



PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting

April 9, 2025 7:00 PM

Council Chambers | Novi Civic Center
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Chair Pehrson, Member Avdoulos, Member Becker, Member Dismondy, Member Roney, Member Verma

Absent Excused: Member Lynch

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Dan Commer, Planner; Rick Meader, Landscape Architect; Milad Alesmail, Project Engineer

APPROVAL OF AGENDA

Motion made by Member Avdoulos and seconded by Member Dismondy to approve the April 9, 2025 Planning Commission Agenda.

PUBLIC HEARINGS

1. JSP24-24 CROWN UTILITY EXTENSION

Public Hearing at the request of Crown Enterprises to consider Preliminary Site Plan and Woodland Permit approval to extend water and sanitary sewer lines approximately 125 feet from Magellan Drive to the subject site. The subject parcel is zoned I-2, General Industrial and is located on the north side of Twelve Mile Road, west of West Park Drive.

Planner Dan Commer stated a Preliminary Site Plan was submitted to the City's Plan Review Center by Crown Enterprises to extend water and sanitary sewer lines from Magellan Drive, a public street located to the north of the subject property. The utility connections are proposed to extend into the north side of their property located at 46844 Twelve Mile Road.

The subject property is the former driving range property located on the north side of Twelve Mile Road, west of West Park Drive. The site received prior approval from the Planning Commission for a Concrete Plant that is not yet under construction, and no building plans are being proposed at this time. The applicant has indicated that extending the utility lines along Twelve Mile Road to serve the site has been problematic. The proposed utilities will extend approximately 125 feet into the north part of the subject property, and off-site easements will be required to make this utility connection. Additionally, as part of the project the applicant is proposing to remove 11 protected Woodland trees, which require 23 replacement credits, and pay into the City's Tree Fund.

The current zoning of the site is I-2 General Industrial District. The I-2 General Industrial District is designed primarily for manufacturing, assembling, and fabrication activities including large scale or specialized

industrial operations, whose external physical effects will be felt to some degree by surrounding districts. In this case, the site abuts additional I-2 parcels to the north, east, and west, and I-1 Light Industrial south.

The Future Land Use continues to promote Heavy Industrial for the properties immediately to the north, east, and west and Industrial, Research, Development, and Technology to the south.

The applicant is requesting a Woodland Permit from the Planning Commission to remove 11 protected Woodland Trees and pay into the City Tree Fund. Approval of the Woodland Permit is supported at this time. The applicant has provided a tree survey for all trees within 50 feet of the limit of work and has indicated the proposed limit of disturbance and all trees that will be removed or impacted by the project. Additionally, the applicant has agreed to use trenchless technology, also known as direction drilling, for the utility installation to avoid impacting the cul-de-sac pavement in Magellan Drive that was reconstructed in 2023.

The Planning Commission is asked to consider approval or denial of the Preliminary Site Plan and Woodland Permit. Representatives for the applicant are present to discuss the project and answer any questions. Staff are also available for questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Mr. Andrew Falzarano, representing Crown Enterprises, stated the site is currently serviced by an untested well and septic tank. He relayed that Crown Enterprises is seeking to extend utilities to the site. Mr. Falzarano stated that associated with the request to extend utilities is the need for a Woodland Use Permit.

Chair Pehrson opened the public hearing and invited members of the audience who wished to address the Planning Commission on this topic to come forward. Seeing no one, Chair Pehrson requested Member Becker read into the record the correspondence received. Member Becker relayed correspondence was received from Mr. Gary Roberts. Mr. Roberts stated in the correspondence that he is in support and glad they are going from the cul-de-sac to the North instead of disturbing the Great Oaks Landscape property. Chair Pehrson closed the public hearing and turned the matter over to the Planning Commission.

Member Becker stated he had no concerns as long as the newly restored Magellan cul-de-sac is left undisturbed. Member Becker asked Mr. Falzarano if there would be additional trees disturbed when the water and sewer lines are extended.

