PLANNING COMMISSION MINUTES

CITY OF NOVI
Regular Meeting
September 23, 2026 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 Lynch, Member Reddi, Member Dismondy, Member Avdoulos, Member Roney, Member Verma

Staff: Lindsay Bell, Director of Planning; Elizabeth Saarela, City Attorney; Brad Doane, Planner; Humna Anjum, Project Engineer

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Motion made by Member Lynch and seconded by Member Avdoulos to approve the September 23, 2026, Planning Commission Agenda.

ROLL CALL ON MOTION TO APPROVE THE SEPTEMBER 23, 2026, PLANNING COMMISSION AGENDA MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS. *Motion carried 7-0.*

AUDIENCE PARTICIPATION

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

Ms. Ann Nelke of 48646 Windfall Road stated that she would like to express concern regarding JSP25-0012 Novi Acres. The claim that the project will provide missing middle housing is not accurate, particularly when the units are reportedly intended for corporate folks who are being relocated to Novi. These relocations last two to three years and would not necessitate the purchase of a townhome. It was stated that they would soon become rental properties of which the community already has an overabundance. It was relayed that the claim is also inconsistent with the true missing middle housing gap in terms of purchasing so as to age in place or downsize within the community. Many residents have lived in Novi for thirty plus years, paid their taxes, and would like the option to remain in Novi. Likewise, young families would love the option of first floor living so as to stay in their homes as long as they can once their children have grown. Additionally, the project is requesting 244 rooms where the zoning ordinance allows for 157, this is an overage of 87 rooms and thus ought to be scaled down to meet required limits. The proposal is not in keeping with the current zoning and requests a major change to RM-2 High Density Multi-Family. On a positive note, the Merjent report stated that there will be no impact on the wetlands or woodlands as this is an area that was a previously disturbed infill site and no further disturbance is being requested. In contrast, Providence Meadows seeks to remove 471 of what should be classified as regulated woodland out of the 857 trees on site. Additionally, the Providence Meadows project will have impacts on wetlands and vernal pools. Ms. Nelke expressed that that is a pristine site with uncontaminated soil and it represents one of the remaining natural features of the community. It was noted that Novi has already reached the 2045

projected population. Ms. Nelke expressed concern that continued rezonings will reshape the community in a way that is not in the best interest of residents.

Ms. Michele Duprey of 48566 Windfall Road stated that she would like to address concerns regarding the proposed development Novi Acres. It was stated that there are eleven deviations requested in the proposal. The most significant concern is the deviation from the minimum acreage requirement, 2 acres is required and 1.54 acres is proposed. Additional concerns are that the room count standard for RM-2 is 157 rooms, 244 rooms are proposed, and the distance between residential buildings is required to be a minimum of 61 feet, 30 feet is proposed. There is a reference to the Main Street development which has less space between buildings than the City's requirement and the comment that this is functioning satisfactorily. Ms. Duprey inquired what the residents of that development think of the lack of green space. The absence of useable land space has been satisfied due to the developer utilizing the ordinance which includes second floor balconies attached to a dwelling to be counted as usable land space. Furthermore, the foundation landscaping of the frontage is required to be 35%, 13% is proposed. It was relayed that there is only one existing and planned road for entering and exiting the proposed development. For the past five years this road has been in disrepair. It was noted that a traffic study was conducted, however the study did not address rush hour traffic between the hours of 6pm and 9pm. Traffic going northbound to the expressway is often heavy causing backups to Target. The safety and welfare of residents and first responders is of high importance. Ms. Duprey stated that she is not opposed to good development on this land, but the proposal is not consistent with the Master Plan and Consent Judgement. It was stated that there should be no variances permitted and that the project is inconsistent with surrounding development. It was recommended that the Planning Commission deny the Novi Acres proposal for the above reasons.

