



# PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

**June 12, 2019 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 Greco, Member Hornung, Member Lynch, Chair Pehrson

Absent: Member Anthony, Member Maday

Also Present: Barb McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Thomas Schultz, City Attorney; Doug Necci, Façade Consultant

## APPROVAL OF AGENDA

Motion to approve the June 12, 2019 Planning Commission Agenda. *Motion carried 5-0.*

## PUBLIC HEARINGS

### 1. MRL GROUP DAY CARE, JSP18-63

Public hearing of the request of MRL Child Care LLC, for Special Land Use Approval. The subject property is located at 44879 Stockton Drive in Section 10, north of Twelve Mile Road, west of Dixon Road in RA residential Acreage zoning district. The applicant is proposing to operate a group day care in their existing residence for no more than 12 children.

In the matter of MRL Group Daycare JSP18-63, motion to deny the Special Land Use permit for the following reasons:

1. The parcel does not meet the qualifying criteria (Use Standards) for a Group Daycare use as listed in Section 4.12.1., all of which would require a use variance by the Zoning Board of Appeals as follows:
  - a. The parcel does not provide the minimum required outdoor recreation area. A minimum of 2,000 square feet is required, the applicant proposes approximately 1,303 square feet.
  - b. Outdoor recreation area does not meet the minimum requirements for screening. Outdoor recreation area is screened with evergreen trees for only part of the recreation area.
  - c. The parcel does not meet the minimum requirements for parcel size. A minimum of one-half (0.5) acre is required; the current parcel measures 0.21 acres.

- d. The applicant is already making significant use of the parcel, which has a single-family home with a day care located on it, which is relevant for purposes of determining if it qualifies for a use variance.

In addition, because the use is not permitted on the property, and would require a use variance in order to be allowed, the parcel does not meet the criteria for a special land use approval. More specifically:

- i. The proposed use is not compatible with adjacent uses of land (*because the use is not permitted by the ordinance due to the small size of the parcel and the lack of recreation area*);
- ii. The proposed use not consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use (given the need for use variance approval);
- iii. The proposed use, while listed among the uses requiring special land use approval in the district, is by definition not in harmony with the purposes of the ordinance and does not conform to the applicable site design regulations of the district as noted above.

*Motion carried 5-0.*

## 2. ZONING ORDINANCE TEXT AMENDMENT 18.287

Public hearing for Text Amendment 18.287 to consider amending the City of Novi Zoning Ordinance at Section 3.31, Planned Development Options, in order to reduce redundancies, clarify ordinance language, and other items deemed necessary.

Motion to forward a favorable recommendation to the City Council for reading and possible adoption of the ordinance as drafted. *Motion carried 4-1 (Hornung).*

## MATTERS FOR CONSIDERATION

### 1. SPEEDWAY #2224 JSP 17-63

Consideration at the request of McBride Dale Clarion for Preliminary Site Plan and Storm Water Management Plan approval for a new Speedway gas station facility. The subject property is approximately 2.03 acres and is located on the southwest corner of 14 Mile Road and Haggerty Road (Section 1). The parcel is zoned B-3 with a Planned Rezoning Overlay. The applicant is proposing to demolish the existing gas station and replace it with a larger convenience store with an outdoor seating area, 8 double-sided fuel dispensers, associated parking and storm water detention pond.

In the matter of Speedway #2224 JSP17-63, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Revised submittal of the Traffic Impact Study to adequately address the comments in the traffic consultant's review letter at the time of Final Site Plan;
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters and the remaining items listed in those letters being addressed on the Final Site Plan, and subject to the terms and conditions of the PRO Agreement.

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 5-0.*

In the matter of Speedway #2224 JSP17-63, motion 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. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

**2. PET SUITES JSP 19-18**

Consideration at the request of Hogan Real Estate for Preliminary Site Plan and Storm Water Management Plan approval for a pet boarding facility. The subject property is approximately 2.48 acres and is located on the south side of Grand River Avenue, east of Beck Road (Section 16). The vacant parcel is zoned I-1, Light Industrial. The applicant is proposing to construct a 10,980 square foot building with a fenced outdoor recreation area for the boarding of cats and dogs.