Mr. Falzarano stated they are open to exploring the possibility of boring further onto the property to avoid natural feature impacts.

Member Dismondy had no comment.

Member Verma had no comment.

Member Roney had no comment.

Member Avdoulos stated he had no concerns and noted the distance is short which is advantageous to the property and the future project.

Motion to approve the JSP24-24 Crown Utility Extension Preliminary Site Plan made by Member Avdoulos and seconded by Member Dismondy.

In the matter of Crown Utility Extension JSP24-24, motion to approve the Preliminary Site Plan based on and subject to 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.

ROLL CALL VOICE VOTE TO APPROVE JSP24-24 CROWN UTILITY EXTENSION PRELIMINARY SITE PLAN MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER DISMONDY. *Motion carried 6-0.*

Motion to approve the JSP24-24 Crown Utility Extension Woodland Permit made by Member Avdoulos and seconded by Member Dismondy.

In the matter of Crown Utility Extension JSP24-24, 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.

ROLL CALL VOICE VOTE TO APPROVE JSP24-24 CROWN UTILITY EXTENSION WOODLAND PERMIT MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER DISMONDY. *Motion carried 6-0.*

2. JZ24-32 FELDMAN KIA PRO PLAN WITH REZONING 18.746

Public hearing at the request of Feldman Automotive for Planning Commission's recommendation to City Council for a Zoning Map Amendment from Non-Center Commercial to General Business with a Planned Rezoning Overlay. The subject site is approximately 4.88-acres and is located west of Joseph Drive, south of Grand River Avenue (Section 24). The applicant is proposing to develop an automotive dealership with outdoor vehicle inventory.

Senior Planner Lindsay Bell stated the petitioner is requesting a Planned Rezoning Overlay for a parcel located southwest of the Grand River Avenue and Joseph Drive intersection from NCC (Non-Center Commercial) to B-3 (General Business). The site, located in Section 24, was formerly the location of Glenda's Garden Center for many years, which was a non-conforming use in the NCC District.

In this area of Grand River, there are professional offices, small strip retail centers, sit down restaurants and the US Energy fuel supplier. Single family residential homes are located to the south of the property.

The Non-Center Commercial Zoning District allows uses such as retail business and service uses, professional and medical offices, financial institutions, sit-down restaurants, and instructional centers. Special Land Use permits could also allow low density multi-family or single-family dwellings, day care centers, places of worship, public utility buildings, and veterinary hospitals or clinics. Similar commercial uses are allowed in the B-3 District, as well as more intense uses such as fueling stations, auto washes, vehicle sales, microbrews or brewpubs as permitted uses.

Current zoning of the surrounding area is I-1 Light Industrial to the north, OS-1 Office Service to the west, NCC Non-Center Commercial to the east, and R-4 One Family Residential to the south.

Senior Planner Bell stated that the Future Land Use Map identifies this property and the parcel to the east as Community Commercial. The parcels to the west along Grand River are planned for Community Office. To the north of Grand River is planned for Industrial, Research Development and Technology. To the south is planned for single family residential uses. There are no regulated natural features on the site.

As shown in the PRO Concept Plan, the applicant proposes to redevelop the approximately 5 acre

property for an auto dealership with accessory outside storage of the inventory vehicles. The proposed dealership building would have a footprint of approximately 18,800 square feet with a mezzanine floor for parts storage, and the parking area consists of approximately 300 spaces.

The stormwater management plan consists of underground infiltration, as well as above-ground infiltration trench and basin.

The engineering review found that there are adequate public utilities to serve the parcel, and that the impacts from B-3 uses are expected to be the same as potential NCC uses.

Traffic consultants have reviewed the anticipated traffic generation from the proposed use and found the impacts are expected to be similar compared to what could be developed under the existing zoning. The site plan utilizes the existing curb cuts on Grand River, so no changes are proposed to driveway spacing.