Ms. Julie Gold of 22032 Greentree stated that with regard to Cypress Partners and JSP25-0012 Novi Acres the developer is not only requesting an amendment to the Consent Judgement but also seeking several deviations. The requested deviations would collectively allow more units, smaller lots, taller structures, and tighter spacing than Novi's ordinance permits. The project is fundamentally inconsistent with Novi's Master Plan and does not fit the site. It was stated that the developer purchased the property with full knowledge of its legal constraints and is now asking for an amendment of the Consent Judgement to construct townhomes which many residents do not want. Ms. Gold stated that when a developer purchases land knowing that the zoning does not support their plans for the property, variances should not be granted, nor should it be the job of the City or burden of nearby homeowners to bail them out from a calculated real estate decision. Ms. Gold expressed that she does not know anyone who drives through a city, sees townhomes, and wants to move in. Ms. Gold stated that she is not opposed to development that maintains the identity of the City and has limited environmental impact. It was expressed that Novi should send a clear message to developers that the City will not rewrite the ordinance to fit a proposal. It was requested that the Planning Commission protect the character, environment, and safety of the community by denying the Novi Acres proposal.

Ms. Martha Ryznar of 44875 Yorkshire Drive stated that she has been a resident for twenty-three years. While Providence Meadows is not on the agenda this evening the rezoning request will be coming back before the Planning Commission. Four hundred residents signed a petition opposing Providence Meadows. Residents do not want accommodation given to developers, townhomes, loss of nature, or more traffic. The Providence Meadows project violates the Master Plan. It was stated that Novi has recently rezoned approximately 400 acres equating to 6,100 standing mature trees slated to be cut down. It was relayed that residents have stood at the podium and cited that Novi is becoming a concrete city and now this evening another developer is asking for special treatment by amending a court order. This area is not zoned for residential and a change to this area raises spot zoning concerns. The developer is requesting approval of a residential island of 61 townhomes placed directly between big box stores such as Sam's Club and Target. Ms. Ryznar requested that the rules not be changed one property at a time.

Deborah Domke of 48801 Windfall Road stated that she is here this evening to object to the proposed amendment to the Consent Judgement and Preliminary Site Plan known as Novi Acres. The proposed residential use is not consistent with the Master Plan for Land Use and the Consent Judgement for the property. The proposed development is not in agreement with the requirements of the zoning ordinance

for multi-family developments. Novi's zoning rules require 80 feet between buildings not 30 feet as the developer has presented. It was requested that the developer create a new plan with buildings spaced 80 feet apart. Ms. Domke stated that there has been a proliferation of building town-home-style residences in Novi almost to the exclusion of building any other type of residence. It was noted that the developer's presentation speaks about the Novi market for age targeted housing for those 55 plus, townhomes do not appeal to this age group, or young families. It was asked who desires to live in a home with 14 stairs up to the kitchen and another 14 stairs up to the bedrooms. It was stated that developers need to build the types of homes the Novi surveys indicate residents desire such as ranch homes.

Seeing no one else, Chair Pehrson closed the first public audience participation.

CORRESPONDENCE

There was not any correspondence.

COMMITTEE REPORTS

There were no Committee reports.

PLANNING DIRECTOR REPORT

There was no Planning Director Report.

CONSENT AGENDA - REMOVALS AND APPROVALS

There were no Consent Agenda Removals and Approvals.

PUBLIC HEARINGS

1. **JSP25-0012 NOVI ACRES**
   Public hearing at the request of Cypress Partners, LLC, for recommendation to the City Council for Amendment of the Consent Judgment that governs development of the property. The applicant is proposing a 61-unit multi-family residential development, a standalone retail building, and associated parking.

Planner Brad Doane stated that the applicant is requesting to amend a Consent Judgment for the Novi Promenade Plaza, located on the east side of Wixom Road and south of Grand River Avenue in Section 17. The Consent Judgment limits the use of the 24.77-acre site (located between the existing Target Store and the Sam's Club) to a retail use consistent with a traditional "big box" store.

