



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

AUGUST 13, 2014 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 or about 7:00 PM.

ROLL CALL

Present: Member Giacometti, Member Lynch, Chair Pehrson, Member Zuchlewski

Absent: Member Anthony (excused), Member Baratta (excused), Member Greco (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Sara White, Planner; Jeremy Miller, Engineer; Brian Coburn, Engineering Manager; David Beschke, Landscape Architect; Gary Dovre, City Attorney.

APPROVAL OF AGENDA

Motion to approve the August 13, 2014 Planning Commission agenda. *Motion carried 4-0.*

PUBLIC HEARINGS

1. HARMAN BECKER AUTOMOTIVE, JSP14-37

Consideration of the request of Northern Equities Group for approval of Preliminary Site Plan, Woodland Permit, Wetland Permit and Stormwater Management Plan. The subject property is 16.5 acres in Section 1 of the City of Novi and located north of Thirteen Mile Road, between M-5 and Cabot Drive, in the OST, Planned Office, Service, Technology district. The applicant is proposing an 188,042 square foot facility for Harman Becker Automotive offices.

In the matter of Harman Becker Automotive, JSP14-37, motion to approve the Preliminary Site Plan based on and subject to the following:

- a) As part of Phase I of the development, the applicant shall provide an additional path on the Final Site Plan connecting the proposed path along the east side of the parking lot, and continuing along the east side of the parking lot to connect to the proposed path extending south to Thirteen Mile Road, as recommended in the Engineering Review memo dated August 7, 2014 (see attached Exhibit A with possible location), further provided that the entire length of the path be increased to 8 feet (subject to the applicant's right as part of Final Site Plan to show the need to reduce the width to five feet), public easement being provided, and wayfinding signs being shown, as this is consistent with the intent for, and location of, the "nature path" as approved at the October 8, 2007 City Council meeting; and
- b) The applicant shall provide with the Final Site Plan submittal for Phase I a phasing plan showing the construction of an access drive to Thirteen Mile along with all associated improvements (including maintaining or relocating proposed pathway to be built as part of Phase I) as a conceptual Phase II, and future parking as a conceptual Phase III. The construction of the Phase II access drive, pathway, and landscape improvements shall be required. However, in order to accommodate the applicant's desire to begin construction on Phase I as soon as practicable, the timing of the construction of the access drive and related improvements shall be deferred until after occupancy of the Phase I improvements has been granted. The determination as to when such construction of the Phase II improvements shall occur will be at the sole discretion of the Director of the Department of Community Development. Upon notification by the Director that the construction of the Phase II improvements is required, the applicant shall submit the required site plan and other information to the City within 60 days and diligently pursue approval for the

improvements. Failure of the applicant to comply with this requirement shall be a violation of the site plan approval and, in addition to any other remedies available to the City to correct such violation, no further approvals with respect to the site shall be granted and occupancy of the Phase I improvements shall cease.

- c) In order to eliminate conflict with retaining wall for the Phase II access drive, the applicant shall relocate the access drive and retaining walls, or relocate the sanitary sewer line and public easement; alternatively, the applicant may choose to seek a License Agreement from the City Council to allow for the construction of the retaining wall within the sanitary sewer easement as shown on the plans; and
- d) The applicant shall incorporate on the Final Site Plan for Phase I, a sidewalk stub along Thirteen Mile Road to connect the north/south path to a future sidewalk to the west; and
- e) Final Site Plan approval for Phase II, when completed, shall require the submittal of a Stormwater Management Plan for Phase II access drive connection to Thirteen Mile Road, possible wetland permit approval for the stormwater outfall, and resolution of sanitary sewer easement conflicts, which will come back to Planning Commission for approval once more detail is provided; and
- f) Applicant to modify the Final Site Plan for Phase I to insure that no more than 15 contiguous parking spaces are provided without a landscaped island; and
- g) Section 9 Waiver for underage of brick and overage of metal panels on the south and north facades, which is hereby granted; and
- h) 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 23A, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

In the matter of Harman Becker Automotive, JSP14-37, motion to approve the Woodland Permit for Phase I 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 for Phase I. 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 4-0.*

In the matter Harman Becker Automotive, JSP14-37, in view of the Applicant's phasing plan that defers improvements that may require a wetlands permit to a future phase, motion to not approve the permit at this time and delay consideration of the Wetlands Permit until consideration of the Stormwater Management plan for Phase II driveway construction, with the understanding that this action does not represent any decision on a wetland permit needed for improvements in a future phase. *Motion carried 4-0.*

In the matter of Harman Becker Automotive, JSP14-37, motion to approve the Phase I Stormwater Management Plan based on and subject to the following:

- a) Stormwater Management Plan for Phase II access drive will come back to Planning Commission for approval once more detail is provided; and
- 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 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

2. ZONING ORDINANCE TEXT AMENDMENT 18.270

Public Hearing for Planning Commission's recommendation to City Council for an ordinance to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance Section 1905 of the I-1, Light Industrial District and Section 2303A of the OST, Planned Office Service Technology District to permit and regulate above ground storage tanks.