The applicant has submitted public benefits being offered to meet the objective of the benefits to the public, including providing greater building and parking setbacks than the B-3 ordinance requires. The physical benefit proposed is an enhanced sidewalk along their Joseph Drive frontage. This includes a meandering sidewalk with decorative light poles and the construction of three inset areas with benches. Since the initial submittal, the applicant has also proposed to provide two bus shelters at the nearby transit stops on either side of Grand River Avenue.

The applicant has eliminated the need for several of the deviations we had identified previously. This includes the biggest issue we had with the project, which was the berm and landscaping along the southern property line where the site is adjacent to existing residential neighborhoods. The current berm is only 2-3 feet from the overall grade of the Feldman site, and once grading/paving is completed would only be 1-2 feet above the parking lot grade. (The average grade of the Feldman site is 3-4 feet higher than the residential properties to the south.) Staff felt this would not provide sufficient sound and visual buffering to the residential properties. The applicant has proposed raising the berm to 6 feet in height relative to the parking lot grade, which will require removing the existing trees. As shown in the tree list, most of the trees on the berm are in poor condition, with many of the evergreens suffering from dieback and covered in deciduous vines. Once raised, the new berm would be planted with a double row of evergreens to provide the necessary screening.

We have heard from one adjacent resident that he would prefer the existing trees remain, with only those that are dead or nearly dead to be removed, and new plantings added to infill any gaps. His property abuts the southeastern corner of the property. Staff looked into the possibility of retaining the existing trees on his end of the berm only. This area has additional distance from the proposed parking lot because of the stormwater basin between, and a lower elevation than the west side of the site. Four trees in fair condition could be maintained if this section of the berm was left alone but we still feel all trees in poor condition should be removed and replaced with new trees and supplemental plantings to provide the 80-90% opacity requirement. An amended suggested motion in the packet in front of you has an additional deviation for berm height for this portion of the property if the Commission wishes to make this part of your recommendation to City Council. We have also included a condition that the berm work and plantings are to be completed early during construction so that the neighbors have screening in place for the bulk of the construction work. The applicant has confirmed that they would agree to the changes to the berm and landscaping.

The remaining deviations requested are listed in your packet, and are generally supported by staff given the justifications provided. The exception is for the deviations from the sign ordinance. The applicant does not want to submit Sign Permits until later, so a full review of the proposed signs has not been completed. Staff is concerned that any changes to the signage in the future will require amendment of the PRO Agreement, so would prefer that all signage issues be handled separately from the PRO Agreement in the typical manner.

Senior Planner Bell stated the proposal helps fulfill objectives contained in the Master Plan for Land use, as well as other positive outcomes, such as; The objective to support retail commercial uses along established transportation corridors, the B-3 district is consistent with the Master Plan for Land Use designation for Community Commercial, the impacts on traffic and public utilities are expected to be similar to development under the existing zoning and submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and the City Council of the manner in which the property will be developed, and can provide benefits that would not be likely to be offered under standard development options.

the Planning Commission is asked to hold the public hearing, and to make a recommendation to City Council on the proposed rezoning. Representing the project are attorney David Landry and dealership owner Steven Saltz and their team to tell you more about their request. Staff are available to answer questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Mr. David Landry stated a rezoning from Non-Center Commercial to B-3 with a Planned Rezoning Overlay is being requested. Mr. Landry expressed they are proposing to limit this use to a single B-3 use under a Planned Rezoning Overlay. He noted that if the B-3 use of an Auto Dealership were ever not there the zoning would revert back to Non-Center Commercial.

Mr. Landry touched on the properties history and stated that Glenda's Nursery was a longstanding non-conforming use. Mr. Landry noted under the current zoning a 36,000 square foot retail building could be built with parking closer to the residential area to the South. Mr. Landry stated what is being proposed is a dealership with the building much further away, a large retention area, and minimal parking closer to the residential area.

Mr. Landry relayed he would like to address four comments that were raised by the Planning Commission and City Council regarding adjacency, lighting, sound, and car haulers.