As a brief background of this Consent Judgment, in 1999 developer Novi Equities had requested a rezoning from I-1 Light Industrial to B-2 Community Business, which was denied by City Council. They then requested a use variance from the Zoning Board of Appeals, which was denied. The developer filed a lawsuit for damages against the City in 2000. The parties to the lawsuit agreed to a settlement in July of 2001, before it went to trial. The Consent Judgment describes the terms of the settlement, and acts like a development agreement. It places equal limitations on both parties based on the agreed terms and functions like a covenant that runs with the land. It can only be changed if both parties consent, which is what the City is being asked to do now. An amendment to the agreement was approved in 2015 to allow the reconfiguration of the sedimentation/detention basin and the wetland area to increase the preserved area. In 2023, the applicant went before Planning Commission seeking an amendment to the Consent Judgement for the proposed Station Flats development on the subject site. However, the proposal did not advance beyond the Planning Commission meeting.

Although the site remains zoned I-1, the terms of the Consent Judgment specify that the bulk of the property is permitted to develop as Retail A, B and C, essentially 3 big-box style stores as shown in the Exhibit, with uses that are permitted in the B-2 Community Commercial zoning district. A total of 375,000 square feet of retail space is permitted by the Judgment for those three parcels. Target and Sam's Club have developed as permitted for areas Retail A and C. The out-lots have also all been developed under the terms of the agreement. The parcel for Retail B has remained vacant, and it is this parcel the current

applicant now wishes to develop.

Planner Doane stated that the property is mostly surrounded by I-1 light industrial and I-2 General Industrial zoning, with Planned Suburban Low Rise to the south, and R-1 Single-family residential on the west side of Wixom Road. The Future Land Use map shows Community Commercial for the subject property and those to the north and west. Public/Quasi-Public is shown west of Wixom Road. To the south is Suburban Low Rise, and to the east is Industrial/Office use.

The subject property has large areas of wetland mitigation that were required for the development of the overall shopping center. A total area of about 16 acres is protected by Conservation Easements and does not permit any encroachment by development. Another area is currently used for the stormwater detention pond. No impact on those areas is proposed.

The applicant's proposal includes the development of 61 multi-family units in eight townhouse-style buildings, in addition to a 6,529 square-foot standalone retail building. The subject property is nearly 25 acres, but excluding wetland areas results in approximately 8.6 net acres. Of which, approximately 1.5 acres will be dedicated to retail space, leaving approximately 7.1 acres left for residential development. As a result, the overall density is 8.5 dwelling units per acre. The development would use the existing access drives to Wixom Road, which has a traffic signal. Vehicles can also utilize the existing access drive north to Grand River Avenue.

Planning is recommending approval because residential use could result in a supportive mix of uses on this infill site, and recent plan revisions address earlier concerns about screening and open space. The proposal avoids environmental impacts by utilizing a previously disturbed site with existing infrastructure. Traffic analysis shows that the estimated number of daily vehicle trips is 970 for the 61 multiple family units, which is significantly less than the 9,000 estimated daily trips for a 100,000 square foot big box commercial use. Therefore, the proposed change to residential would have less impact on the road network compared to the development allowed by the current Consent Judgment.

Planner Doane stated that Landscaping is not recommending approval of the waiver for deficient foundation landscaping for buildings 1,4,7 & 8. All other reviewers are recommending approval of the preliminary site plan, with comments to be addressed at the time of Final Site Plan Review.

The decision to amend the Consent Judgment rests with the City Council; we are asking for Planning Commission's comments on the plan and the use as a recommendation for approval or denial. If the City Council agrees to change it, the terms of the agreement would be revised as negotiated through the attorneys and could include any agreed-upon terms such as deviations from Zoning Ordinance standards. Finally, it would be sent to the Circuit Court for final approval.

