO), which conditions development to the terms of a PRO Plan and Agreement. The site is approximately 15 acres and is located north of Grand River Avenue, south of Eleven Mile Road, and east of Town Center Drive (Section 23). The applicant is proposing to develop a mixed-use development including commercial retail, office, and restaurant uses, and multifamily residential units. The development has access to Grand River Avenue and Eleven Mile Road.

Senior Planner Bell said the applicant is requesting site plan approval for approximately 15-acres of property located north of Grand River Avenue, south of 11 Mile Road, and east of Town Center Drive. This process began several years ago when the applicant entered into a purchase agreement with the City for the majority of the subject property and proposed a Planned Rezoning Overlay, or PRO, to be able to develop the property as a mixed-use development. The layout, intensity, mix of uses, and design evolved over time, and eventually the City Council approved the PRO Agreement and Plan in May 2021 and completed the sale of the property in August of 2021. The rezoning changed the district to Town Center - 1, subject to the terms and conditions of the Planned Rezoning Overlay Agreement. Properties to the north of Eleven Mile are zoned Office Service Commercial and I-1 Light Industrial. To the east the adjacent area is zoned I-1 Light Industrial and B-3 General Business. To the south, across Grand River, is zoned TC-1, and to the east is zoned Town Center. The Master Plan specifies this area as TC Gateway and designated the area specifically as a redevelopment area. The site contains both regulated woodland and wetland features.

Senior Planner Bell continued to say Sakura Novi has been proposed as a mixed-use development that would highlight the cultural diversity of Novi and add a vibrant destination in the Town Center area. The project is presented as 2 phases. Phase 1 consists of a commercial area with four buildings which incorporate restaurant, retail, and office uses along the Grand River frontage in addition to 118-townhome units on the north and eastern portions of the site accessed via 11 Mile Road. The existing pond on the west side of the site is to be a focal point and public gathering space, to be enhanced with Japanese-style gardens and a walkway around the perimeter. The Phase 2 portion of the project includes an additional 15 townhome units between the eastern residential area and the commercial area. In Phase 1 that area is used for additional parking. The PRO Agreement granted a list of waivers and deviations to permit the development proposed. Two additional waivers are requested at this time, both are permitted to be approved by the Planning Commission and City Council under the terms of the PRO Agreement. One is a landscaping waiver for a deficiency in accessway perimeter trees, and the other would allow lighting levels to exceed the 4:1 average to minimum ratio in some locations due to the more subtle pedestrian-level lighting proposed around the pond walkway; this was previously approved as a deviation to fall below the required 0.2 footcandle standard. We have worked with the applicant to achieve a maximum ratio of 6:1 in those locations.

Senior Planner Bell went on to say wetland and woodland permits are required, as described in the PRO Agreement. A woodland conservation easement would protect the 17 replacement credits proposed to be planted on the site. The building facades match what was proposed and the Section 9 waivers that were approved in the PRO Agreement. Public benefits agreed to at the time of the PRO included a contribution to the Sidewalk Fund for

completion of off-site sidewalk on Grand River, including a small segment adjacent to their site. Other benefits include adding a multi-generational, multi-use play area and pond platform to be located northwest of the pond, as well as a free little library. A meditation plaza is shown on the eastern side of the site, and it overlooks the stormwater management and the wetland beyond. An easement to the City for the purpose of displaying public art is located on the east side of the site near Grand River. Right of Way along Grand River and 11 Mile has been dedicated.

Senior Planner Bell concluded by saying site plans of 5 acres or more in the Town Center districts require City Council approval after review and recommendation by the Planning Commission. Tonight, the Planning Commission is asked to hold the public hearing and make a recommendation to the City Council on the Preliminary Site Plan with Site Condominium and Phasing Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan. Staff and our wetland consultant are available to answer any questions you may have. The applicants, Scott Aikens and Tim Loughrin and their team are here to tell you more about their proposal to respond to your questions as well.

Chair Pehrson invited the applicant to address the Planning Commission.

Scott Aikens, with Sakura Novi LLC, said we are pleased to be back before the Planning Commission. We sought diligently to adhere to the PRO Agreement. We are hopeful that we have done enough to move forward. We have numerous businesses that are eager or interested to be a part of the site. Our team stands by to answer any questions.