First, with respect to adjacency, Mr. Landry stated to the South are four residential homes. The Auto Dealership building being proposed would be 188 feet away from this residential area. He noted that the Non-Center Commercial set back requirement is 20 feet. Additionally, the Non-Center Commercial parking set back is 10 feet, and what is being proposed is 53 feet. The proposal includes raising the berm from one to three feet in height to six to eight feet. Mr. Landry stated originally, they had planned to remove the dead trees and fill in the berm with additional landscaping. It was noted that the administration looked at it and had a preference to remove the trees all together and plant new trees. Mr. Landry stated that they agreed to the administration's request.

Mr. Landry shared a resident contacted him regarding the trees and they discussed leaving the live trees. The idea of leaving the live trees was then discussed with the City. Mr. Landry stated they are happy to leave live trees in place, increase the size of the berm, and add a double row of evergreens. In addition, at the request of the City they have agreed to add a number of green giant arborvitaes. He noted there would also be a four-foot retention wall on the north side of the berm that would block vehicle headlights.

Secondly, with respect to lighting, Mr. Landry noted the ordinance provides that the maximum height of lighting poles can be 25 feet. He stated what is being proposed are lighting poles that are 22.6 feet with backlighting shields. At the southern property line, the ordinance calls for a maximum illumination of .5 foot-candles, the proposed illumination at the property line is .1 and .2 foot-candles.

Thirdly, with respect to sound, Mr. Landry stated when adjacent to the R-4 District the daytime maximum is 60 decibels and the nighttime maximum is 55 decibels. Mr. Landry identified a few sources of sound, the first being HVAC units on the building. He noted the units create 90 decibels of sound at their location which is 220 feet away from the property line. With the sound attenuation from 220 feet, the sound would be 53 decibels at the property line. He noted the berm, and trees would further attenuate the sound.

Next, he touched on security alarms. He stated these alarms can be controlled and would be below 55 decibels. Lastly, he addressed car haulers and stated that car haulers, at thirty-five miles per hour, produce 80 decibels. He noted that the haulers would not be going thirty-five miles per hour on the property. Additionally, a designated loading zone has been designed to be 151 feet away from the property line and would measure 46 decibels at the property line.

Mr. Landry expounded that car haulers are hired by the car manufacturers. At Feldman's current location on Grand River Avenue, they have communicated to the car haulers not to unload on Grand River Avenue. Mr. Landry stated he has personally spoken to the police department, and they indicated they would issue citations because it is against the law to unload on Grand River Avenue. The car haulers have communicated the reason they unload on Grand River Avenue is due to the current site being too tight and the inability to make the necessary turns and maneuvers. The new site has been designed with a loading zone which eliminates the need to back up and allows access to the site from either side.

Mr. Landry shared an example when he was recently driving down Grand River Avenue and saw a car hauler unloading on Grand River in front of the KIA Dealership, he noted the police were there with the lights flashing. He stated they are doing everything they can regarding this issue.

Mr. Landry shared as indicated in the plan review report by Ms. Bell, there is no impact on traffic, no impact on public services, no natural features, it is compatible with adjacent land uses, and consistent with the Master Plan for Land Use. Relative to other uses on the site, this use would promote social and economic desirables, remove a long standing non-conforming use, improve the visual on Grand River, and create jobs. Mr. Landry noted all together it is a 7-million-dollar investment.

Mr. Landry expressed with respect to the PRO Ordinance, two things must be proven. The first being, site specific conditions are more limiting than the proposed use. Secondly, a public benefit. Mr. Landry stated the proposed use is B-3 and noted there are twenty principle permitted uses under B-3; they are limiting it to one. The front setbacks under B-3 are 30 feet, what is being proposed is 90 feet. The rear setback under B-3 is 20 feet, what is being proposed is 188 feet. The side setbacks under B-3 are 15 feet, what is being proposed is 212 feet to the East and 77 feet to the West. The parking setbacks under B-3 are 20 feet in the front and 10 feet in the rear, what is proposed is 20 feet in the front and 53 feet in the rear. The dealership operates six days a week. The hours of operation are 7am-6pm Tuesday, Wednesday, Friday; 7am-9am Monday and Thursday; 8am-4pm on Saturday.