Motion to recommend approval to the City Council of Zoning Ordinance Text Amendment 18.270. Motion carried 4-0.

MATTERS FOR CONSIDERATION

1. OAK POINTE CHURCH PARKING EXPANSION/RE-PHASING, JSP14-35

Consideration of the request of Oak Pointe Church for approval of the Preliminary Site Plan, Re-Phasing Plan and Stormwater Management Plan. The subject property is located on the north side of Ten Mile Road, between Napier and Wixom roads, in Section 19 of the City. The property totals 27.21 acres and the applicant is proposing to construct a parking lot addition for Oak Pointe Church and reorder the phases as part of an existing phasing plan.

In the matter of the request of Oak Pointe Church for Oak Pointe Church Parking Expansion, JSP14-35, motion to approve the Preliminary Site Plan and Phasing Plan, based on and subject to the following:

- a) **The Planning Commission waives the requirement for landscaped islands based on the consistency with previous approval of the overall plan for the Oak Pointe Church, which is hereby granted; and**
- b) **Planning Commission acknowledgement that future minor changes (including re-ordering of phases) may be reviewed administratively, provided that staff determines that there are no significant traffic issues or substantial changes from what had been presented and approved previously by the Planning Commission; and**
- c) **Compliance with all the conditions and requirements listed in the staff and consultant review letters.**

This motion is made because the plan is otherwise in compliance with Article 4, Article 24 and Article 25 and all other applicable provisions of the Zoning Ordinance. *Motion carried 4-0.*

In the matter of the request of Oak Pointe Church for Oak Pointe Church Parking Expansion, JSP14-35, motion to approve the Storm Water Management Plan, subject to the compliance with all the conditions and requirements listed in the staff and consultant review letters. 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 4-0.*

2. NOVI CRESCENT PHASE II, JSP14-33

Consideration of the request of Versa Development for approval of Preliminary Site Plan and Stormwater Management Plan. The subject property is 1.99 acres in Section 15 of the City of Novi and located on the west side of Novi Road, south of the I-96 freeway interchange in the TC, Town Center district. The applicant is proposing to demolish the existing Melting Pot restaurant and construct an approximately 12,800 square foot building consisting of retail and restaurant space.

In the matter Novi Crescent Phase II, JSP14-33, motion to approve the Preliminary Site Plan 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 the items listed in those letters being addressed on the Final Site Plan; and**
- b) **Waiver for building setback reduction from front parcel line from 50 feet to 20 feet, which is hereby granted. Setbacks may be reduced by Planning Commission provided: (a) That a reduction in setback, or waiver of a setback, will not impair the health, safety or general welfare of the City or the use of the premises or adjacent premises (b) That waiver of the setback along a common parcel line would result in a more desirable relationship between a proposed building and an existing building; and (c) The adherence to a minimum required setback would result in the establishment of nonusable land area that could create maintenance problems.**
- c) **Waiver of required Traffic Impact Study, which is hereby granted; and**
- d) **Waiver of same side driveway spacing, 105 feet is required, 45 feet is provided, which is hereby granted; and**
- e) **Waiver of screen wall requirement along Expo Dr. due to sanitary easement provided that the applicant work with the City's landscape architect at the time of final site plan to enhance landscape treatment at this location, which is hereby granted; and**
- f) **Section 9 waiver for overage of fabric awnings, which is hereby granted; and**
- g) **Zoning Board of Appeals variance for deficient parking setback of 15 feet from north property line and 3 feet from south property line, 20 feet is required; and**
- h) **Zoning Board of Appeals variance for loading zone location in exterior rear yard, deficient setback from the north property line of 14 feet, 20 feet required, and deficient size of 1,751 square feet, 1,770 square feet required; and**

i) Zoning Board of Appeals variance for dumpster location in exterior rear yard and deficient setback from right-of-way of 30 feet, 50 feet is required; and

This motion is made because the plan is otherwise in compliance with Article 16, Article 24 and Article 25 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 4-0.

In the matter of Novi Crescent Phase II, JSP14-33, 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 4-0.

3. APPROVAL OF THE JULY 23, 2014 PLANNING COMMISSION MINUTES

Motion to approve the July 23, 2014 Planning Commission Minutes. *Motion carried 4-0.*

ADJOURNMENT

The meeting was adjourned at 8:32 PM.

Please note: Actual Language of motions subject to review.