



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**January 12, 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, Chair Pehrson, Member Roney, Member Verma

Absent Excused: Member Becker, Member Dismondy, Member Lynch

Staff: Barbara McBeth, City Planner; Beth Saarela, City Attorney; Lindsay Bell, Senior Planner; Rick Meader, Landscape Architect; Humna Anjum, Plan Review Engineer; Ben Peacock, Planning Assistant

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Avdoulos and seconded by Member Verma.

## **VOICE VOTE TO APPROVE THE JANUARY 12, 2022 PLANNING COMMISSION AGENDA MOVED BY MEMBER AVDOULOS AND SECONDED BY MEMBER VERMA.**

**Motion to approve the January 12, 2022 Planning Commission Agenda. Motion carried 4-0.**

## AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward.

Maples of Novi resident Ross Barranco said I was reading over the minutes from last month, and one of you had commented on the tennis courts that were part of the Maples PUD at one time. I was surprised that nobody has stepped forward against it, given that there was such an uproar about it in June over the Zoom meeting for the IXL Learning Center. I believe the residents have not been coming forward because they do not know what is going on. They did not even know it was up for debate. The rumor I heard was that this was already a done deal and set to be a medical building. Nobody said that it was before the Commission for comment. Nobody said that last month, the Commission voted 5-0 in favor of it. One of the Members said they knew the owner of the tennis courts, but that was not divulged in the meeting or noted in the records. I have no idea who the owner is. The Commission also admitted that they did not know how the tennis courts were separated from the Maples PUD, and it seems that no one had enough

curiosity to go back and investigate. There could have been an association president at one time that put it up for sale without notifying the residents. That president could be selling it to a friend or colleague, and now they want to turn it around for a profit. We don't know what that history is; it's not in the records. I would like the Commission to revisit that to find out how the property changed hands in the first place, what did they pay for it, and what are they being paid now for selling the property to be a medical building. In all fairness and transparency, I would like to see a timeline of when all of that took place.

Seeing that nobody else wish to participate, Chair Pehrson closed the first audience participation.

## **CORRESPONDENCE**

There was not any Correspondence.

## **COMMITTEE REPORTS**

There were not any Committee Reports.

## **CITY PLANNER REPORT**

City Planner McBeth said this past Monday, the City Council approved a contract with the consultant who will help us with the Master Plan for Land Use. We look forward to meeting with them in the near future and reporting the information collected back to the Commission.

## **CONSENT AGENDA - REMOVALS AND APPROVALS**

There were not any Consent Agenda items.

## **PUBLIC HEARINGS**

### **1. CATHOLIC CENTRAL STEM ADDITION JSP21-44**

Public hearing at the request of Catholic Central High School for Planning Commission's approval of revised Special Land Use Permit, Preliminary Site Plan, Woodland Permit and Stormwater Management Plan. The subject property is zoned R-4 One Family Residential, R-1 One Family Residential, and I-1 Light Industrial and is located in Section 18, west of Wixom Road and south of Twelve Mile Road. The applicant is proposing to construct a 54,545 square foot addition to the main school building to house their Science Technology Engineering and Mathematics (STEM) classrooms and labs. Existing parking areas would be reconfigured.

Senior Planner Bell said the subject property is in Section 18 south of Twelve Mile Road on the west side of Wixom Road. The full property is approximately 115 acres and is the existing site of Catholic Central High School. The property is zoned RA- Residential Acreage, R-4 One Family Residential, R-1 One family, B-1 Local Business, and I-1 Light industrial. The area to the west is zoned R-4 and RA. To the northeast is the Berkshire Point community, zoned RM-1 with a PRO. The area north of 12 Mile Road is in the City of Wixom and is zoned for RM-1 Multiple Family Residential. The area south of Catholic Central is zoned R-1. To the east is the retail center Novi Promenade, zoned I-1 but developed under a consent judgement with B-3 General Business uses. The Future Land Use map indicates Educational Facility for this property with single family residential on the northeast, west and south. The abutting City of Wixom area is planned for Multiple family. East of the property is planned for Community Commercial uses. In terms of natural features, there are significant areas of wetland and woodland areas on the property. For this particular project, Catholic Central is proposing to construct an addition to the main school building to house their Science Technology Engineering and Mathematics programs, including classrooms, labs, a robotics room, and a courtyard. The addition would be attached to the northeastern portion of

the existing building, which is currently lawn and parking lot. The parking and entrances off the main driveway would be reconfigured, with a net loss of about 125 parking spaces. The applicant indicates that the remaining parking is adequate for the school's demands, and that student enrollment will not increase as a result of the addition.