Mr. Landry expressed the public benefit must outweigh the detriment. He noted the administration has recognized what has been proposed as a public benefit which would qualify under the PRO. He stated the benefit being proposed is twofold. First, an upscale meandering sidewalk along Joseph Avenue with three public benches, large landscaping walls, and decorative light poles. Secondly, two bus stops on either side of Grand River Avenue. Representatives from KIA were present to answer any questions.

Chair Pehrson opened the public hearing and invited members of the audience who wished to address the Planning Commission on this topic to come forward.

Mr. John Waack of 24841 Joseph Drive, adjacent to the property stated the berm is his main concern. He noted that he has lived on Joseph Drive for forty-two years. Mr. Waack referred to a photograph, which was taken the day prior, of the trees located on the berm. He stated the reason there has been so much discussion about the trees is because the dealership had proposed some trees to stay with replacement of the dead trees. He stated the original plan to remove the dead trees and keep the live trees was changed to taking everything down. He expressed that the large trees that are approximately 30-35 feet tall would part of that plan for removal. The trees are fifteen inches in circumference at the bottom and over a foot in breast height. He noted there are fifty-seven trees like this along the whole berm. The entire berm measures approximately four hundred feet long. Mr. Waack expressed disappointment that it was being proposed to take all the trees down. He stated when he moved in there were six hundred feet of tomatoes, and the trees were put in by Glenda's in 2001. He estimated the trees are twenty-three years old. Mr. Waack stated he would like to keep the berm intact and believes that taking the mature trees

down is not the right approach. He thanked the City and Feldman for working with him.

Mr. Antoine Buggs of 24710 Bethany Way inquired when the new trees would be planted. He expressed concern with all the trees being taken down and everything else being built with the new trees being planted last.

Chair Pehrson stated Mr. Buggs question would be asked of the applicant in a few minutes.

Seeing no other audience members who wished to speak, Chair Pehrson requested Member Becker read into the record the correspondence received. Member Becker relayed two correspondences were received from Mr. Daniel Weiss, who expressed support and thinks it is a good fit. Additionally, Jacob Lee objects due to noise, fumes, and traffic, Oswaldo Ruiz objects for reasons due to noise and traffic posing a risk to pedestrians, Ramaswamy Raju objects and would like to know about four season screening, limits to the times when cars can be dropped off, and sound and visual barriers.

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

Member Becker inquired if the bus stops were coordinated with bus operators.

Senior Planner Lindsay Bell stated that it will be coordinated.

Mr. Steve Saltz, facility director with Feldman Automotive, confirmed that they did coordinate with Smart.

Member Becker asked Landscape Architect Rick Meader if the healthy existing trees remain on the southeast corner of the berm if the berm would not be as high on that corner.

Mr. Meader confirmed that the berm would taper down at Mr. Waack's property line. He stated four trees in good condition would remain and the other trees would be replaced.

Member Becker stated he appreciates how the applicant has worked with the Planning Commission, Staff, and residents. He stated there are much greater setbacks than they would have if a number of other types of projects were to go in. Additionally, there is 60-80 percent less light going across the southern boundary. He noted with other potential uses you might not have a business, who like this one, only operates six days a week. Member Becker expressed he is in support.

Member Dismondy stated he is in support of the project. He expressed it is important to listen to the residents. He noted he would keep the large healthy trees that are present and fill in as appropriate. He stated the concern with approving a project like this is to take care of the residents.

Member Verma inquired if Mr. Raju had spoken to anyone from the Feldman Kia team.

Mr. Landry stated they had spoken with Mr. Waack but had not spoken to anyone else.

Member Verma asked if the objection from Mr. Raju had been seen.