Tonight, the Planning Commission is asked to hold the public hearing and approve or deny the Consent Judgement Amendment. David Landry is representing the applicant and is available to answer any questions. Staff are also available should you have any questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Mr. David Landry, the attorney representing the project, stated that they are here this evening requesting a positive recommendation to the City Council to amend the Consent Judgement that governs the Novi Promenade to allow a change in the applicable zoning designation for the remaining portion of land from B-2 to RM-2. This is not a PRO because the uses are controlled by a Consent Judgement which by its terms allows it to be amended. It was stated that a lawsuit in 2000 resulted in the Consent Judgment, at that time the permitted uses went from I-1 Light Industrial to B-2 Community Business. The Consent Judgement permitted three big box retail stores. Parcel A was developed by Sam's Club, Parcel C was developed by Target, and Parcel B is being discussed this evening. However, Parcel B contains all the wetlands and woodlands, which encompass 65% of the parcel. It was noted that no development is proposed on the portion of the parcel containing wetlands and woodlands. The overall site is 24.7 acres,

due to the presence of natural features, 7.1 acres of the site is buildable. It was noted that there is a 1.5-acre outlot for which retail is proposed, making it a mixed-use development. Mr. Landry stated that over the years the buildable portion of the parcel has been reduced due to stormwater from adjacent sites being relocated onto the parcel. The property has been vacant since 2001and is the last remaining piece in the Novi Promenade.

Mr. Landry stated that in the past twenty-six years there has been no interest in big box retail at this location. It was relayed that a residential use makes sense at this location due to the proximity of retail and the hospital. Residents of the development would have access to Sam's Club and Target where groceries, general merchandise, and a pharmacy would be within walking distance. Additionally, the property is near I-96, the SMART Bus Line, and the Grand River corridor. It was noted that the 2025 Master Plan for Land Use states on page ninety-five that retail is close to being overbuilt in Novi. Additionally, Novi saw a population increase of 20% from 2010 to 2020. During that same period of time housing units increased by 13%, showing that the demand is outpacing supply. It was expressed that this particular location would be a perfect fit for short-term expats as many automobile companies send their engineers to Novi. Some of these families have children who attend Catholic Central across the street. Young professionals also desire to be in proximity to I-96.

Next, Mr. Landry touched on the details of the floor plan. It was stated that the first floor contains a flex room that could be utilized as a bedroom or home office. When the project was reviewed by staff it was noted that the community impact statement presents several arguments supporting residential use. The location supports the transition from commercial to residential or mixed use. There is a movement to higher density to accommodate 1,700 to 2,100 square foot residential units. It was relayed that the units proposed fit into this sweet spot at approximately 1,900 square feet.

It was stated that the proposal before the Planning Commission this evening is a drastic change from the previous proposal of Station Flats which consisted of a 157-unit apartment building, the project presented this evening is 61 units of for-sale townhomes. Other notable differences are the change from surface parking to garages, four stories to three, and rentals to owner occupied. Mr. Landry stated that staff have recognized that site constraints are responsible for the requested deviations and that higher density would make more sense than a lower density product at this particular site. Included in the proposal is the construction of a sidewalk to Wixom Road which was at the City's request. It was noted that there is an existing traffic light on Wixom Road leading to the development. With respect to traffic, currently a 100,000 square foot big box store could be built as a principal permitted use which would generate 9,449 traffic trips per day. Tonight's proposal would reduce the traffic trips by 90%, substantially reducing the potential traffic impacts of this site. Mr. Landry stated that there are a number of deviations requested, however, as staff have indicated the deviations are supported due to site constraints. Finally, it was stated if anyone questions whether residential development can be successful next to retail, the condominiums at The Enclave located adjacent to Twelve Oaks Mall is an example where this has been done successfully in Novi.