Senior Planner Bell continued to say the applicant requests a waiver of the Noise Impact Statement requirement because no new outdoor uses are proposed, and the rooftop HVAC equipment will be screened and not exceed the decibel level at the property line. The building height exceeds the maximum permitted at the main entrance feature and the robotics room, which will require a variance to be approved by the Zoning Board of Appeals. A waiver is requested for the deficiency in bicycle parking spaces since many of the students commute from outside the community and current bike racks go unused. A woodland permit is required for the removal of previously planted woodland replacement trees, which will be replaced onsite and protected by a conservation easement. The design of the addition will tie into the existing building using similar materials and massing, but will be somewhat different in architectural style, with the addition similar to the style found on Catholic university campuses like Notre Dame. The design is in full compliance with the Façade Ordinance. The applicant is requesting four waivers of landscaping standards, which are detailed in your packet and are supported due to conflicts with utilities and existing trees. The proposed plan complies with all other provisions of the Zoning Ordinance and City Code. Schools are subject to Special Land Use approval in the R-1 District, and so a revised permit is required to be approved by the Planning Commission using the findings for Special Land Use approval found in your packet.

Senior Planner Bell concluded by stating tonight, the Planning Commission is asked to hold the public hearing and approve or deny the revised Special Land Use permit, Preliminary Site Plan, woodland permit and stormwater management plan. Catholic Central president Ed Turek and engineer Andy Wozniak and their team are representing the project tonight. City staff are available to answer any questions you may have.

Catholic Central President Ed Turek said we are back for the STEM project. It is very important to our school and the continual education of our students. I would like to thank the City of Novi staff for their initial feedback and our school community writing letters of support. I would also like to thank our neighbors at Berkshire Pointe as all parties continue to cooperate moving forward. Finally, I want to thank our team for all their hard work, and they are here to answer any questions.

Chair Pehrson invited members of the audience who wished to participate in the public hearing to approach the podium.

Chair Pehrson said we do have one letter of support that was mailed in from Harish Siddappa of Berkshire Pointe – 49525 Harrier Place, Novi, MI 48376.

Seeing that nobody else wished to participate in the public hearing, Chair Pehrson closed the public hearing and turned it over to the Commission for their consideration.

Member Avdoulos said I was remiss at the prior meeting for the roadway that I was unable to express my condolences on Father Elmer's passing. We worked well with him for the original Catholic Central project; that was my first term being on the Planning Commission. I remember some very long nights, but we ended up with a very quality project for the city. The growth through this STEM project will bring a fantastic and exciting addition to their campus. It exemplifies Catholic Central's commitment to providing high quality education. The CC campus is also a great asset to the City of Novi. As they look toward realizing their master plan, we would like to see CC continue the relationship they have fostered with the city and their neighbors. When I looked at the report, including the waivers and variances, I was somewhat worried that the staff

would not be amenable to the waivers and variances. However, it looks like staff is supporting many of the waivers based on existing conditions or because they make sense. Also, related to the variance on the height, it's not too far off from the 35-foot regulation. I think it is about 40 feet or so, but it isn't anything like an extra 30 feet – it's very minimal. I think it's an overall great project; I like the architecture. From my point, it is kind of stunning because of the mixture of modern and traditional styles. You have a good group working with you with IDS and Grissim Metz Andriese, so it will be a quality project. With that, I'd like to make a motion before we continue our discussion.

Motion made by Member Avdoulos and seconded by Member Roney.

**In the matter of Catholic Central STEM Addition JSP21-44, motion to approve the Revised Special Land Use permit based on the following findings:**

**a. Relative to other feasible uses of the site:**

- i. The proposed use 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. *The applicant states student enrollment will not increase as a result of the new addition, and only 4-6 additional staff are expected, and therefore traffic will not increase in any significant way. No changes to exterior drives are proposed with this project.***
  - ii. The proposed use 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.**
  - 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 addition will be built on an area previously used for parking lots. Woodland replacement trees previously planted near the school building will be removed and replaced elsewhere on site and be placed in conservation easements.***
  - 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 use of the property has been and will remain a school and the number of students is not increasing.***
  - v. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use, *because it complies with Future Land Use map designation of Educational Facility.***
  - vi. The proposed use will promote the use of land in a socially and economically desirable manner, *because the investment in school facilities creates jobs.***
  - vii. The proposed use was previously approved by the Planning Commission for Special Land Use permit at this location. The addition represents a physical expansion of the use, and therefore revision of the previous permit. A variance will be required for the height of the building at certain points, but otherwise the dimensional requirements of the ordinance are met.**
- b. Waiver of the requirement for a Noise Impact Statement, *as there are no new outdoor uses proposed, and the rooftop HVAC units will be screened with a noise threshold at the property line, which is hereby granted.***

**This motion is made because the plan is otherwise in compliance with Article 3.1.5, Article 4, Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance.**

Member Verma said I want to congratulate the architect for designing this building. I have one question concerning the fence around the road leading to the parking lot. What is the purpose of having that fence there?