Chair Pehrson stated that the objection had been received April 9, 2025. He noted that the objections listed in the correspondence from Mr. Raju in relation to noise, sound, and screening had been addressed by the applicant.

Member Roney stated he agrees with Member Becker in that they have done a good job thinking of all the details. He expressed that it looks good and he appreciates the accommodation they have provided throughout the review.

Member Avdoulos stated that the items of concern have been addressed. The item of concern that was

discussed previously was delivery of vehicles. He noted the diagram showing the car hauler and fire truck indicates that there is enough room to pull in, unload, and pull out. He noted adding height and new landscaping on top of the four-foot berm creates a good visual barrier. Regarding lighting, he noted lights can be cut off right at the property line and are state of the art. Member Avdoulos stated he appreciates the cooperation with the City and neighbors.

Motion to recommend approval to City Council to rezone the subject property from Non-Center Commercial (NCC) to General Business (B-3) with a Planned Rezoning Overlay Concept Plan made by Member Avdoulos and seconded by Member Roney.

In the matter of JZ24-32 Feldman Kia, with Zoning Map Amendment 18.746 motion to recommend approval to City Council to rezone the subject property from Non-Center Commercial (NCC) to General Business (B-3) with a Planned Rezoning Overlay Concept Plan.

- A. The recommendation includes the following ordinance deviations for consideration by the City Council, for the reasons noted in italics:**
- 1. Deviation from Section 3.10.3 to allow the Service Bay Doors to face a major thoroughfare and a residential district. *The service reception area is proposed to have a total of four overhead doors. The northern overhead doors are 129 feet from the Grand River Avenue right of way. The southern overhead doors are located 281 feet from the southern property line. There will be a screen wall and berm with landscaping along the southern property line to screen the overhead doors from the residential uses from the south. The overhead doors are needed for customer use.***
 - 2. Traffic deviation from Section 5.3.12. There are two locations, on either side of the building, where 2 customer parking spaces have an end island on one side, but not the side adjacent to the entry/exit point of the service area. *This is supported as the area next to the parking spaces has been striped out.***
 - 3. Landscape deviation from Section 5.5.3.B.ii and iii to permit a continuous evergreen hedge along Grand River Avenue and Joseph Drive in lieu of the required minimum 3-foot-high berm along the road rights of way. *The deviation is supported as the applicant has proposed to use evergreen shrubs to achieve the intent of the ordinance.***
 - 4. Landscape deviation from Section 5.5.3.D to permit only 79% of the building foundation landscaping to be located at the building. *This is supported as the required foundation area is provided in total, and the remaining landscaping is placed in areas that will enhance the appearance of the site.***
 - 5. Lighting deviation from Section 5.7.3.L to exceed the 1 footcandle limit at the north and east property lines (3.4 fc and 6.2 fc, respectively). *This deviation is supported as these areas are illuminating the sidewalks along the road frontages.***
 - 6. Façade deviation from Section 5.15 for the north facade to contain 0% brick rather than the minimum 30% brick. The front consists of 70% showroom glass and 30% flat metal panels. *The deviation is supported as the addition of brick would not offer an enhancement to the design.***
 - 7. Landscape deviation from Section 5.5.3.B.ii and iii for insufficient screening berm for the southeastern portion of the property that abuts parcel 22-24-326-004. *This deviation is supported as it was requested by the adjacent property owner in order to preserve existing trees, however additional inspection as to the viability of the trees shall be conducted by the applicant before final approval and landscaping shall be provided to achieve the 80-90% opacity requirement.***
- B. If the City Council approves the rezoning, the Planning Commission recommends the following conditions be made part of the PRO Agreement:**
- 1. The use of the property is a New and Used Car Salesroom, Showroom and Office with a Servicing department and outdoor inventory of vehicles, as typically associated with dealerships.**
 - 2. Accessory to the Car Dealership, Outdoor Space for exclusive sale of new or used automobiles will be permitted under the conditions for Special Land Use approval:**