Chair Pehrson invited members of the audience who wished to participate in the public hearing to approach the podium. Seeing that nobody wished to speak and there was not any correspondence, Chair Pehrson turned it over to the Planning Commission for consideration.

Member Lynch said just to be clear, since we have looked at this project before, the difference between what is proposed and what was previously approved is they would like to replace a parking lot with 15 more units?

Senior Planner Bell said before the PRO Agreement was finalized, the applicant had come forward with the optional Phase 2. Depending on the leasing of the commercial buildings, they may need that parking. If certain tenants did not require that parking, parking to the rear of those commercial units might be converted into residential units. The PRO Agreement does allow for 15 additional units to added in that area.

Member Lynch said I don't quite understand the ratios required for lighting – why is it important for me to consider it for an approval?

Ms. Bell said the ordinance says that to create an even lighting situation that doesn't have large spaces of intense lighting or darkness, it requires a 4:1 ratio; the overall average shouldn't be more than 4 times as bright as the lowest spot being lit.

Member Lynch said okay, so it sounds like we consider lighting to make sure there is a uniform glow on the sight and so there aren't very bright areas and very dark areas.

Ms. Bell said my understanding is the applicant would like to create shorter pedestrian scale lighting around the pond. To achieve uniform lighting, they would need to have a many of them positioned directly beside one another because that light only reaches so far. Since they do not want tall street lighting, they need this waiver to have the more subtle lighting situation.

Member Lynch asked Landscape Architect Meader if he was okay with the tree locations on

the site.

Mr. Meader said they have worked hard to get what they can. It would be nice to have the 3 extra trees along the accessway, but they are concerned about visibility for the commercial tenants.

Member Becker asked what is the requirement pertaining to the landscaping easement for planting of evergreen trees on the ECCO Tool Property?

Senior Planner Bell said since the space is tight on that side of the site, they are planning to plant some of their required trees on the ECCO Tool site. This will require them to obtain a landscape easement to ensure those trees are allowed to be planted there and that they stay there to provide the required screening.

Member Becker asked has communication been made with ECCO Tool? Are they amenable to this?

Scott Aikens confirmed that they had reached out and the applicant is open to the easement.

Member Dismondy asked why isn't Town Center Drive a border for this site? It looks like there is some space there acting as a buffer.

Senior Planner Bell said that is owned by the Novi Town Center. My understanding is that it is a part of their open space requirement, so they have always owned that space.

Member Dismondy said that makes sense. Also, I am surprised to see so much retail on a development like this because it is harder to finance than only building multi-family. However, in your opening statement, you mentioned that you have a lot of interest, so that is great to hear. It seems like the challenge would be keeping that retail space leased, but overall, it seems like a great project.

Member Verma said you mentioned that the applicant plans to install Japanese style plants and landscaping around the pond. Will there also be a jacuzzi there?

Ms. Bell said no, that is not in the plans.

Member Roney said the phasing confuses me a little bit. Phase one seems to be split into three phases, or will that be simultaneous? What is the timing for this project?

Scott Aikens said as part of the PRO Agreement, the first building to go up will be 13,000 square foot building along Grand River and the 50 apartment units will be constructed. Then, the other 117 residential units will roll through. The commercial will also roll similarly based on leasing.

Member Roney asked when do you think Phase 1 would be complete?

Scott Aikens said we're targeting Spring of 2024.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Sakura Novi, JSP22-09, motion to recommend to City Council approval of the Preliminary Site Plan with Site Condominium and Phasing Plan based on and subject to the following:

- a. Lighting waiver from Section 5.7 to allow light levels to exceed the 4:1 average to minimum ratio in some locations, up to a maximum of a 6:1 ratio, in order to allow greater variation in the light levels in certain areas of the property.**

- b. Landscape waiver from Section 5.5.3.C.iii to permit the shortage of 14 access-way perimeter trees in the commercial area.
- c. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters, as well as all of the terms and conditions of the PRO Agreement as approved, with any outstanding items being addressed on the Final Site Plan.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF THE PRELIMINARY SITE PLAN FOR JSP22-09 SAKURA NOVI TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to recommend approval of the Preliminary Site Plan for JSP22-09 Sakura Novi to City Council. *Motion carried 7-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Sakura Novi, JSP22-09, motion to recommend to the City Council to approve the Wetland Permit based on and subject to the following:

- a. As permitted under the terms outlined in the PRO Agreement, the applicant shall mitigate wetland impacts by purchasing credits in an EGLE-approved wetland mitigation bank;
- b. 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.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF THE WETLAND PERMIT FOR JSP22-09 SAKURA NOVI TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to recommend approval of the Wetland Permit for JSP22-09 Sakura Novi to City Council. *Motion carried 7-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Sakura Novi, JSP22-09, motion to recommend to the City Council to approve the Woodland Permit based on and 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.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF THE WOODLAND PERMIT FOR JSP22-09 SAKURA NOVI TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to recommend approval of the Woodland Permit for JSP22-09 Sakura Novi to City Council. *Motion carried 7-0.*

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Sakura Novi, JSP22-09, motion to recommend to the City Council to approve the Stormwater Management Plan, based on and 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.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF THE STORMWATER MANAGEMENT PLAN FOR JSP22-09 SAKURA NOVI TO CITY COUNCIL MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to recommend approval of the Stormwater Management Plan for JSP22-09

Sakura Novi to City Council. Motion carried 7-0.

MATTERS FOR CONSIDERATION

1. ELECTION OF OFFICERS AND APPOINTMENTS TO COMMITTEES

City Planner McBeth said I was able to contact all the Planning Commissioners, and it appears that all Commissioners are content with the Committees they have been serving on, with the exception of Member Becker who offered to take any positions that any other Commissioners may want to drop.

Member Avdoulos said since Member Becker is only on one Committee, I will give up my spot on the Walkable Novi Committee for him if he is interested.

Member Becker said I would be happy to.

Motion made by Member Avdoulos and seconded by Member Lynch.

VOICE VOTE MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH TO REINSTATE ALL COMMITTEE POSITIONS PREVIOUSLY HELD BY EACH MEMBER WITH THE EXCEPTION OF MEMBER BECKER REPLACING MEMBER AVDOULOS ON THE ENVIRONMENTAL AND WALKABLE NOVI COMMITTEE.

Motion to reinstate all committee positions previously held with the exception of Member Becker replacing Member Avdoulos on the Environmental and Walkable Novi Committee. Motion carried 7-0.

Motion made by Member Avdoulos and seconded by Member Lynch.

VOICE VOTE TO ELECT MEMBER PEHRSON AS THE CHAIR OF THE PLANNING COMMISSION MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

Motion to elect Member Pehrson as the Chair of the Planning Commission. Motion carried 7-0.

Motion made by Member Lynch and seconded by Member Roney.

VOICE VOTE TO ELECT MEMBER AVDOULOS AS THE VICE CHAIR OF THE PLANNING COMMISSION MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY.

Motion to elect Member Avdoulos as the Vice Chair of the Planning Commission. Motion carried 7-0.

Motion made by Member Dismondy and seconded by Member Becker.

VOICE VOTE TO ELECT MEMBER LYNCH AS THE SECRETARY OF THE PLANNING COMMISSION MOVED BY MEMBER DISMONDY AND SECONDED BY MEMBER BECKER.

Motion to elect Member Lynch as the Secretary of the Planning Commission. Motion carried 7-0.

2. APPROVAL OF THE JUNE 8, 2022 PLANNING COMMISSION MINUTES

Motion made by Member Lynch and seconded by Member Verma.

ROLL CALL VOTE TO APPROVE THE JUNE 8, 2022 PLANNING COMMISSION MINUTES MADE BY

MEMBER LYNCH AND SECONDED BY MEMBER VERMA.

Motion to approve the June 8, 2022 Planning Commission Meeting Minutes. Motion carried 7-0.

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were not any other consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

City Planner McBeth said there is a small break in Planning Commission training opportunities during the summer, but we anticipate more will come up in the fall.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the final public participation.

ADJOURNMENT

Motion to adjourn made by Member Lynch.

VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER LYNCH.

Motion to adjourn the July 13, 2022 Planning Commission Meeting. Motion carried 7-0.

The meeting adjourned at 7:56 PM.