Chair Pehrson opened the public hearing and invited members of the audience who wished to speak to approach the podium. Seeing no one, Chair Pehrson requested that Member Lynch read into the record the correspondence received. Member Lynch relayed that correspondence was received from Wei Jin of 48888 Windfall Road who objects due to increased road congestion posing safety risks for pedestrians and cyclists, pressure on local schools and utilities, and loss of green space. Additionally, the building height, density, and design are not compatible with the surrounding area. Rui Li of 48795 Windfall Road objects due to commercial over saturation, infrastructure fiscal deficit, and loss of industry tax base and jobs by converting I-1 Light Industrial land to residential. Deborah Domke of 48801 Windfall Road objects due to the proposed spacing between buildings being too close and not meeting ordinance requirements. Additionally, residences with stairs do not appeal to the aging community. Ann Nelke of 48646 Windfall Road objects due to the closeness of the buildings and overall room count. Ms. Nelke noted concern that the "missing middle housing" for corporate workers is a transient situation and will result in more rentals. Sathia Mehanathan of 48668 Windfall objects due to increased traffic particularly during peak hours. Martha Ryznar of 44875 Yorkshire Drive objects due to the proposed project being

inconsistent with the existing Consent Judgement. Steve Potocsky of 48849 Rockview Road objects due to traffic and safety concerns. Additionally, the proposed townhomes do not meet the needs of seniors. Amending the Consent Judgement is a significant decision; until residents have had a fair opportunity to be heard and questions of safety have been answered a change to the Consent Judgement should not be recommended. Janice Krupic of 48870 Windfall objects due to public safety risks associated with the proposal, influx of e-scooters, e-bikes and non-automotive vehicles in a commercial zone, and the proposal not being consistent with the needs of seniors or young adults.

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

Member Lynch stated that as he was reading through the packet, he was stunned by the traffic study. It was noted that from a traffic standpoint the proposal is more attractive than additional retail in this area. It was stated that the change from surface parking in the previous proposal to garages in the current proposal is a positive improvement. Member Lynch expressed that he would like the applicant to consider limiting the number of leases in the deed. Many homeowners' associations in the area have constraints on the number of leases.

Mr. Landry stated that these would be condominiums controlled by a Master Deed. A provision could be added to the Consent Judgement to prohibit or limit leases.

Member Lynch stated that he is in favor of the idea that the wetlands are preserved and the development would be distanced from neighboring residential areas. He reiterated that with his recommendation to City Council a stipulation limiting leases should be put in place.

Member Reddi stated the project will add to the community. With respect to the 30 feet between buildings, the windows and doors should not be placed across from each other. It was expressed that adding housing to the community is positive. Lastly, Member Reddi stated that the road should be improved as it is currently in poor condition.

Mr. Landry stated he would like to address the buildings. It was noted that staff recognize that this is an urban style development. The Pulte development on Main Street is similar in nature and has less distance between buildings than the 30 feet proposed for Novi Acres.

Member Dismondy expressed that Novi may not be ready for building infill multi-family. Feedback from residents indicates as such, however we may be getting close to that as there is not much land left to develop in Novi. He relayed that the Consent Judgement predates his time on the Commission so he will not opine on that aspect. It was suggested that the traffic be looked at in closer detail. Expected traffic may be 10% of retail projections; however, residents may say that between 7am – 8 am retail would not be open anyway. It was relayed that this is a pretty good use of a small piece of land as it is tucked back and already has an access road.

Member Verma stated that the land has been vacant since 2001 but is now under consideration. It was noted that the traffic study must have been done recently, when Beck Road reopens there will be less traffic on Wixom Road. Member Verma expressed that he likes the idea of homes in this location.

Member Roney stated that this parcel is intended for retail and noted that the Consent Judgement is correct with the designation of plots A, B, and C reserved for retail. It was stated that he cannot personally envision housing at this location and is not in favor of the deviations. He stated that he does not support recommending to the City Council that they reconsider what they decided years ago.

Member Avdoulos requested Mr. Landry to come to the podium to answer a few questions. The proposed amendment to the Consent Judgement states that it will replace 100,000 square feet of retail development potential. It was asked how many square feet of retail could be constructed based on the buildable portion of the land.

Mr. Landry stated that based on the usable land 100,000 square feet of retail could be constructed.

Member Avdoulos inquired if the preserved natural features are taken into account when calculating the 100,000 square feet.

Mr. Landry stated that the natural features are accounted for when calculating the 100,000 square feet.