Andy Wozniak with Zeimet Wozniak & Associates thought that the fence in question might be a temporary construction fence and protection for the staging area for a future parking lot.

Senior Planner Bell said through the Chair, I believe what is shown is the tree protection fencing. There are woodland replacements previously planted in those locations, and those need to be protected during construction. It is not a permanent fence.

Member Roney said I think this is an expected and nice development. I'm certainly a big supporter of STEM, so I am glad to see this going forward.

Chair Pehrson said within the motion that has been made, we are referred to the special land use permit. There are certain qualifications considered to issue this permit. To summarize briefly, in my estimation, there is no detrimental cause or impact to the existing thoroughfare. There is no impact to public services, the development is compatible with natural features and adjacent land uses. It is certainly consistent with the goals of the Master Plan, and it promotes a socially and economically desirable atmosphere. Those are the elements that we must consider when issuing a special land use permit, which is not very common. However, I find that the permit complies with the motion that is made and the Zoning Ordinance.

**ROLL CALL VOTE TO APPROVE THE REVISED SPECIAL LAND USE PERMIT FOR JSP21-44 CATHOLIC CENTRAL STEM ADDITION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.**

**Motion to approve the Revised Special Land Use Permit for JSP21-44 Catholic Central STEM Addition. Motion carried 4-0.**

Motion made by Member Avdoulos and seconded by Member Roney.

**In the matter of Catholic Central STEM Addition JSP21-44, motion to approve the Preliminary Site Plan based on and subject to the following:**

- a. This approval applies to STEM Addition only, future phases depicted on the Master Plan will require additional approvals.**
- b. Landscaping waiver from Section 5.5.3.C. for absence of a tree in the northwest parking lot island, as utility conflicts do not allow for a tree and shrubs are proposed instead, which is hereby granted.**
- c. Landscaping waiver from Section 5.5.3.C. for absence of accessway perimeter trees where utility conflicts do not allow for trees, which is hereby granted.**
- d. Landscaping waiver from Section 5.5.3.C. for a deficiency of 8 parking lot perimeter trees in the east parking lot where there is limited room due to the presence of existing trees, which is hereby granted.**
- e. Landscaping waiver from Section 5.5.3.C. for parking bays greater than 15 spaces without an island, as the existing conditions are being improved, which is hereby granted**
- f. Traffic waiver from Section 5.16.1 for the deficiency in the number of bicycle parking spaces (4 new spaces proposed), as the existing 8 spaces are not fully utilized and**

*most of the student population commutes from longer distances, which is hereby granted.*

- g. A Zoning Board of Appeals variance to allow the 48.5 foot building height at the main entrance, and 38.5 foot building height at the robotics room.**
- h. 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.**

**ROLL CALL VOTE TO APPROVE THE PRELIMINARY SITE PLAN FOR JSP21-44 CATHOLIC CENTRAL STEM ADDITION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.**

**Motion to approve the Preliminary Site Plan for JSP21-44 Catholic Central STEM Addition. Motion carried 4-0.**

Motion made by Member Avdoulos and seconded by Member Roney.

**In the matter of Catholic Central STEM Addition JSP21-44, 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 4-0.**

**ROLL CALL VOTE TO APPROVE THE WOODLAND PERMIT FOR JSP21-44 CATHOLIC CENTRAL STEM ADDITION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.**

**Motion to approve the Woodland Permit for JSP21-44 Catholic Central STEM Addition. Motion carried 4-0.**

Motion made by Member Avdoulos and seconded by Member Roney.

**In the matter of Catholic Central STEM Addition JSP21-44, 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 4-0.**

**ROLL CALL VOTE TO APPROVE THE STORMWATER MANAGEMENT PLAN FOR JSP21-44 CATHOLIC CENTRAL STEM ADDITION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.**

**Motion to approve the Stormwater Management Plan for JSP21-44 Catholic Central STEM Addition. Motion carried 4-0.**

## **MATTERS FOR CONSIDERATION**

### **1. APPROVAL OF THE DECEMBER 8, 2021 PLANNING COMMISSION MINUTES.**

Motion made by Member Avdoulos and seconded by Member Roney.