- i. Whether, relative to other feasible uses of the site, the proposed use will 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. *(The traffic impact study provided indicates fewer trips generated by the proposed use than other potential uses.)*
 - ii. Whether, relative to other feasible uses of the site, the proposed use will 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. *(The use is not expected to increase the demand on public services and utilities relative to other feasible uses of the site.)*
 - iii. Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats. *(There are no significant natural features or characteristics present on the site.)*
 - iv. Whether, relative to other feasible uses of the site, 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. *(The proposed use is similarly compatible to other uses that could be developed under the current NCC zoning district. No major automobile repair or service, as defined in Section 4.50 of the Zoning Ordinance, shall be permitted on the site.)*
 - v. Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use. *(The Master Plan recommends Community Commercial uses, which includes uses permitted within the B-2 and B-3 districts.)*
 - vi. Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner. *(The redevelopment of the site will remove a long-standing non-conforming use and improve the site visually from Grand River Avenue. The investments in the site improvements as well as the jobs created will benefit the area economically.)*
 - vii. Whether, relative to other feasible uses of the site, 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. *(1. Outdoor Space for exclusive sale of new or used automobiles is listed as a Special Land Use in the B-3 District, and 2. the applicant has addressed the concerns previously raised so that the proposed use better conforms to the site design regulations.)*
3. The applicant shall provide a unique streetscape along Joseph Drive with a winding sidewalk and the installation of a bench node on a concrete platform, decorative light poles, and significant landscaping across the western side of Joseph Drive, as shown on the PRO Plan.
 4. The applicant shall construct two covered bus stop shelters along Grand River Avenue to serve the nearby SMART bus stops.
 5. The days of operation shall be limited to Monday – Saturday. The business shall not be open on Sundays.
 6. The hours of operation shall be limited to the following, as described by the applicant: 7:00 a.m. to 6:00 p.m. on Tuesday, Wednesday and Friday, 7:00 a.m. to 9:00 p.m. on Monday and Thursday, and 8:00 a.m. to 4:00 p.m. on Saturdays.
 7. Outdoor speakers for security purposes may be permitted but must be attuned to meet the requirements of the noise ordinance and avoid disturbance of the adjacent residential neighborhood.
 8. No outdoor compressors shall be permitted.

9. Automobile transit deliveries shall be limited to 8:00 a.m. to 6:00 p.m. on weekdays and must take place on the site in the designated loading/unloading area. Unloading shall not take place in any public right-of-way.
 10. The parking setback shall be no less than 53 feet from the property line to the south.
 11. The footprint of the building shall be limited to approximately 18,900 square feet, excluding mezzanine space.
 12. The overhead service doors shall remain closed except to allow the entering and existing of vehicles.
 13. The berm and landscape plantings along the southern property line shall be installed early in construction to protect the residents from the negative impacts of construction.
- C. This motion is made because the proposed B-3 General Business zoning district is a reasonable alternative to the NCC Non-Center Commercial district and fulfills the intent of the Master Plan for Land Use, and because of the following enhancements that will result in an overall benefit to the public:
1. The applicant proposes a unique streetscape along Joseph Drive with a winding sidewalk and the installation of a bench node on a concrete platform, decorative light poles, and significant landscaping across the western side of Joseph Drive.
 2. The applicant states that the economic impact of this development includes an investment of \$7 million, the creation of 175-200 construction jobs, and the creation of 40-50 full-time permanent jobs.
 3. The applicant has proposed to construct two covered bus stop shelters along Grand River Avenue to serve the nearby SMART bus stops.

ROLL CALL VOICE VOTE ON MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL TO REZONE THE SUBJECT PROPERTY FROM NON-CENTER COMMERCIAL (NCC) TO GENERAL BUSINESS (B-3) WITH A PLANNED REZONING OVERLAY CONCEPT PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.
Motion carried 6-0.