Member Avdoulos inquired if additional parking would be required for the 100,000 square feet of retail.

Mr. Landry stated that there is a shared parking agreement in place for the site.

Member Avdoulos stated that at this time there is difficulty in marketing this property as big box retail, however it could be separated into five 20,000 square foot units similar to the small retail component proposed with the townhomes. It was asked what the total square footage of the proposed development is.

Mr. Landry stated that the proposed development is approximately 60,000 square feet.

Member Avdoulos stated that considering driveways and walkways, approximately 100,000 square feet of space would be used for the proposed development. It stated that developments such as this are being built in many locations. The residential development next to Costco in Livonia is one example. It was asked if the main road leading out to Wixom Road will be enhanced.

Mr. Landry stated that the road and entrance will be enhanced.

Chair Pehrson stated that the question to consider is if the Consent Judgement is in the best long-term interest of Novi. Considering the previous proposal of Station Flats and the proposal this evening there has been marked improvement. Many concerns have been addressed early on. It was stated that 61 townhomes are reasonable. It was noted that location and traffic concerns remain. However, if a big box store were to be developed here the associated traffic would be substantial. Chair Pehrson requested of the applicant to look at what can be done in terms of traffic and timing of lights. He expressed appreciation for the mixed-use concept, however the type of retail in the outbuilding has not been defined. It was stated that the specific use of the three retail spaces should be memorialized before this project moves forward. Chair Pehrson inquired what is planned for the south side of the Sam's Club building to protect residents from vehicular traffic lighting and trucks coming and going.

Mr. Landry stated that their team spent a tremendous time working with the City on this issue. It was noted that staff in now in support because significant landscaping will be installed along with a masonry wall.

Chair Pehrson stated that the comments and concerns raised when a project such as this comes forward often desire the same things. Residents often want single story homes, affordability, no traffic, low lighting levels, and low noise levels. It was expressed that it is not possible to achieve every desired aspect in each development. Chair Pehrson stated he would like to see further adjustments to the plan but supports moving this forward to the City Council.

Member Avdoulos stated that he would like to see a comparison with retail represented on the site in order to understand if additional parking is needed for a retail application, noting that we would like to eliminate as much impervious surface as possible. It was stated that almost every project requires a dialogue of back and forth with respect to the concerns regarding deviations.

Member Roney asked for clarification if the project will go before the City Council whether it is recommended this evening or not.

Chair Pehrson confirmed that the project would go before the City Council regardless.

Member Dismondy stated that the decision whether to amend the Consent Judgement falls with the City Council.

Motion to recommend approval of the proposed Amendment to the Consent Judgment and Preliminary Site Plan for JSP25-0012 Novi Acres.

In the matter of JSP25-0012 NOVI ACRES, motion to recommend approval of the proposed Amendment to the Consent Judgment and Preliminary Site Plan based on the following findings, deviations, and conditions:

1. **The proposed amendment to the Consent Judgment will replace 100,000 square feet of retail development potential with 61 residential units and a standalone retail building. The estimated number of daily vehicle trips is 970 for the 61 multiple family units and standalone retail building, which is significantly less than the estimated number of trips for a retail use (shopping plaza: 9,109 daily trips; Supermarket: 8,878 daily trips). Therefore, the proposed change will have less impact on the road network compared to the use permitted by the current Consent Judgment.**
2. **The proposed buildings are buffered by landscaping and preserved wetland areas on the east and south and set back from Wixom Road on the east. Additional screening and landscaping has been proposed to improve the buffer to the north.**
3. **The proposed development could help provide for missing middle housing needs that are walkable to the commercial areas and the Grand River corridor, as recommended in the Master Plan.**
4. **As a redevelopment of a previously disturbed infill site, the project avoids significant wetland and woodland impacts. The project is able to take advantage of the existing utilities and road infrastructure instead of building new facilities, which is less impactful to the environment.**
5. **Per Sec. 3.8.3, the Planning Commission finds that a proper relationship exists between local streets and the proposed service roads, driveways and parking areas to encourage pedestrian and vehicular traffic safety.**
6. **The proposed Preliminary Site Plan would require the following amendments to current conditions of the Consent Judgment:**
    a. **Gross Building Area – Retail (Item 12, A, Consent Judgment): Per the Consent Judgment, Retail "B," which is to be located on the subject property, shall not exceed 100,000 square feet in total square footage. The proposed development would allow a 61-unit multi-family residential development on 7.17 acres and a 6,529-square-foot standalone retail building.**
    b. **Uses Permitted (Item 12, B, Consent Judgment): Per the Consent Judgment, Retail "A," "B" and "C" shall conform to the uses permitted in the B-2 zoning district as described in the City of Novi Zoning Ordinance. The applicant is requesting to modify the Consent Judgment to permit multi-family use on the subject parcel. As such, the project has been reviewed against the RM-2 District standards to apply appropriate requirements.**
    c. **Parking (Item 12, E, Consent Judgment): Per the Consent Judgment, a total of 1,725 parking spaces shall be provided between Retail A, B, and C. A revised total of 1,470 spaces are proposed for Retail A and C, and the proposed retail building and residential use.**
    d. **The Master Deed for the project shall contain restrictions limiting the number of leases permitted within the development.**
7. **The proposed Preliminary Site Plan will require deviations for the following:**
    a. **Deviation from Sec. 3.1.11.D to allow a commercial development parcel that does not meet the minimum required acreage in the B-2 District (2 acres required, 1.54 acres proposed);**
    b. **Deviation from Sec. 3.8.1.A to allow increase in room count based on RM-2 standards for 3-story building (157 maximum allowed, 244 proposed);**
    c. **Deviation from Sec. 3.8.2.D to allow the buildings to not be oriented 45 degrees to the property lines, due to the available area for construction and constraints of the**

property;

d. **Deviation from Sec. 3.8.2.E for exceeding the maximum amount of permissible pavement area in front yard for residential (30% maximum permitted, 36% proposed);**
e. **Deviation from Sec. 3.8.2.G to allow sidewalk only on one side of the drive (both sides required) because the lot configuration does not include the opposite side of the drive;**
f. **Deviation from Sec. 3.8.2.H to allow a lesser distance between residential buildings (84 and 61 ft minimum required, 30 ft minimum proposed), as the tighter configuration allows greater open space on the constrained site;**
g. **Deviation from Sec. 5.7.3.1 to allow an overage in the ratio of average to minimum light level in the retail portion of the site (4:1 maximum permitted, 4.74:1 proposed for retail);**
h. **Landscape deviation from Sec. 5.5.3.B.ii and iii for an 8-foot-tall pre-cast wall with evergreen trees is proposed in lieu of a 6–8-foot berm between the proposed development and the abutting Sam's Club commercial use;**
i. **Landscape deviation from Sec. 5.5.3.F.iii for deficient foundation landscaping of frontages facing interior drives on buildings 1, 4, 7, & 8 (35% required, 12-13% proposed);**
j. **Landscape deviation from Sec. 5.5.3.C for not meeting the minimum requirements for parking lot landscaping in the proposed retail area; and**
k. **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 Preliminary 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 ON MOTION TO RECOMMEND APPROVAL OF THE PROPOSED AMENDMENT TO THE CONSENT JUDGEMENT AND PRELIMINARY SITE PLAN FOR JSP25-0012 NOVI ACRES. Motion carried 6-1 (Roney).

MATTERS FOR CONSIDERATION

1. **APPROVAL OF THE SEPTEMBER 9, 2026, PLANNING COMMISSION MINUTES**
   Motion to approve the September 9, 2026, Planning Commission Minutes.

ROLL CALL ON MOTION TO APPROVE THE SEPTEMBER 9, 2026, PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS. *Motion carried 7-0.*

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 September 23, 2026, meeting made by Member Lynch and all in favor said aye.

Meeting adjourned at 8:00 PM.

DRAFT