



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

May 8, 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, Member Maday, Chair Pehrson

Absent: Member Anthony

Also Present: Barb McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Beth Saarela, City Attorney; Pete Hill, Environmental Consultant

APPROVAL OF AGENDA

Motion to approve the May 8, 2019 Planning Commission Agenda. *Motion carried 6-0.*

CORRESPONDENCE

1. UPDATE ON GOLLING MASERATI DEALERSHIP

PUBLIC HEARINGS

1. AMSON-NASSAR SPEC BUILDING JSP18-48

Public hearing of the request of Amson-Nassar Development for Preliminary Site Plan, Woodland Permit, and Storm Water Management Plan approval for a new 90,000 square foot Warehouse/Office building. The subject property contains 10 acres and is located in Section 16, south of Twelve Mile Road and east of West Park Drive, in the OST, Office Service Technology District.

In the matter of Amson-Nassar Spec Building JSP18-48, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Revised elevations to comply with the façade consultant's review letter to be provided at the time of Final Site Plan;
- b. A secondary emergency access drive meeting Fire Department requirements to be shown at the time of Final Site Plan;
- c. 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 5-1 (Hornung).*

In the matter of Amson-Nassar Spec Building JSP18-48, motion to approve the Woodland Permit based on and subject to the following:

- a. Woodland Conservation Easement shall be provided in order to protect any woodland replacement trees planted on site;
- 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.

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 5-1 (Hornung).*

In the matter of Amson-Nassar Spec Building JSP18-48, 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 5-1 (Hornung).*

2. HRSDS SEWAGE DETENTION FACILITY JSP19-10

Public hearing at the request of Oakland County Water Resources Commission and City of Novi for Planning Commission's approval of Preliminary Site Plan, Wetland Permit, Woodland Permit and Stormwater Management Plan. The subject property is currently zoned I-1, Light Industrial and is located in Section 35, east of Novi Road and south of Nine Mile Road, in the City's Rotary Park. The applicant is proposing to construct an underground sewage detention facility, associated pump house and emergency back-up generator. The project would also include improvement of the non-motorized trail.

In the matter of HRSDS Sewage Detention Facility, JSP 19-10, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Planning Commission waiver for the location of the generator in the front yard, as the applicant has demonstrated that it is not feasible to locate the generator in another location, and landscape screening is proposed, which is hereby granted;
- 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.

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 6-0.*

In the matter of HRSDS Sewage Detention Facility, JSP 19-10, motion to approve the Wetland Permit based on and subject to the following:

- a. 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 12, Article V of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

In the matter of HRSDS Sewage Detention Facility, JSP 19-10, motion 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. 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 6-0.*

In the matter of HRSDS Sewage Detention Facility, JSP 19-10, 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 6-0.*

MATTERS FOR CONSIDERATION

1. **ITC PROJECT STARLIGHT JSP19-17**

Consideration at the request of International Transmission Company for Planning Commission's approval of Preliminary Site Plan and Stormwater Management Plan. The subject property is currently zoned OST, Office Service Technology and is located in Section 13, west of Haggerty Road and south of Twelve Mile Road. The applicant is proposing to install a solar panel array, a carport structure solar panel array, and an energy storage facility on the ITC campus.

In the matter of ITC Project Starlight, JSP 19-17, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. Zoning Board of Appeals approval of the variance from Section 4.19.1.J for three accessory buildings on a parcel;
- 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.

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 6-0.*

In the matter of ITC Project Starlight, JSP 19-17, motion to approve the Stormwater Management Plan, based on and subject to

- a. 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 6-0.*

2. **TEXAS ROADHOUSE RESTAURANT JSP18-62**

Consideration at the request of Texas Roadhouse Holdings LLC for JSP 18-62 Texas Roadhouse for Planning Commission's approval of the Preliminary Site Plan and

Storm Water Management Plan. The applicant is proposing a 7,163 square feet sit-down restaurant, known as Texas Roadhouse. Outdoor seating is not proposed at this time. The plan proposes related parking and site improvements.