In the matter of Pet Suites JSP 19-18, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. A waiver for same-side driveway spacing because there is no reasonable access point for the site that meets the ordinance requirement for 275 feet, which is hereby granted;
- b. A waiver for deficiency of sub-canopy street tree due to lack of space in the right-of-way and an extra canopy tree is provided, which is hereby granted;
- c. A waiver to allow a portion of the foundation landscaping to be located away from the building because the area provided exceeds the requirement and is located near the building, which is hereby granted;
- d. A Section 9 façade waiver for an overage of EIFS on the north elevation (32 percent is proposed where a maximum of 25 percent is allowed) and an overage of Flat Metal Panels on the south elevation (57 percent is proposed where a maximum of 50 percent is allowed), which is hereby granted;
- e. The findings of compliance with Ordinance standards in the staff and consultant review letters and the remaining 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 5-0.*

In the matter of Pet Suites JSP 19-18, motion 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. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

**3. SLI MEDICAL OFFICE BUILDING JSP 18-74**

Consideration at the request of SLI Medical Preliminary Site Plan and Storm Water Management Plan approval. The subject property is zoned B-3 and is located on the north side of Grand River Avenue and east of Novi Road in Section 23. The applicant is proposing to remodel and occupy the existing 45,200 square feet building for medical and general office use along with warehouse space housing

medical equipment. The applicant is proposing to build additional parking and related landscape improvements to accommodate the change of use.

In the matter of request of SLI Medical for JSP 18-74 SLI Medical Office Building, motion to approve the Preliminary Site Plan based on and subject to the following:

1. The applicant shall revise the layout to provide a minimum of 75 parking spaces including the minimum required barrier free spaces at the time of final site plan;
2. The applicant shall provide a truck circulation diagram as noted in the Traffic review letter at the time of final site plan;
3. Traffic waiver to allow Parking study in lieu of performing a Traffic Impact study because the change in number of trips from existing use is not significant, which is hereby granted;
4. The applicant shall provide a revised landscape plan, subject to approval of the City's Landscape Architect, that complies with the following landscape waivers, at the time of final site plan approval:
  - a. Landscape waiver from Sec. 5.5.3.B.ii for lack of street trees along Grand River Avenue frontage due to conflicts with existing utilities in right-of-way, which is hereby granted;
  - b. Landscape waiver from Sec. 5.5.3.C.iv for not meeting the minimum required parking lot perimeter trees due to a lack of room between the parking and the west property line, provided that the applicant work with the City's landscape architect to maximize number of trees along other areas of the parking lot, which is hereby granted;
  - c. Landscape waiver from Sec. 5.5.3.B.ii for reduction in required greenbelt width along Grand River Avenue due to existing conditions which were previously approved, which is hereby granted;
  - d. Landscape waiver from Sec. 5.5.3.B.ii for lack of berm along Grand River Avenue, due to existing grading which is not changing, which is hereby granted;
  - e. Landscape waiver from Sec 5.5.3.D. for proposing less than 75% of the building foundation with landscaping, and locating some foundation area away from the building along the existing berm facing Grand River Avenue, which is hereby granted;
5. Zoning Board of Appeals variance from Section 5.2.12. for reduction of minimum required parking for the proposed use (122 spaces required, 75 spaces proposed);
6. The findings of compliance with Ordinance standards in the staff and consultant review letters and the remaining 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 5-0.*

In the matter of request of SLI Medical for JSP 18-74 SLI Medical Office Building, motion 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. This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 5-0.*

4. APPROVAL OF THE APRIL 17, 2019 PLANNING COMMISSION MINUTES

Motion to approve the April 17, 2019 Planning Commission Meeting Minutes. *Motion carried 5-0.*

5. APPROVAL OF THE MAY 8, 2019 PLANNING COMMISSION MINUTES

Motion to approve the May 8, 2019 Planning Commission Meeting Minutes. *Motion carried 5-0.*

**ADJOURNMENT**

The meeting was adjourned at 8:02 PM.

*\*Actual language of the motions subject to review.*