MATTERS FOR CONSIDERATION

1. JF25-03 FOUNTAIN VIEW – BUILDING C

Consideration of the request of JRJ Group Inc. for a Revised Section 9 Façade Waiver. The subject property contains 5.45 acres and is located in Section 10, on the east side of Dixon Road, north of Twelve Mile Road. The applicant is proposing to modify the façade of Building C of a previously approved site plan.

Senior Planner Lindsay Bell relayed the site is located east of Dixon Road and north of Twelve Mile Road. It is zoned OS-1 (Office Service District). The Future Land Use map indicates Community Office for the entirety of the property. The surrounding area consists of office, business, and residential uses with the majority of the residential being to the north and west and commercial/office to the south and east. This plan was initially approved by the Planning Commission on June 9, 2021, with a revised façade approved for Building A in August of 2022. Senior Planner Bell noted as you can see from the aerial image Building A has been constructed as have the other elements of the site plan except for Buildings B and C.

The project is before the Planning Commission because the applicant has made some changes to the façade of Building C in preparation for moving forward with constructing it. These changes require new Section 9 Façade waivers for an underage of brick, an overage of Fiber Cement Panels on the North and East, and an overage of Burnished CMU installed in a running bond pattern. The City's Façade Consultant supports the waivers as the underage of Brick is offset by stone and the type of Fiber Cement panels proposed are a high-quality material. The CMU sample shows that it is a carefully coordinated color and texture that will blend nicely with the other materials.

The Planning Commission is asked tonight to consider the Revised Section 9 Facade Waiver. Representing the project is Joe Schimizzi, Owner/Developer for the project. Staff are available to answer any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Mr. Joe Schimizzi, the property owner and developer of Fountain View Professional Center, stated that when Building A was constructed a façade waiver was requested for purposes of running ground face block at the bottom of the building. For the purpose of uniformity in design, a façade waiver for Building C is being requested. Mr. Schimizzi noted Building A is a nice quality modern looking building and Building C will follow that same design theme. He stated the waiver is being requested so they can proceed with development in the summer of this year.

Chair Pehrson turned the matter over to the Planning Commission for consideration.

Member Becker stated he had no comment.

Member Dismondy stated he had no comment.

Member Verma stated he had no comment.

Member Roney stated he had no concerns.

Member Avdoulos stated he had no comments.

Motion to approve the revised building design of Fountain View Building C, JF25-03 made by Member Avdoulos and seconded by Member Roney.

In the matter of Fountain View Building C, JF25-03, motion to approve the revised building design based on and subject to the following:

- a. **Section 9 Façade Waiver for an underage of brick on all facades (9-23% proposed, 30% minimum required) because the design incorporates a combination of stone and brick to comprise at least 50% of the façade, and meets the intent of the ordinance, which is hereby granted;**
- b. **Section 9 Façade Waiver for an overage of Fiber Cement Panels (simulated wood) on the north and east facades (32-33% proposed, 25% permitted) because the type shown is a high quality material and meets the intent of the ordinance, which is hereby granted;**
- c. **Section 9 Façade Waiver for an overage of Burnished CMU installed in a running bond pattern (18-24% proposed, 10% permitted) because it meets the intent of the ordinance, which is hereby granted; and**
- d. **The findings of compliance with Ordinance standards in the consultant review letters and the conditions and the items listed in those 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.

ROLL CALL VOICE VOTE ON MOTION TO APPROVE THE REVISED BUILDING DESIGN OF FOUNTAIN VIEW BUILDING C, JF25-03 MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY. *Motion carried 6-0.*

2. APPROVAL OF THE MARCH 12, 2025 PLANNING COMMISSION MINUTES

Motion to approve the March 12, 2025 Planning Commission Minutes made by Member Avdoulos and seconded by Member Dismondy.

ROLL CALL VOTE ON MOTION TO APPROVE THE MARCH 12, 2025 PLANNING COMMISSION MINUTES MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER DISMONDY. *Motion carried 6-0.*

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were no supplemental issues or training updates.

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 no one, Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the meeting made by Member Becker and all those in favor said aye.

Meeting adjourned at 7:55 pm.

DRAFT