**ROLL CALL VOTE TO APPROVE THE DECEMBER 8, 2021 PLANNING COMMISSION MINUTES MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.**

**Motion to approve the December 8, 2021 Planning Commission Meeting Minutes. Motion carried 4-0.**

## **CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were not any Consent Agenda items.

## **SUPPLEMENTAL ISSUES/TRAINING UPDATES**

City Planner McBeth said this year, we are hoping to have a joint training session with the Planning Commission and the Zoning Board of Appeals. We are looking at the beginning of March; I believe it is the first Wednesday in March. I will send an invitation around once that is set up. We're hoping to have the meeting here at the City Hall. We might have break out sessions if the ZBA wants to discuss a particular item while the Planning Commission wants to explore something else – starting out together and then possibly breaking apart. It may cover training items, such as standards of the special land use, how to make a motion, current legal matters, and so forth. If you have any ideas, I think our attorney's office would be happy to hear what those are.

Chair Pehrson said I would like to briefly return to the Maples tennis courts issue. I want to be sure that it is on the record, relative to process steps taken for the tennis courts notification, that all the same steps were taken as for all other public hearings. Residents within the designated range of the property were notified.

City Planner McBeth said the tennis courts are a much smaller piece of property, less than a half an acre. We measure 300 feet around that parcel, so a few residents were notified of that project. We also asked the applicant to reach out to the homeowner's association presidents to ask that they share the project information with the Maples residents and get their input. We did not hear back other than from one person who did not have an issue with it. We talked to a few people in the office. Once they heard it was the tennis courts that were going to be redeveloped, they said they did not have an issue with it since it was not related to anything else happening in the area.

Chair Pehrson said again, just so it is on the record, we are following the normal process that we continually strive to exceed in. I disagree wholeheartedly with some of the comments that were made earlier about certain individuals knowing things. Just to be clear, relative to purchase prices of property within the city, that is not our purview. We have no record of or need to know any of that information.

Member Roney added that the public hearing notice is also published in the Novi newspaper.

City Planner McBeth said yes, our public hearing notices are published in the Novi News. They're usually published either 7 or 15 days beforehand depending on the type of notice. All the public notices for the city are compiled in one central location on the City's webpage. We also have a Planning Commission agenda posted about a week before the meeting. The packet that goes before the Commission is also released online to the public about a week before the meeting.

## **AUDIENCE PARTICIPATION**

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward.

Maples of Novi resident Ross Barranco said one of the problems is the 300-foot buffer rule. Changes to the PUD affects everyone PUD, not just those within 300 feet of the property in question. With the IXL project, nobody in Waldon Pond was notified about the clubhouse directly

across the street from them. They have one ingress and one egress; it is directly opposed to our Wakefield Drive, and they are planning on using that road to bring in and take out the children during rush hour. That will create a traffic bottleneck for those people trying to get out of their subdivision on the north side of 14 Mile, but they had no idea about what was going on. They can't be here to express their concerns because they don't even know about it. I believe that the Commission wanted IXL to speak directly with the residents, but they chose to go through the homeowners' associations' presidents and board members. Those board members did not fully inform the residents of what was going on at the time. You received emails from IXL saying that they were working with the board members, but the board members were not working with the residents. They tried to have a meeting in November, but they canceled it. I only found out about that meeting after they had another Zoom meeting in December. Even then, our property management did not let us know there was going to be a Zoom meeting until 28 hours beforehand. It caught everyone by surprised; many did not get the notification until after work that day, so they had more like 12 hours' notice. The reason there were so many people on the Zoom meeting in June is because the IXL learning center is going to be in our backyard. When I got the letter, I took it around to my neighbors, and none of them knew about it. When I got to the newsletter editor for the association, she finally told me that they had heard about it and that the president is aware. Why weren't the rest of the residents notified about it? I think it is a fallacy to rely on the board presidents and members to convey information to the residents. I think it is incumbent on you that the residents know. Forget the board. If the board is for a project but 100 residents are opposed, why would we consult the board members? You cannot trust the board to provide that information. They were under negotiations with IXL since November 1. We had a newsletter go out on November 11 or 12, but there was no update of the IXL project at all. The letter said they were only still just interested. The attitude my president took made me think they did not want us to know about the project and that they would rather discuss among themselves without resident input. That is not fair to the residents, but we have no control about it. I'm going to go home and send out about 200 emails letting residents know I will be holding a meeting right across the lobby area from Council Chambers because management refuses to reach out for me, and they were doing nothing themselves.

Seeing that nobody else wished to take part in the final audience participate, Chair Pehrson closed the floor for public comment.

## **ADJOURNMENT**

Motion to adjourn made by Member Roney.

## **VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER RONEY.**

***Motion to adjourn the January 12, 2022 Planning Commission meeting. Motion carried 4-0.***

The meeting adjourned at 7:30 PM.