In the matter of the request of Texas Roadhouse Holdings LLC for JSP 18-62 Texas Roadhouse, motion to approve the Preliminary Site Plan based on and subject to the following:

1. This review and recommendation with respect to approval of the Preliminary Site Plan is being conducted at the applicant's request before the amendment to Adell PRO process has been completed by the City Council. The applicant has acknowledged as part of its submission of this request that the City Council had not yet reviewed its PRO Concept Plan and proposal and that there is no amendment to the PRO Agreement between the City and the applicant. The City Council might or might not approve the amendment to the PRO. The following provisions are therefore completely contingent on approval by the City Council of the amendment to the PRO Agreement through the PRO Concept Plan and PRO Agreement at the City Council as required by the ordinance, and if those approvals do not occur, then any approval of the preliminary site plan is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO amendment, which is required in order to allow site plan approval, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.
2. Planning Commission approval of alternate location for the transformer, subject to City Council approval of the amendment to the PRO Agreement;
3. The applicant shall provide the required bicycle racks at the time of Final Site Plan approval;
4. The applicant shall not exceed the sound level limits for transformer as noted in Section 5.14. at the time final site plan;
5. The applicant shall address all comments noted in Fire review letter at the time of Final Site Plan submittal;
6. This approval is subject to all conditions listed in the original PRO Agreement dated October 26, 2018, unless otherwise amended with the first amendment to the PRO agreement, which is set to be consideration for tentative approval by the City Council on May 06, 2019;
7. Lighting and Photometric plans for all site plans related with the Adell Center development shall be in general conformance with the light levels indicated in the overall photometric plan and related deviations included in the PRO agreement.
8. This Preliminary Site Plan approval is therefore granted subject to completion of the of the amendment to the PRO Concept Plan and PRO Agreement process, and any and all requirements that result from such approval, if it is granted; at a minimum, the following deviations would need to be granted as part of the City Council's PRO amendment process in order for the preliminary site plan to be approved as prepared:
 - a. Planning deviation from Section 5.12 for not meeting the minimum required parking Unit 7 (A minimum of 196 spaces are required, a total of 166 spaces are proposed);

- b. Planning deviation from Section 4.19.2 to allow a dumpster enclosure within the interior side yard off the building for Unit 7;
- c. Planning deviation from Section 5.4.1 to allow the loading area within the interior side yard as shown on the Concept Plan for Unit 7;
- d. Planning deviation from Section 5.4.2. to allow for a reduction in the size of the proposed Loading Area for Unit 7 (847 square feet minimum required, 786 square feet proposed);
- e. Façade deviation from Section 5.15 to allow exceeding the maximum allowable percentages for standing seam metal for the building on Unit 7 (A maximum of 25% standing seam metal roof is allowed, 35% on East elevation and 29% on west elevation is proposed);
- f. Landscape deviation from Section 5.5.3 for lack of undulations in the landscape berm with a 3-foot height along the I-96 frontage.
- g. Planning deviation to allow placement of transformers in alternate locations instead of required rear yard, provided proposed locations conform to other code requirements and appropriate screening will be provided at the time of Preliminary Site Plan review, subject to review and approval by the Planning Commission. This is applicable for Units 1, 2, 3, 5, 6 and 7.
- h. The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two wall signs and the window sign proposed for Unit 7 Texas Roadhouse as listed below
 - i. A variance of from code Section 28-7(a)(9) for an oversized illuminated window sign 14.6 square feet over allowable size (3.5 square feet) for illuminated window sign
 - ii. A variance from code Section 28-5(b)(1)b for front and rear building wall signs as noted below:
 - A. Front elevation sign is oversized by 171 square feet based on the distance of 120 feet from the centerline of the I-96 off-ramp. A maximum of 60 square feet is permitted;
 - B. Rear elevation sign is oversized by 94.5 square feet based on 273 feet from the centerline of Adell Center Drive; a maximum of 136.5 square feet is permitted.

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 6-0.*

In the matter of the request of Texas Roadhouse Holdings LLC for JSP 18-62 Texas Roadhouse, 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 6-0.*

3. ZONING ORDINANCE TEXT AMENDMENT 18.287

Set 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 set public hearing for Text Amendment 18.287. Motion carried 6-0.

ADJOURNMENT

The meeting was adjourned at 8:08 PM.

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